

**THURSDAY, 26 MAY 2016**

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***PROCEEDINGS OF THE NATIONAL ASSEMBLY***

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The House met at 14:01.

House Chairperson Mr C T Frolick took the Chair and requested members to observe a moment of silence for prayer or meditation.

**ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS** - see col 000.

**NOTICES OF MOTION**

Dr C Q MADLOPHA: Chair, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates measures geared at diminishing the high death toll on South Africa's major roads.

Mr P G ATKINSON: Chairperson, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates the significant increase in criminal activity due to drug abuse in the greater Lenasia area and actions to be taken by the police to combat the scourge in Lenasia and indeed around the country.

Mr S N SWART: Chair, I give notice that on the next sitting day of the House, I shall move on behalf of the ACDP:

That the House, noting that an estimated 15% of South Africa's population is believed to have drug problems, with drug abuse amongst children and youth skyrocketing, debates the lack of government funding for nongovernmental organisations, NGOs, and initiatives such as the Recovering Addicts Empowering Lives, Rael, Orange Friday initiative which raises public awareness about substance abuse by encouraging people to wear something orange on Fridays, like this scarf I'm wearing today, on Thursday.

I thank you.

Ms H B KEKANA: Chair, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates the building of an extensive support network for small businesses and co-operatives.

Mrs D ROBINSON: Chair, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates the handling of the sexual harassment case against the ANC's Marius Fransman with due process not being followed and the continued support of the ANC Women's League for a man accused of violating a young woman.

This has become a pattern where the Women's League protects perpetrators of violence, rather than victims.

Ms A TUCK: Chairperson, on behalf of the ANC, I move.

The ANC welcomes the Northern Cape provincial government's commitment to deal with the abuse of drugs and alcohol in that province by creating an inpatient treatment facility. The rise of drug abuse in South Africa is worrying as the World Health Organisation says that 15% of South Africa's population has a drug problem. The statistics are of concern to South Africa and gives the country a bad reputation of being one of the drug

capitals of the world. This facility will be used by people suffering from addiction. It will be built at the ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, may I ask the Whips just to check? That sounds more like a statement and not a motion for debate. Let the Whips check, and then we can come back to it. There was another hand. The DA?

Mr E J MARAIS: Chair, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates actions to be implemented by the three spheres of government to accelerate the establishment of the industrial development zone in Saldanha to create much-needed jobs and to stimulate economic growth.

Ms D P MANANA: Chair, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates reviewing the powers of school governing bodies.

Mr T Z HADEBE: House Chairperson, I give notice that on the next sitting day of the House, I shall move on behalf of the DA:

That the House debates the firing of KwaZulu-Natal Premier Senzo Mchunu.

[Interjections.]

Ms H B KEKANA: House Chairperson, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates implementing more programmes to curb the scourge of teenage pregnancy.

Mr K J MILEHAM: Chairperson, I hereby move on behalf of the DA:

That the House—

- (1) notes that a DA billboard in Nelson Mandela Bay Metropolitan Municipality containing the words, "Danny Jordaan proudly brought to you by Jacob Zuma", was removed without any justification by the municipality;
- (2) further notes that according to a reply to a parliamentary question — and the copy will be supplied to you — the Minister of Co-operative Governance and Traditional Affairs, Minister Des van Rooyen, stated that "the

municipality has not yet established who gave the instruction for the billboard to be removed and it is still investigating the matter.”

- (3) recognises that an e-mail dated 14 April 2016 – and I will provide a copy of this too – from Johan Potgieter, a senior fire safety officer at the Nelson Mandela Bay Metropolitan Municipality, states that “an instruction was issued by the executive Mayor Mr Jordaan that the sign must be removed with immediate effect”;
- (4) acknowledges that there was no legal basis for the removal of the sign;
- (5) further acknowledges that such an action on the part of the executive mayor was nothing more than a political ploy  
...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, is that a statement or a motion that you are reading?

Mr K J MILEHAM: It's a notice of motion, Chairperson.

[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members, order! Hon members, the idea with motions is that you table a topic for discussion and debate. Can you please wrap up, hon member? You are going way beyond the scope of it now.

Mr K J MILEHAM: It's a substantive motion, Chairperson.

The HOUSE CHAIRPERSON (Mr C T Frolick): Then you must submit it to the Table, hon member. You can't read the whole thing here. If you want it for debate, submit it to the Table.

Mr M WATERS: Chairperson, may I address you? With all due respect, the members can read a substantive motion out in full. It's been practised throughout all the years. We have never had to submit a ...

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

Mr M WATERS: ... substantive motion to the Table before. I don't know where this Rule comes from, Chairperson.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. You may take your seat. At least, if there is a substantive motion, there must be interaction with the Table beforehand to

say that such a motion will be read so that we can check what the substance of the motion is and the length that will be put aside for the motion to be read. The purpose is to table a motion for debate. Conclude, hon member.

Mr K J MILEHAM: I further move that the House—

- (6) notes that the Minister's parliamentary reply contradicts the information contained in the e-mail;
- (7) also notes that Minister Van Rooyen ... [Interjections.] ... is misleading the House in his parliamentary reply; and
- (8) resolves that this issue be referred to the Parliamentary Ethics Committee.

The MINISTER OF SCIENCE AND TECHNOLOGY: Chairperson, could you assist us? I thought you had indicated that this period is for notices of motion. There would be a period in which motions would be stated which we could then deal with. Now, is there a particular Rule by way of a substantive motion that deals with a member of this House being presented as a notice of motion? If you could assist in that regard, thank you.



The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, hon Minister. That's exactly why I indicated that if there is a substantive motion, it must be tabled. We are busy with notices of motion. It should be done, and the Table should be informed that it is going to be done because some of these substantive motions can be quite a few pages as well. Then what we usually will do is to give the member who wants to raise a substantive motion a brief opportunity to state what the motion is on and not to read the entire motion to the House because obviously the House cannot take a decision on it. It must be referred somewhere else. There was a request for a motion from the ANC. The IFP?

UMNTWANA R N CEBEKHULU: Sihlalo weNdlu, egameni lombutho we-IFP ngiphakamisa ukuba esikhathini sokuhlala kwale Ndlu okulandelayo:

INdlu ixoxe kabanzi ngenselelo izwe elibhekene nayo ukubhekela imingcele yethu emanzini olwandle, nokubhekela ukudotshwa ngokungemthetho kwezinhlanzi nemikhumbi ephithizelayo ngaphakathi kwemingcele eNingizimu Afrika.

*(Translation of isiZulu notice of motion follows.)*

[Inkosi R N CEBEKHULU: Chairperson, I give notice that at the next sitting of the House, I shall move on behalf of the IFP:

That the House debates in detail the challenges facing our country in addressing issues around our maritime boundaries and also addressing the issue of illegal fishing and the ships moving in and out of our South African borders.]

Adv B T BONGO: House Chair, I give notice that on the next sitting day of the House, I shall move on behalf of the ANC:

That the House debates international strategic interventions in the fight against the spread of terrorism in the world.

The CHIEF WHIP OF THE MAJORITY PARTY: Chair, with due respect, on a point of order, so that we are all on the same wavelength, for our understanding again, I'm rising on the point that the hon member Pandor has raised - that the matter from the DA that is purported to be a notice of motion was in fact not a notice of motion. It did not end with a subject for debate in the next sitting or in the next session of Parliament. In fact, more than anything else, it sounded to be more of a substantive motion which should have been provided to the House, to you, and to the Table so that it is put on the Order Paper for debate. So, Chair, I'm therefore saying it will be very difficult for us to leave this unchallenged as a notice of motion. I will really be respectful of your judgement in this regard.

Mr M WATERS: Chairperson, may I address you?

The HOUSE CHAIRPERSON (Mr C T Frolick): Let me just deal with this matter first. Hon members, what happens to all these notices of motion that have been tabled here is that it finds its way through the Table to the Office of the Speaker who then looks at the motions and informs the member accordingly that it is either in line with what the intention was or it is not, and the member is then asked to do the necessary corrections. Hon Waters?

Mr M WATERS: Chairperson, thank you for that clarity. I was going to bring to your attention that the Guide to Procedure clearly states that draft resolutions and motions of this regard fall under general motions, and therefore the hon member was quite right in standing up and delivering that motion. So, thank you for that clarity, Chairperson.

The HOUSE CHAIRPERSON (Mr C T Frolick): However, I would like to repeat that when there is an intention to table a substantive motion, that we inform the Table Staff so that the presiding officer at the time is also aware of it and so that we allow that the motion can be mentioned and the House takes notice of it. In no way can you just allow an open-ended process for

substantive motions to be read in the House. So, hon Chief Whip and Deputy Chief Whip, we will deal with it in the way that I've said. It's being looked at anyway after it has been tabled.

**MURDER OF WELL-KNOWN AUTHOR WINNIE RUST**

(Draft Resolution)

Mr N SINGH: House Chairperson, I move without notice:

That the House-

- (1) notes that the Wellington community in the Boland has been left reeling after one of their most well-known citizens and authors, the 77-year old Ms Winnie Rust, was found murdered at her home on Wednesday, 11 May 2016;
- (2) further notes that Rust was also a community leader and a famous Afrikaans author of books such as *Martha: Countess of Stamford, and Trek*, among others, which had been short-listed for at least one major South African award;
- (3) acknowledges that two suspects connected to the murder have already appeared in court, one of whom is an 18-year-

old star athlete who was known and assisted by the Rust family;

(4) further acknowledges that there has been an increase in violent crime in Wellington and in other communities across the country, which is a national crisis;

(5) applauds the SA Police Service for speedily apprehending the two suspects;

(6) recognises the moving tribute of Rust's daughter at her funeral, in which she said, "I do not just cry for you but also for our country", saying that the family was shattered by the manner in which her mother had died; and

(7) conveys its deepest condolences to the Rust family and the Wellington community at large.

Agreed to.

**LUMKO MTIMDE APPOINTED AS UNIVERSAL SERVICE AND ACCESS AGENCY OF  
SOUTH AFRICA CHIEF EXECUTIVE OFFICER**

(Draft Resolution)

Ms H H MALGAS: House Chairperson, I move without notice:

That the House-

- (1) congratulates Mr Lumko Mtimde on his appointment as chief executive officer of the Universal Service and Access Agency of South Africa, Usaasa, in April 2016;
- (2) notes that the former head of the state-funded Media Development and Diversity Agency commenced his duties on Tuesday, 24 May 2016, following the approval by Cabinet;
- (3) understands that he comes to Usaasa with extensive knowledge and experience in the field of ICT, having served on a number of regional regulatory bodies before;
- (4) believes that his passion for community development, universal service and access to communication services as well as his track record in the ICT sector and stakeholder management will assist in steering the agency towards the fulfilment of its mandate; and
- (5) wishes Mr Mtimde success in his new position of responsibility.

Agreed to.

**CALL TO DECLARE COUNTRYWIDE DROUGHT A NATIONAL DISASTER**

(Draft Resolution)

Ms A STEYN: House Chairperson, I move without notice:

That the House-

- (1) notes that South Africa is currently experiencing the worst drought ever in its recorded history, with the year 2015 having seen the lowest rainfall ever recorded;
- (2) further notes that the extreme heat experienced during January and February of this year has exacerbated the problem of low rainfall and extremely dry conditions, led to crop failure, and caused thousands of animals to die;
- (3) also notes that the effects of this drought are impacting negatively on food prices and that we are already experiencing high inflation rates due to this;

- (4) recognises that 16% of our population is already food insecure and that the cost of higher food prices will have a devastating effect on many more South Africans;
- (5) acknowledges that the low water levels in many of South Africa's dams are causing millions of South Africans to live without water and that this situation could deteriorate during the winter period;
- (6) further acknowledges that nongovernmental organisations, NGOs, and aid organisations are already delivering water to many communities without water;
- (7) also acknowledges that the Southern African Development Community, SADC, region has declared this drought a regional disaster and has called on all governments, the private sector, and international aid organisations to assist the millions of people that could be displaced because of this; and
- (8) calls on the South African government to declare the drought a national disaster and to ensure that we do everything in our power to soften the impact of the drought on our citizens.



Agreed to.

**CHALLENGES PRESENTED BY OVERCROWDING IN FOUNDATION PHASE**

**CLASSROOMS**

(Draft Resolution)

Ms C N MAJEKE: House Chairperson, I move without notice:

That the House-

- (1) notes that Stellenbosch University's department of economics recently published a research report on behalf of the Zenex Foundation;
- (2) further notes that, according to the report, 200 Grade R pupils are taught in one classroom at Sinempumelelo Primary School in Beacon Bay, East London, in the Eastern Cape;
- (3) recognises that teaching young children to read is notoriously difficult in a cramped and overcrowded environment, and this undermines their fundamental rights;

- (4) further recognises that this results in children missing out on effective foundation phase learning, which is critical for the child's emotional, intellectual, and physical development; and
- (5) calls on stakeholders to redouble their efforts in fighting for quality education for all.

Agreed to.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, I want to make a request that all members must carefully listen to these motions that are read because if there is no objection, then it becomes a decision of the House that must be communicated.

**CHELSEA FLOWER SHOW GOLD MEDAL FOR KIRSTENBOSCH NATIONAL  
BOTANICAL GARDEN**

(Draft Resolution)

Mr M W RABOTAPI: House Chairperson, I move without notice:

That the House-

- (1) notes that yesterday, 24 May 2016, the Kirstenbosch National Botanical Garden's display of a proudly South African exhibit won a gold medal at the 2016 Royal Horticultural Society flower show;
- (2) acknowledges that the Chelsea Flower Show, as it is commonly referred to, is one of the world's largest and most prestigious flower shows;
- (3) further acknowledges that this is South Africa's 34th gold medal in 41 years at the show;
- (4) recalls that, last year, Kirstenbosch National Botanical Garden was announced as the best botanical garden in the world at the 2015 International Garden Tourism Awards;
- (5) thanks Kirstenbosch for their commitment to conserving, protecting, and proudly showcasing our nation's rich variety of plant life;
- (6) further thanks them for once again flying our flag high on the international stage; and

- (7) congratulates the members of the team on this extraordinary achievement.

Agreed to.

**JUSTICE BESS NKABINDE TO ACT AS DEPUTY CHIEF JUSTICE**

(Draft Resolution)

Mr M P SIBANDE: House Chairperson, I move without notice:

That the House-

- (1) welcomes the appointment by President Jacob Zuma on Monday, 23 May 2016, of Justice Bess Nkabinde to act as Deputy Chief Justice;
- (2) notes that Nkabinde was appointed following the retirement of Deputy Chief Justice Dikgang Moseneke from the Constitutional Court on Friday, 20 May 2016;
- (3) understands that Nkabinde is one of the few female judges who sits in the Constitutional Court;

- (4) further understands that she was an acting judge of the Supreme Court of Appeal in 2005;
- (5) believes that Nkabinde will act in her new position until a permanent appointment is made; and
- (6) congratulates her and wishes her well in the new position of responsibility.

Agreed to.

**WESTERN CAPE AND NORTHERN CAPE IN FULL COMPLIANCE WITH FINANCIAL  
DISCLOSURE FRAMEWORK**

(Draft Resolution)

Mr E J MARAIS: House Chairperson, I move without notice:

That the House-

- (1) notes that the Western Cape and the Northern Cape are the only two provinces that submitted 100% of their financial disclosure forms in the 2014-15 financial year;

- (2) acknowledges that this is in compliance with the Financial Disclosure Framework; and
- (3) congratulates the Western Cape and the Northern Cape for successfully complying with this framework and for submitting 100% of their forms before the due date.

Agreed to.

**INTRODUCTION OF WORKPLACE SKILLS PLAN BY ZULULAND DISTRICT  
MUNICIPALITY**

(Draft Resolution)

Mr A M SHAIK EMAM: House Chairperson, I move without notice:

That the House-

- (1) notes that the NFP, which governs the Zululand District Municipality, has introduced a workplace skills plan in line with the integrated development plan, IDP;
- (2) also notes that over 800 people have been trained, and over R6 million has been allocated;

- (3) further notes that the NFP's Zululand District Municipality also introduced an employee assistance programme to tackle the underlying problems experienced by employees to make them more productive;
- (4) acknowledges that over R10 million has been spent for widows and orphans;
- (5) further acknowledges that over 15 000 houses were built in the small municipality of eDumbe, while there were only 62 built in five years by the DA;
- (6) also acknowledges that 1 021 students have qualified in the arts, music, fashion, design, and recording studio and that, whilst challenges do exist in the area as a result of limited resources and most of Zululand being a deep rural area, the Zululand District Municipality, governed by the NFP, has performed exceptionally well with every single household in eDumbe being provided with water and every one of the 157 000 indigent households receiving over 6 000 litres of water per month; and

(7) congratulates the NFP, the Zululand District Municipality, and all those that work together in bringing services to the community of the Zululand District Municipality.

The HOUSE CHAIRPERSON (Mr C T Frolick): Are there any objections to the motion?

Mr M WATERS: Objection.

Ms H H MALGAS: The ANC objects.

The HOUSE CHAIRPERSON (Mr C T Frolick): There being an objection, the motion without notice becomes a notice of motion on the Order Paper. [Interjections.]

**STELLAR PERFORMANCE BY LONG JUMP STAR RUSHWAL SAMAAI**

(Draft Resolution)

Ms H H MALGAS: House Chairperson, I move without notice:

That the House-



- (1) notes that Rushwal Samaai from Paarl beat Australia's 2015 IAAF World Championship Beijing silver medalist Fabrice Lapierre on Saturday, 21 May 2016;
- (2) further notes that Rushwal equaled the record set in Rabat, Morocco by Yahya Berrabah, with a distance of 8,38m to be named champion of the long jump event;
- (3) understands that Samaai, who grew up with his three siblings and a single mother in a shack in Magnolia flats in Paarl, is taking part in international events as he prepares to qualify for the Rio Olympics;
- (4) further understands that this achievement adds to the numerous records achieved and his bronze medal won at the 2014 Commonwealth Games;
- (5) acknowledges that due to his athletic and academic achievements, Samaai received a scholarship to one of Paarl's premier high schools, Gimnasium;
- (6) believes that this rough diamond from humble beginnings will qualify for the Olympics and that he could walk away with the gold medal; and

- (7) congratulates Rushwal Samaai on his achievement and wishes him well in his efforts to qualify for the Rio Olympics.

Agreed to.

**SOUTH AFRICANS ENCOURAGED TO REGISTER AS ORGAN DONORS**

(Draft Resolution)

Ms S V KALYAN: House Chairperson, I move without notice:

That this House-

- (1) notes that only 0,3% of the South African population is registered as organ donors;
- (2) further notes that the 2013 statistics around organ donation paint a very bleak picture for the approximately 4 300 people desperately waiting for organ or tissue transplants;
- (3) also notes that the statistics for 2014 are not available, and it would appear that a mere 18 transplants took place in 2014;

- (4) acknowledges that no heart or bilateral lung transplants were performed in 2012, 2013, or 2014 at state hospitals and that many patients are simply sent home to die;
- (5) also acknowledges that this is largely due to the lack of critical resources such as organ procurement officers, life support equipment, and dialysis machines;
- (6) requests the Minister of Health in conjunction with the Organ Donor Foundation to initiate a national dialogue on the concept of organ donations and to factor organ transplantation into the Health budget, as it is more cost effective to do, for example, a kidney transplant rather than long-term dialysis;
- (7) encourages all South Africans to consider registering as organ donors to assist people like Ayanda Nkosi and Matthew Legemaate who are waiting for organ donors to live a better and healthy life; and
- (8) thanks the Organ Donor Foundation for the vital work they do despite the various challenges and constraints they face on a daily basis.

Agreed to.

**SENTENCING OF MPUMALANGA SERIAL KILLER AND RAPIST**

(Draft Resolution)

Prof N M KHUBISA: House Chairperson, I move without notice:

That the House-

- (1) notes that serial killer and serial rapist Sello Mkomazi has been sentenced in Mpumalanga to 439 years and nine months imprisonment for raping nine women and a 13-year-old girl;
- (2) further notes that all the rape incidents took place around KwaMhlanga and Vaalbank in Mpumalanga between 2009 and 2012;
- (3) acknowledges that local communities assisted the investigating team with information which led to the eventual arrest of this serial killer;

- (4) congratulates the police's investigative team and the prosecuting team for thorough and successful investigation and prosecution; and
- (5) encourages all communities to assist the police with information to ensure that criminals are apprehended and face the full might of the law.

Agreed to.

**FATAL FIRE IN BANGKOK SCHOOL DORM**

(Draft Resolution)

Mr M P SIBANDE: House Chairperson, I move without notice:

That the House-

- (1) notes with sadness the death of 18 girls in a fire at a school dorm in Bangkok, Thailand on Monday, 23 May 2016;
- (2) understands that 38 children, all girls between the ages of 5 and 12, were sleeping in the dorm when the fire broke out at the private school;

- (3) further understands that the surviving 20 girls were rescued after firefighters on ladders scaled the walls of the building;
- (4) believes that the school has been operating for five years and teaches 142 students from pre-elementary to Grade 6;
- (5) further believes that about 60% of the students were poorer children from surrounding villages who had been receiving free education and accommodation from the Christian charity; and
- (6) conveys its condolences to the government of Bangkok and families of the deceased.

Agreed to.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, the next item on the Order Paper is members' statements. Does any member of the ANC wish to make a statement?

Mr B A RADEBE: House Chairperson, I am sorry, but I want to take you back to the notices of motion. There is a motion which we are objecting to unless it is rephrased. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, let me continue with the statements. Can you please consult with the Table Staff, and I will come back to that motion after I have dealt with the statements? I cannot do it from the Chair.

#### **LAUNCHING OF NEW TOYOTA ASSEMBLY PLANT IN ISIPINGO**

(Member's Statement)

Mr A J WILLIAMS (ANC): House Chair, during the state of the nation address in February 2016, President Zuma announced that the support provided by government through the Department of Trade and Industry had attracted investment of over R25 billion in the automotive industry in the past five years and that the investment is beginning to bear fruit.

On Tuesday, 24 May, the President officially launched the new assembly plant built for the Toyota Hilux and Fortuner in Isipingo in Durban. The launch of this new model is part of the implementation of the Nine-Point Plan that he announced in 2015

to grow our economy and create jobs. This R6,1 billion investment in the production of the new Hilux and Fortuner vehicles will support more than 4 000 jobs, whilst total employment in the plant already exceeds 8 000 jobs. This investment demonstrates global motor manufacturers' confidence in South Africa even during difficult economic times.

The ANC welcomes this latest development by the company, which proves its commitment to South Africa by strategically investing in our people. I thank you.

**INDUSTRIAL DEVELOPMENT CORPORATION LOAN TO GUPTA FAMILY FOR  
PURCHASE OF SHIVA URANIUM MINE**

(Member's Statement)

Dr M J CARDO (DA): House Chair, the claim by the chief executive officer of the Industrial Development Corporation, IDC, that there were "no political considerations" associated with the restructuring of a R250 million loan to the Guptas needs to be taken with a large bucket of salt.

The IDC sacrificed commercial considerations on the altar of political expediency when it dished out favours for family and



friends of President Jacob Zuma. That the IDC coughed up R250 million for Oakbay to buy Shiva Uranium mine made no commercial sense. The loan accounted for almost the entire R270 million purchase price, and when the mine was parcelled out, a company part owned by President Zuma's son Duduzane took 26%. Oakbay has valued Shiva at R10,7 billion on a net-asset basis, but the IDC loan has still not been repaid in full. In fact, the IDC bent over backwards to renegotiate repayment on terms wholly favourable for the Guptas. This was a win for the Guptas but a loss for the South African people.

The DA believes the IDC should follow the lead of the commercial banks and give the President's pals a wide berth in future.

Thank you. [Applause.]

**REGISTRATION OF GOVERNMENT-SUBSIDISED SET-TOP BOXES IN MAKULEKE  
VILLAGE**

(Member's Statement)

Ms M F NKADIMENG (ANC): Chairperson, the ANC commends the progress made in the registration of government-subsidised set-top boxes, STBs, in Makuleke village, Limpopo. The rise in the STB registration is as a result of the intervention of the

Minister of Communications' request to the SABC to delink television licences as a requirement for the STB registration process.

STBs are the requirement necessary for viewers to keep on watching television, as South Africa makes the switch from analogue to digital broadcasting, a process which is key for opening up more frequencies and faster mobile broadband services. With digital migration, viewers will be able to watch television and enjoy good picture quality and sound.

In this regard, the ANC-led government is committed to giving free STBs to 5 million indigent households across the country. So far, hundreds of poor television-owning households have already registered to get their government-subsidised STBs.

The ANC believes moving to digital migration will create a new broadcasting landscape that will increase the role of free-to-air television to meet the needs and aspirations of all South Africans. We are moving forward; you are the only ones left.

**CALL FOR PROPER NUTRITION IN SCHOOL FEEDING SCHEME PROGRAMMES**

(Member's Statement)

Mr K P SITHOLE (IFP): House Chairperson, school feeding schemes have been implemented in various schools across the globe and the country to improve the nutritional welfare of learners.

However, recently studies and reports have shown that little nutritional benefit can be obtained from the foodstuff that is being served in schools through the SA National School Nutrition Programme. The deficiencies in this food have a negative effect on learners in general and on their overall ability to function in class. The sad reality is that only those learners in the townships and rural schools that are already disadvantaged by so many other factors fall victim to the very food that is there to aid them but instead adds to their misfortunes.

