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NATIONAL ASSEMBLY

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*PROCEEDINGS OF THE NATIONAL ASSEMBLY*

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The House met at 14:02

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

**WELCOMING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION DELEGATION**

(Announcement)

The SPEAKER: Hon members, before we proceed, I would like to acknowledge and welcome our guests, a delegation of the Canadian branch of the Commonwealth Parliamentary Association, led by Ms Yasmin Ratansi. [Applause.] You are welcome. Hon members, I have already welcomed them to the Chamber.

**90<sup>TH</sup> BIRTHDAY WISHES TO PRINCE MANGOSUTHU BUTHELEZI**

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(Announcement)

The SPEAKER: Hon members, again, before we proceed with the business of the House, I would like to say a word about one of the esteemed members of this House who celebrated his 90th birthday recently, the hon Prince Mangosuthu Buthelezi.

[Applause.]

Hon members, you will recall that the House congratulated the hon the Prince Buthelezi last week, but I think that, given the occasion, it would be fitting that I, on behalf of the presiding officers and Parliament, extend our compliments to the hon Prince Buthelezi. Hon Shenge, let me say that we are all indebted to you for your long service and commitment to the nation and this House. Indeed, you have taught us over many years that, as leaders, we must respect each other and be true to our values and African heritage. We are all very proud of you. We see in you an elder from whom we get - and, in fact, expect - unflinching guidance and correction when necessary.

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We wish you many more years of good fortune and health. Happy birthday! [Applause.]

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, I think given the gravity of the felicitations that you have given, it would certainly be untoward if this went without comment. Very briefly, on behalf of the Official Opposition, we would like to wish one of the fathers of the House and certainly one of my fellow KwaZulu-Natal residents a very happy birthday.

I am reminded, as the hon Shenge celebrates his birthday, of what Abraham Lincoln famously said that "in the end, it is not the years in your life that count. It is the life in your years." I think you have put a lot of life into your years. Happy birthday! [Applause.]

The SPEAKER: Thank you very much, hon Steenhuisen. I don't know if the hon Prince Buthelezi would like to say something. I see an hon member from the EFF first and then the hon Khubisa.

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Mr M N PAULSEN: Speaker, of all the parties in this House, the EFF is the closest to Prince Buthelezi. [Laughter.] Prince, on behalf of the EFF - and you know that our organisation and the leadership of our organisation have a special affinity for you - I wish you many good years ahead. We thank you for your guidance. We thank you for calming us down when you think we need calming down. [Laughter.] We are sorry that we disturb those power naps some afternoons, but thank you very much for your presence. We are very privileged to have entered this Parliament whilst you were still a member of it. Thank you very much. [Applause.]

Prof N M KHUBISA: Speaker, on behalf of my leader, the caucus and the party, I want to convey our congratulations to the hon Ndabezitha Shenge on his 90th birthday. Shenge, we know that, as a statesman, you have provided a moral compass with your integrity and visionary leadership to our country. When the history of this country is written, your name will be there in the annals of history. We want to say thank you very much, Shenge. You have done a lot for this country, in particular. I am saying this on behalf of my leader and the party as a whole.

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*IsiZulu:*

Unwele olude Ndabezitha ukhule uyephambili ungakhokhobi.

*English:*

Mr W M MADISHA: Speaker, we want to say to uNdabezitha uShenge that Cope thanks him greatly. Like all the people of South Africa say, happy birthday! We hope and believe that you still have many more years to live and to give us proper direction. Those of us who were there in the 70s, the 80s, and the 90s know the contributions you have made. We actually believe that those kinds of ideas, ideals, and contributions will guide the very many people of our country, as we move forward.

Mr M HLENGWA: Speaker, on behalf of the IFP caucus and the IFP family, I would like to join in yet again on the many well wishes that Prince Buthelezi has received on the occasion of the milestone birthday of 90 years.

Shenge, thank you very much for being ever present when called upon particularly within the IFP but also beyond. We know that we have to share you with all of South Africa, and you have never shied away from being shared. We thank you for giving us

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the leadership. We thank you for assisting us. We thank you for grooming us, and we celebrate your life as a freedom fighter and protector of our democracy. So, on the occasion of your 90th birthday, the saying usually goes ...

*IsiZulu:*

... isitsha esihle asidleli.

*English:*

However, we are privileged to say today ...

*IsiZulu:*

... isitsha esihle siyadlela.

*English:*

Happy birthday, Shenge, and thank you very much.

*IsiZulu:*

Unkulunkulu akugcine akuthande akulondoloze manje naphakade.

Ameni. [Ihlombe.]