Another issue that should perhaps be addressed in connection with this is the issue of corruption in awarding contracts to certain providers for the government school feeding schemes. Recently, there were reports of schools being shut down for nearly three weeks due to disputes over these issues in Babazani in the Umkhanyakude District Municipality in KwaZulu-Natal. Unfortunately, there is the allocating of the feeding scheme contracts to contractors who are only out to gain financially instead of working towards the most important aim of this

programme, which is to ensure that learners are fed sufficiently nutritious food. I thank you.

**CALL ON MINISTER OF POLICE TO ACCOUNT FOR PURCHASING OF LUXURY  
VEHICLES FOR WIVES OF PRESIDENT ZUMA**

(Member's Statement)

Dr P J GROENEWALD (VF Plus): Voorsitter, die agb Minister van Finansies en sy span doen alles in hul vermoë om te voorkom dat Suid-Afrika afgegradeer word na rommelstatus. Deel van daardie pogings is juis om omstandighede te skep waar buitelandse beleggers sal wil kom belê in Suid-Afrika om dan ook werkseleenthede te skep.

Tans het ons besoek van Standard & Poor's in Suid-Afrika sodat hulle 'n ingeligte besluit kan neem, maar dan vra jy jouself die vraag af: Hoe is dit en hoe sal dit ontvang word as daar gelees en gehoor moet word dat daar minstens 11 voertuie aangekoop word teen 'n bedrag van R9 miljoen vir die vroue van die agb President? Daar word 'n beroep gedoen dat almal die gordel moet styf trek, maar as dit by die President kom, is dit asof die regering van die dag net eenvoudig blind is en net eenvoudig toelaat dat die President in luuksheid leef terwyl die volk arm

is. Ons hoor nou pas daar word dekodeerders aangekoop vir die arm volk, maar die President se vroue kan in weelde en luuksheid vervoer word.

Dit is totaal onaanvaarbaar, en die VF Plus vra dat die Minister van Polisie behoorlik verantwoording moet doen daaroor. Ek dank u. *(Translation of member's statement follows.)*

[Dr P J GROENEWALD (FF Plus): Chair, the hon Minister of Finance and his team are doing everything within their power to avoid South Africa being downgraded to junk status. Creating conditions that are conducive to having international investors invest in South Africa which will, in turn, create job opportunities forms part of those efforts.

Standard and Poor's is currently in the country to enable them to make an informed decision, but the question has to be asked: How is it possible, and how will they react when they learn that at least 11 vehicles, at a cost of R9 million, are being bought for the wives of the hon President Zuma? A call has been made for everyone to tighten the belt, but, where the President is concerned, government turns a blind eye and allows the President to live in luxury whilst the people of South Africa live in poverty. We have just heard that decoders are being bought for

the poor in our country, but the wives of the President are transported in opulent luxury.

This is totally unacceptable, and the FF Plus calls on the Minister of Police to properly account for this. I thank you.]

**SUPPORT GIVEN TO KWAZULU-NATAL SUGARCANE CO-OPERATIVES**

(Member's Statement)

Dr C Q MADLOPHA (ANC): Chairperson, the ANC views the support system given to five community-based co-operatives that plant sugarcane in the area of Qoloqolo in the Umzumbe Local Municipality, KwaZulu-Natal, as a good step in the right direction in terms of ensuring that their dream to expand their plantation will be fulfilled, due to financial muscle of R14 million in assistance from the KwaZulu-Natal department of agriculture and rural development and the SA Sugar Association. The funding will focus on the fencing of 70km of communal land, ratoon management across 1 207 hectares, nine land reform projects, the planting of a further 102 hectares of land and the establishment of five small-scale grower co-operatives.

The ANC views agriculture as a business and believes that with government support, the expansion and development of a progressive value chain will be ensured. It is therefore moved by the commitment of the KwaZulu-Natal department of agriculture and rural development to invest a further R55 million to grow this project in future. The ANC has confidence that the co-operatives will have a sweet sugarcane harvest this year. Assistance to rural co-operatives for big business projects should be emulated by other provinces. [Applause.]

**CONGRATULATIONS TO HAITI ON FULL AFRICAN UNION MEMBERSHIP**

(Member's Statement)

Mr N T GODI (APC): House Chair, as a Pan-Africanist party, the APC congratulates Haiti on its accession to full membership of the African Union. The APC thanks the AU for this groundbreaking and revolutionary act.

The accession by Haiti to full membership of the AU takes the issue of our unity with the African diaspora from theory to reality. The APC urges the other children of Africa - Jamaica, the Dominican Republic, Trinidad and Tobago, the Bahamas, Barbados, Saint Lucia, Saint Vincent and the Grenadines,

Grenada, Antigua and Barbuda, Saint Kitts and Nevis, Martinique, Dominica, the Turks and Caicos Islands, Saint Martin, Montserrat, Aruba, etc - to follow the example of Haiti.

Come back home to Mother Africa and expand the borders of our continent. Africa united - how good and pleasant it would be before God and men to see the unification of all Africans. As it has been said, let it be done, so sang Bob Marley. Thank you.  
[Applause.]

**WELCOMING OF UNCHANGED SOVEREIGN CREDIT RATING BY MOODY'S**

(Member's Statement)

Ms T V TOBIAS (ANC): Chairperson, the ANC welcomes the confirmation by Moody's Investors Service of South Africa's sovereign rating at Baa2 assigned with a negative outlook.

According to Moody's, although the negative outlook on the credit rating was left unchanged, the country is likely approaching a turning point after several years of falling growth, and the 2016-17 budget and medium-term fiscal plan will likely stabilise and eventually reduce the general government debt metrics. These ratings are a testament to our strong and



maturing political system and the resilient and robust institutions that support it and our democracy.

The ANC is confident that government will continue with its programme of aggressive fiscal consolidation whilst maintaining the delicate and very necessary balance between prioritising radical socioeconomic transformation, meeting basic needs, and fiscal sustainability. We are mindful of the remaining challenges and existing concerns, but we believe the outcome of the review will go a long way in restoring investor confidence and attracting continued investment in our economy. I thank you.

**REPRIORITISED FUNDING ANNOUNCED IN MEDIUM-TERM BUDGET POLICY  
STATEMENT**

(Member's Statement)

Mr D C ROSS (DA): Chairperson, since the tabling of the Medium-Term Budget Policy Statement, MTBPS, government has reprioritised R31,8 billion to support new spending requirements. The money needs to be spent and furnished on very important projects.

Of this amount, R16,3 billion provides medium-term extra support to the higher education system, R11,1 billion funds South Africa's contribution to the New Development Bank, and R3 billion has been allocated to bolster the contingency reserve in 2016-17. Most of these reprioritised funds are supposed to come from national government via cost containment measures across all departments.

The Minister of Finance's Budget speech also indicated additional spending for higher education, small business, and drought relief, but this needs to be accommodated through these cost containment measures across these departments. Here lies the problem: The 2014-15 audit outcomes tell us a different story. They indicate a whopping R25,6 billion in irregular expenditure across all these departments.

The irregular expenditure, at about a rate of 72%, is, as we know, mostly of course of noncompliance and supply chain management. Moreover, the 2016 budget debates in which all members participated highlighted the inaction by government with regard to irregular, fruitless, and wasteful expenditure.

The reality is therefore now that inefficient financial management practices and corrupt activities hinder efforts to

address the new funding requirements outlined by the Minister of Finance. This poses a critical question of how government will fare now on these key spending priorities. I think we need to fix what needs to be fixed. [Time expired.]

### **MOBILE COMPUTER LAB FOR PRETORIA SCHOOL**

(Member's Statement)

Ms D P MANANA (ANC): Chair, the ANC-led government believes that investing in the future of our young people is an important resource that will develop a nation through their innovations and energy. As such, we welcome the donation of a mobile computer lab to D A Mokoma High School, in Mabopane, which will be used to access educational content, provide connectivity to the Internet, and assist with facilitating training for ICT skills.

This lab has been equipped with 21 laptops, an interactive white board, projector, a printer, speakers, and four desktop workstations for educators. The computer lab was launched as part of Telkom's Connected Schools programme. The connectivity and tools Telkom has provided to this secondary school should enable the learners to explore, study, and become systems

developers and engineers to design and manufacture affordable ICT hardware such as tablets.

The ANC believes that the mobile ICT lab contributes directly to the vision of a connected South Africa where all citizens participate in a vibrant knowledge economy and an inclusive information society. I thank you.

**VIOLENT COMMUNITY PROTESTS COUNTRYWIDE ATTRIBUTED TO LACK OF  
LEADERSHIP**

(Member's Statement)

Mr L R MBINDA (PAC): Chair, it is with great sadness and utter disgust that we witness how worthless black lives have continued to be even under the government run by our fellow black men. Day in and out, we witness media reports reporting violent community protests. Councillors and MECs wait for situations to get extremely out of hand before providing the required leadership.

In Hammanskraal, recently, people had to lose their lives before the problems of the community were attended to by relevant authorities. Our people deserve proactive leadership as opposed to this reactionary approach our people are subjected to.

In Vuwani, it took for about 20 schools to be destroyed for the concerns of our people to be heard. We must say this here and now that the solution to any protest can never be heavy police presence and interdicts but rather constructive engagement concluded in good faith and provision of decisive leadership.

As the PAC, we send our condolences to the families of those who lost their lives during this protest in Hammanskraal, and we remain in solidarity with them.

Poverty is very violent, and we keep subjecting our people to unbearable, inhumane, poverty-stricken conditions. What we now call violent community protest is nothing compared to what could happen in the near future. Thank you.

**ENTREPRENEURSHIP TRAINING FOR INFORMAL TRADERS AND MICRO  
BUSINESSES**

(Member's Statement)

Ms H B KEKANA (ANC): Chair, the ANC-led government has established two instruments that are earmarked for the support and upliftment of informal and micro businesses. As a consequence of that, 136 informal traders from Soweto received

certificates from the Minister of Small Business Development after they completed entrepreneurship training through a partnership between the Department of Small Business Development and the Wholesale and Retail Sector Education and Training Authority.

This is after the traders have attended a 10-module training course, which included financial management, merchandising, stock rotation, point of sale, marketing and selling skills, personal hygiene, and health and food safety. So far, 992 informal traders and 45 informal trader organisations, making up a total of 1 037, have been trained in business and retail related skills.

The ANC welcomes the R50 million that has been allocated for the roll-out of the Shared Economic Infrastructure Facility and support for informal businesses generally. This will go a long way in building a support network for small businesses and co-operatives. I thank you.

**ANC OPPOSED TO SOCIAL GRANT INCREASE**

(Member's Statement)

Ms K DE KOCK (DA): Chairperson, South Africans must know that while the DA voted to increase social grants, the ANC voted this down. [Interjections.] The ANC Members of Parliament believed it is more important to spend money on bling cars for Zuma ...

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

Order!

Ms K DE KOCK (DA): ... than it is to allow the poorest of the poor sufficient money to buy bread for their children.

Because of the ANC's catastrophic economic policies, our businesses are drowning in red tape and shrinking under the waves of a government-generated recession. There is virtually no chance that the majority of our 17 million recipients of social grants will be able to lift themselves out of this morass of poverty.

The disdain with which the ANC treats our grant recipients is a national shame, and without an increase in these grants, coupled with soaring inflation, how are these mothers going to feed their children? How are the elderly going to survive? How are the families with disabled children going to cope?

[Interjections.]

A DA-led government will increase these grants to ensure that no family must live on oil, meal, and sugar alone ... [Applause.] ... causing irreversible damage to child development. That is the face of the grant system in South Africa today, where our poor people are kept on the verge of starvation while the ANC fat cats play. [Applause.]

**SUBSTANCE ABUSE CENTRE UNDER CONSTRUCTION IN NORTHERN CAPE**

(Member's Statement)

Ms A TUCK (ANC): Chair, the ANC welcomes the Northern Cape provincial government's commitment to deal with the abuse of drugs and alcohol in that province by creating an inpatient treatment facility.

The rise of drug abuse in South Africa is worrying, as the World Health Organisation says that 15% of South Africa's population has a drug problem. These statistics are of concern to South Africa and give the country a bad reputation of being one of the drug capitals of the world.

This facility will be used by people suffering from addiction. It will be built at a value of R5 million and will create jobs



for many local citizens. The engineers are in their second phase of the construction of the project that includes a 40-bed facility and a detoxification centre.

The ANC calls upon all South Africans to be part of community actions geared at changing social values and norms and to also take part in campaigns against drug and substance abuse. I thank you.

#### **SCHOOL OF SPECIALISATION OPENED IN SOWETO**

(Member's Statement)

Adv B T BONGO (ANC): House Chair, the ANC notes with appreciation the opening of the first school of specialisation in Soweto. The new Curtis Nkondo School of Specialisation will focus on engineering, maths and science, ICT, commerce and entrepreneurship.

This is a distinct form of school with strong technical and vocational content that will assist in addressing critical skills shortages in South Africa. Of important benefit from the school will be a definite positive impact on the skills deficiency of the country's youth and workforce and the tackling

of poverty and unemployment whilst promoting short- and long-term economic growth.

The ANC believes that this phenomenon signals a new era in basic education, as the school will play an important role in the skills revolution as it is envisaged in the ANC policies and the National Development Plan, NDP, whilst preparing the learners for a transition to work and pursuance of higher education. Therefore, the concept of this school should be expanded from Gauteng. It must go to Mpumalanga and other provinces. Thank you very much.

**CALL FOR PROPER NUTRITION IN SCHOOL FEEDING SCHEME PROGRAMMES**

**MOBILE COMPUTER LAB FOR PRETORIA SCHOOL**

**SCHOOL OF SPECIALISATION OPENED IN SOWETO**

(Minister's Response)

The DEPUTY MINISTER OF BASIC EDUCATION: Hon Chairperson, I have to respond to three statements, and I do wish that I have the time to do so.

With regard to nutrition, I think this is an incredible and a remarkable story of service delivery. Every day, more than 10 million children are fed at school. That has contributed directly to the improved attendance and the achievement of learners in our schools. That is not the only thing that happens. The department, working closely with the provinces, has decentralised the preparation of food where people are trained in terms of food handling, preparation, nutrition and nutritional content. The provision of utensils is the norm in the Eastern Cape, parts of KwaZulu-Natal, in the North West, and other provinces.

Beyond that, it has created wonderful opportunities for more than 60 000 rural women to provide for the children at school. In addition thereto, more than 2 200 small and medium enterprises have received the benefit of this particular programme. So, it has contributed directly to the creation of jobs, but, most importantly, it has contributed positively to the wellbeing of our children. I repeat again, more than 10 million children are being fed every day.

With regard to the ICT, we can celebrate that fact that 97,5% of our schools are connected for administrative purposes, and 52% of our schools countrywide are connected for teaching and

learning. It is the intention of this government that within the next three years every single school, irrespective of whether it's urban or rural, should be connected.

With regard to the third statement, the Curtis Nkondo School of Specialisation in Soweto is a wonderful step forward; Gauteng is indeed leading the way. We can celebrate the fact that this year we are, for first time, offering technical mathematics, technical science, and a vocational stream in our schools. Next year, we will have an academic stream, a vocational stream, as well as an occupational stream. This augers well for the development of skills within the country. I thank you, hon Chairperson.

**VIOLENT COMMUNITY PROTESTS COUNTRYWIDE ATTRIBUTED TO LACK OF  
LEADERSHIP**

(Minister's Response)

UNGQONGQOSHE WEZABASEBENZI: Sihlalo weNdlu, ngifisa ukuthi ilunga elihloniphekile uMnumzane Mbinda uma ekhuluma ngokuhlupheka kwabantu - anginaso isiqinisekiso sokuthi ukwazi kangakanani ukuhlupheka kwabantu ikakhulukazi abamnyama. Isizathu salokhu yingoba ngesikhathi eyi-CEO yakwa-CTC wathatha

izimali zabantu ze-provident fund wangabakhokhela. Wayeyi-CEO wabayeka abantu banethwa yizimvula la ngaphandle kwesango. Wacasha azange ayokhuluma ngalolu daba. Uma ebazi abantu abamnyama ukuthi bayahlupheka ungowokuqala ukuba abahole futhi abalekelele ukuthi i-provident fund yabo bazoyithola kuphi. Ngiyabonga Sihlalo. [Ihlombe.] (*Translation of isiZulu paragraph follows.*)

[The MINISTER OF LABOUR: House Chairperson, I would like to say, if the hon member Mbinda talks about people being poor - I am not sure how much he understands the plight of the impoverished people, especially the black people. The reason being, when he was still chief executive officer at CTC, he took people's provident fund monies, and never paid them. He was the chief executive officer, and he left people in the rain outside the gates. He hid and never went to address this matter. If he knows that the black people are poor, then he is the first one who should direct and assist them on where they are going to get their provident fund money from. I thank you, Chairperson. [Applause.]]

**SUPPORT GIVEN TO KWAZULU-NATAL SUGARCANE CO-OPERATIVES**

(Minister's Response)

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: House Chair, I would like to comment on the statement regarding the sweet harvest for sugarcane in KwaZulu-Natal. As the department, we are concerned about the development of small-scale farmers. Furthermore, we accordingly only spend money in provinces where there is land made available for small-scale farmers, except in the Western Cape where, even as we speak, farmers around Phillippi are being threatened because their land has been sold to another private developer.

We believe that the leaders on the left will begin to understand that we can only build a culture of small-scale farmers, provided that funds and land are made available. We are committed to making sure that land is made available for small-scale farmers, as well as support for them. We believe that together with the provinces we can make agriculture viable, but in areas where land is privately owned or is under the Department of Public Works, it is not used to extend the fate of those farmers.

Today, as we speak, farmers in Phillippi have no future. They have been told that not only should they vacate their area by 4 December but that their animals and crops will be taken away. It is the trend that the DA is following, whilst they come here

and grandstand and pretend to be an organisation that cares for people. If you want to know what happens to small-scale farmers, ask them in the Western Cape. I invite those who deny it to come with me to Phillipi. They will see it. They will hear it.

[Interjections.] They know they cannot go there because ...

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

The MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES: You can shout and do all that, but the fact is that the people of South Africa are watching the DA. [Interjections.] I also want to say ... [Time expired.]

#### **ANC OPPOSED TO SOCIAL GRANT INCREASE**

(Minister's Response)

USEKELA MPHATHISWA WEZAMANZI NOGUTYULO LWELINDLE:

Mhlalingaphambili, ngexesha ndandisebenza kwiSebe loPhuhliso loLuntu i-DA yayingufuni ukuba sinike imali abantwana abahluphekayo, abangenabazali nabakhulelweyo isithi siyabakhuthaza ukuba bazale yonke le mihla. Saphinda sathi xa

sinyusa imali yabantu abadala ... (*Translation of isiXhosa paragraph follows.*)

[The DEPUTY MINISTER OF WATER AND SANITATION: Chairperson, while I was working at the Department of Social Development, the DA did not want us to give grants to poor children, orphans, and pregnant women, saying that we were encouraging them to get pregnant now and again. Then, when we raise the old people's pension ...]

Ms S P KOPANE: House Chairperson, on a point of order ...

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Deputy Minister, will you just take your seat, please? [Interjections.] Why ... Wait! Wait! Why are you rising, hon member?

Ms S P KOPANE: House Chairperson, the hon member here is misleading the House. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member. If you do not agree with what the member says, it is a point for debate. [Interjections.] Please conclude, hon Deputy Minister.



USEKELA MPHATHISWA WEZAMANZI NOGUTYULO LWELINDLE: Eyona nto ndiyiphakamelayo kukulahlekiswa kwabantu bethu yi-DA xa isithi thina asizange sivume ukuba abantu bethu banyuselwe imali. Siyayiqonda into yokuba lixesha lonyulo eli kwaye i-DA ifuna iivoti nasebumnyameni kodwa mayingaxokisa abantu ithi i-ANC ayivumi ukuba banyuselwe imali. Thina siyi-ANC sisebenza ngohlahlo-lwabiwo-mali esinalo. Ngalo lonke ixesha sisithi sinyusa imali, i-DA ayiluvoteli uhlahlo-lwabiwo mali. Andazi ke ukuba yeyiphi ngoku le nto bayifunayo. [Uwelewele] [Kwaqhwyatya.] (*Translation of isiXhosa paragraph follows.*)

[The DEPUTY MINISTER OF WATER AND SANITATION: What I rise on is about the DA misleading our people when they say we didn't want our people's grants to be increased. We understand that it is voting time, and the DA wants votes against all odds, but they must not lie and say that the ANC doesn't want to increase the grant. We, as the ANC, work on the budget that we have. Whenever we say we want to increase the grants, the DA doesn't support the Budget Vote. I don't know what they want now.

[Interjections.] [Applause.]

**ENTREPRENEURSHIP TRAINING FOR INFORMAL TRADERS AND MICRO  
BUSINESSES**

**SUPPORT GIVEN TO KWAZULU-NATAL SUGARCANE CO-OPERATIVES**

(Minister's Response)

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Chairperson, I would like to thank the hon member who raised the issue of support for our informal businesses. As the Department of Small Business Development, we focus on empowering those people who sit on the side of the street and sell one thing or the other just to make sure that they keep their families alive.

I would also like to respond to the issue of small-scale farmers and announce to this House that, today, the Department of Small Business Development together with SA Breweries have supported small-scale farm workers who are having their first maize harvest. It is Women-in-Maize. Their first maize harvest is happening today. We would like to thank SA Breweries for working with us in ensuring that we support Women-in-Maize, black women who have been out of the system. Others are celebrating 105 years of family farming, and black farmers cannot talk about 105 years. They can only talk of 10 or 15 years. I thank you.

[Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, that concludes Ministers' responses.

Before we proceed to the First Order, I wish to return a point of order that was raised earlier by the hon Minister of Science and Technology and the Chief Whip of the Majority Party, dealing with the motion as read by the hon Mileham, which he stated was a substantive motion.

Hon members, the tabling of a substantive motion in any of the Houses of Parliament is a serious matter. It calls for certain processes and procedures to be followed and for a committee to be established to look at the allegations that are made against the member concerned. The *Guide to Procedure*, in Chapter 11, page 158, indicates also that a substantive motion should have a clearly formulated and properly substantiated charge, and it should be technically correct.

What I have in front of me does not meet the criteria and the standards of being a substantive motion and, consequently, the motion can thus not be attended to. I call on the hon member, if he or the party still feels so strongly about the matter, to take the matter up with the relevant Table Staff and the

Secretary to the National Assembly, and then to table the substantive motion. The Secretary will read the First Order.

### **EXPROPRIATION BILL**

(Consideration of Bill and of Report thereon)

Mr B A D MARTINS: Hon House Chairperson, the Portfolio Committee on Public Works agreed to the amendments made by the National Council of Provinces in the Expropriation Bill, firstly on page 17 in line 45, where the number of days have been increased from "20 days" to "30 days" and, secondly, also on page 17, in line 54, where the number of days have been increased from "10 days" to "20 days".

The Bill seeks to align the Expropriation Act, Act 63 of 1975, with the Constitution and to provide a common framework to guide the processes and procedures for the expropriation of property by organs of state.

In the portfolio committee, the ANC supported the passing of the Expropriation Bill. The Democratic Party ... [Interjections.] ... the DA, apologies, and the United Democratic Front ...

[Interjections.] ... UDM did not support the passing of the Bill. I thank you.

There was no debate.

Mr B A RADEBE: Chair, I move that the Bill be passed. I move:

That the Report be adopted.

*Declarations of vote:*

Me A M DREYER: Voorsitter, die Portefeuljekomitee oor Openbare Werke het klein wysigings wat die Nasionale Raad van Provinsies aan twee getalle in die Wetsontwerp op Onteining aangebring het, goedgekeur. Die DA gaan daarmee akkoord, maar omdat die Wetsontwerp op Onteining in wese egter steeds dieselfde ou wetsontwerp is, kan die DA dit nie ondersteun nie. Die rede is daar is minstens vier beginsels waaraan die wetsontwerp nie voldoen nie.

Eerstens, in sy staatsrede vroeër vanjaar, het die President belowe dat toekomstige wetgewing aan 'n sosio-ekonomiese impakstudie onderwerp sal word. Dit het glad nie met hierdie wetsontwerp gebeur nie. Nes talle ander beloftes is ook hierdie belofte verbreek.

Tweedens, eiendom word nie duidelik omskryf nie. Dit strek tans aansienlik verder as nie-roerende bates. Dit sluit bates soos pensioenfondse en beeste in, wat dus ook onteien kan word, tot groot nadeel van die gewone mense.

Derdens, die reikwydte van onteiening word nie omskryf nie. Dit beteken dat sogenaamde voogdyskap van eiendom deur die staat nie vir vergoeding kwalifiseer nie. Burgers kan dus die gebruik en benutting van hul eiendom verloor, sonder vergoeding.

Vierdens, daar is geen waarborg in die wetsontwerp dat vergoeding, wat vir onteiene eiendom aangebied word, enige uitstaande banklenings sal dek nie. Dit is dus heel moontlik dat 'n onteiene eienaar sonder 'n huis of 'n plaas sal sit en steeds 'n uitstaande banklening sal moet afbetaal. Watter bank sal sulke lenings toestaan?

Die DA sal net vir 'n Wetsontwerp op Onteiening kan stem indien hierdie vier beginsels nagekom word. Dit gebeur egter nie tans nie. Die slotsom is dit: Die DA, net soos internasionale graderingsagentskappe, heg hoë waarde aan eiendomsreg, wat hierdie wetsontwerp wesenlik aantast. As die wetsontwerp vandag aanvaar word, sal dit sakevertroue skok, tot verdere werkloosheid lei, en verder bydra dat Suid-Afrika tot

rommelstatus afgradeer word. Die DA verwerp dit. [Applous.]

*(Translation of Afrikaans speech follows.)*

[Ms A M DREYER: Chair, the Portfolio Committee on Public Works made minor amendments to figures the National Council of Provinces introduced in the Expropriation Bill. The DA has no issue with these changes, but, because the revised Expropriation Bill is, in essence, still the same old Bill, the DA cannot support it, the reason being that at least four principles are not being met by the Bill.

Firstly, in his state of the nation address earlier this year, the President promised that future legislation would be subject to a socioeconomic impact study. That has not happened in the case of this Bill. Like with many others, this is another broken promise.

Secondly, property is not defined clearly. Currently, it goes significantly further than fixed assets. It includes assets such as pension funds and cattle, which can therefore also be expropriated, to the tremendous detriment of ordinary people.

Thirdly, the scope of expropriation is not defined. It implies that so-called guardianship of property by the state does not

qualify for compensation. Therefore, citizens may lose the use and utilisation of their property, without compensation.

Fourthly, there is no guarantee in the Bill that compensation, which will be offered for property expropriated, will cover any outstanding bank loans. Therefore, it is quite possible that where expropriation takes place, an owner will be without a house or a farm and will still have to pay the outstanding loan amount to the bank. What bank will grant such loans?

The DA can only vote for an Expropriation Bill if these four principles are met. Currently, this is not the case. The conclusion is this: The DA, like international ratings agencies, attaches high value to property rights, something this Bill infringes upon, in essence. If the Bill is passed today, it will impact on business confidence, lead to further joblessness, and further contribute to South Africa being downgraded to junk status. The DA rejects it. [Applause.]

Mnu K P SITHOLE: Sihlalo, Inkatha Yenkululeko, IFP, iyaweseka loMthethosivivinyo ngoba loMthethosivivinywa njengamanje ususuka e-NCOP bese kuzokwenziwa izichibiyelo ezimbili, okushiyiwe nezethulo la kufanele kulungiswe khona. Ngaleyondlela saweseka ekuqaleni loMthethosivivinywa. Ngicabanga ukuthi namanje ngoba



ukhuluma ngabantu bakithi abahluphekayo kufanele ukuthi bakwazi ukunxeshezela lapho okufanele banxeshezela khona uma kufanele basizwe uHulumeni. Ngaleyondlela sithi ... (*Translation of isiZulu paragraph follows.*)

[Mr K P SITHOLE: Chairperson, the IFP supports this Bill because this Bill is now from the NCOP, and then it will have two amendments - amendments on omissions and submissions where necessary. We supported this Bill from the beginning. I think even today, since it is addressing issues of our poor people who must be compensated where they are supposed to be compensated and being assisted where they need government's intervention. So we are saying that ...]

... the IFP supported the Bill, and we support this amendment, even today. I thank you.

Mnu M L W FILTANE: Sihlalo, lo Mthetho uyacalucalula. Wonke umhlaba owathathwa phambi kowe-1913 awusokuze uchukunyiswe phantsi kwalo Mthetho. Yiyo ke le nto i-UDM imile ngelithi ayinakuze iwuxhase nanini na ngaphandleni kokuba kungalungiswa ukuba uMthetho ungawuchukumisa umhlaba owathathwa phambi kowe-1913. Bayala ke aba baphetheyo, ukuba bawuchukumise umhlaba

owathathwa phambi kowe-1913. Simile ke siyi-UDM sisithi asinakuwuxhasa.

Khange sibe nangxaki xa kusandiswa iintsuku zokuba abantu banikwe isaziso, ukusuka kwiintsuku ezi-10 ukuya kuma-20, okanye ukusuka kuma-20 ukuya kuma-30 eentsuku, asinangxaki ngaloo nto. Nezinye izigaba zawo lo Mthetho asizilwi siyi-UDM sisebenze kakhulu phaya kwikomiti ukuba lo Mthetho mawulungele uluntu lonke ukuze akwazi urhulumente ukuba angawusebenzisa.

Asimanga phambi kophuhliso. Kufuneka siyicacise loo ndawo kuba lo Mthetho ujongene nokuthatha umhlaba xa kusithiwa kuza kuphuhliswa. Asiyali loo nto siyi-UDM, konke konke. Sonke sifuna uphuhliso kwaye siyavuma ukuba mawuthathwe umhlaba xa kufuneka ukuba uphuhliswe. Into esingayifuniyo; yile yocalucalulo yokuba kuthiwe la mihlaba yathathwa kwiminyaka enga-300 yeminyaka eyadlulayo ayinakuze ichukunyiswe.

Imile ke i-ANC ukuba ayiyi kulo mba. Asizazi ke ukuba ezi zigqibo zazithathwe phi na. Kodwa imile, ikho le nto iyigushileyo ebangela ukuba ithi mawungachukunyiswa la mhlaba wangaphambi kowe-1913. Yiyo loo nto ebangela ukuba sime nkqo siyi-UDM sithi awunakuvunywa. Ukuba nje uvunyiwe, nakuyibona into. Enkosi. (*Translation of isiXhosa speech follows.*)

[Mr M L W FILTANE: Chairperson, this Bill is discriminatory in nature. The land that was taken before 1913 will be never retrieved under this Bill. That is why the UDM stands firm and says that they will never support it at any time, unless the Bill can return the land that was appropriated before 1913. Those in government opposed it; they don't want to touch the land that was taken before 1913. We stand firm as the UDM, and we are saying that we won't support this Bill.

That is why we didn't have a problem when the days were extended for the people to be given notice - from "10 days" to "20 days", or from "20 days" to "30 days". We are not against other sections of that Bill. We worked very hard in the committee on this Bill for it to be ready for all communities so that the government could use it.

We are not against development. We need to clarify this because when we talk of development, this Bill deals with the expropriation of land. As the UDM, we do not disagree with that at all. All of us want development, and we agree that the land must be expropriated when there is a need for it to be developed. What we do not want is the discrimination and saying that the land that was taken 300 years ago cannot be touched.

The ANC is resolute in saying that they are not addressing that issue. We don't know where these decisions were taken, but they are resolute. There is something that they are hiding that makes them say that the land which was taken before 1913 must not be touched. That is the reason we stand firm as the UDM and say we cannot support this. If the Act is promulgated, you will see what will happen. Thank you.]

Mr A M SHAIK EMAM: Hon House Chair, the NFP supports this. The NFP supports the recommendations contained in the report of the Portfolio Committee on Public Works tabled here today. As is evident from the amendments, these are technical in nature, dealing largely with the expanded timeframes.

The first amendment increased the number of days in which the municipal manager must inform the expropriating authority in writing of changes, from 20 to 30 days, if land which has been expropriated is subject to municipal rates.

The second amendment that was adopted by the committee increases the number of days, from 10 to 20, whereby the expropriating authority may utilise as much of the compensation money in question as is necessary for the payment, if said amount is not

disputed in writing by the expropriated owner or expropriated holder. [Interjections.]

Neither of these two amendments distracts from the intent and purpose of the Expropriation Bill as a whole, which the NFP has supported. We accordingly support the recommendation of the portfolio committee that this august House adopts the amendments to the Expropriated Bill. I thank you.

Dr P J GROENEWALD: Agb Voorsitter, die VF Plus sal beslis teen hierdie wetsontwerp stem. Ons het alreeds in die komiteestadium gesê dat ons gekant is teen die wenslikheid van hierdie wetsontwerp. Die beginsel van onteiening is nie 'n vreemde beginsel nie. Dit word wêreldwyd toegepas, in terme van noodsaaklike ontwikkeling wat moet plaasvind, byvoorbeeld as brûe of paaie gebou moet word.

Maar die ANC in Suid-Afrika maak dit 'n politieke aangeleentheid. Die ANC wil hierdie wetsontwerp misbruik in terme van die politieke speelbal en die emosionele politieke speelbal van grond.

Die agb President val in by die koor van die EFF wat sê dat die grond gesteel is. Daardeur wek hulle emosies op. Hierdie

wetsontwerp sê ek weer 'n keer is net weer 'n stap om grondhervorming toe te pas, maar eintlik is dit maar net 'n verdere stap om wetlik grondgrype in Suid-Afrika toe te pas.

Ek weet dat die aanhef van hierdie wetsontwerp artikel 25 van die Grondwet is. Ek wil asseblief die instellings wat beswaar gemaak het en gesê het dat hulle hierdie saak tot in die Grondwethof sal veg, vra om dit te doen. Ek wil dit ook op rekord plaas dat die VF Plus bekommerd is dat dit dalk wel in lyn kan wees met artikel 25 van die Grondwet en dan sal diegene wat artikel 25 in die Grondwet ingeskryf het en dit ondersteun het, saam met die ANC pa moet staan, as daar grondgrype in Suid-Afrika plaasvind.

Die President het ook gesê dat hy 'n nuwe wetsontwerp het, wat tans by die Kabinet is, wat na vore gaan tree om ook 'n beperking te plaas op grondbesit. Daardeur wil hy plase beperk tot 5 000 hektaar in terme van groot plase, en in die geval van plantasies, ensovoorts, tot 12 000 hektaar. Daar word duidelik gesê dat die res onteien sal word.

Dit sal hierdie wet op onteiening wees wat gebruik gaan word, soos ons reeds gehoor het, om toe te sien dat 'n grondeienaar sy grond verloor en dalk niks daarvoor gaan kry nie. Dan sal

diegene vir artikel 25 pa moet staan. Ons verwerp hierdie wetsontwerp. Ek dank u. (*Translation of Afrikaans speech follows.*)

[Dr P J GROENEWALD: Hon Chairperson, the FF Plus will definitely vote against this Bill. We already said at the committee stage that we are against the desirability of this Bill. The principle of expropriation is not foreign. It is implemented worldwide, in terms of essential development that has to take place, for example, when bridges or roads have to be built.

However, the ANC in South Africa has turned it into a political matter. The ANC wants to abuse the Bill and use it as a political football, the emotional political football of land, to boot.

The hon President joins in the EFF chorus that claims land was stolen. They stir emotions by doing this. I repeat that this Bill, on the surface, is just another step to implement land reform, but, ultimately, it is actually just another step to legally allow for land grabs in South Africa.

I know that the preamble to this Bill is section 25 of the Constitution. I want to ask the institutions that objected to it

and indicated they would contest the matter in the Constitutional Court to do just that. I also want to put it on record that the FF Plus is concerned that it might be in line with section 25 in the Constitution and then those who included section 25 in the Constitution and supported it will have to, along with the ANC, take responsibility if land grabs were to occur in South Africa.

The President also said that he has a new Bill, currently with Cabinet, that will be introduced to limit land ownership, thus limiting the size of large farms to 5 000 hectares, and in the case of plantations, etc, to 12 000 hectares. The rest, it is stated clearly, will be expropriated.

This Expropriation Act will be used, as we have already heard, to see to it that an owner loses his land and possibly not be compensated for it. Then those people will have to take responsibility for section 25. We reject this Bill. I thank you.]

Mr S N SWART: Chairperson, the ACDP notes the improvements to this Bill from the NCOP. However, our standpoint is still, as we indicated, that we are opposed to the Bill.



Our Constitution makes provision for expropriation, and this is an instrument that has been used throughout the centuries by countries worldwide. It is, however, accepted that expropriation is never done lightly - it is the exception rather than the rule and, under the common law, the state cannot simply seize property without obtaining a court order. The Constitution strengthened those common law protections. Section 25 lays down a number of conditions which must be met before any expropriation can be valid. Section 34 makes further provision for a fair public process. Section 26 prohibits the state from evicting a person from his home without a court order expressly allowing it. These are provision of the Constitution.

Now with the passing of this Bill today, expropriation without reasonable legal protection against abuse is no longer just a threat to those in the agricultural sector but also to those churches, banks, commercial businesses, food producers, miners, and ordinary people with no guarantee of compensation. We believe the Expropriation Bill creates insecurity and, whilst there have been improvements, hon Minister, it has, in our view, still got a long way to go. Therefore, we will regrettably not be supporting it. I thank you.

Dr C Q MADLOPHA: House Chair, the ANC supports the amendment made by the NCOP, as well as the Bill. The opposition always grandstands here. I think what they are doing is that they are not supporting development of small-scale farmers. As the Minister said, these are the people that need to be assisted.

Bavimba intuthuko yabantu bakithi abahlwempu ngokuthi bangawuphasisi lo Mthethosivivinywa. Okunye abakwenzayo bavimba ukuthi singakwazi ukwakhela abantu bakithi izindlu. Thina njenge-ANC, ngenxa yokuthi lo Mthethosivivinywa ukwazile ukuthi ubuke zonke izingxenye nezigaba zoMthethosisekelo, wakwazi ukwenza ukuba abe yingxenye. SinguKhongolose siyazethemba ukuthi noma lo Mthethosivivinywa uya ... *(Translation of isiZulu paragraph follows.)*

[They are hindering the development of our poor people by not passing this Bill. They are also preventing us from building houses for our people. We support it as the ANC because this Bill considered every part and section of the Constitution, and it is in line with it. As the ANC, we are confident that even if this Bill can be ...]

... in the Constitutional Court, it is going to pass because we have taken the property clause from the Constitution and

included it so that it can protect even the minorities. What is important for us is the development of the poorest of the poor ...

... abahlala ngale ngakithi eNtambanana. [... that stay in my area at Ntambanana.]

Let us fast-track this Bill so that we can fast-track development. I thank you. [Applause.]

Question put: That the Bill be passed.

Division demanded.

The House divided.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members! I would like to remind members that they may only vote from their allocated seats. When requested to do so, members must simply indicate their vote by pressing the appropriate button ...

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES  
RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H

Jeffery): Chairperson, just a point of clarity: How many members have to call for a division? Is it five?

The HOUSE CHAIRPERSON (Mr C T Frolick): It's four, hon member.

The CHIEF WHIP OF THE OPPOSITION: You must know your Rules!

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon member! We are in the middle of the voting session. Order! When requested to do so, members must simply indicate their vote by pressing the appropriate button, below the "yes", "no" or "abstain" signs. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote when the voting session is closed by the Chairperson.

The question before the House is that the Expropriation Bill be passed. Are all members in their allocated seats? Voting will now commence. Those in favour of the Bill being passed should press the "yes" button, those against should press the "no" button, and those wishing to abstain should press the "abstain" button. Have all members voted? There is a hand of a member at the back. Order, hon members! Thank you, the voting session is now closed.

AYES - 208: Abrahams, B L; Adams, P E; Adams, F; Bam-Mugwanyanya, V; Bapela, K O; Basson, J V; Beukman, F; Bhengu, N R; Bhengu, F; Bhengu, P; Bilankulu, N K; Bogopane-Zulu, H I; Bongo, B T; Booi, M S; Boroto, M G; Brown, L; Buthelezi, N S; Capa, N; Carrim, Y I; Cebekhulu, R N; Chauke, H P; Chikunga, L S; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Cwele, S C; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dlulane, B N; Dunjwa, M L; Ebrahim, E I; Esterhuizen, J A; Faku, Z C; Gamede, D D; Gcwabaza, N E; Gigaba, K M N; Gina, N; Godi, N T; Goqwana, M B; Gumede, D M; Hanekom, D A; Hlengwa, M; Holomisa, S P; Jeffery, J H; Johnson, M; Kalako, M U; Kekana, H B; Kekana, P S; Kekana, C D; Kekana, E; Khoarai, L P; Khosa, D H; Khoza, T Z M; Khoza, M B; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kubayi, M T; Lesoma, R M M; Loliwe, F S; Luyenge, Z; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P; Mabe, P P; Mabiya, L; Mabilo, S P; Mabudafhasi, T R; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Mahambehllala, T; Mahlalela, A F; Mahlangu, D G; Mahlobo, M D; Maila, M S A; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas, H H; Maluleke, J M; Maluleke, B J; Manana, D P; Manana, M N S; Mandela, Z M D; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Masondo, N A;

Masuku, M B; Masutha, T M; Maswanganyi, M J; Mathale, C C;  
Mathebe, D H; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda,  
R T; Maxegwana, C H M; Mbete, B; Mbinda, L R; Mchunu, S;  
Mdakane, M R; Memela, T C; Mjobo, L N; Mkongi, B M; Mmemezi, H M  
Z; Mmola, M P; Mmusi, S G; Mnganga-Gcabashe, L A; Mnguni, P J;  
Mnguni, D; Mnisi, N A; Mogotsi, V P; Mokoto, N R; Molebatsi, M  
A; Morutoa, M R; Mothapo, M R M; Motimele, M S; Motshekga, M S;  
Mpumlwana, L K B; Msimang, C T; Mthembu, N; Mthembu, J M;  
Mthethwa, E M; Mudau, A M; Nchabeleng, M E; Ndaba, C N; Ndabeni-  
Abrahams, S T; Ndongeni, N; Newhoudt-Druchen, W S; Ngcobo, B T;  
Ngwenya-Mabila, P C; Nkadimeng, M F; Nkwinti, G E; Nobanda, G N;  
Ntombela, M L D; Nxesi, T W; Nyambi, H V; Oliphant, M N;  
Oliphant, G G; Oosthuizen, G C; Pandor, G N M; Patel, E; Peters,  
E D; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C  
C; Qikani, A D N; Radebe, B A; Radebe, J T; Radebe, G S;  
Ralegoma, S M; Ramatlakane, L; Ramatlhodi, N A; Rantho, D Z;  
Raphuti, D D; Scheepers, M A; Semenya, M R; Senokoanyane, D Z;  
Shaik Emam, A M; Shope-Sithole, S C N; Sibande, M P; Singh, N;  
Sisulu, L N; Sithole, K P; Siwela, E K; Skosana, J J; Skwatsha,  
M; Smith, V G; Surty, M E; Thabethe, E; Tleane, S A; Tobias, T  
V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsenoli, S  
L; Tshwete, P; Tsoleli, S P; Tsotetsi, D R; Tuck, A; Williams, A  
J; Xasa, T; Xego, S T; Yengeni, L E; Zokwana, S; Zulu, L D.

NOES - 7: Dreyer, A M; Filtane, M L W; Kwankwa, N L S; Majeke, C N; Steenhuisen, J H; Steyn, A; Waters, M.

Motion agreed to.

Bill accordingly passed.

Mr S LUZIPO: Chairperson, on a point of order: No, I've got no intention to delay the House. I'm a rural boy. I want to request members from the opposition - and they have a right to count us, but to use fingers is like they are counting their sheep and cattle. I just want to make that request. [Interjections.] Let us not be pointed at when they are counting how many we are in the House.

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

**CONSIDERATION OF FIRST REPORT OF RULES COMMITTEE OF NATIONAL  
ASSEMBLY**

The SPEAKER: Hon members, before we start with the debate, I wish to make a few remarks. In section 57, the Constitution empowers the National Assembly to make Rules and Orders

concerning its business. Rules are essential for human interactions. In the context of Parliament, they create a framework for conduct of business and set the boundaries within which we are to perform our functions as Members of Parliament. By creating Rules, we are making a commitment to do things in a particular way as we carry out our functions as required by the Constitution.

When we arrived here in 1994, some ad hoc adjustments of the Rules were effected, but it is actually for the first time that we have embarked on this comprehensive review of the Rules that we are today bringing before the House. After 21 years, we can now say that we have been able to do a comprehensive review, and this is a milestone we should all be proud of.

As we know, hon members, over the years, we have commissioned different studies on parliamentary processes to assist us to understand deeper the processes that are involved in our work. This was to demonstrate our willingness to be persuaded. We had a study in 1999 on oversight, done by Prof Corder. This contributed to the development of the oversight model of Parliament which we have today. The oversight model, the report of the independent panel assessment of Parliament, and an in-



depth study of the legislative process have all been taken into account in this review.

The report on institutions supporting democracy, or Chapter 9 institutions, as it is commonly known, is currently receiving attention as well. In fact, in that regard, as I said in my Budget Vote speech, we have already had the first workshop, but we are continuing to interact with the Chapter 9 chairs themselves.

The final Rules proposals before the House today include new approaches after lengthy deliberations involving all stakeholders. These approaches are aimed at addressing procedural challenges that have been experienced over time. The revised Rules appreciably strengthen the National Assembly's ability to exercise its constitutional mandate to best effect. In this respect, the introduction of mini-plenaries to create more platforms for debate, oral questions to the executive lasting three hours instead of two, and improved procedures to facilitate order, decorum, and discipline must be mentioned as some of the issues we have addressed in the amendment of the Rules.

As we start the debate, I must express my appreciation to all the political parties represented in Parliament for the hard work in introducing these Rules. We did not always agree, but we worked hard, and we worked earnestly to try and improve the work of Parliament. The Subcommittee on Review of National Assembly Rules assisted by Mr Hahndiek and the Table Staff worked hard to get us here. I have to specifically mention the name of the chair of the subcommittee, the hon Mdakane, who really steered the work of the subcommittee. [Applause.]

I must also point out that all caucuses of political parties represented in Parliament were also involved because issues were always taken back to them. They applied their own minds as caucuses, and they always came back through their members who were either in the subcommittee or in the National Assembly Rules Committee and therefore have made valuable contributions in this process.

Hon members, like the Constitution, the Rules are a living document. In other words, we never close the process of engaging of issues that continuously arise and emerge, as we practise everything that we do according to the agreed framework in Parliament. Therefore, we can always address any imperfections that we may identify as we implement.

On that note, I would now like to call upon the Chairperson of Subcommittee on Review of National Assembly Rules to be the first speaker in the debate on the report on the Rules, but I must now recognise the hon the Chief Whip of the Majority Party.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I move:

That the Report be adopted and that the new Rules take effect from tomorrow, Friday, 27 May 2016.

The SPEAKER: Hon Chief Whip of the Majority Party, I think I must have also added ... We are supposed to have only called you after the debate here. [Interjections.] Therefore, I now call upon the hon Mdakane.

Mr M R MDAKANE: Hon Ministers and Deputy Ministers and hon members of the National Assembly, I would like to thank the Speaker for giving us the time to participate in this debate on the report of the National Assembly Rules Committee.

I rise on behalf of the ANC to support the revised Rules of the National Assembly because these Rules will unleash the full potential of all Members of Parliament to do what they are elected to do. They are going to assist us to deepen

parliamentary democracy in our country. Then we expect all Members of Parliament to ensure that they respect these Rules of the National Assembly because without Rules it will be difficult to engage in any meaningful political debate in this Chamber.

Therefore, respect of the Rules will assist us to ensure that we hold the executive accountable, that we scrutinise the legislation and report, and that we scrutinise even reports of portfolio committees and Chapter 9 institutions when they are presented here for our consideration.

It is our view as the ANC that many members of this Chamber were allowed enough time to participate in the drafting of these Rules, and we hope that because they participated in the drafting of the Rules, they will learn to respect them, precisely because without Rules, without conventions, and without practices, the House will not be able to function.

These Rules will help us as Members of Parliament to facilitate resolutions of the problems of all South Africans. It is our view that we are here as members of the National Assembly because we are representing communities. It is very rare to find any institution, anywhere in the world, that does not have rules. Therefore, Members of Parliament, because they are

honourable members, must always bear in mind that the Rules assist all members to be heard in the House when they are participating fully in debate.

The process of reviewing of our Rules was a credible and democratic process. All parties were allowed to participate fully and engage in the process. Surprisingly, some parties failed to make meaningful contributions in this process of drafting the new Rules of the National Assembly. Instead, they decided to walk out from meetings when they were supposed to engage us and persuade us as Members of Parliament to agree with their point of view.

The DA started with us in 2013 in the Subcommittee on Review of National Assembly Rules and participated fully in this process until the EFF joined us. Immediately after the EFF joined us, there was then a competition between the EFF and the DA.

[Interjections.] This competition has led to the DA walking out of the meeting of the Rules Committee on Tuesday, this week, precisely because they would not get involved and organise themselves to make a meaningful contribution for the Rules of this National Assembly. In fact, for all the Rules that we discussed between 2012 and 2015, we all hoped that the DA was with us, until they later decided to raise some of the issues in

the Rules Committee that we thought had been resolved in the subcommittee.

It is our view as members of the ANC that we will continue to engage with all parties that will be interested to work with us on these Rules even after the Rules have been adopted or approved by this important Chamber because the Rules, as the Speaker said, is a living document. We cannot conclude engagement on developing of the Rules of the National Assembly, but it is our view, at the same time, that the Rules should not be amended on a willy-nilly basis and that failure to plan should not allow us to amend the Rules of the National Assembly. If you amend the Rules because of poor planning, you won't have Rules that are respected and that have credibility in the eyes of the members of the National Assembly.

The ANC is fully in support of the whole process that we engaged on in drafting these Rules. It is the ANC's view that the parties that have walked out from our meeting will go back to the Rules Committee and try to persuade us to agree with them, but, unless they present very formidable points of argument, we would not agree with them. In fact, we think it is very wrong for Members of Parliament who have been part and parcel of this process for so long, almost two and half years, to, at the end,

simply stay away and run away from the responsibility of convincing their colleagues from other parties to agree with them.

If you can do so ... [Interjections.] ...

The CHIEF WHIP OF THE OPPOSITION: You weren't prepared to ...

Mr M R MDAKANE: Well, we are always open. The ANC is the leader of society. [Interjections.] When you are unable to engage us, we get worried that you are not prepared and you are not organised sufficiently to address the issues that you are facing here. [Interjections.] You are the ones that are complaining every day that we not are giving you sufficient time to hold members of the executive to account and sufficient time to present matters for debate. When we are doing so, you run away. [Applause.] What do you want us to do? [Interjections.]