The CHIEF WHIP OF THE MAJORITY PARTY:

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*English:*

You are the oldest; nonetheless, you treat us like your equals. [Applause.] Apart from your being the oldest, you are one of the very few remaining in this House who started the democratic Parliament in 1994. Very few remain here. There might be two or three or so. So, we really appreciate the guidance you continue to give to us. As you would know, Shenge, when we all lose our heads here, yours never gets lost. Your head and voice of reason remain intact. We really appreciate your guidance.

Notwithstanding the fact that you are over 90 years old, you are so articulate when you take that platform - so articulate. Also, you walk so well, Shenge.

*IsiZulu:*

Hawu, uhamba kamnandi. [Uhleko.] Sithi unwele olude Shenge! Ukhule, ukhule.

*English:*

You have been a wonderful form of guidance to all of us in this House. We sent a message to your birthday celebrations. I

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hope that message arrived. That message was from the ANC caucus and, indeed, the entire ANC family.

We say:

Happy birthday to you

Happy birthday to you

Happy birthday, dear Shenge

Happy birthday to you. [Singing.]

Hip, hip!

HON MEMBERS: Hooray!

The CHIEF WHIP OF THE MAJORITY PARTY: Hip, hip!

HON MEMBERS: Hooray!

The CHIEF WHIP OF THE MAJORITY PARTY: Thank you very much.

[Applause.]



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Prince M G BUTHELEZI: Madam Speaker, I am quite overwhelmed. I am surprised, in the first place, because, as you rightly said, last week already my colleagues in this House congratulated me for reaching this milestone. I am quite overwhelmed and humbled by your words, Madam Speaker, and also the words of all my colleagues here.

I was humbled by the words that reached me on my birthday from the ruling party and from all my colleagues from all the parties in this House. I was really humbled by it. I thank God that I have been able to serve with you and that I consider you dedicated compatriots in serving our country. I realise that, as the hon the Chief Whip of the Majority Party says, in a way, I used to feel very confident when my brother Mr Mlangeni was here. I remember that your predecessor, Madam Speaker, Xhamela - when I complained about the noise made whilst I was speaking, saying that it was not right that when an elder spoke there should be noise - said that "Elder Buthelezi" says that it is wrong to make noise when an elder is speaking.

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Thank you very much. I feel humbled, and I know that God has been very good to me. I thank God for serving with all of you, colleagues. At the same time, for those of you who say many more, I think you are asking the impossible of God.

[Laughter.] God will get very angry with you. He has already done this because I have done more than three score and 10. I have done another score. We should be celebrating that and not asking for more. In a way, that is an indication that my days are numbered in every sense, not only in this House but generally as well. Thank you very much. [Applause.]

**LAUNCH OF SA CHAPTER OF GLOBAL TB CAUCUS OF PARLIAMENTARIANS**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Speaker, we move:

That the House –

- (1) notes that tuberculosis, TB, is the leading cause of death in South Africa, and that there is a need for a SA Chapter of the Global TB Caucus, intended to raise

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awareness and profile the TB epidemic, and support efforts to accelerate the elimination of the disease by 2030 in line with targets set by the UN Sustainable Development Goals;

(2) further notes that the SA Chapter of the Global TB Caucus would provide a platform to Members of Parliament, MPs, and Members of Legislatures throughout the country to champion the response to TB in the country and in their constituencies, and drive political action to end the disease;

(3) acknowledges that membership of the SA Global TB Caucus will be on a nonpartisan basis, open to any parliamentarian or legislator in South Africa and is undertaken on a completely voluntary basis;

(4) resolves, with the concurrence of the National Council of Provinces, to establish the SA Chapter of the Global TB Caucus, co-ordinated by a body comprising members of this National Assembly, members of the

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National Council of Provinces and members of provincial legislatures.

The MINISTER OF HEALTH: Hon Speaker, colleagues, Ministers and Deputy Ministers present, hon members of the National Assembly, distinguished ladies and gentlemen and our guests, allow me to express my sincere gratitude to the hon Speaker for having allowed us the opportunity to hold this debate. In fact, we must recognise the hard work of the Chief Whip of the ruling party, who worked hard to revive interest in the issue that must seize us as leaders.

The issue that has given reason to this debate is of great importance beyond our provincial boundaries, beyond country borders, beyond ideologies and beyond political parties. I'm speaking about a disease that we all grew up knowing – the disease called tuberculosis, TB.

When I was granted an opportunity to address the House of Parliament in November 2015, I informed hon members that TB has been with us for centuries, although the bacillus was only

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identified on 24 March 1882 by Robert Koch. That is why 24 March every year is World TB Day.