No, what do you want to do? We are giving you a platform, hon members of the House. This is the platform. Please come, make your points, and then you run away. What you expect us to do is to invite you again. Our view is that the DA has failed to play its meaningful role in this Chamber. As a result of that ... [Interjections.] Of course, really, there is a competition with

the EFF for airtime. We know that. We thought you were a little bit better than the EFF, but it seems you are the same. You are not assisting us to address these challenges in the Chamber.

Our view is that these Rules ...

Mr I M OLLIS: You're wrong!

Mr M R MDAKANE: ... should be approved by the Chamber. We should have a discussion with members and, hopefully, at the time when we look at these Rules, even in five years' time, the DA will be well organised to make meaningful contributions because failure to do so makes it very difficult anyway to engage with you. Recently, you have been a very angry party. It is very strange that, as victims of apartheid, we are prepared to respect you, but you do not just respect members of the ANC. [Interjections.] You choose to behave in a very strange way, but we have forgiven all those that persecuted us. We meet with them, and we drink tea with them, but, despite all that, you still take a very arrogant approach on matters that you are supposed to address. [Applause.] It is a bigger problem that we are facing.

Then, we hope that these Rules will assist the hon Steenhuisen to understand parliamentary democracy and work in a manner that



is appropriate for an hon member of this House to ensure that we work on that. [Interjections.] Our view, as the ANC, is that the Rules we are presenting today for approval by the Chamber are sufficient. They are very important, and then they will assist us to work in a manner that is appropriate. We will deepen democracy. It can't be right that you have agreed with all the Rules, and then you are just running away for one Rule - the Rule on the sequence of proceedings. [Interjections.] You are running away from that Rule only. With all other Rules, you had been part and parcel of this discussion. Suddenly, you become wiser when you are supposed to adopt the Rules of the National Assembly. In our view, that cannot be right because we gave you the time to present alternative views. You failed to do so. What do you want us to do? Do you want us to present it for you? We did it exactly. We presented it for you. That is why you have accepted it now. [Applause.]

You must accept it, though. I am not being arrogant. Accept the fact that we are privileged to be led by an organisation called the ANC because without this organisation, in fact, we would not be here. [Interjections.] We are here because of the ANC, and you must respect that and work in a manner that assists us to address the challenges of our country.

Hon Speaker, the ANC supports the approval of these new Rules, and we think that they are going to assist us to address many issues of our people. Thank you very much. [Applause.]

Mrs N W A MAZZONE: Speaker, those of you who know me will know that it's not often that I find myself gobsmacked. I normally have something to say about everything, but what the hon Mdakane just did has truly left me ... [Interjections.] ... speechless.

The SPEAKER: Order, hon members! Order!

Mrs N W A MAZZONE: I find it truly, unbelievably insulting, after spending hours and hours and hours in a Rules Committee, where I thought - and I'm sure members that sat with me, like the hon Kilian and the hon Narend Singh - that we had a sort of unity in that committee, after I worked out this morning that, just since 2014, we had spent almost 186 hours together, negotiating, going through best practices, looking at what would strengthen our Parliament.

To then come to this House and grandstand! In actual fact, colleagues, if that wasn't the weakest attempt at a re-election speech that I have ever heard, I don't know what is.

[Interjections.] Hon Mdakane, I am sure the message has got to

Luthuli House, and they have been told to re-elect you. Your position is safe, even though it shouldn't be. [Interjections.]

I must, at this point, make special thanks to members. It is actually strange that I will say this, but I must say "Thank you" to the members of the committee, because we worked well together. In that time that we sat together, we went through hardships, we went through rough debate, but, in the end, we had respect for each other - or so one would have thought.

Negotiations were long. They were hard. We sat through recesses. We sat on Fridays. We sat at times that were inconvenient, but we were there, and we did the job.

I'd like to point out a few things. Never in my life, and certainly in my history as a Member of Parliament, did I ever think that we would be writing Rules for a violent Parliament. I think we can all agree that the violence that has taken over our Parliament degrades not only what we stand for but, certainly, the hard-won democracy that we all enjoy today.

That is why Rule 53 was probably one of the most difficult pieces of legislation that we, as legislators, had to work out - because how does one curtail constitutional rights and still make it a fair, open, and democratic Parliament? I must say, I

think we did well with Rule 53. It needed a few amendments, and we did well in the amendments that we came up with.

I maintain it is a very sad situation that we have to even contemplate fellow Members of Parliament causing harm to one another, but that is the reality in which we live. One thing, though, that we must never forget is that the floor of Parliament is sacrosanct. That is why we made sure that the Parliamentary Protection Services that come onto the floor of Parliament will not be armed unless actual violence breaks out on the floor. That ensures that although our rights are limited, we still have the constitutional right that we enjoy, as Members of Parliament, to privilege in this House and to be the voice of the people of South Africa that voted us into office.

Some interesting developments have come up in these Rules. One of the things that I was most pleased with is the fact that, finally, the Deputy President will have his own day to answer questions. He will have a chance to answer the questions and give due consideration to his answers. This means that the next cluster will not have its time curtailed. That is very important, when we look at holding the executive to account - that the Deputy President has a specific time for answering questions, and I think we did well there.

I think we did well in that the extended public committees, EPCs, will now be known as mini-plenaries, and I think for other such debates going forward as mini-plenaries is also a good move. It is quite disappointing that we didn't get snap debates put into our Rules of Parliament, and I'll tell you why.

We are a People's Parliament, and we are here to discuss people's issues. What we see, continuously, is this overpreparedness. It's so structured and so staged that things don't seem to come up originally in our Parliament. A snap debate would have allowed for Ministers to have the opportunity to show that they understand and know their portfolios, as well as for members of the House to have an opportunity to really engage with Ministers and their Deputies, and have a fundamental, at times, disagreement, and sometimes, to find each other. This kind of curtailing ...

It's one of the things, as the hon Mdakane said; this is a living document, and as we go ahead with our document, so things will change, and the document will change, in time, too. We are a developing democracy, and we must never forget that - although, after the speech I have just heard, I do wonder sometimes if we are developing at all because that was nothing

more than a militant insult on everyone that participated in this process.

I think it's safe to say that no one wants a military operation on the campus of Parliament, but what happened last week shocked not only us sitting here in Parliament, but shocked the country, as a whole, and rightly so. We saw gross acts of violence. We saw grievous bodily harm and harm to property. That should never be allowed. I think, in this, Parliament has been remiss in making sure that we have adequate controls so that people coming into Parliament are unarmed and may not harm anyone that's in Parliament.

In addition, our Protection Services, themselves, were infiltrated, as we saw. Once again, the hon Steenhuisen has requested, over and over, ad nauseum, that our Protection Services be adequately marked and identifiable. They weren't, and we saw what happened.

This is the fundamental problem I have, and I have mentioned this throughout the Rules process. This Parliament waits until the proverbial has hit the fan, and then we take action. It took people getting hurt. It took property being destroyed for us to finally say, "Oh wait, perhaps somebody actually had a point".

That is something that I hope, as we go forward and as we look not only at the National Assembly Rules but at the Joint Rules, we look at ways we can curb this kind of thing and fill in our weaknesses. This document is 21 years old. Let's hope that we don't have to wait another 21 years for changes.

In conclusion, I must say I was going to thank everyone concerned and say what a good time I had on it. I have an incredibly sour taste left in my mouth now, which I didn't think would happen. I do maintain that it is our united job to restore the dignity of Parliament, and my party and I will certainly do our bit.

We must be profoundly proud of our Parliament, and we must jealously protect our Constitution, at all costs. May we, as Parliament, be reminded that we are the servants of the people and, in all our duties executed, may we make sure that we benefit only South Africa. Thank you. [Applause.]

Mr N SINGH: Hon Speaker, in considering these Rules this afternoon, I think we must be careful that we do not throw the baby out with the bathwater. Listening to the hon Mazzone, I reflected on a number of the elements contained in these newly-drafted Rules that will have a positive effect on the way that

we, as Members of Parliament, function in this House. It will also enable us to ensure that our main responsibility, which is oversight of the executive, is carried out in that manner.

It has taken a long time to come of age - 21 years - but at least we have arrived somewhere. I agree with the hon Speaker that these Rules are a living document. It is dynamic. It can be changed for particular circumstances as we move along. In fact, a number of the amendments that have been proposed in the last three years are as a result of particular circumstances in which we found ourselves in this House. Otherwise, we would not have amended some of these Rules.

Having said that, I noted that Cabinet had issued a statement saying they were very concerned - hon Minister Radebe - at the goings-on in Parliament, and I agree with you. I think we have all said we are very concerned about what happens here. By the same token, however, the executive needs to know that we, as Members of Parliament, are also very concerned about the way members of the executive sometimes react to questions that have been put to them, the nonchalant and flippant responses and the incomplete responses. These are things that we need to tighten. As Parliament, we have a responsibility, as leaders of parties



or as Whips, to engage with the Leader of Government Business so that we can find a way.

There have been proposals for unscripted questions, and I think the reason for that is because of the way that we sometimes get a response from the executive. Today is a classic example. We found that 15 members' statements were made by members of this House, and it took some prodding to get members of the executive to respond to those members' statements, and we still didn't even get six Ministers to respond.

There is a concept of parliamentary officers. Now, I've been here long enough to know the duties of parliamentary officers. We need to make provision in our Rules for what parliamentary officers should be doing. They should be a liaison between a Ministry and Members of Parliament. Very few of them, however, if any, conduct that responsibility in that manner. That is lacking, because we can get the kind of answers that we require from departments if, hon Ministers, your parliamentary officers are on the ball and interact with us, as Members of Parliament.

Having said that, we will support the Rules because we believe that there is an opportunity for us to have further discussions. Let's not dismiss good suggestions, however.

The last thing I want to say is this. When you get a yellow card on a field of play, it means you are cautioned. When you get this card here - the EFF colour - I mean, the red card, it means you must leave the field of play. This is something we need to learn. When you get this card from the presiding officers, you leave the field of play.

However, we must put in place some sort of review mechanism to review some of the decisions of the presiding officers, and we need to have a multiparty committee to do that because even referees, in a game of soccer or rugby, are also called to order. Even after you have left the field, the referee is cautioned by Fifa, or whoever else.

So, we need to find mechanisms where we can find each other and work together. As I said, we will support these Rules as a way forward after 21 years of having the Rules that we had in 1994. Thank you very much. [Applause.]

Prof N M KHUBISA: Hon Speaker and hon members, from the outset, the NFP acknowledges that there is a need for all of us to agree that the decorum and the dignity of Parliament are paramount. The non-negotiable starting point should inform any Rules that we develop, agree to, and adopt. The Rules of Parliament must

necessarily be rooted in the Constitution of our country, augmented by the selected legislation and conventions that govern processes and proceedings.

The image and dignity of our Parliament have been badly tarnished nationally and internationally, and it is incumbent upon all of us to restore the image of this august House. The responsibility to correct the mistakes of the past and pave the way for the future is one that we have to shoulder collectively. We are representatives of people who voted for us, and we embody the full spectrum of South African society. It cannot be that, through our conduct, we deny the voice of any part of our people represented here from being heard. Such conduct would amount to fascist tactics to stifle and muzzle debate and shut down avenues of expression and legislative innovation.

The NFP is ready to be part of reclaiming the dignity of Parliament, and we would strive to ensure that the importance of order is acknowledged in the final analysis. We are ready to participate in the new order, and fair and equitable Rules will guide our behaviour, and quiet dignity in our interaction and conduct will be set as a norm.

Frivolous motions, spurious points of order, insults, and such should not be part of the lexicon of Parliament. We are here to fulfil an important function and that is to express the will of the people, and we simply cannot justify the use of taxpayers' money to sow division and chaos in this august House. Parliament cannot and should not be the playground of individuals who have big egos. It is a collective institution where we should strive to work for the benefit of our people and not only represent a single party here.

The NFP firmly believes that if we have a fair set of unambiguous Rules, and, if we stick to the Rules, there will be order. A single question remains, Madam Speaker: What do we do when a member of this august House or members of this House do not submit to the Rules? While the NFP believes that a mere slap on the wrist is an insufficient deterrent, we are also skeptical about arbitrary use of the Parliamentary Protection Services.

The ugly scenes splashed across the national and international media screens of hon members being ejected from Parliament are not palatable. We believe that stricter Rules governing the powers and discretion of the presiding officers to call on the Parliamentary Protection Services must be considered, and we should all insist that all members of the Parliamentary

Protection Services wear a distinctive and identifiable uniform before they are ever called to come into the Chamber again.

Finally, individual hon Members of Parliament who engage in unparliamentarily conduct, in particular conduct aimed at disrupting the proceedings of this House, need to be addressed. If we are here to ensure compliance with the Rules, we need to develop appropriate sanctions and long-term consequences for such transgressions. The NFP supports these Rules. [Applause.]

Mr N L S KWANKWA: Hon Speaker and hon members, the UDM supports the report of the National Assembly Rules Committee, primarily because we want Parliament to work, and we want Parliament to focus on the task of serving the people of South Africa. However, I think it is important for us to note that our Parliament faces a different kind, a special kind, of a problem. When you have Rules, you have Rules so that you do not have chaos, but here we have chaos even though we have Rules. This means we have a bigger problem. It is a bigger problem because we said, in 2014 already, that this is a political problem that needs a political solution.

We welcome this step, obviously. The tightening of Rules was very necessary. The EFF, who is not here today, also has an

important part to play as a stakeholder. If they keep on saying they want a political solution or find problems with some of the things that are happening here, they must tell us what they want us, as a collective, to do. They need to tell us exactly what we need to do in order to meet them halfway.

Kungenjalo, siya kucula sodwa apha babe bona besenza owabo unothanda. [If not so, we will sing alone here while they are busy doing whatever they want.]

The other issue which is also very important here is that, whether you like it or not, this is a vicious fight between the ANC and the EFF. We said in the past that maybe a bilateral meeting between the ANC and EFF and, later on, also a meeting with us would solve the problem. [Interjections.] Frankly, we are stewing in your soup, and we are not familiar with most of the fundamental issues that you are fighting about. That is a fact. When you fight, the other issue here is that you turn all of us into "strooimeisies" [maids of honour] and ball boys ...

... ezihamba nje nani ingathi siyanikhapha. [... that just walk with you as if we are accompanying you.]

Having said all of that, there is just no justification for the violence that we saw in the House last week. There is no justification, and I would be failing in my duties, as a young leader, if I did not condemn it. I also want to say to the EFF that they might be upset or angry about certain issues, but we all have a responsibility to build a winning nation. At the same time, I also want to say that they have a good thing going. Politically they do, but they must not soil it with violence. They must not soil it with violence because it undermines even the victories that they have scored, so far. We support it. Thank you so much. [Applause.]

Mrs J D KILIAN: Madam Speaker, the ANC is very grateful that we have finally reached this stage after four years of toil to present to the National Assembly a set of revised Rules. We all know where it emanates from. First of all, all Houses of Parliament all over the world function in terms of Rules of order and conduct. Rules are meant to guide members as to what the Rules of political engagement are during all deliberations in the House – be it question sessions, plenaries, and even in committees.

In some jurisdictions, such as the United Kingdom, the House of Commons, for instance, operates on a very minimal set of Rules.

Why is that the case? That is so, hon Speaker, because the conduct of members is actually guided by parliamentary practice and convention, more so than by strict Rules. It is just not acceptable for members to participate in a manner that does not build the democratic culture of some countries. In general, they have respect for their countries, the democratic institutions, and the electorate who gave the parties their respective mandates. They accept it. If one party wins an election, they have the right to set up the governing executive.

The CHIEF WHIP OF THE OPPOSITION: No one disputes that!

Mrs J D KILIAN: Given our divisive past, we are acutely aware that in 1994 when this Parliament was established, it was necessary to send a delegation - I think the hon Minister Radebe was part of that delegation - to come and engage here in Parliament to see how certain Rules could be developed so that once the new Parliament is inaugurated and members have been sworn in, they could actually have documents to guide the conduct of members in the House.

During this very lengthy process, we were told that they used the interim Constitution as a point of departure and then also used the previous Parliament's Assembly Rules as well as the



Senate Rules to draft the first NCOP and National Assembly Rules for this House.

During that process, several Rules were, in fact, elaborated on after 1994. I think the hon Chohan needs a mention here because there was a task team that, in fact, worked on the chapter on legislation. Because the Constitution is very extensive on how Parliament should process legislation, it was necessary for them to align that section with the Constitution.

Some other ad hoc arrangements and changes were made, but, somehow, certain Rules escaped scrutiny, and, as we stand here currently, we still have a Rule, Rule 45(1), which reads as follows:

Every member is to be uncovered when he or she enters or leaves the Chamber, or moves to any other part of the Chamber during the debate ...

This is rather at odds with parliamentary practice where we know people from different religions, and we have traditional headgear and all of that. So, that one escaped.

The Speaker of the Fourth Parliament then recommended that we should go through the Rules extensively. I think it's just very important because when the first House team was established, we met for the first time in July or August 2012. The task team was in fact expanded by the participation of Ms Sybil Seaton, who was a Member of Parliament for the IFP, as well as Mr Mike Ellis, who participated very extensively. The hon Kalyan is not here today, but she was part of that initial task team that was set up.

The task team agreed on the following guiding principles. Firstly, the Rules had to be aligned with the Constitution and should stand the test of time. Irrespective of who wins an election, it must be a set of Rules that allows the governing alliance or party to govern and the opposition to fulfil their role of scrutiny together with the other members of the National Assembly. Secondly, the Rules should not regulate politics but instead create an enabling environment to conduct politics. Thirdly, it should capture the best conventions and practices that we have established. Let us be honest: We have established good practices and conventions, and there is a lot written up on that score. Lastly, we said the Rules should promote the public image of Parliament.

Little did we know then that we would find ourselves in a situation where people don't respect the Rules. Even if we pass the Rules today, we have a challenge on hand because if people didn't respect the previous set of Rules, which was, in fact, a good document for a period of more than 20 years, and we could operate somehow, we have no guarantee that the EFF will, in fact, conduct themselves in accordance with the new set of Rules, notwithstanding the fact that we have multiparty agreement on those.

Just before the 2014 election, the task team concluded their work. At that stage, there was just not enough time to present to the Rules Committee and to the House. Therefore, a new subcommittee was established.

I think what is important is that we have worked extensively. Altogether, we presented 10 draft sets of revised Rules. We wanted to bring everybody onboard. We really wanted to make sure that it was a multiparty document and that we, in fact, give effect to the tenets and values of the Constitution because we are all aware of the powers and obligations of this National Assembly.

Now, what is important is that we have developed specific very good - improved - sections, and I just want to mention a few in passing. The hon Speaker also referred to more regular and longer questions sessions with the executive. If members are dissatisfied, we have very clear Rules on how long members of the executive have an opportunity to answer, but there will be a record kept, and there will be regular liaison between the Office of the Speaker and the Leader of Government Business to see whether the members of the executive are taking this Parliament seriously, whether they are replying in due time, etc.

Secondly, as far as members are concerned, we have brought onboard the declaration of private interests. We have created clarity about procedure to raise a question of privilege. We have worked extensively on points of order because it has become practice for members to jump up and down on the basis of a point of order which is completely not a point of order, or they use a point of privilege, and a point of privilege is something completely different. Hon Speaker, I think we will have to workshop our members to make sure that they understand what the difference is. Then, we have also - unfortunately, the hon Natasha Mazzone referred to that - had to bring onboard Rule

53(8) for the forceful removal of members. Now, that was a pity that we all had to agree to that.

Speaker, I just want to say that the hon Mdakane referred to the issues raised by the DA. The first was the sequence of proceedings. One of the breaking points in our Rules Committee on Tuesday was the sequence of proceedings, which I fail to understand because the current sequence of proceedings is no different from what we see in the Western Cape provincial parliament. What they have there is exactly what we have. The only matter that we brought in was swearing in of members. Here they have opportunity for prayers - you can check in your documentation - as well as announcements from the Chair - we have that - and then motions. We have motions by the Chief Whip. This is followed by Orders of the Day and notices of motion on the Order Paper, which are to be dealt with in sequence. Now that's exactly what we have in the new version of the sequence of proceedings. Why the DA is now throwing their toys out of the cot on that one; we don't understand. [Applause.]

The second point is on the National Assembly Programming Committee. Hon Speaker, the DA should be aware that in the Western Cape Provincial Legislature, they have the so-called programming group, but that body is constituted on the basis of

proportionality. Here, we have created a consensus decision-making body as far as programming is concerned, with a deadlock-breaking mechanism if no consensus is reached. We all know about the case that was revisited in court. So, clearly as far as that is concerned, we are also far more democratic.

Then, the last point was on questions without notice to the executive; those are the unscripted questions. Now, what we wanted to ascertain is how it works in the Western Cape provincial parliament. There is a session of 20 minutes. Members put their names in a hat, and, if you are lucky, your name is drawn, and, if you happen to be a member of the opposition and you come in at the tail end, what they do is push the reply by the premier out for longer than 20 minutes, and so you simply don't get your opportunity to pose an unscripted question.

[Interjections.] Secondly, there is no provision for any executive member to be asked an unscripted question. So, now our recommendation from the ANC to the DA is to first get its own house in order in the Western Cape. Show us what you do and how you improve democratic participation there, only then.

We have a very serious concern about the conduct of the DA here in the House. Let us be honest: Even Tony Leon expressed his concern. I want to just quote this, hon Speaker:

Fast forward to today, and the forces of opposition are at once familiar and very different. The DP's successor, the Democratic Alliance, holds the position of official opposition. It is an amalgam of the DP and NP ...

Then he moves on to say, "Van Zyl Slabbert once warned that 'you can't out Mau Mau the Mau Mau'. That is the first lesson which the DA needs to adapt."

You can't out EFF the EFF. Find your soul as a constructive opposition party, as one which is patriotic and loyal to South Africa and help us build institutions that will live and thrive long after this generation. [Interjections.] Even the youngsters have passed through the doors of this House. So, that is what we ask them. First get your house in order, and then you can come and tell us what to do. Here, we rule with a 62% majority. In the Western Cape, you barely have 54% of the votes. The ANC has 38%. Please don't dictate to us. Thank you. [Time expired.] [Applause.] [Interjections.]

Mr S N SWART: Madam Speaker, the ACDP will support these Rules. My colleague Cheryllyn Dudley participated at length in the deliberations but regrettably is not feeling well today.

Let me raise a few issues. Of course, the issue which is pertinent to all of us is the unruliness that has been taking place, and so we welcome the amendments that have been inserted in the Rules to deal with the removal of Members of Parliament that are impacting upon the decorum and the legitimacy of the House in the eyes of the public. Many of us have been here for many years, and we have seen unprecedented sights. It has been very disturbing. There are members of the EFF that are very amicable in the passages, but it seems when they come together, they have, as they have admitted, to bring a revolution into the House. It is time that we, as 94% of the House, say so far and no further. [Applause.]

While we appreciate that the EFF might have certain sentiments about President Zuma, and while it is their view that he may never again speak in this House, I think it is incorrect for them to then say that we, as other opposition members, may not put questions, as we intended the other day. Why can't we put questions as opposition members? So, I think it is incorrect, and I also think the voters out there need to be aware, as well, that the majority of Members of Parliament want to see Parliament exercising oversight correctly and want President Zuma and the executive held accountable in this Parliament.



I would urge the presiding officers to make use of the button that silences. When we sit at the back, and we continually hear this going on and on and on, please just stop it! We have that. Let's use that. [Applause.]

Another issue which is of great concern to me is that, last week, we had a lot of children in the gallery. If it is seen that the situation is getting out of hand, maybe we should consider first taking out the children or having a quiet moment before we have those scenes because it was very disturbing. We saw a number of the children were crying out in dismay at what was happening. Let us hope that this does not happen again and that these Rules - obviously, when you pass Rules, you are hoping for self-governance, that people would govern themselves and that you won't have to implement the Rules. However, up until now, we have seen a specific agenda specifically from the EFF. Whilst I am very fond of many of them individually, collectively we cannot allow this to continue.

So, let us stand together, and let us also possibly implement the Leader of Government Business. When we had the discussion at the end of last year, there were certain points that my leader, Rev Meshoe, raised. There were eight points. Let us discuss

these politically, but we need to draw that line in the sand. I thank you very much.

Mr L R MBINDA: Hon Speaker, as the PAC, we support the revised Rules. However, we wish to reiterate our position that the problem with our Parliament is not necessarily the Rules but rather the premise on which those Rules was established.

It is common knowledge that you cannot use Western rules to govern African people. African value systems and western value systems contradict each other fundamentally. Our people on the ground are struggling to practise their African morals, culture, and norms due to the constraints imposed on their everyday lives against their will by Roman-Dutch law. There is a challenge of the African jurisprudence compared to the European jurisprudence.

If this is a Parliament of the people, for the people, by the people, and our people are African in their overwhelming majority, then we must Africanise our Parliament. As per our African norms and customs, respect and discipline are at the centre of that. How we relate as African people and how we communicate as African people differ completely from how others from other parts of the world do things. Our children now have

rights in their own parents' household. This is a recipe for social disorder. That is why you see young people calling elderly people by their first or last name.

We are saying it here again that the problem of this Parliament is not Rules but the officiating and the foundation on which it was formed. Our presiding officers are allowed to remain office bearers and senior leaders of political parties. This compromises their impartiality and the smooth running of the business of Parliament. They should rather be given a security of tenure like judges in order to maintain their independence.

The problem in this House is not its Rules or some individuals. Africans are being guided by European rules of engagement, our nation is losing its moral fibre, and Western ways of living are imposed to the detriment of African norms, values, and culture. We are Africans, and we will forever remain on the African continent and in this Parliament. Also, South Africa is an integral part of Africa, and thus we ought to refer to African ways to redress African challenges and circumstances.

Although we support these amendments, changing the Rules for each and every eventuality is, I think, reactive rather than proactive.

Mr N T GODI: Hon Speaker, comrades, and hon members, the APC supports this long-awaited report. The process to review the Rules has been a long and thorough one. We may not agree with every line in the report, but no one can say that this does not represent a substantive and progressive enhancement of this House's constitution.

Rules are dynamic, and so it was necessary to engage in a process of review. This is indeed a milestone, taking into account how long ago it is since the Rules were last substantively changed. These Rules assist to ensure order and discipline in the work of Parliament.

The state of conduct in this Fifth Parliament highlighted the need to enhance our Rules and procedures. Where common human decency doesn't exist, Rules become necessary lest there be anarchy. However, revised Rules alone cannot resolve entrenched and deliberate political posturing. There is a need for all to respect these Rules. After all, we are elected representatives of the people and must set by force of example the best conduct.

The APC would like to extend its warm congratulations to the chairperson of the subcommittee, Comrade Mdakane, and to his

team for a job well done. [Applause.] Well, the Rules are now agreed upon. Let us have order and discipline. Thank you.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, let's be very clear. As the DA, we reject and distance ourselves from the behaviour of the EFF in this House.

We don't believe it advances parliamentary democracy. We don't believe that it advances the cause of the people who've sent us to this House to represent them. [Interjections.]

The DEPUTY MINISTER OF TRANSPORT: You just walk out!

The CHIEF WHIP OF THE OPPOSITION: Like you walked out to the City of Cape Town yesterday. You call it barbaric. This is double standards, hon Cronin. We've come to expect it from you. [Interjections.] [Applause.]

Let me just say that to say these Rules are a reflection of the Corder Report is a stretch too far. They are not in line with some of the recommendations made by Prof Corder. Chief amongst those is that he said that accountability is not good enough. You need to have amendatory accountability at the core of our parliamentary oversight role. So, what that means is that when

Ministers come here to account, they must not only tell us what they have done wrong; they must tell South Africans how they are going to fix that.

I think that what we are seeing here today is a classic case of the ostrich putting its head in the sand. The elephant in the room is the Constitutional Court judgment that was handed down earlier this month. [Interjections.] You see, you are already dismissing it. You are already dismissing it because it is an uncomfortable skewer for the ANC and because it showed and exposed - for everybody to see - how the ANC has plucked the teeth out of Parliament over the last 20 years and left it in a situation where it is simply unable to do its job. That was pointed out by the Constitution.

Now, the hon Kilian came up here. Being lectured by a retreaded National Party apparatchik about democracy is the ultimate insult. [Interjections.] She has crossed the floor more times than she crosses the street. She is the classic ...

Mrs J D KILIAN: Hon Speaker ...

The SPEAKER: Order, hon Steenhuisen! Please take your seat.

Mrs J D KILIAN: Will the hon Steenhuisen take a question, or will he be too scared? [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: See how she is living by the Rules.

The SPEAKER: Will you take a question, hon Steenhuisen?

The CHIEF WHIP OF THE OPPOSITION: I don't take questions from National Party ...

Mrs J D KILIAN: He cannot respond! You have more members of the National Party ...

The CHIEF WHIP OF THE OPPOSITION: I don't take questions ...

Mrs J D KILIAN: You have more members from the National Party in your caucus than are here. [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: I don't ...

The SPEAKER: Hon Kilian, he won't take a question. Proceed, hon Steenhuisen.

The CHIEF WHIP OF THE OPPOSITION: I don't take questions from retreated apartheid-era apparatchiks like the hon Kilian.

[Interjections.] She is a classic case of somebody who says ...

The SPEAKER: Order, hon members! Order, hon members! Allow him to finish his speech.

The CHIEF WHIP OF THE OPPOSITION: She is a classic case of somebody who says this: These are my principles. If you don't like them, I have others. [Laughter.] [Applause.]

There are unscripted questions to the premier. We know why the ANC doesn't want to have unscripted questions to their Ministers. It is because they know that most of their Ministers, with a few notable exceptions, couldn't answer a decent question in this House if they tried.

I would be very careful about quoting former leaders of the organisation. Denis Goldberg, Ahmed Kathrada, and a whole host of other leaders have had some very interesting things to say about where the ANC finds itself.

Now, the hon Mdakane says we are an angry party. We know why he's angry today. [Interjections.] Luthuli House doesn't get it



right very often, but when they made you the Chief Whip, hon Mthembu, they did get it right. You are a much better choice than the hon Mdakane, and that's why he is so upset. [Applause.] [Interjections.]

He also then goes on to say that, perhaps, I need a lecture in parliamentary accountability and democracy. Let me tell you - let me just tell you this: You guys are getting a hiding every single day in court. You haven't won a single case that's been taken on review over the conduct of this Parliament and how the ANC and its presiding officers are trampling, on a daily basis, on the rights of members of this House to hold the executive accountable. [Interjections.] That is a reflection on you and your party, hon Mdakane. Go and win a few cases. Go and win a few cases first before you come back here and lecture us on parliamentary accountability and democracy. [Applause.] Who can forget Adv Nkosi-Thomas stuttering and mumbling her way through your pathetic case in the Constitutional Court?

Let me tell you something. The ANC in this House wants to have its cake and eat it. So, when a party stands up for the Rules and has supported various Rules in this House that have been proposed around conduct, etc and sits for hours in committees, you say we are not constructive. You compare us to the party of

the EFF. You moan about the EFF. You birthed them, you raised them badly, and now you are wondering why these children are behaving in this manner? [Applause.] [Interjections.] They were birthed out of your organisation. Their behaviour is a reflection of you. The EFF and the ANC are different sides of exactly the same coin in South Africa! [Applause.]

We want unscripted questions because it is a way to hold the executive accountable, an important way. We believe that the order of business is a sticking point because what it does is it places the business of the executive ahead of the business of the people of South Africa. The Constitution is clear. It says that one of our responsibilities is providing a national forum for public consideration of issues. Members of Parliament are elected here to represent members of the public. If their business is dumped to the end of a programme, it shows the contempt that the ANC has for elected representatives and your subservience to an overbearing executive. We won't support that. [Applause.]

Mr M S BOOI: Good afternoon, Madam Speaker, members of Parliament, and people in the gallery. There are things that are important, that we must do as Members of Parliament. It is

important to read the Rules so that we don't come here and howl most of the time and make no sense.

You see, what is important ... We go along with what you are saying, hon Natasha Mazzone. We have great regard for your contribution, but on the day in question, on Tuesday, it's what we have been observing as the ANC, and it is very despicable. If you are not able begin to go along with the role that women are playing within the institution and their leadership, you become a little bit unacceptable.

An HON MEMBER: What the ...

Mr M S BOOI: Keep quiet. I will give you a lecture now.

An HON MEMBER: You make no sense!

Mr M S BOOI: So, what happened? Keep quiet. So, I am saying to you, here is the hon Natasha Mazzone, making a contribution for two and a half years with us. On Tuesday, whilst we were seated in the Rules Committee, along came the men. They kicked her aside, took over the Rules, and started running the institution. Now, how do you look at that? [Interjections.]

I grew up in the ANC understanding that patriarchy is wrong. It is so wrong when men think that it is them and only them that could make sense. She was so correct that we respected her and we worked with her for two years, but when the men came suddenly everything went wrong. We don't know what they are complaining about. We have been working with her every day. She makes sure she goes back to her party, she engages her party, and she comes back. You know it is so bad when a woman is being treated in front of the institution in the manner seen on Tuesday.

[Interjections.] We couldn't understand how they could treat this hon member in this manner, as if she was nothing in the committee, not even asking of her to explain how we arrived at what is being constituted within the Rules itself. That is the part that we are complaining about, and that is unacceptable. We can't treat women in that particular way, and it is a growing attitude. We are seeing that in how you treat the Speaker in the House. You show no respect to her. You don't understand what she represents. That is why it is easy for them to say she must go this way, vote of no confidence, and so on. You have no respect for women, and I will never support somebody who goes on like that. [Interjections.] I don't patronise her.

Hon Kwankwa, if I can reflect on you, what you must understand is that, within the Rules, we have gone back to the EFF. We have

told the EFF to make a submission. You are making it our problem. They have made a submission that what they would want us to be able to do for them is to chair the House. To come and sit here and take over, these are political solutions. It is not easy like that because it is not about the ANC.

We have 14 parties here. I mean, you are here. You are different opposition parties, and there is an opposition party. There is the EFF. There are other parties. What do you expect us to do? What do you expect the ANC to do - to jump all other parties and go to the EFF? On what basis would it do that? This is what we have been explaining to them. When the new Chief Whip assumed his position, he called the EFF into room V16, and we were in that meeting. We took them through, and we asked them to make a commitment to working with us so that, together, we can improve the image of Parliament. We met with them in the morning. What did they do that afternoon? That same afternoon, they were here disrupting the President. What do you expect us to do, as an organisation? Should we sit here and watch as our President is being humiliated? People are asking us to open up positions for them here to do what?

We are not children. We know what is going on. So, at no stage have we ever ignored them. We have been engaging them

politically, even at the worst of it, even to the detriment of our own organisation, but they show no respect even here for the Rules. We have been engaging them, ensuring that they even participate in the subcommittee. We have gone out of our way to make sure that they come and participate. Definitely, sure, they have made so many contributions, but they are the first ones to violate those contributions. What do you expect the ANC to do? Should we sit back? That is why I am saying - that we are being pushed around because we got this majority, as if we have not been voted in, as if we have come here to plead with people to come along with us. We have done that for quite a long time. [Interjections.] I am one, and I will never compromise on that one because I worked very hard to win the voters to be on my side. I don't plead with you. I work, and I spend nights and nights to be able to persuade voters to understand the views of the ANC because if there is a manifesto, I go and preach it. So, we don't really have to sit here and be seen as if we are begging, but we go out of our way to make sure that people have an understanding.

The Speaker herself, which is what people don't understand and acknowledge, I can really ask how many times the Speaker got into multiparty meetings and sat together with different parties to make commitments. She comes here, and everybody looks as if

she has never engaged them. What type of an engagement do you want from us? What type of respect do you want from us? You have to respect us as an organisation to be respected in return.

This is what we are saying in response to many of these issues. Definitely, we have been able to work together again to improve the Rules. Definitely, the incident of last week has been very disturbing to all of us, but we are saying that on 10 and 11, when we look at how we make sure that this remains sacrosanct, as we go out of the door, we are saying the security services must take over, and they must be able to make sure that their own work is being done and not being prohibited by anything because we accommodate everybody. We have been able to make sure that there is an understanding of the role of the Protection Services, which has been the agreement with the DA. When the DA said to us, no, we want a multiparty system so that whenever these problems are being reviewed, we even withdrew and waited patiently for them to come with a suggestion. They couldn't, but we did it. [Interjections.]

We are seated here ... no, I am a participant. You were not a participant in the committee. So, I am saying, at the end of the day, the ANC, in every step that it takes, has been able to make sure that it engages different parties. The ANC talks to

different parties. We have not drafted this document. That is why it took us two years to resolve some of the matters - because you can be very sure that some of us have been here for a longer time, and some of the members of the EFF and other parties have just come into the Parliament. Still, the ANC didn't want to run up. It had to make sure that it accommodates everybody to understand what they want to do to improve the environment of Parliament. It never happens. Now, we are being blamed as if we are the ones that have wronged people here, while we do our best as an organisation.

We have a tradition. It is part of our values. That is why everything is in the Constitution, and we have been able to make sure that everybody ... and we are the ones that are practising the multiparty systems. We don't make anybody feel bad. We will never make the hon Kilian feel bad in our organisation because we do know for a matter of fact that a number of people that have come into the DA belonged to the National Party. We know those things, but we are not here to say any Member of Parliament must be disrespected. [Interjections.] We live above that because you always treat human beings as being important, you see? That is why in the Constitution of this country, we ensured that there is human rights and the Bill of Rights so



that we can always protect the rights of each and every individual. It is not an easy issue.

People have moved over from different parties to come to the ANC because it respects human beings and South Africans, and it does see that everybody can add value to society. It gives them the opportunity to participate, and she is doing very good work in our organisation. The fact that she is being hated by different parties is because she is making a positive contribution within our organisation on how to improve society, and that is what we like, and we will never walk away from that. [Applause.] We know how many people would love to work with the ANC, even though that they left ANC. We will continuously engage them, but that engagement must not come at the expense of the ANC being destroyed. We will never destroy the ANC. We have worked very hard. We have sacrificed our time for the ANC to be what it is. What we are saying, even for our young people, we continuously say to them that this is an organisation that we value because we are putting our lives into this organisation.

Even before 1990, many of them can't tell me ... Even before 1990, the types of sacrifices different comrades made for this organisation were made on the basis that we value human life, and we will always protect human life because it is very

important for our society, and the society that we want to build, to feel that we are accommodating each other.

The hon Mdakane chaired the meetings very well, but he couldn't believe it when I went to him as the chairperson of the committee to tell him that you can't treat women in that manner that you are treating them.

An HON MEMBER: Oh, come on!

Mr M S BOOI: Give them respect because it is in their interest. You see, the problem of shouting when you don't understand ... At the end of the day, you see, the levels of racialism within the DA ... [Interjections.] We do know this, and it's not even being said by me. It was said by the *Business Day* on Tuesday. Hon Steenhuisen was doing an analysis and, quite clearly, I can tell you, quite frankly, that the level of how the hon Esterhuizen gets clapping of hands and how Maimane gets clapping of hands shows the difference of understanding within the DA. These are the things we don't create. We sit here, and we say here is the leader of a party, but he doesn't get the necessary respect. When the hon Esterhuizen comes here, there are good shouts and good ...

The SPEAKER: Hon Steenhuisen.

Mr M S BOOI: Oh, hon Steenhuisen.

Mr N SINGH: Thank you, hon Speaker.

Mr M S BOOI: Alright, thank you very much. Thank you, my good friend. So, I am just saying that we have not, at any stage, come here ... We wouldn't have abandoned the armed struggle if we wanted to promote violence, hon Mbinda. We would have never abandoned the armed struggle. We abandoned the armed struggle because we respect human life. That's why we were engaged in guerrilla warfare. We were not engaged in full combat because with guerrilla warfare we knew that we had to protect the lives of our people. We even protected those that were our enemies. We did all these things because it is in our culture; it is in the fact that Ubuntu is with us. We are Africans, and we respect human life. Even at the worst times when people would sell us out, we always knew that we would give them a second chance to repent and work with us, and that is the ANC I know.

Debate concluded.

The CHIEF WHIP OF THE MAJORITY PARTY: Madam Speaker, I move:

That the Report be adopted and that the new Rules take effect from tomorrow, 27 May 2016.

The SPEAKER: The motion is that the report be adopted. Are there any objections?

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, I would like to move an amendment in terms of the Rules, if I may.

The SPEAKER: What is the amendment, hon member?

The CHIEF WHIP OF THE OPPOSITION: Speaker, I move on behalf of the DA:

That the House amends the National Assembly revised Rule 29(8) to read as follows:

Subject to the Constitution and these Rules, and unless altered by a resolution of the House, the business on each sitting here in 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) Notices of motion;
- (e) Opportunity for statements by members and responses to statements by Cabinet members;
- (f) Statements by Cabinet members; and
- (g) 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.

The SPEAKER: Hon Steenhuisen, can we have a copy of the proposed amendment? [Interjections.] We will have to put the amendment to the House so that we get the agreement of the House on the amendment that has been tabled by the DA. [Interjections.]

Hon members, a set of amendments having been tabled before the House, I now put the amendments for agreement. Is there agreement with the amendments?

HON MEMBERS: No!

HON MEMBERS: Yes!

The SPEAKER: I think the Noes very clearly have it.

[Interjections.]

Mr M WATERS: Speaker ...

The SPEAKER: So, hon members, in actual fact, the question has been carried. [Interjections.]

Mr M WATERS: Carried or killed?

An HON MEMBER: Yes, we won.

The SPEAKER: Alright, hon members, let me formally put the question. Those who agree with the amendment, say "aye".

HON MEMBERS: Aye!

The SPEAKER: Those who are against, say "no".

HON MEMBERS: No!

The SPEAKER: I think the Noes have it.

Division demanded.

The House divided.

AYES - 61: America, D; Atkinson, P G; Bagrain, M; Basson, L J; Bergman, D; Boshoff, H S; Bozzoli, B; Breytenbach, G; Cardo, M J; Davis, G R; De Freitas, M S F; De Kock, K; Dreyer, A M; Edwards, J; Esau, S; Groenewald, H B; Grootboom, G A; Hill-Lewis, G G; Hunsinger, C H H; James, W G; Jongbloed, Z; Kohler, D; Kopane, S P; Kruger, H C C; Lees, R A; Lorimer, J R B; Lotriet, A; Mackay, G; Mackenzie, C; Majola, T R; Malatsi, M S; Marais, E J; Marais, S J F; Masango, B S ; Maynier, D J; Mazzone, N W A; Mbhele, Z N; McLoughlin, A R; Mileham, K J; Mokgalapa, S; Motau, S C; Ollis, I M; Rabotapi, M W; Redelinghuys, M H; Robinson, D; Ross, D C; Schmidt, H C; Selfe, J; Steenhuisen, J H; Steyn, A; Stubbe, D J; Terblanche, J F; Topham, B R; Van der Walt, D; Van der Westhuizen, A P; Van Dyk, V; Volmink, H C; Vos, J; Walters, T C R; Waters, M; Wilson, E R.

NOES - 210: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanya, V; Bapela, K O; Basson, J V; Beukman, F; Bhengu, N R; Bhengu, F; Bhengu, P; Bilankulu, N K; Bogopane-Zulu, H I; Bongo, B T; Booii,

M S; Boroto, M G; Brown, L; Buthelezi, N S; Capa, N; Carrim, Y  
I; Chauke, H P; Chikunga, L S; Chiloane, T D; Chohan, F I;  
Coleman, E M; Cronin, J P; Cwele, S C; Didiza, A T; Dirks, M A;  
Dlakude, D E; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J;  
Dlulane, B N; Dunjwa, M L; Ebrahim, E I; Esterhuizen, J A; Faku,  
Z C; Filtane, M L W; Frolick, C T; Gamede, D D; Gcwabaza, N E;  
Gigaba, K M N; Gina, N; Godi, N T; Goqwana, M B; Gordhan, P J;  
Gumede, D M; Hanekom, D A; Hlengwa, M; Holomisa, S P; Jeffery, J  
H; Johnson, M; Kalako, M U; Kekana, H B; Kekana, P S; Kekana, E;  
Kekana, C D; Khoarai, L P; Khosa, D H; Khoza, T Z M; Khoza, M B;  
Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof,  
N J J v R; Kubayi, M T; Kwankwa, N L S; Lesoma, R M M; Loliwe, F  
S; Luyenge, Z; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P;  
Mabe, P P; Mabija, L; Mabilo, S P; Mabudafhasi, T R; Madella, A  
F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N  
W; Magadzi, D P; Mahambehllala, T; Mahlalela, A F; Mahlangu, D G;  
Mahlobo, M D; Maila, M S A; Majeke, C N; Majola, F Z; Makhubela-  
Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas,  
H H; Maluleke, J M; Maluleke, B J; Manana, D P; Manana, M N S;  
Mandela, Z M D; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane,  
M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L  
M; Masondo, N A; Masuku, M B; Masutha, T M; Maswanganyi, M J;  
Mathale, C C; Mathebe, D H; Matlala, M H; Matshoba, M O;  
Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbalula, F A;



Mbinda, L R; Mchunu, S; Mdakane, M R; Memela, T C; Mjobo, L N;  
Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga -  
Gcabashe, L A; Mnguni, D; Mnisi, N A; Mogotsi, V P; Mokoto, N R;  
Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motimele, M S;  
Motshekga, M S; Mpumlwana, L K B; Msimang, C T; Mthembu, N;  
Mthembu, J M; Mthethwa, E M; Mudau, A M; Nchabeleng, M E; Ndaba,  
C N; Ndabeni-Abrahams, S T; Ndongeni, N; Newhoudt-Druchen, W S;  
Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F; Nkwinti, G E;  
Nobanda, G N; Ntombela, M L D; Nxesi, T W; Nyambi, H V;  
Oliphant, M N; Oliphant, G G; Oosthuizen, G C; Pandor, G N M;  
Patel, E; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini, I A;  
Pilane-Majake, M C C; Radebe, B A; Radebe, J T; Radebe, G S;  
Ralegoma, S M; Ramatlakane, L; Ramatlhodi, N A; Rantho, D Z;  
Raphuti, D D; Semenya, M R; Senokoanyane, D Z; Shaik Emam, A M;  
Shope-Sithole, S C N; Sibande, M P; Singh, N; Sisulu, L N;  
Sithole, K P; Siwela, E K; Skosana, J J; Skwatsha, M; Smith, V  
G; Surty, M E; Swart, S N; Thabethe, E; Tleane, S A; Tobias, T  
V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsenoli, S  
L; Tshwete, P; Tsoleli, S P; Tsotetsi, D R; Tuck, A; Williams, A  
J; Xasa, T; Xego, S T; Yengeni, L E; Zokwana, S; Zulu, L D.

ABSTAIN - 1: Mnguni, P J.

Question not agreed to.

Amendment accordingly negatived.

Question put: That the motion moved by the Chief Whip of the Majority Party be agreed to.

Division demanded.

The House divided.

AYES - 211: Abrahams, B L; Adams, P E; Adams, F; Bam-Mugwanyana, V; Bapela, K O; Basson, J V; Beukman, F; Bhengu, N R; Bhengu, F; Bhengu, P; Bilankulu, N K; Bogopane-Zulu, H I; Bongo, B T; Booii, M S; Boroto, M G; Brown, L; Buthelezi, N S; Capa, N; Carrim, Y I; Chauke, H P; Chikunga, L S; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Cwele, S C; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dlulane, B N; Dunjwa, M L; Ebrahim, E I; Esterhuizen, J A; Faku, Z C; Filtane, M L W; Frolick, C T; Gamede, D D; Gcwabaza, N E; Gigaba, K M N; Gina, N; Godi, N T; Goqwana, M B; Gordhan, P J; Gumede, D M; Hanekom, D A; Hlengwa, M; Holomisa, S P; Jeffery, J H; Johnson, M; Kalako, M U; Kekana, H B; Kekana, P S; Kekana, E; Kekana, C D; Khoarai, L P; Khosa, D H; Khoza, T Z M; Khoza, M B; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kubayi, M T; Kwankwa, N L S; Lesoma, R M M; Loliwe, F

S; Luyenge, Z; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P;  
Mabe, P P; Mabija, L; Mabilo, S P; Mabudafhasi, T R; Madella, A  
F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N  
W; Magadzi, D P; Mahambehlala, T; Mahlalela, A F; Mahlangu, D G;  
Mahlobo, M D; Maila, M S A; Majeke, C N; Majola, F Z; Makhubela-  
Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas,  
H H; Maluleke, J M; Maluleke, B J; Manana, D P; Manana, M N S;  
Mandela, Z M D; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane,  
M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L  
M; Masondo, N A; Masuku, M B; Masutha, T M; Maswanganyi, M J;  
Mathale, C C; Mathebe, D H; Matlala, M H; Matshoba, M O;  
Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbalula, F A;  
Mbinda, L R; Mchunu, S; Mdakane, M R; Memela, T C; Mjobo, L N;  
Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga -  
Gcabashe, L A; Mnguni, P J; Mnguni, D; Mnisi, N A; Mogotsi, V P;  
Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M;  
Motimele, M S; Motshekga, M S; Mpumlwana, L K B; Msimang, C T;  
Mthembu, N; Mthembu, J M; Mthethwa, E M; Mudau, A M; Nchabeleng,  
M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndongeni, N; Newhoudt-  
Druchen, W S; Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F;  
Nkwinti, G E; Nobanda, G N; Ntombela, M L D; Nxesi, T W; Nyambi,  
H V; Oliphant, M N; Oliphant, G G; Oosthuizen, G C; Pandor, G N  
M; Patel, E; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini, I  
A; Pilane-Majake, M C C; Radebe, B A; Radebe, J T; Radebe, G S;

Ralegoma, S M; Ramatlakane, L; Ramatlhodi, N A; Rantho, D Z;  
Raphuti, D D; Semenya, M R; Senokoanyane, D Z; Shaik Emam, A M;  
Shope-Sithole, S C N; Sibande, M P; Singh, N; Sisulu, L N;  
Sithole, K P; Siwela, E K; Skosana, J J; Skwatsha, M; Smith, V  
G; Surty, M E; Swart, S N; Thabethe, E; Tleane, S A; Tobias, T  
V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsenoli, S  
L; Tshwete, P; Tsoleli, S P; Tsotetsi, D R; Tuck, A; Williams, A  
J; Xasa, T; Xego, S T; Yengeni, L E; Zokwana, S; Zulu, L D.

NOES - 61: America, D; Atkinson, P G; Bagraim, M; Basson, L J;  
Bergman, D; Boshoff, H S; Bozzoli, B; Breytenbach, G; Cardo, M  
J; Davis, G R; De Freitas, M S F; De Kock, K; Dreyer, A M;  
Edwards, J; Esau, S; Groenewald, H B; Grootboom, G A; Hill-  
Lewis, G G; Hunsinger, C H H; James, W G; Jongbloed, Z; Kohler,  
D; Kopane, S P; Kruger, H C C; Lees, R A; Lorimer, J R B;  
Lotriet, A; Mackay, G; Mackenzie, C; Majola, T R; Malatsi, M S;  
Marais, E J; Marais, S J F; Masango, B S ; Maynier, D J;  
Mazzone, N W A; Mbhele, Z N; McLoughlin, A R; Mileham, K J;  
Mokgalapa, S; Motau, S C; Ollis, I M; Rabotapi, M W;  
Redelinghuys, M H; Robinson, D; Ross, D C; Schmidt, H C; Selfe,  
J; Steenhuisen, J H; Steyn, A; Stubbe, D J; Terblanche, J F;  
Topham, B R; Van der Walt, D; Van der Westhuizen, A P; Van Dyk,  
V; Volmink, H C; Vos, J; Walters, T C R; Waters, M; Wilson, E R.