Over the past 200 years, TB has killed more people than smallpox, malaria, bubonic plague, cholera, influenza, ebola and HIV/Aids, all added together. The surprising thing is that despite all of this evidence, the need to end TB has not resulted in much urgency among health activists, scientists, politicians and many world leaders.

As a strategy by the World Health Organisation, WHO, to push back against this onslaught of TB, an organisation called the Stop TB Partnership was formed around 2000. The organisation has now been transferred from the WHO to the UN Office for Project Services, UNOPS, or UN's operations. It has an international board which controls its activities. Its functions are to co-ordinate the fight against TB globally. I have been a member of this international board since 2009 by virtue of coming from South Africa as a high-burden country.

In 2009, all members of this board gathered for a whole week in Washington for a retreat. The aim of the retreat was to

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establish why TB is such a great killer of people globally but does not scare people into action like other pandemics. It remains largely below the radar screen.

At this retreat we even invited experts in marketing to try and help us to arrive at the right conclusion, but we could not arrive at any convincing answer to this conundrum. Even the warning by our international icon, tata Nelson Mandela, did not seem to do the trick. As you all know, tata Madiba himself was a survivor of TB. In 2004 at the International Aids Society Conference held in Bangkok in Thailand, this is what he had to say:

The world has made defeating Aids a top priority. This is a blessing. But TB remains ignored. Today we are calling on the world to recognise that we can't fight Aids unless we do much more to fight TB as well.

This is what Madiba said as far back as 2004.

Perhaps our complacency is because TB has been with us for centuries, together with the knowledge that TB can be cured.

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Perhaps that is why we are relaxed. It is also possible that, whilst anyone can contract TB, it is largely the disease of the poor. Perhaps that might be a reason why it is being ignored. This complacency has resulted in our current epidemic which you must reverse with the same urgency that was shown for HIV/Aids, and recently, for ebola.

On 15 August the *Sowetan* led with a headline article, "Panic over missing TB patients", in which they accused the public health sector of losing 130 000 patients who were initiated on treatment and never returned to continue with their treatment.

While I was concerned about the misinformation in this article, because the loss to follow up is only six per cent, which is around 17 000 patients and not the 130 000 patients quoted by the *Sowetan* ... While I got worried about that misinformation, I thought, well, maybe something good will come out of this over-exaggerated newspaper article. I thought, maybe at long last such a headline, misleading as it was, will spur people into action. Unfortunately, that was not to be. The article just made a small bleep on the radar screen and disappeared immediately.

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While the *Sowetan* suggests that the public sector is failing TB patients, let me reassure hon members of this House that South Africa is regarded by the world as a global leader in the fight against TB. We were the first country to roll out the latest TB diagnostic machine called Genexpert. We have the largest number of patients on isoniazid, a drug that prevents TB in HIV-positive people. We were also the first to introduce new drugs such as bedaquiline to the world and the largest number of people on bedaquiline is in South Africa. We also helped to reduce the global price of bedaquiline from \$900 to \$400 per patient. And we need to do more to fight the epidemic.

The WHO has established global TB elimination targets at no more than 10 new TB infections per 100 000 of the population. Globally there are currently 250 new TB infections per 100 000 of the population. So TB is a global challenge in its own right, as well as given its contribution to antimicrobial resistance, AMR. There is no doubt that TB is a global health security threat and fortunately the world is starting to take it seriously, even though we ... [Inaudible.] ... recently.



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Let me share with this House some data on the size of the TB problem in our country. The WHO estimates that 438 000 people in South Africa get infected with TB every year. Put another way, today and every day in our country, 1 200 people get infected with TB bacillus, or 50 people every hour.

In addition, about 20 000 people get TB that is resistant to medication, called multidrug resistant TB, MDR-TB. And, because of our high HIV/Aids infection rate, almost 60 000 of South Africans with TB are also HIV-positive. This data puts South Africa in an infamous league of 14 countries around the world which are called high burden for TB and MDR.

We have a huge and complex multifaceted TB ... on our hands, which as you may have heard from Statistics SA is the number one killer of all infectious diseases. At long last the world is beginning to take TB more seriously, and South Africa and this Parliament must do that too. That's why I am very happy. The fight with which world leaders are challenging TB is under the theme, Wanted: Leaders to end TB.

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In 2013, I was elected as the chairperson of the Stop TB Partnership board, as I mentioned earlier. In this capacity I was invited to participate in a high-level meeting of heads of state to debate a new global health security threat called AMR. This is a growing phenomenon whereby microbes no longer agree to be killed by long established drugs that have been used over ages.