Question agreed to.

Report accordingly adopted.

The SPEAKER: I wish to congratulate the House on adopting the Rule Book because it is historic. May we be better, as we implement the Rules.

Mr N SINGH: Hon Speaker, may I request that by the time we get back after the election, we have new Rule Books printed for all of us?

The SPEAKER: Thank you, hon Singh. I think that is a matter that we will make sure that the Table Staff ensures happens while we are in recess. The Secretary will now read the Third Order.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, we just dealt with the first report of the Rules Committee. There were a number of other matters that were contained in that meeting, most notably a ruling as a result of deliberations in the subcommittee around the quotation from court judgments. Are you going to be delivering a considered ruling on that before we rise, or is it going to be done at a later stage, because there are implications if there is going to be a delay in it?

The SPEAKER: We will arrange that we have an update on that report, and we will talk about it before we rise. The Secretary will read the Third Order.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Hon Speaker, I have my hand up.

The SPEAKER: Hon Minister Zulu.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Hon Speaker, I would also request that the new Rules be printed on a much more durable cover and that the company that does the printing is preferably a small business.

The SPEAKER: Hon Minister, I do not know about that advert, but the Secretary will note that. The Secretary will read the Third Order.

### **REMOTE GAMBLING BILL**

(Consideration of Report)

Mr B M MKONGI: Hon Speaker, the Portfolio Committee on Trade and Industry considered a Bill proposed by the DA on remote

gambling. In doing so, we have managed to discuss the matter, the pros and the cons, but we resolved that the committee rejects the Bill.

The committee rejects the Bill on these grounds. Firstly, the Constitution of the Republic of South Africa is intended to build a nation with dignity, secondly, to build a responsible citizenry, and lastly, to build a cohesive society. If you take the National Gambling Act and the gambling policy of the Republic of South Africa, it notes that gambling in South Africa had been perpetuated by the apartheid government into the Transkei, Bophuthatswana, Venda and Ciskei, TBVC, states in order to build a nation of gamblers, not a nation of workers and productive individuals. Therefore, the Remote Gambling Bill is trying to perpetuate the very same wrong on our own society.

We are saying as the committee that the National Gambling Act is clear enough, and it also rejects all other Bills. It rejects the dicing. It rejects the gambling on dog-fighting. It rejects cock-fighting and other related matters. So, the issue of remote gambling is not going to assist South Africa, but it is going to take South Africa and make it a nation of gamblers. Thank you very much. [Applause.]

There was no debate.

The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker, I move:

That the Report of the committee be adopted.

*Declarations of vote:*

Mr G G HILL-LEWIS: Deputy Speaker, there is a very long history of confusion in the regulation of interactive gambling in South Africa. When the National Gambling Act, Act 7 of 2004 was passed, it included a transitional provision which required that online gambling be legislated within a two-year period. However, the Department of Trade and Industry did not meet that deadline and only in 2007 introduced an Amendment Act to regulate interactive gambling. The amending Bill was passed by Parliament, including the ANC, Mr Mkongi, so the comments that you just made apply to you as well, but was in fact never enacted.

Since then, there has been a formal inquiry by the Gambling Review Commission which also recommended that interactive or what my Bill calls remote gambling be legalised and regulated. Also, the SA Responsible Gambling Foundation confirms on the basis of international and local research that the regulation of



the industry is the best way to protect the public, in their words. That is why they supported the Bill in principle.

Over the last 10 years, the South African public has been exposed to, and has participated in, remote gambling. By attempting to outlaw it, we are encouraging criminal activity, the erosion of the rule of law, and are not effectively protecting the public. We are also losing revenue and jobs to other jurisdictions.

The Bill that I introduced aims to do two things mainly: protect the vulnerable from accessing online gambling sites through Financial Intelligence Centre Act requirements and software that allow regulators to track and spot problem gamblers in real time and, secondly, end the more-than-a-decade-long confusion in the regulation of gambling in South Africa by providing a clear, predictable, and constitutionally acceptable regulatory regime.

The erroneous and specious argument is made and repeated again here today that it is safer for the public to ban it altogether than regulate it. However, in truth, the real-world effect of an outright ban is that the state will have absolutely no control over the industry, and there will be no statutory protection of vulnerable gamblers. The ban is actually a de facto open season

on remote gambling. The simple fact is that the policy decision taken by the department and by the ANC in opposing this Bill is wrong and will be proven wrong in the passage of time. I have no doubt that, in the years ahead, we will be back here passing a Bill similar to this one because it is simply the common sense thing to do.

Frankly, it is embarrassing for the ANC and for you, Mr Mkongi, to have become, in the committee and here today, the opposition to say no, no, to everything simply because you have no better ideas and did not bother to do the hard work to come up with a plan. Thank you. [Applause.]

Mr J A ESTERHUIZEN: Deputy Speaker, unfortunately most of the evils of society affect the young and the vulnerable more than the rest, which is also true in most gambling operations but more so in remote gambling.

In really giving this serious thought and considering interventions and actions against the, in all, 2 000 illegal operators, it makes sense that to legalise would be the most effective controlling mechanism. In the broader spectrum, the benefits and, very importantly, the cost of legalising remote gambling far outweigh the challenges of not doing so.

Once regulated, it can be better controlled and restricted with appropriate safety measures to protect the vulnerable.

Currently, in its unregulated form, it only contributes to the social ills of this country and its people. The need for illegal gambling control is urgent as it erodes the revenue of the regulated sites of gambling. It is estimated that more than R100 million per annum is lost to tax returns alone. Through technology, it is possible to control and manage the remote gambling, even borderless activities, and, more importantly, control the needy being talked into losing their money and that of their families to the evil of gambling. The IFP supports the legalising of gambling. Thank you.

Mr A M SHAIK EMAM: Hon Deputy Speaker and hon members, the NFP would not support this.

The NFP fully supports the recommendation of the Portfolio Committee on Trade and Industry tabled here today. In light of the conclusion of the department's policy on gambling which states clearly that no new forms of gambling are to be allowed, proceeding with the Remote Gambling Bill will be *ultra vires* - outside of the law. Even if the gambling policy did favour allowing new forms of gambling, the NFP would still have opposed the Remote Gambling Bill. We believe that gambling is a social

evil that causes untold misery for the poorest of the poor.

[Interjections.]

You will not understand that because you live off the poorest; you suck the blood out of the poorest of the poor. So, you won't understand that. You take the blood out of the bone of the poorest of the poor. [Interjections.] You have been exposed for these things. The harm done by gambling, in our opinion, far outweighs any possible benefits of employment and revenue accrued to the state. Gambling is causing children to go to sleep hungry every night in South Africa, and people's careers are destroyed daily as they succumb to addiction, squandering all their money and often resorting to so-called white collar crime to fuel the addiction and try to cover their losses. The argument that online gambling on the Internet is going to take place anyway, therefore we might as well try to regulate it, is, in our view, insufficient motivation and justification for the green light to support this.

The NFP cannot and will not agree to any proposal that will allow social ills to become acceptable and regulated in cyberspace simply for the economic benefit which might be associated with it. The NFP will not support any Bill that will destroy our people, especially the poorest of the poor. We will

not support the opportunist and imperialist policies of profit-making of those who will even drink the blood of the poorest of the poor, at the expense of our people. It is quite evident in the Western Cape anyway. The NFP will reject this Remote Gambling Bill with the contempt it deserves.

Dr W G JAMES: Would this hon example of wasteful and fruitless expenditure take a question? [Interjections.]

Mr A M SHAIK EMAM: I will not take a question. Hon Deputy Speaker ...

The DEPUTY SPEAKER: Hon Shaik Emam, I was going to say that the new name that the hon James was giving you is not appropriate but proceed.

Mr A M SHAIK EMAM: Hon Deputy Speaker, I am not surprised because the DA operates on the principle of divide and rule. That is why some of these opportunists who are supposed to be protecting the poorest of the poor and the blacks that have been oppressed for 300 years will support the DA and be there just for meaningful financial gain. That is all they get from them. I thank you. [Interjections.]

Mr M U KALAKO: Hon Deputy Speaker, hon members, hon Ministers and Deputy Ministers, the committee processed the desirability of the Bill from 26 May to 24 June 2015. The process included public hearings and engagements on the Draft National Gambling Policy. The committee decided to suspend the process to await the final gambling policy. The final gambling policy was adopted by Cabinet in February 2016.

The policy on interactive gambling was reviewed, and the regulations of online or interactive gambling were not supported, due to capacity constraints to enforce it and the anticipated socioeconomic impacts of online gambling. The very member who was standing here for the DA could not come with any answers when he was asked how the remote gambling will address these problems. We cannot guarantee that remote gambling activities are conducted responsibly, fairly, and honestly and that minors and other vulnerable persons will not be exposed to the negative effects of gambling.

Further, we cannot guarantee that this remote gambling will not be used to clean illicit funds which are coming into the country or be used for fraud. Based on these reasons, we supported the department when it recommended that, due to constraints on its capacity to monitor all this, it will not be able to make sure

that remote gambling is checked. At the moment, even just this week, the financial intelligence services told us that, at the same time, they have a problem when it comes to remote gambling. They cannot control and monitor it. They are still dealing with the problem of making sure that it is not used fraudulently in the country.

An HON MEMBER: That's why we need the Bill!

Mr M U KALAKO: So, based on all these considerations, the Bill proposed by the DA was rejected by the committee. Of course, the DA itself, despite all the protestations, was satisfied that this Bill was rejected on fair grounds. I thank you. [Applause.]

Question put: That the Report of the Portfolio Committee on Trade and Industry on Remote Gambling Bill be agreed to.

Division demanded.

The House divided.

AYES - 198: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanyana, V; Bapela, K O; Basson, J V; Beukman, F; Bhengu, N R; Bhengu, F; Bhengu, P; Bilankulu, N K; Bogopane-Zulu, H I; Bongo, B T; Booi,

M S; Boroto, M G; Buthelezi, N S; Capa, N; Carrim, Y I; Chauke, H P; Chikunga, L S; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Cwele, S C; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dlulane, B N; Dunjwa, M L; Ebrahim, E I; Faku, Z C; Filtane, M L W; Frolick, C T; Gamede, D D; Gcwabaza, N E; Gigaba, K M N; Gina, N; Godi, N T; Goqwana, M B; Gordhan, P J; Gumede, D M; Hanekom, D A; Holomisa, S P; Jeffery, J H; Johnson, M; Kalako, M U; Kekana, H B; Kekana, P S; Kekana, E; Khoarai, L P; Khosa, D H; Khoza, T Z M; Khoza, M B; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kubayi, M T; Lesoma, R M M; Loliwe, F S; Luyenge, Z; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P; Mabe, P P; Mabija, L; Mabilo, S P; Mabudafhasi, T R; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Mahambehllala, T; Mahlalela, A F; Mahlangu, D G; Maila, M S A; Majeke, C N; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas, H H; Maluleke, J M; Maluleke, B J; Manana, D P; Manana, M N S; Mandela, Z M D; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Masondo, N A; Masuku, M B; Masutha, T M; Maswanganyi, M J; Mathale, C C; Mathebe, D H; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbalula, F A; Mbinda, L R; Mchunu, S; Mdakane, M R; Memela, T C; Mjobo, L N;



Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga -  
Gcabashe, L A; Mnguni, P J; Mnguni, D; Mnisi, N A; Mogotsi, V P;  
Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M;  
Motimele, M S; Motshekga, M S; Mpumlwana, L K B; Mthembu, J M;  
Mthembu, N; Mthethwa, E M; Mudau, A M; Nchabeleng, M E; Ndaba, C  
N; Ndabeni-Abrahams, S T; Ndongeni, N; Newhoudt-Druchen, W S;  
Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F; Nkwinti, G E;  
Nobanda, G N; Ntombela, M L D; Nxesi, T W; Nyambi, H V;  
Oliphant, M N; Oliphant, G G; Oosthuizen, G C; Pandor, G N M;  
Patel, E; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini, I A;  
Pilane-Majake, M C C; Radebe, B A; Radebe, G S; Ralegoma, S M;  
Ramatlakane, L; Ramatlhodi, N A; Rantho, D Z; Raphuti, D D;  
Semenya, M R; Senokoanyane, D Z; Shope-Sithole, S C N; Sibande,  
M P; Siwela, E K; Skosana, J J; Skwatsha, M; Smith, V G; Steyn,  
A; Surty, M E; Thabethe, E; Tleane, S A; Tobias, T V; Tom, X S;  
Tongwane, T M A; Tseke, G K; Tseli, R M; Tshwete, P; Tsoleli, S  
P; Tsoetsi, D R; Tuck, A; Williams, A J; Xasa, T; Xego, S T;  
Yengeni, L E; Zokwana, S; Zulu, L D.

NOES - 60: America, D; Bagrain, M; Basson, L J; Bergman, D;  
Boshoff, H S; Bozzoli, B; Breytenbach, G; Davis, G R; De  
Freitas, M S F; De Kock, K; Dreyer, A M; Edwards, J; Esau, S;  
Esterhuizen, J A; Gana, S M; Groenewald, H B; Grootboom, G A;  
Hill-Lewis, G G; Hlengwa, M; Hunsinger, C H H; James, W G;

Jongbloed, Z; Kohler, D; Kopane, S P; Lees, R A; Lorimer, J R B; Lotriet, A; Mackenzie, C; Majola, T R; Malatsi, M S; Marais, E J; Marais, S J F; Masango, B S ; Maynier, D J; Mazzone, N W A; Mbhele, Z N; McLoughlin, A R; Mileham, K J; Mokgalapa, S; Motau, S C; Msimang, C T; Ollis, I M; Rabotapi, M W; Redelinghuys, M H; Robinson, D; Ross, D C; Schmidt, H C; Singh, N; Sithole, K P; Steenhuisen, J H; Stubbe, D J; Terblanche, J F; Topham, B R; Van der Walt, D; Van Dyk, V; Volmink, H C; Vos, J; Walters, T C R; Waters, M; Wilson, E R.

Question agreed to.

Report accordingly adopted.

**CONSIDERATION OF RECOMMENDATION OF PERSONS FOR APPOINTMENT TO  
INFORMATION REGULATOR**

There was no debate.

Question put: That Adv P Tlakula (Chairperson), Adv L C Stroom (full-time), Mr J C Weapond (full-time), Prof T Pistorius (full-time) and Mr S L S kaMtuzze (part-time) be recommended for appointment as members of the Information Regulator.

*Declarations of vote:*

Adv G BREYTENBACH: Hon Deputy Speaker, the shortlisting process for the positions on the now-to-be-established Office of the Information Regulator left much to be desired and was typical of the recent approach of the majority party in the committee of putting everything to the vote, in so doing imposing their will regardless of cogent argument to the contrary.

The candidates were comprised of purely ANC choices, and no consideration was given to anything proffered by any of the opposition parties. At the interviewing process, it became clear precisely what was envisioned by the majority party, and the chairperson, true to form, did not hesitate to deliver monologues prior to and during certain interviews. While there were several good-quality candidates interviewed, sadly the majority of them were only available on a part-time basis, which limited the choices and made the process even more challenging.

Regardless, from the outset, it was clear that the majority party had only one candidate in mind for the position of the head of the Information Regulator. While the candidate in question undoubtedly has an impressive curriculum vitae, is very likeable, and had a relatively good interview, the committee was

somewhat reluctant to confront the rather obvious difficulty of a recent Electoral Court finding of misconduct against her.

The issue was traversed with a measure of discomfort, and her responses demonstrated a rather disappointing lack of insight into the process and a definite reluctance to accept any responsibility for the negative findings. This is important as the Act specifically requires that those appointed to the Information Regulator must be fit and proper persons. Our courts have found that the term "fit and proper" alludes to the personal qualities of a person, and, more specifically, whether one can be deemed to be honest and reliable.

Needless to say, the other positions, particularly the permanent positions, were going to be filled by loyal cadre deployment, regardless of merit. This is an important piece of legislation and an important office. It is disappointing that the real opportunity to set up a new office with the best available persons has been allowed to deteriorate into settling for second or third best, simply because the best candidate did not necessarily carry the approval of the majority party.

While the DA remains skeptical regarding the suitability of some of the appointees now being foisted upon us due to the process

of putting everything to the vote, we cannot in good conscience support the recommendation in its totality. I thank you.

Prof C T MSIMANG: Hon Deputy Speaker, the process to set up this important unit, the Information Regulator, was set in motion on 22 May 2015. On this day, the Minister of Justice and Correctional Services wrote to the National Assembly requesting it to recommend five candidates for appointment as the members of the Information Regulator. An advertisement issued by the Portfolio Committee on Justice and Correctional Services, in July 2015, yielded good harvest, since no less than 39 candidates were nominated by members of the public. Out of the 10 that were shortlisted, the names that are before us now were recommended for appointment.

The IFP notes this that this selection displays recognition of both gender and race. Although the IFP has no reservations about nominees two to five, it cannot support the appointment of Adv Tlakula. It feels that this is another case of rotation of offending officials from one department to the next. Not so long ago, Adv Tlakula resigned her post as the Chief Electoral Officer of the Independent Electoral Commission, IEC, under a cloud, having been accused of corruption. It is not advisable

that she should carry this baggage to a newly established Information Regulator. I thank you.

Mr N L S KWANKWA: Hawu, phela sawubona, Sekela Somlomo. [Ah, greetings, Deputy Speaker.]

Naku ukwenzeka, ndiyanibona mama torwana ukuba nibambe umoya aniyazi noba liza kuthini iTshawe namhlanje. [Uwelewele.] Ngelishwa lomhluzi wamanqina wona uyakusoloko ukrakra kodwa ungafakwanga tyuwa.

Siyi-UDM sithi hayi torwana khaniyekeni uMama uTlakula akhe asebenze. Nithi makasebenze phi? Wayenza impazamo, kwaye siyavuma ukuba simleqile kuba wayegqwidiza, sasingajolisanga kuye ubuqu. Ngoku sithi makaphangele phi yena? Ingaba sithi makahambe ashiye uMzantsi Afrika abheke ngaphandle, uza kufika athini? Into ebalulekileyo yeyokuba uye wajongana nazo iziqhamo zezenzo zakhe. (*Translation of isiXhosa paragraphs follows.*)

[This is what is happening - I see that, mama, you are holding your breath because you don't know what the hon Tshawe is going to say today. [Interjections.] Unfortunately, the hoof in the broth will always be bitter because no salt is added.]

As the UDM, we are saying that you should please leave Adv Tlakula alone so that she can do her work. Where must she work? She made a mistake, and we agreed that we pursued her because she was making mistakes; we were not after her personally. Now we are saying: Where must she work? Are we saying she must leave South Africa and go abroad, and what must she do there? The important thing is she has faced the consequences of her actions.]

She has faced the consequences of her actions. Now we should give people an opportunity to redeem themselves. [Applause.] As the UDM, we are saying she should get the opportunity to redeem herself because up until she made that mistake, though, none of us here accused her of incompetence. Actually, we believed in her as the chairperson at the time of the IEC, until the UDM ...

... yafumanisa ukuba zikhona izinto awayezigusha, sazilungisa. Sizilungisile kwaye nangoku ke siza kumjonga noxa simxhasa. Khaniqhube ke! Nakhe isizwe. [Kwaqhwytywa.] [... found out that there were things she was hiding, and we fixed them. We fixed them, and even now we will watch her while we support her. Continue, then! Build the nation. [Applause.]]

Prof N M KHUBISA: Deputy Speaker, we have seen the names of the candidates, and we believe that the process that was followed was fine. However, suffice to say that the NFP has some reservations with regard to the person who should be the chair of this body because of the cloud that is still hanging over her because of what transpired whilst she was still the chairperson of the IEC. We have reservations. Thank you. [Interjections.]

Mr L R MBINDA: Hon Deputy Speaker, in this country, we have forgiven quite a lot of people. Some of them have committed very serious atrocities, and then I do not understand why she should not be given a second chance. As the PAC, we really support Mama Tlakula to be appointed. [Applause.]

Mr N T GODI: Deputy Speaker, I have looked at the list submitted. I must admit that I am not very familiar with a number of the names on that list, except the person proposed to be the chairperson of the Information Regulator. I am standing here on behalf of the APC to say that because of her, we support the entire list and support that she must be the chairperson. [Applause.]

Adv Tlakula has served this country very well, and we can allude to a number of instances where she has done well for the country



but can only allude to one instance where perhaps there was a mistake. Now, some of these people are so unyielding and so unforgiving that if we were to follow their doctrine and logic, we will not be able to get anywhere as a country.

[Interjections.] So, we want to say as the APC that we support the list and that it must be supported by everyone who is reasonable in this House. [Applause.]

Adv B T BONGO: Deputy Speaker, and hon members, good evening. In terms of the Protection of the Personal Information Act, the purpose of which is to promote the protection of personal information processed by public and private bodies against others, this legislation that is before us is given in terms of the Constitution of the Republic of South Africa, section 14, which says that everyone has a right to privacy. The right to privacy includes protection against the unlawful collection, retention, dissemination, and use of personal information. Once this regulator is put into place, the South African public can be sure that now there won't be any unsolicited emails, text messages, and calls from people that they don't know, requesting them to buy or sell products and so forth.

As the ANC, we have participated in this process very fairly, and we have come to a recommendation, as a committee, that we

need to get the public regulator in the person of the honourable Pansy Tlakula. Adv Tlakula has a BProc degree and LLM that she got from Harvard University. Other than that, she has served in the first contingent of the SA Human Rights Commission in South Africa in 1994, and she is participating in the AU Human Rights Commission, as we speak.

Hon members, once this Act comes into effect, any person who uses any cellular phone or any communication with anyone and encroaches on anyone's privacy, if found to be on the wrong side of the law, you will have to pay a fine to the amount of R10 million.

As the ANC, we support that this institution must be set up, and it must start its work because it will be in the interest of all ordinary South Africans who are prejudiced and affected by people who just get to call them and want them to take out loans or buy products that are, at the end of the day, not even properly accredited by South African institutions. Thank you.

[Applause.]

The DEPUTY SPEAKER: Hon members, in terms of section 41(2) (a) and (b) (ii) of the Protection of Personal Information Act, Act 4 of 2013, persons nominated for appointment to serve on the

Information Regulator must be approved by a majority of members of the Assembly. Although a division has not been demanded, members are required to record their support for the nominations. The bells will be rung for five minutes.

[Interjections.]

AYES - 198: Abrahams, B L; Adams, P E; Adams, F; Bam-Mugwanyana, V; Bapela, K O; Basson, J V; Beukman, F; Bhengu, N R; Bhengu, F; Bhengu, P; Bilankulu, N K; Bogopane-Zulu, H I; Bongo, B T; Booi, M S; Boroto, M G; Buthelezi, N S; Capa, N; Carrim, Y I; Chauke, H P; Chikunga, L S; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Cwele, S C; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dlulane, B N; Dunjwa, M L; Ebrahim, E I; Faku, Z C; Filtane, M L W; Frolick, C T; Gamede, D D; Gwabaza, N E; Gigaba, K M N; Gina, N; Godi, N T; Goqwana, M B; Gordhan, P J; Gumede, D M; Hanekom, D A; Holomisa, S P; Jeffery, J H; Johnson, M; Kalako, M U; Kekana, H B; Kekana, P S; Kekana, C D; Kekana, E; Khoarai, L P; Khosa, D H; Khoza, T Z M; Khoza, M B; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kubayi, M T; Kwankwa, N L S; Lesoma, R M M; Loliwe, F S; Luyenge, Z; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P; Mabe, P P; Mabiya, L; Mabilo, S P; Mabudafhasi, T R; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P;

Mahambehlala, T; Mahlalela, A F; Mahlangu, D G; Maila, M S A; Majeke, C N; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas, H H; Maluleke, J M; Maluleke, B J; Manana, D P; Manana, M N S; Mandela, Z M D; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Masondo, N A; Masuku, M B; Masutha, T M; Maswanganyi, M J; Mathale, C C; Mathebe, D H; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbalula, F A; Mbinda, L R; Mchunu, S; Mdakane, M R; Memela, T C; Mjobo, L N; Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga - Gcabashe, L A; Mnguni, P J; Mnguni, D; Mnisi, N A; Mogotsi, V P; Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motimele, M S; Motshekga, M S; Mpumlwana, L K B; Mthembu, J M; Mthembu, N; Mthethwa, E M; Mudau, A M; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndongeni, N; Newhoudt-Druchen, W S; Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F; Nobanda, G N; Ntombela, M L D; Nxesi, T W; Nyambi, H V; Oliphant, M N; Oliphant, G G; Oosthuizen, G C; Pandor, G N M; Patel, E; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Radebe, B A; Radebe, G S; Ralegoma, S M; Ramatlakane, L; Ramatlhodi, N A; Rantho, D Z; Raphuti, D D; Semenya, M R; Senokoanyane, D Z; Shope-Sithole, S C N; Sibande, M P; Siwela, E K; Skosana, J J; Skwatsha, M; Smith, V G; Surty, M E; Thabethe, E; Tleane, S A; Tobias, T V;

Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tshwete, P; Tsoleli, S P; Tsotetsi, D R; Tuck, A; Williams, A J; Xasa, T; Xego, S T; Yengeni, L E; Zokwana, S; Zulu, L D.

NOES - 59: America, D; Bagrain, M; Basson, L J; Bergman, D; Boshoff, H S; Bozzoli, B; Breytenbach, G; De Freitas, M S F; De Kock, K; Dreyer, A M; Edwards, J; Esau, S; Esterhuizen, J A; Groenewald, H B; Grootboom, G A; Hill-Lewis, G G; Hlengwa, M; Hunsinger, C H H; James, W G; Jongbloed, Z; Kohler, D; Kopane, S P; Kruger, H C C; Lees, R A; Lorimer, J R B; Lotriet, A; Mackay, G; Mackenzie, C; Majola, T R; Malatsi, M S; Marais, E J; Marais, S J F; Masango, B S ; Maynier, D J; Mbhele, Z N; Mokgalapa, S; Motau, S C; Msimang, C T; Ollis, I M; Rabotapi, M W; Redelinghuys, M H; Robinson, D; Ross, D C; Schmidt, H C; Singh, N; Sithole, K P; Steenhuisen, J H; Steyn, A; Stubbe, D J; Swart, S N; Terblanche, J F; Topham, B R; Van der Walt, D; Van Dyk, V; Volmink, H C; Vos, J; Walters, T C R; Waters, M; Wilson, E R.

As the result of the division showed that there was not a majority of the members of the National Assembly in support of the recommended nominations as required in terms of section 41(2)(b)(ii) of the Protection of Personal Information Act, 2013, the decision of question was postponed.

The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker?

The DEPUTY SPEAKER: Yes, hon member.

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, we respectfully want to raise whether our understanding is not shared by you that a quorum in the House, if we need 201 should be 201, and we do have that quorum of more than 201 in the House.

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker ...

The DEPUTY SPEAKER: Before that, hon Steenhuisen, just give me a second. Hon members, can I just read to you what I read earlier on and please listen carefully:

In terms of section 41(2) (a) and b(ii) of the Protection of Personal Information Act, Act 4 of 2013, persons nominated to serve on the Information Regulator must be approved by a majority of members of the Assembly.

The Assembly's members are 400, so you need 201 - approved by the majority of members of the Assembly. [Interjections.]

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker ...

The DEPUTY SPEAKER: Yes, hon Chief Whip?

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Deputy Speaker, we do concur with your ruling. [Interjections.] [Applause.]

The CHIEF WHIP OF THE OPPOSITION: Sorry, Juli!

Mrs J D KILIAN: Hon Deputy Speaker ...

The DEPUTY SPEAKER: Yes, hon member.

Mrs J D KILIAN: Hon Deputy, I want to ask a question on that matter because if we look at the quorum provision in our current Rules, it states that the majority of the members of the National Assembly must be present before a vote may be taken on a Bill or an Amendment of the Bill, etc. At least one third of the members must be present before a vote may be taken on any other question before the Assembly. Does it mean that it must be a majority voting in favour, or does it mean it must be a majority present? In this case, it is not clear.

The DEPUTY SPEAKER: It says "approved by the majority of members of the Assembly". [Applause.]

Mrs J D KILIAN: Hon Deputy Speaker ...

The DEPUTY SPEAKER: Yes, go ahead, hon member.

Mrs J D KILIAN: Hon Deputy Speaker, I am sorry. I really apologise for just questioning this: If it says "a majority", then it is a majority because we cannot lift the quorum requirements beyond that, except in the case of special legislation, where there is provision for a higher quorum. So, may we just have clarity on that matter?

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker ...

The DEPUTY SPEAKER: Hon Steenhuisen, can I just say this ...

The CHIEF WHIP OF THE OPPOSITION: The second time I've been ...

The DEPUTY SPEAKER: Hon member, do you want to speak? Go ahead. I thought I am responding to the issue so that you can address it as well when I have said it so that you can also respond to what I am saying.



The CHIEF WHIP OF THE OPPOSITION: Hon Deputy Speaker, I am not sure why anybody would want to address you. The Rule and the legislation that this House passed, and I am sure the hon Kilian was part of this House when it was passed, says the "majority of members of the Assembly". You have clarified that is 201. It has got nothing to do with quorums; it is the majority of votes cast. So, we are not dealing with the quorum matter here. The hon Kilian should know better.

The DEPUTY SPEAKER: Hon members, I have given my ruling, and so I will come back to the House now. We will have this checked, confirmed and so on, but otherwise that is the ruling as I have stated. Alright. So, let us proceed.

#### **DEBATE ON BUILDING COLLECTIVE ACTION FOR INCLUSIVE GROWTH**

The MINISTER OF FINANCE: Deputy Speaker and hon members, today we debate a matter of national interest. We have agreed on a vision for faster growth, employment creation particularly for our youth, and the elimination of poverty. We have a National Development Plan with implementation programmes set out in considerable detail. The President has rightly identified the priorities for immediate action in our Nine-Point Plan. Our challenge is that confidence in our economy and even in the rest

of the world is weak. Investment is depressed, unemployment is rising, sluggish growth is a feature, volatility in financial markets is extreme, and there is a disconnect between the financial markets and the real economy.

This is both caused and aggravated by a volatile and uncertain global environment, depressed trade, limited trade finance, lower global foreign direct investment, FDI, growing inequality contrasted with huge ambitions for lifting the bottom 40% of the world's population out of poverty, implementing the Sustainable Development Goals, SDGs, and searching for a more inclusive growth path. This cycle of lack of confidence plays out through fear and risk aversion in financial markets and widespread uncertainty.

We have no choice as South Africans to nonetheless grasp the nettle, use our resilience, and dig deep to find reservoirs of goodwill and common national interest to map out a common road forward, step-by-step, building unity in action among government, business, and labour, using our total resources to build sufficient trust and using our common concern about a further decline in our economic fortunes to defend our economy and build hope both amongst ourselves and our people. This is what we have been trying to do over the past few months -

building on previous initiatives but with a greater sense of collective urgency.

On 9 February 2016, the President mandated Mr Jabu Mabuza, the president of Business Unity South Africa, Busa, and the Minister of Finance to continue to work with business and labour and find areas of collective action.

The CHIEF WHIP OF THE OPPOSITION: On a point of order Deputy Speaker: I'm not sure if the ANC members are staging a walkout, but could you please ask them not to disrupt the Minister while he is speaking? [Interjections.]

The DEPUTY SPEAKER: That is not a point of order. Go ahead, hon Minister.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Shut up! Shut up!

An HON MEMBER: You shut up!

Mr M WATERS: I'm sorry to interrupt the Minister. Deputy Speaker, the hon Minister of Small Business Development has told the members over here to shut up, and previously the words "shut

up" have been ruled to be unparliamentary. I would ask that she withdraw the words "shut up". [Interjections.]

The DEPUTY SPEAKER: Hon Minister, did you say that?

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Yes, I did.

The DEPUTY SPEAKER: May you please withdraw?

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Yes, I withdraw, but they are not our principals. White supremacy is not in this House.

The DEPUTY SPEAKER: Hon member, don't put conditions on it. Hon members, let us proceed. We shouldn't be doing conditional stuff here.

Mr M WATERS: Deputy Speaker, the hon Minister withdrew conditionally, not unconditionally, and, when members do that, you normally ask them to withdraw unconditionally. Could you please do so for the hon Minister? Thank you.

The DEPUTY SPEAKER: Hon Minister, please proceed. I will deal with this matter later.

The MINISTER OF FINANCE: There are many skeptics and doomsayers  
...

Mr M WATERS: Deputy Speaker! Deputy Speaker!

The MINISTER OF FINANCE: Can I appeal to all sides?

The DEPUTY SPEAKER: Hon Waters, please give me a chance. Give me  
a chance, and I will come back to this matter. Minister, please  
proceed. I will come back now. Please take your seat.

Mr M WATERS: With all due respect, will you ask the Minister to  
withdraw unconditionally?

The DEPUTY SPEAKER: Please, take your seat. No, take your seat.  
I will come back now. Don't instruct me.

Mr M WATERS: There are different laws for opposition Members of  
Parliament and ANC Members of Parliament. God will remember  
this.

The DEPUTY SPEAKER: No. Please take it easy. I'm coming back to  
this matter. Please, go ahead, hon Minister.

The MINISTER OF FINANCE: There are many skeptics and doomsayers, but we can't let them determine our collective fate.

Regenerating confidence through concrete actions by all, however small at this stage, to avoid an immediate ratings downgrade and establishing common projects with concrete outcomes which benefit all sections of our people is the key to future success. We have begun this conversation amongst all of us. In the past few months, the growing challenge and our transformation agenda have brought government, business, and labour leaders together. We have begun to create a new narrative of support for new enterprises, of revitalising agriculture and other sectors of the economy, of investing in our cities, and of private sector participation and collaboration in our state-owned companies.

However, the conversations are just the beginning. There is still hard work to come and to be done. The work and the struggle to get things done will require strong leadership and a collaborative spirit both in this House and out there in our society.

Hon Deputy Speaker, the reality is that the economy is not generating enough jobs. Without employment creation, it is very hard to reduce poverty. In the National Development Plan, we set

ourselves an aspirational growth target of 5,4 % a year. We set ourselves an ambitious target because we appreciate the primacy of inclusive growth in helping us to expand work opportunities for millions of our citizens. For growth to be inclusive, it must create jobs. It must generate hundreds of thousands of small and medium enterprises. This has very practical implications, but our growth also has to be sustainable, taking account, for example, of climate change.

There are very basic economic trends and vulnerabilities that we have to attend to. The need for greater investment, employment creation, a sustainable budget deficit, building plans being completed and processed by municipalities, industrial productivity and competitiveness are but some of the measures which the Interministerial Committee on Investment Promotion, chaired by the President, is monitoring.

Our responses cannot be business as usual. Since the beginning of the year, as tasked by the President, government, business, and labour have been working together intensively to help strengthen short-term confidence and reinforce long-term growth. We have been focusing on three key areas: restoring confidence and boosting investment by local and international investors, unblocking obstacles to faster employment growth in key sectors

of our economy, and identifying fiscal and regulatory reforms and strengthening state-owned companies.

The results of this partnership already in these past few months include the following. We have adopted a clear fiscal consolidation path in our budget to avoid the burden of debt that might cripple investment flows and government spending capacity. Together with business and labour, the government, after the Budget in February, embarked on a foreign investor road show to present a united message to the world that South Africa is embarking on necessary economic reforms and, as we say, is open for business. The team met the rating agencies as part of these road shows. Moody's subsequently visited the country in March for a ratings review. We had further discussions with the rating agencies in April on the sidelines of the spring meetings of the International Monetary Fund, IMF, and the World Bank in Washington. Since then, Moody's decided to leave our ratings level unchanged, which is a major success at this point in time. In their statement, they indicated that South Africa is likely approaching a turning point after several years of falling growth, as supply side shocks recede. It also said that the 2016-17 Budget and medium-term fiscal plan will likely stabilise and eventually reduce the general government debt metrics. It further says that the recent political



developments, while disruptive, testify to the underlying strengths of South Africa's institutions.

Two other ratings agencies, Standard and Poor's, S&P, and Fitch, engaged us and many others over the past week, with S&P also visiting businesses and other stakeholders. We will receive feedback from these two agencies some time in the next 10 days. Beyond the June date, the next round of reviews will be in December this year. We will have to work harder to demonstrate even more concrete outcomes by the time of the December reviews of our ratings position.

We can also report that as a result of our collaborative efforts, a small and medium enterprise fund is being established by the private sector with over R1 billion for mentoring by seasoned business leaders for startup business people already committed and complemented. The task team has looked at various sectors that carry potential for faster economic growth and employment, and amongst these are tourism and agriculture that have been identified as potential quick wins. My colleague Minister Hanekom will address this.

With regard to infrastructure and state-owned companies, options for coinvestment are being explored to leverage the strengths of

the private sector both in terms of their expertise and balance sheets. This is a process that is working under our Deputy President.

Hon members, this work cannot stand alone. These efforts by the private sector leverage and complement ongoing reforms that we are undertaking as part of the National Development Plan and the Nine-Point Plan of government. As I indicated, the Deputy President is leading the work to reform state-owned companies. The interministerial committee, under his leadership, is not only progressing the development of a framework for private sector participation and principles for the disposal of nonstrategic assets, but also for good governance and financial management.

Under the leadership of the Minister of Environmental Affairs, which Minister Nkwinti will address, great initiatives are in progress in growing the Oceans Economy and expanding employment associated with environmental sustainability. The Ministry of Trade and Industry is broadening its efforts to support and grow the local manufacturing base. Recent announcements of expansions by Toyota build on similar investments by BMW, Mercedes Benz, Ford, and other manufacturers.

The Ministry of Science and Technology is leading in development of fuel cells, bioeconomy, fluorochemicals, and titanium powder, which the Minister will address later in this debate. The Ministry of Energy is also not only resolving our current energy crisis but has made South Africa a global leader in renewable energy in partnership with the private sector. The Ministry of Agriculture, Forestry and Fisheries is also doing similar work. Under the leadership of the Ministers of Rural Development and Land Reform and Economic Development, we are preparing a further infrastructure package to boost growth.

In essence, our message is that it is absolutely important for government, business, and labour to collaborate. It is through this kind of collaboration that we will undertake the economic transformation that we need in our country and society, transformation that will create sustainable economic growth and create decent work for all South Africa, encourage black economic advancement in overcoming the racial divisions in our society, eliminate poverty and create dignity for all, and broaden participation and democratise ownership and control of the economy. Thank you very much. [Applause.]

The DEPUTY SPEAKER: Hon Maynier, before you proceed ...

[Applause.] [Interjections.] Please take your seat, hon Maynier.

Please take your seat. Hon Minister of Small Business Development, please withdraw unconditionally, as I had requested you to do. Please do so unconditionally.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Deputy Speaker, what is unconditionally?

The DEPUTY SPEAKER: Just withdraw.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: But what is unconditionally?

The DEPUTY SPEAKER: Just withdraw without making any additional remarks about your withdrawal. That is all we are asking for.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: I withdraw.

The DEPUTY SPEAKER: Thank you. Proceed, hon member.

Mr D J MAYNIER: Deputy Speaker, we are in an economic death zone. Economic growth has been revised down to 0,6%, unemployment has been revised up to 8,9 million, and we are hurtling - as the Minister said - towards a ratings downgrade in South Africa. We have a staggering 8,9 million people, many of

them young people, who do not have jobs or have given up looking for jobs and who live without dignity, without independence, and without freedom in South Africa. A ratings downgrade will, according to one leading economist, trigger a recession, put 200 000 more jobs at risk, and put 600 000 dependants at risk in South Africa.

So let's be clear: A ratings downgrade will be a disaster for South Africa. It will affect everybody, and it will spare nobody in South Africa, and that is why all of us - including government and the opposition, business, and labour - want to avoid a ratings downgrade in South Africa.

Now, the Minister of Finance has done his best to build a common narrative - as he has pointed out - and to bring government, business, and labour together so there is collective action to avoid a ratings downgrade in South Africa, but, of course, the Minister's efforts have been derailed, not by business and not by labour, but by government itself and by the ruling party.

What President Jacob Zuma and the rentseekers who support him have done is to make a ratings downgrade more likely by launching an all-out political assault on the Finance Minister, deliberately aimed at generating newspaper headlines screaming, for example, "Pravin arrest shock". Assurances from Hawks boss

Berning Ntlemeza and National Prosecuting Authority, NPA, boss Shaun Abrahams that the Finance Minister will not be arrested are, in fact, not assurances at all.

Listen carefully. What Berning Ntlemeza actually said was that the Finance Minister had nothing to fear at this stage, and what Shaun Abrahams actually said was that the Finance Minister would not be charged with espionage. What Shaun Abrahams is actually saying is that an ongoing investigation is being conducted into the SA Revenue Service, Sars, rogue unit, and, if charges are preferred – including charges against the Finance Minister – he will make the final decision.

What President Jacob Zuma and the rentseekers who support him have done is make a ratings downgrade more likely by launching an all-out political assault on the National Treasury. First, you have leaks of the so-called intelligence dossiers, including the intelligence dossier bizarrely named "Project Spider Web". Then, for example, you have the Minister of Small Business Development, who first attacks big business for plotting a coup against President Jacob Zuma and then attacks the National Treasury for "being like England" – whatever that means. So, now that the Defence Minister is evidently in the business of

smuggling people into South Africa, perhaps she will consider smuggling the hon Lindiwe Zulu out of South Africa. [Applause.]

What President Jacob Zuma and the rentseekers who support him have done is to make a ratings downgrade more likely by suggesting that Brian Molefe is the Minister of Finance designate and that the hon Sfiso Buthelezi is the Deputy Minister of Finance designate. Of course, it comes as no surprise to us that yesterday Brian Molefe described the Guptas as friendly and likable people and claimed that no evidence of wrongdoing arose against them - and that despite the Deputy Minister of Finance making a public statement revealing that the Guptas were peddling Cabinet posts.

What President Jacob Zuma and the rentseekers who support him have done is to make a ratings downgrade more likely by containing and strangling and grinding down and apparently eventually replacing the Finance Minister so that they can finally get their hands on the cookie jar at National Treasury. They have done so because even President Jacob Zuma and the rentseekers who support him know they cannot fire the Minister of Finance because they risk another 9/12, wiping out billions of rand of savings from South Africa. The fact is that there has been very little collective about the collective action to avoid

a ratings downgrade in South Africa, and no wonder investor confidence is so low.

So, when we look back, we know who is making a ratings downgrade more likely in South Africa. It is not the result of an economic slowdown in China, collapsing commodity prices, or volatile international markets. It is not the result of a destabilisation campaign by external forces, acting in concert with the International Monetary Fund, IMF, and the World Bank to serve the interests of the West, as the spooks would like us to believe. It is the result of President Jacob Zuma and the rentseekers who support him - one man who will stop at nothing to gain control of National Treasury, even if it means making a downgrade more likely in South Africa, one man who will stop at nothing to gain control of National Treasury, even if it means triggering a recession, putting 200 000 more jobs at risk, and putting 600 000 more dependants at risk in South Africa.

In the end, we have to be careful. South Africa's politics is inspired by Russia, and South Africa's economics is inspired by China, and so if we continue like this, we may just end up like Venezuela. I thank you. [Applause.]



Mr M HLENGWA: Ngithokoza kakhulu, Sekela Somlomo. [Thank you very much, Deputy Speaker.]

We are holding this debate against the backdrop of very difficult times for our country with the economy struggling on the one hand and political bullying of a special kind on the other hand. That has been said in the build-up to this debate, Minister, and a lot is in the media about what is happening, and so on and so forth. The principle is, Minister, you are not above the law, and where there should be an investigation that investigation must be done. We must uphold that principle. What we cannot allow is that your prosecution is one of a political nature, driven to further a political agenda, and so you have our support in doing that which is right. A wise man once said you can never be wrong for doing the right thing. So, continue that, but let us not lose sight of the fact that we must separate that which is about South Africa. The law must remain the law, and, if there is any misconduct on your part, you must be investigated for that. You must not cloud issues, but it is evident here that there is a campaign - it is clear for anybody to see - because you were not the desired candidate, anyway, to be a Minister in December.

You came in to rescue a situation which had gone horribly wrong, and therefore what is going on now is a continuation of the fact that that agenda has not been completed to ensure that certain people must be in Treasury. So, all of us here, in this House, are concerned about what is going on. Nine million people are out of jobs, the economy is not going to grow anything more than 1%, and it requires all of us to be politically sober and to put the country first.

IsiZulu sithi: "Ake uhambe uhambe uzinuke amakhwapha." [There is a Zulu saying that goes like this: "You must do introspection now and again."]

We are quick to point fingers at everybody out there in the world, ...

... kodwa inkinga ila eNdlini.

ILUNGU ELIHLONIPHEKILE: Batshele ... batshele.

Mnu M HLENGWA: Inkinga nje ila eNdlini, inkinga inathi la eNdlini. (*Translation of isiZulu paragraphs follows.*)

[... but the problem is here in the House.

An HON MEMBER: Tell them! Tell them!

Mr M HLENGWA: The problem is here in the House; the problem is with us in the House.]

We cannot inspire hope and confidence even when this Parliament is chaotic. What is the world saying, the ratings agencies? This House is supposed to carry on its shoulders that which is correct for our people, that which is right. So before ...

... siphume la sihamba sikhomba abantu asiqale silunge thina la eNdlini. [... we go out there and start pointing fingers at others, let us get our House in order first.]

Let us get our House in order, all of us on both sides of the House, so that at the very least our people can enjoy the confidence that the lawmakers and legislators are putting their interests first. This is about the people. It is not about anybody else. All of you here - including me - have got comfortable jobs. On the 15th of each month, you get paid, but there are people who just don't have that luxury, and they require us here to be disciplined. So, let that discipline begin with all of us ensuring that we get things right for the sake of our people whose lives, on a daily basis, is a virtual struggle.

Let us take them out of that struggle. Surely, they did not struggle so that they could struggle in a democratic and free South Africa. Let us go back to basics, and those basics are asked here in this House, behaving.

Ubofaka uchatha Sihlalo, isikhathi uyasazi sihlale sisincane, Ngiyabonga. [You must add more time, Chairperson. You know that the time is never enough. Thank you.] [Time expired.]

Prof N M KHUBISA: House Chairperson and hon members, we understand that the topic is very wide. We believe that perhaps it should have been trimmed and more focused.

However, there are issues of national importance upon which we can agree. We can talk politics, but I believe as a country we should take that consolidated effort to ensure that we fight, united as a government and united as civil society and the private sector to ensure that our country does not run into a downgrade. We must ensure that there is economic development in our country and ensure that we fight landlessness, acute poverty, soaring unemployment, and squalid living conditions. These things, together with rampant crime, corruption, and violent service delivery protests should be the focus of our deliberations.

While the NFP acknowledges that industrial action is, at times, legal, we are against any destruction of property. We need infrastructure. While that infrastructure was there before 1994, after 1994, we don't believe that we need to destroy the infrastructure that we dearly need. The NFP declares itself boldly in support of any proactive programmes or processes which will ensure inclusive growth for all our people, be it social, economic, or political, and we urge other parties represented here to do the same.

However, if we want to declare ourselves willing to participate in any collective action of such nature, we have to start in this august House, for we are here as leaders and representatives of the people. If we cannot convey a united front here on matters of public importance that could give rise to inclusive growth, then how can we expect people at grassroots level to buy into the concept? We should do more than pay mere lip service to noble ideas while indulging in the luxury of sweetheart debates. We must be seen to lead from the front because, ultimately, actions speak louder than words.

Inclusive growth is a very wide term that needs to be defined more clearly. We assume that the major thrust of the debate is that of economic growth. Unemployment has risen. More than

8,9 million people are unemployed in our country, and unemployment affects most of our youth. The majority of our people languishing in the daily grind of poverty today are previously disadvantaged black people who had historically been dispossessed of their land and relegated to second-class citizenship to live in the so-called Bantustans.

Today, our political power has been restored, and we are masters of our destiny. Yet, the cycle of poverty has not been broken but is accelerating. The rate of our economic growth is slowing down, and our youth is fast losing hope of the brighter future which had been promised to them in 1994. The need for collective action is here and now; that much is evident. The question is what form it should take.

It must begin at local government level, and the NFP is prepared to lead as we set an example in the municipalities that we lead at local and district level. Thank you. [Time expired.]

The MINISTER OF SCIENCE AND TECHNOLOGY: Chairperson, the question that confronts us all is whether we can, as the Parliament of South Africa, act together in order to address the challenges that confront our country. The question is not whether we can jig at the podium and point fingers at the ANC.

It is, are we ready? Are we as Members of Parliament prepared for the necessary collective action which will allow us to present a picture to the world of the unity and cohesion in our country that is able to advance common goals? That is what confronts us today. That is the issue that the Minister of Finance has asked us to attend to.

We do work very closely together as members of government in co-ordinated responses to the programmes that have been adopted by our Cabinet and our government. We also work very closely together on the priorities that Minister Gordhan referred to which have been set out in various state of the nation addresses by President Jacob Zuma.

Government has recognised that research-led innovation has immense potential to support job creation, new company formation, and economic growth. We are strengthening our efforts in this regard. We are working with science councils, universities, and the private sector to ensure effective implementation of our research, development, and innovation strategy and its contribution to South Africa's growth. In fact, during their visit to South Africa, this was one of the areas to which Moody's paid particular attention.

I would like to set out a few examples that contribute to government's Nine-Point Plan and to the vision of the National Development Plan that innovation would proliferate economic and development activity in South Africa.

Over the past four years, the Council for Scientific and Industrial Research, CSIR's, R300 million Technology Localisation Programme has assisted over 140 manufacturing companies. An example of the success is the R6,3 million Casting Simulation Network that was launched last year at the Vaal University of Technology. The majority of South African foundry companies are small and medium-sized enterprises, which are often family-owned businesses that cannot afford simulation software.

The CSIR's R500 million Industry Innovation Partnership, which is part of Treasury's economic competitiveness programme, supports the private sector in investing more in research and development. This includes investment in satellite manufacturing, titanium powder development, information communications technology innovation, and nanotechnology development.



Our new Nanomaterials Industrial Development Facility provides the capabilities for the industrial-scale production of nanostructures and nano-applications required for industrial testing. Recently, through the Industry Innovation Partnership, we also ensured that we strengthen strategic partnerships with the small, medium and micro sector for biotechnology small, medium and micro enterprises, SMMEs, to benefit from the recently launched R90 million biomanufacturing facility at the CSIR.