During the debate, I challenged the UN about the challenges of TB. According to information at my disposal as the chairperson of the global board of the Stop TB Partnership, one-third or 33% of AMR is due to drug-resistant TB. So I raised the issue with the UN; that if MDR alone is responsible for one-third of AMR, how does the world hope to win the battle against AMR if we keep ignoring TB?

I suggested that a high-level meeting of heads of state be called to debate TB as they did with major pandemics like HIV/Aids, ebola and AMR itself. I am happy to mention that such a debate is at long last taking place on the 26th of this month at the UN, and our President is going to participate with other heads of state.

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We may succeed in mobilising global leaders, but ultimately, it is leaders within countries that will get us over the line to eliminate TB. This is why we are having this debate today. I am pleased that we have made significant progress towards launching our parliamentary TB Caucus, thus joining many other countries that form the Global TB Caucus of Parliamentarians.

Apart from MPs, we are mobilising members of society to help us in the fight against TB, and I am happy that today when you as MPs form this parliamentary TB Caucus – hon Chief Whip I understand that it is going to be this evening – know that there are other members of the public who are going to join you in this fight. We call them our global TB ambassadors. Some of them are here as guests in this House today and I need to introduce them.

Very often when people are sick they do not want their diagnoses to be disclosed publicly, but these ambassadors that I am going to introduce have given me permission to mention their ailments as their contribution to the fight against TB.

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First we have Prince Nhlanaganiso Zulu, who is the son of his majesty, King Zwelithini. He has one lung. The other lung was removed because of TB. Those who are in the gallery will stand as I call them. I'm not sure whether Prince Zulu is in today. He is not in. He openly said I must tell you that he has one lung. The other lung was eaten by TB.

We also have Ms Gerry Elsdon, a former beauty queen, a businesswoman who had extrapulmonary TB. Many of you believe that TB is only a disease of the lung. If it affects you in the lung we call it pulmonary TB but TB can be extrapulmonary. It can affect any part of your body. It can go to your brain, it can go to your bones, it can go to your liver, it can go to your testes, it can go to the spinal cord and collapse it and you will sit in a wheelchair. In the case of Ms Gerry Elsdon it went to her womb, thereafter denying her the God-given gift to bear children. I think Gerry is in the gallery today.

[Applause.] She said I must tell you openly that as she stands there you must know that she was also a victim of TB.

We also have Mr Thabo Pelesane, a municipal worker in Matlosana, who is also a vibrant community activist.

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We also have the current Miss South Africa, Ms Tamaryn Green, a medical student who contracted TB while undertaking her practice in one of our hospitals.

We also have Dr Thato Mosidi, and Drs Dalene and Arne von Delft who are married, who also contracted TB while practising as medical doctors, trying to save lives in our facilities.

[Applause.] Welcome.

These are health workers who have had to suffer while trying to save the others. If you move from this Parliament, just next door to us is Brooklyn Clinic where you will find many nurses – and its very depressing – who contracted MDR-TB and who have to be confined in that space because we have to separate them from people. They were trying to cure people but ended up having this problem. So when we say TB is a global security threat, we actually mean it.

Let me tell you a little bit about the Global TB Caucus which the Chief Whip referred to. At the annual world conference of the International Union Against TB which was held in Barcelona in 2014, the executive director of the union, Dr Jose Luis

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Castro, emphasised that the need to engage parliamentarians in the global effort to fight TB is important. Parliamentarians can play a crucial role in our fight against TB because, by virtue of their position and roles, they make decisions on health legislation and approve budgets for government departments, both of which are critical in the fight against TB.

At that conference we also had an hon MP from Britain, hon Nick Herbert, who formed and chairs the UK Parliamentary Caucus on TB. When we were in Barcelona there were seven of us MPs from France, India, Kenya and Tanzania. Right there in Barcelona we launched this Global TB Caucus for MPs and I was asked to chair it with hon Nick Herbert.

So today we are asking you here to join that global movement. You can influence how communities fight TB. You must also make yourself available for public screening for TB and then you can become our ambassadors. I believe we must be the generation that finally rids the world of the scourge of TB. Thank you very much. [Applause.]

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*IsiXhosa:*

Nks L V JAMES: Okokuqala, manditsho ndithi: IDemocratic Alliance iyawaxhasa onke amalinge nemigudu yokuphucula impilo zabantu kuquka neTB ngokwayo, ngoba ...

*English:*

South Africa is one of the countries with the highest burden of diseases and TB is the leading killer, especially among black and coloured males. While anyone can contract TB, sadly this disease thrives among people living in poverty and compromised environments, including those suffering from HIV/Aids and malnutrition, those who abuse alcohol and drugs, and those with poor housing, sanitation, etc.