Scientists and engineers from the CSIR ensure that the products meet the needs of the market. Examples of products developed thus far are cosmetics incorporating natural extracts, magnetic microsphere technology used in life science applications, extracts from olives that are used in cosmetics and nutraceuticals, and various nutritional products that are now on the commercial shelves in South Africa and in global supermarkets throughout the world.

We also have the Square Kilometer Array, SKA, which is a sterling example of the value of global science partnerships. The SKA is a €1 billion collaboration between South Africa and Australia to build the world's largest radio telescope.

Ten member countries are the cornerstone of the SKA, but we have over 100 organisations across about 20 countries participating in the design and development of the SKA. Leading scientists and engineers throughout the world are designing and developing a system that will ensure that we have supercomputers faster than any in existence today.

We are also very thrilled that the R630 million tender for the manufacture of the 64-dish MeerKAT antennae which was awarded in 2014 went to Stratosat Datacom, a South African company, in a joint venture with US firm General Dynamics SATCOM Technologies. Seventy-five per cent of the contract value will be spent in South Africa, including qualification testing, tooling design, and virtually all of the manufacturing, resulting in benefits and opportunities for our local technology industry.

In 2015, we were thrilled when the Max Planck Institute for Radio Astronomy in Bonn, Germany, invested €11 million in building new sets of radio receivers in South Africa, which will be deployed on the MeerKAT antennae.

SKA SA and NMC Civils announced last month that they have partnered with Absa in a R34,6 million enterprise and supply-chain initiative to develop and support SMMEs in the Northern

Cape through the Square Kilometre Array programme. This will involve building the road between Carnarvon and the SKA Losberg construction site. We believe that international investment in science and technology is an important area for us to pursue and that it will have immense benefits for job creation in our country.

We are doing a lot of work to encourage international companies to establish their research and development facilities in South Africa. We are seeing positive results through such investment. Thank you. We will support the Minister of Finance in ensuring that we are not downgraded. Thank you. [Time expired.]

[Applause.]

Mr M L W FILTANE: Hon Chair, there is clear, verifiable evidence that poor policy choices, mismanagement, corruption, and lack of visionary and imaginative interventions have negatively affected our economic inclusive growth. As a direct consequence, massive poverty, skyrocketing unemployment, especially among black youth, widening inequality as well as shrinking economic productivity, have become defining features of our economy.

The reality is that this country is fast becoming more of a welfare state than a developmental state, with a swelling number

of dependants on state-provided social security and with no growing entrepreneurship. All this happens against the backdrop of an escalating cost of living which puts a greater squeeze of economic hardship on the average citizen.

The ruling party is really an enemy of inclusive growth and quality service delivery because financial incompetence, mismanagement, year in and year out, as well as unauthorised and wasteful expenditure are commonplace. On top of it, last year the Department of Water and Sanitation underspent by a whopping R2 billion. This means the right to water was never enjoyed by many citizens. Many national and provincial departments are still failing to pay their dues to municipalities. This figure stands at over R3 billion now. How can municipalities develop anyone with no money in their pockets?

The right to have access to adequate housing is blocked by insufficient provision of land for integrated human settlement. In many instances, decisions on matters such as demarcation are forced down the throats of the people with no consultation, thus resulting in lawlessness. There can be no progress in such an environment. This House is a regular uninvited guest of the courts of this land because it has been turned into a caucus of a clique within the ruling party with absolutely no regard for

the rule of law, which is the pinnacle of our constitutional democracy. The UDM came up with solutions for inclusive growth to take place.

I-UDM ithi malulawulwe kakuhle uhlahlo-lwabiwo-mali ukwenzela ukuba abantu bayifumane imisebenzi. Makubekho uhlolo (checks and balances) ukwenzela ukuba umntu akhawuleze abhaqwe xa onile. Uphuhliso lweziseko ezingundoqo mazicwangcисwe kakuhle, kungenziwa nje uphela sonwabe. Amashishini asakhasaya mawanikwe inkxaso emandla nophuhliso lwawo lukhawuleziswe ukwenzela ukuba oosomashishini abasakhasayo ibe ngabo abanceda abantu ukuba baqesheke. Zonke izinto ezinganda ukuba abantu bangaphumeleli mazisuswe endleleni, ingakumbi kweli cala loomama. Yonke imiqobo esendleleni (red tape) kuphuhliso lokushishina kolutsha mayisuswe endleleni. Masibeke umnwe kwicala lezolimo ukuba urhulumente ancedise. Ewe siyavuma ukuba isebe liyazama kulo mba njengokuba sithetha.

Okokugqibela, siyi-UDM sicebisa ukuba abantu abakhubazekileyo emzimbeni mabancediswe. Mhla i-UDM yalawula kuloo masipala uthile kuya kubakho uxolo. Enkosi. (*Translation of isiXhosa paragraphs follows.*)

[The UDM says that the Budget Vote must be properly maintained so that people can get employment. There must be checks and balances in place so that a person can be quickly discovered when he or she breaks the law. The development of the infrastructure must be planned accordingly. It must not just be a by-the-way process. Small businesses must be given a lot of support, and their development must be done speedily so that small business owners are able to employ people. Things that cause people to be unsuccessful must be removed, especially in respect of women. All the red tape in respect of the development of youth businesses must be removed. Let us concentrate on agriculture so that the government can help. Yes, we agree that the department is trying in respect of this matter.

Lastly, as the UDM, we advise that disabled people should be assisted. The day the UDM governs a certain municipality, there will be peace in the valley. Thank you.]

The MINISTER OF TOURISM: Chairperson and hon members, I don't need to repeat what has already been said in this debate. Our economy is not growing the way it should and the way we know it can. We are painfully aware of this, and we are collectively determined to turn this situation around. We are working hard

with our social partners to get back onto a healthy and sustainable growth path, and we will succeed.

In the tourism sector, we are working closely with the industry to recover from last year's decline in tourist arrivals, to improve tourism's contribution to the economy, and to help tackle the triple challenges of poverty, inequality, and unemployment.

This year has started extremely well for tourism in our country. We experienced an unprecedented surge in international tourist arrivals in the first quarter of 2016. Year-on-year growth was a staggering 18,7%, compared to the first three months of last year. Tourism across its extensive value chain contributed no less than R375 billion to our economy last year, representing about 9,4% of GDP. If we include indirect and induced jobs, over 1,5 million people are employed in the sector, representing almost 10% of all employment.

Globally, travel and tourism have proved to be far more resilient than other sectors in times of economic turbulence. Internationally, tourism grew by 4,4% in 2015, reaching a record level of 1,2 billion tourists travelling abroad. That is what was recorded in 2015.

Right now, in our country, tourism is one of the best performing sectors in our economy. We have strong competitive advantage in tourism. The exchange rate is in our favour, and the global growth in outbound tourism that I just referred to presents us with a magnificent window of opportunity. However, the realisation of this growth potential does not just happen because conditions are favourable - we have to work together to make it happen. The Department of Tourism, together with SA Tourism, is pursuing several initiatives to strengthen our international marketing drive, to enhance our destination, and improve the visitor experience by developing the skills of our people. We are also determined to achieve meaningful transformation in the sector. We are working closely with industry to achieve these goals.

SA Tourism is developing a counterseasonal marketing strategy with industry to promote tourism throughout the year. They are also jointly working on strategies to more effectively target untapped segments in key source markets, while exploring new investments in emerging markets with high potential, like China and India.

Hon members, we are not paying lip service to working with our industry partners. We have had two very productive meetings



recently, with senior chief executive officers of industry together with Treasury officials. This is not a public relations exercise. Joint working groups have been established to find new and innovative ways to capitalise on the immense opportunities to grow our sector and create more jobs and life-changing opportunities for our people.

This engagement has already resulted in the creation of a collaborative fund to support our bids for international conferences, meetings, and events. This is an immensely important component of tourism, and we are becoming increasingly competitive in this area.

The success of tourism depends on collaboration and co-operation. A whole-of-government approach is key to maintaining South Africa's status as a competitive and attractive tourism destination. The main player in the tourism and hospitality sector remains the private sector. That is common knowledge. Less known, though, is that the single largest provider of bed nights in South Africa is actually SANParks. Wildlife and our natural heritage remains a huge attractor to our country. The successful management and conservation of our natural resources is critically important to sustainable tourism growth. Our

collaboration with the Department of Environmental Affairs is therefore very important to us.

Cultural and heritage experiences feature increasingly prominently in tourism packages. Our unique World Heritage Sites further make up the tourism offering that differentiates South Africa from other tourism destinations. We are working closely with the Department of Arts and Culture to find creative ways of enhancing this important component of our diverse tourism offer.

To get more people to visit South Africa, we have to work with our sister departments to remove all unnecessary barriers that could discourage travel to our country. We are working with the Department of Home Affairs to facilitate ease of travel to our country. All international evidence points to the immediate positive effects of the relaxation of visa requirements and the streamlining of visa issuance.

The work of the Department of Transport in improving air connectivity is immensely important to tourism growth. Improved air connectivity, especially with countries on our continent, means greater competitiveness and will certainly translate into more tourism arrivals.

We have devised a programme to support, Minister Zulu, emerging tourism businesses, in collaboration with the Department of Small Business Development, to help them achieve success.

These are just a few examples of collaboration with our sister departments. Of course, every department plays a role in maintaining conditions under which tourism thrives. The Department of Co-operative Governance and Traditional Affairs has a special role. Tourism happens on the ground, in local communities, and alignment between all three spheres of government is essential for success.

Developing our domestic tourism market offers additional potential for growth on a massive scale. We want South Africans to experience our amazing country and all that it offers. A thriving domestic tourism sector will help to extend tourism activities throughout the year and spread the benefits to all regions of our country. SA Tourism has been allocated R110 million to promote domestic tourism this year. We must make domestic tourism more affordable and more accessible for all our people, and we are working with industry to achieve this goal. Thank you. [Time expired.] [Applause.]

Mr L R MBINDA: Chair, the PAC appreciates this opportunity to tackle such a critical matter. This matter of vital importance is an opportunity to dispel the distorted truth about the economic solutions.

Let us be forthright: The PAC does not see the stagnation of economic growth as a national crisis. We see it as a crisis of capitalism and its Ponzi scheme structure. The growth with value addition is nothing but a Ponzi scheme. Growth that only results in dividends for foreign investors is nothing but a glorified Ponzi scheme. Growth that is concentrated and consolidates higher interest for banks is nothing but a Ponzi scheme.

The PAC has no interest to build a collective action for any Ponzi scheme. The PAC is not interested in the kind of growth that we witnessed during the era of the Growth, Employment and Redistribution, GEAR, policy.

Without fear of contradiction, the PAC is interested in being part of building collective action for inclusive growth.

Inclusive growth can only come from a change in relationship between the citizens and means of production. The bigger the spread of ownership and control of production vehicles, the more inclusive our economy will become.

Chair, the more workers having controlling shares in companies, the more inclusive this economy will be. Hence, the PAC calls for 26% ownership of all private companies with a turnover of more than R10 million and for companies with more than 50 employees to have a worker share scheme. Furthermore, all companies should cede a further 25% to communities in which they operate.

These actions will guarantee inclusiveness of the economy. This inclusiveness will guarantee growth as well as wealth and income being distributed. The greater economic distribution and fewer monopolies will result in greater circulation of money and economic growth. Monopolies stifle growth and artificially generate inflation through price manipulation and Ponzi schemes.

Thanks for coming, hon Oliphant. CTC is the Ciskei Transport Corporation, which was under the Ciskei government. Mbinda never worked for the CTC. He worked for Mercedes Benz during that time. The Ciskei government was taken over by your government, and your government must pay the employees the money that is due to them.

Mbinda was the chief executive officer for Mayibuye Transport Corporation. He could not have taken the pensions of the MTC employees and given them to the CTC. [Interjections.]

I give you the benefit of the doubt. You were misled, hon Oliphant. [Time expired.]

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon Chair, I'm going to deal with two things: infrastructure and the Oceans Economy.

South Africa's potential in terms of the Oceans Economy ranges between R129 billion and R177 billion and potential jobs of between 800 000 and 1 million by 2030, as compared to the current contribution of R54 billion and 316 000 jobs, indicated by the 2010 baseline.

In terms of our envisaged economic growth by 2019, in other words our aspirations, we look at increasing the contribution of the Oceans Economy to the GDP of our country by R26 billion to create 65 000 jobs by 2019 and ensure sustainability to ocean management and development. There are three main sectors in this regard: marine transport and manufacturing, offshore oil and gas exploration, and aquaculture.

In terms of these economic sectors, in marine transport and manufacturing, we envisage that the contribution to growth, to GDP, will increase from R7 billion to between R14 billion and R23 billion by 2019, creating between 40 000 and 50 000 jobs, jumping from 6 000 at present, and with the contribution of a market share of about 30% to South African companies.

With regard to offshore oil and gas exploration - through this Oceans Economy - we will promote exploration in order to drill 30 exploration wells in the next 10 years.

With regard to aquaculture - which is a very important subsector of this Oceans Economy, particularly between the Department of Agriculture, Forestry and Fisheries and the Department of Environmental Affairs - we envisage that the GDP contribution will jump from R700 million to R3 billion, and jobs created will increase from 2 227 to about 15 000.

That speaks to inclusive growth. The enablers in this regard are the following. Marine Protection Services - you heard from Minister Zokwana talking about some boats that were fishing on our shores, in our waters, in the ocean along the eastern seaboard of our country recently - and Ocean Governance, Skills and Capacity Development, Research, Technology and Innovation.

The opportunities which will be created here, particularly for the SMMEs, co-operatives, and township and rural enterprises, are very, very important for us.

With regard to infrastructure, in February this year, the Cabinet lekgotla identified the following sectors for infrastructure build: water, energy, transport logistics, health, and education. This is very important because Cabinet looked at that and decided to add to that telecommunications, innovations, and technology.

Currently, the Presidential Infrastructure Co-ordinating Commission and the National Treasury are developing a mechanism to boost the implementation capacity of the state, and they're designing a public-private funding model. These processes should be concluded during the next Cabinet cycle.

Hon Chair, I'm done with those two. I just want to make a few comments about the general statement which has been made by the Minister of Finance. I've been sitting there wondering whether we are all South Africans. I understand that opposition parties are there and are there to come up with alternative policies ...

An HON MEMBER: Yes!



The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: ... not to just oppose ...

An HON MEMBER: Absolutely!

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: ... come up with alternatives.

What is the alternative policy perspective of the DA? They come here, and they attack President Zuma. They come here; they attack President Zuma. That's all they know. President Zuma must go. President Zuma is the president of the ANC and, through the ANC, he's the President of the Republic of South Africa. Until the electorate of South Africa changes that, it's going to remain. [Interjections.]

An HON MEMBER: So what?

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Secondly, Chair, the DA hardly speaks about or tells South Africans about the alternative economic policy, except for telling us about fair opportunity, equal opportunity, etc.

Hon Chair, let me give you an example. You remember there is Malamala Game Reserve. [Interjections.]

Exactly, that's the point. You don't want it because ... the reason you are attacking the billion rand is because it bought land for Africans. [Interjections.] Yesterday, by the way ... Indeed, on Friday, the first board of the new company ... [Interjections.] ... he's worried.

Mr G G HILL-LEWIS: Will the Minister take a question on the billion rand?

The MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: No. On Friday, the first board meeting took place at Malamala. You know what, when you talk about Malamala, you are talking about 969 households, eight villages, 5 630 beneficiaries, and the rent has meant much to those communities, R400 000 per month, not per year. That is growth through redistribution. They don't like it. [Interjections.] They want growth which is a trickledown methodology, so that forever, for many, many years, this generation wants to die.

Abantwana babo basale befumana uthontsi thontsi. NgoMgqibele besiseKruger National Park, iintsapho zaphaya ngoku ngabanini-

zabelo bakwaKruger National Park. (*Translation of isiXhosa paragraph follows.*)

[Their children should receive small amounts of money monthly. Last Saturday, we were at the Kruger National Park. The families there are now shareholders of the Kruger National Park.]

That has never been done in this country. Sorry for that, and it is dependent on foreign tourism. Sorry for you, guys. Come back to reality. [Interjections.] Welcome to South Africa.

[Interjections.] I wish you gave them t-shirts yesterday ...

[Interjections.] ... so that we see if they're African.

[Interjections.]

The hon Mulder said, he speaks Afrikaans ... [Interjections.] ... the only language in the world ... [Interjections.] I wish I was given a t-shirt - Africa. [Time expired.]

Mr G G HILL-LEWIS: House Chairperson, it is truly incredible that the ANC would choose to close this term just before an election on what is surely their weakest card. What an own goal! It is typified perfectly by Minister Nkwinti who is now feeling very pleased with himself, getting handshakes from all of his colleagues. [Interjections.] What he doesn't tell you is ...

Let's about ... Let's talk about the Oceans Economy, Minister Nkwinti. It is your government under Operation Phakisa that has delayed the Durban dug-out ports from this year to 2020! How is that for speeding up the Oceans Economy - quick, fast results? [Interjections.]

Let us talk about land reform, Minister Nkwinti.

[Interjections.] I will wait for you to listen - no problem. In every single province that you run, Minister Nkwinti, 80% to 90% of land reform projects are failures, just like the billion rand that you paid to Mr Rattray, who will still manage that farm for the next 30 years - how is that for empowerment? - compared to where the DA governs where 60% to 80% of projects are successful. [Interjections.] Exactly the mood image of your track-record, Minister!

Now, our economy has shed 350 000 jobs in the first three months of this year alone, and one thing is certain. These trends will get much, much worse if our economy is downgraded next Friday. It will take years to regain our investment grade. The quickest ever has been South Korea, which took 2 years; the worst was India, which took 16 years. We don't want to ever get to that.

That is why we must do everything possible in the days ahead to prove to the ratings agencies that we are serious about reform. It will not be sufficient, Minister, merely to trumpet an improved working relationship between business and government and a nice venture capital fund. Those are both good things, but they cannot possibly replace the need for meaningful, deep-rooted reform in our economy.

You have had more than enough time to prepare for this, Minister Gordhan. We received our first ratings downgrade in early 2012, when we were still AA3 rated. Now we are BBB- rated and on the cusp of junk status.

Everyone has seen this coming, like watching a train wreck in slow motion, and yet the ANC has done precious little to change course. Even now, days before we receive our harshest rebuke yet, you present us with nothing but sophistry - a public relations play, nothing substantial, no real reform.

The truth is that in the fight to save our economy, Minister Gordhan, the ANC and you have been absent without leave, AWOL. Worse than that, the only war the ANC seems to be involved in is an all-out war against you, evidenced today by the walkout of your own caucus during your speech and evidenced by Minister

Zulu's comment last week that you are behaving like England - whatever that means.

Once again, we have heard the excuse from you today that none of this is our fault, that it can all be blamed on global headwinds. Well, that is a lie, nothing but a lie, and we will never let it go unchallenged. If we are downgraded next week, and I sincerely hope we are not, then it will be because of the decisions you have made. [Interjections.]

It is no one else's fault ... [Interjections.]

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

Mr G G HILL-LEWIS: It is no one else's fault that you have continued to prop up expensive, corrupt, loss-making state enterprises. That is on you. It is not the global economy that has frightened off investment with crippling policy uncertainty - that was you! It was you that allowed us to fall from 32nd to 75th in global competitiveness rankings. It was you that destroyed tourism with visa regulations. Load shedding was you. You have given safe haven to a corrupt President. You have cancelled manufacturing incentives. You have let the President and the state to be captured by parasitic rentseekers - all you.

All of these things are on you, and it is an insult to argue otherwise. Everyone saw this coming, and you have been AWOL. All this while, we have been the ones leading the fight to avoid a downgrade.

Wherever the DA governs, the economy is growing faster, and unemployment is much, much lower. [Applause.] In 2015, while the economy grew at just 1,3%, where the DA governed, the economy grew at 2,5%. [Applause.] That difference translates into unemployment numbers: the lowest unemployment in the country where we govern and, importantly, the lowest proportion of people who have given up looking for work.

Every person knows even if they are unemployed in a DA-led government, they can be hopeful that they will find work in a growing economy with a clean government that doesn't steal their money. In fact, this is amazing. Even as unemployment has skyrocketed in the past three months, it is still going down where the DA governs. That, Minister Nkwinti, is the alternative; you just need to look at the results. [Applause.]

In Gauteng alone, 160 000 people have been unemployed in three months. Shame on you! [Interjections.] That terrible reality captures the choice of this election. Our message to those

people is: Don't stay at home on Election Day. In Tshwane, in Johannesburg, even in Ekurhuleni, vote for the only party that is actually fighting to save this economy and actually fighting to save your jobs! Vote for the DA. [Applause.]

The MINISTER OF FINANCE: House Chairperson, and hon members, we asked for this debate today so that South Africans can actually judge for themselves where the substantial, new ideas for the future are coming from, where the tactical progress is being made, where people are ... [Interjections.] ... This side did not even talk about the local government election. We know where we will go with the local government election. The only preoccupation on this side is local government election. [Interjections.]

So, let me reiterate what I said earlier on - that 2016 and maybe even 2017 will be tough both globally and internally. Unlike the hon Hill-Lewis, we never deny the fact that we have our own structural difficulties in South Africa, but, at the same time, we constantly grapple with solutions, not the rhetoric that we have been hearing for the last I don't know how long.



Secondly, we are saying that our future depends upon building common purpose amongst all South Africans, and what we see today, ladies and gentlemen and hon members, is the inability of the other side to find the maturity and good sense and perhaps even the intellect to actually find common purpose on a national interest issue. They don't know what the national interest means. [Applause.] They only know what party interests means. South Africans will see that and will judge them on that basis. [Interjections.]

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

The MINISTER OF FINANCE: What we have been working on for the last five months and beyond ... That is why they constantly howl rather than listen and debate. They had minutes at this podium, yet they produced no substantial ideas. Nothing! They produced nothing that South Africans can take back and say we have hope in the future, but we will continue build common purpose. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order! Don't scream, hon members! Order! [Interjections.]

The MINISTER OF FINANCE: Chair, are we going to carry on like this?

The HOUSE CHAIRPERSON (Ms M G Boroto): Order! Hon members, I think yesterday the Deputy Speaker made a ruling about this issue of screaming at the member. So, please!

The MINISTER OF FINANCE: Let me come back. We are interested in building a commonness of purpose in the national interest so that we, in fact, don't get downgraded, and we have evidence to show that we have broad, diverse opinion-makers together and work in the national interest.

What Minister Naledi Pandor was unable to complete was the following numbers that might still also be interesting - that General Electric has invested R500 million in a customer innovation centre in Gauteng, that R200 million of that will be supporting South African SMMEs in technology transfer. IBM is investing R700 million over the next 10 years in ICT research and development, R&D, and Systems Integration Specialists Company, Sisco, R66 million, in R&D activities in South Africa. These are just some examples of what we can do as South Africans if we actually work together and demonstrate that we are indeed open for business, notwithstanding the difficulties that we have

as South Africa, given the structural legacies that we have inherited.

Minister Nkwinti reminds us that the company that was referred to in Malamala is 30% owned by the local people and that, in time, they will own 100% of that company. So, hon members, I need to arrange tea between the hon Hill-Lewis and the hon Nkwinti so that they can, at least, get the facts right before we get into the debate.

In conclusion, let us say that all three of my colleagues from Cabinet have given a wonderful exposition of concrete projects producing concrete results that can actually be measured and be seen by anybody who is actually interested.

Secondly, we have demonstrated that we have a forward-looking approach to inclusive growth and plans that we can begin to deliver if we bring, and as we are bringing, labour and business together. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order! Hon members, I don't expect a leader in the name of the Chief Whip of the Opposition to be the one screaming, instead of making sure that

the members listen. [Interjections.] Please, we need assistance from you. Continue, hon Minister.

The CHIEF WHIP OF THE OPPOSITION: Absolute drivel!

The MINISTER OF FINANCE: So, let me continue. What we require, and we will continue to invest in as government, and as the ANC, is building common consensus among all South Africans not just to avoid a downgrade but to ensure that we grow adequately in order that we can upgrade South Africa's growth, job creation, etc. The key to all of this is the question of collaboration and to have the kind of mind-set that will enable us to begin to challenge some of the trends that are actually developing.

So, hon Maynier, we are certainly not hurtling towards a downgrade. We are trying to turn that around, and we hope that you will be able to bring some good sense on your side of this Parliament so that they will also, at least, for a limited period of time say what are they going to do and say in the public domain to ensure that we can avoid the downgrade and instead turn our economic fortunes around. None of us wants to support rentseekers. Let us make that absolutely clear.

[Interjections.] We must do everything possible, concretely, because they also exist in the Western Cape ... [Interjections.]

... and they exist in your municipalities. So, let us find a way  
... [Interjections.]

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

The MINISTER OF FINANCE: No! We will get back to your land deals and so on in due course. Let me assure South Africans that scaremongering that we will end up like Venezuela is precisely that. It is scaremongering. We are miles away from Venezuela. We are a well-managed economy, we are a well-managed fiscus, and we are a resourceful organisation. [Applause.] We will indeed ensure that we take South Africa forward to much better prospects than anyone else in this House can. Thank you very much, Chair. [Applause.]

Debate concluded.

SIHLALO WENDLU (Kkz M G Boroto): Malunga ahloniphekileko, sifike ekugcineni ngomsebenzi wanamhlanje. Alo-ke ngithi kini, ngamakoro ngamakoro. iNdlu ayiphadlhalale. (*Translation of isiNdebele paragraph follows.*)

[The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, we have come to the end of today's business. Therefore, I am saying to you, go home well. The House is adjourned.]

The House adjourned at 19:07.

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