Now multi-drug resistance, MDR, has also worsened the situation, as management of TB has become more difficult for the department. It already has a high defaulting rate of patients and TB is difficult to track and trace. Some are still not tested and are unaware that they are spreading the disease, while they are walking around.

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Treatment literacy and counselling and the importance of completing the treatment are of utmost importance. March 24, TB Day is not enough, as health education, especially on TB and other illnesses should be done 365 days and it should include outlining a healthy lifestyle. The department has to find ways to keep TB patients on treatment, to reduce the spreading of this illness. Access to health facilities and the stigma attached to the disease should be addressed by the department.

Regarding extensively drug-resistant, XDR TB, the department needs to have community-based containment strategies, which could include voluntary, long-term community-stay facilities and palliative care, and more modern-day sanatoria where patients can die with dignity. South Africa needs a wider availability of better drugs and the DA supports the fact that there are more drugs on the market. We need more health educators to educate our people on how to prevent the TB infection.

National and provincial health departments must speed up infrastructure and staffing improvements, as this is one of



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the problems, and community health workers must assist with tracking and tracing, whilst the professional staff will be doing what they were trained for. The national Department of Health also has to work with sister departments such as the Department of Social Development and other departments.

As I said before, the DA supports all the initiatives focussed on eliminating the TB epidemic and all the other issues associated with TB.

Mr M N PAULSEN: Speaker, when the EFF declared 2018 as the year of public healthcare, we did so informed by the needs of our people who are subjected to a public healthcare system that has been in a state of crisis for years. This crisis is perfectly reflected when one looks at TB in this country.

In 2015, it was estimated that there were 454 000 people who were infected with active TB in South Africa. TB is the leading cause of death in the country, killing 124 000 people in 2016, if you include those living with HIV. We have less than 1% of the world population, but in 2016 South Africa accounted 7,3% of all TB deaths worldwide.

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It is clear that something must be done about TB in this country, but this requires commitment from government and understanding of why so many South Africans have TB and are dying from it.

Minister, you said that you broke away and went on a one-week break in Washington to discuss why TB is killing so many people. It is very simple. Firstly, here in South Africa, healthcare is collapsing. Secondly, there are over 7 million South Africans living with HIV/Aids, and people living with HIV are 20 to 30 times more likely to develop active TB disease than people without HIV, as their weakened immune systems make them more vulnerable. Thirdly, our people are forced to live under terrible conditions. In townships, they live congested, on top of each other, in structures that are not properly built, and with no proper sanitation.

It is these inhumane conditions which allow TB to be easily spread and passed on. Therefore, if you want to tackle the high rates of TB in this country, all three problems must be addressed.

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However, I want to focus on our public healthcare system which needs to be fixed. This year, in questions for written reply, we asked the Minister of Health if there are any healthcare institutions that do not offer TB treatment services, and we were told that all healthcare institutions offer TB treatment services. This department or you, Minister, if you pay attention here, are either in denial, or you lied. When you go to the ground, you see that this is simply not true.

A 2015 survey found that 25% of healthcare facilities experienced shortages of ARV and TB medicines. It is even worse for patients with drug-resistant TB, as they are often forced to go to central hospitals to receive medicine, as most clinics do not stock drug-resistant TB treatment.

This bad service delivery by the Department of Health is one of the reasons why we have such a bad follow-up rate for patients diagnosed with TB, who do not start treatment once diagnosed. That is why it is no coincidence that the North West province only has a follow-up rate of 47%, and the Dr Kenneth Kaunda District Municipality has a follow-up rate of 18%, both the lowest in the country.

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There is a direct link between failures in our healthcare system, TB mortality and treatment. So, if we as Parliament are serious about our commitment to the Global TB Caucus, a commitment that the EFF supports, we must hold government accountable for the collapse of the public healthcare system, and its failure to deliver services, in this case, TB services. Thank you very much.

Mr N SINGH: Hon Speaker, South Africa spends roughly 8,5% of its gross domestic product, GDP, on health. Although this is more than 2% higher than the low and middle-income country average, it still remains low, compared with countries at similar levels of development.

We are currently affected by what has been termed the quadruple burden of diseases, which are HIV and Aids and TB, noncommunicable diseases, trauma and high levels of maternal and child mortality.

The National Health Laboratory Service, which is our frontline facility to test for HIV, TB and multiple other diseases in South Africa and which is pivotal to the early detection of

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these conditions in South Africans is being handicapped by a string of challenges, which include a leadership crisis, worker strikes and provincial bad debts, which run into billions of rand. We need to get things right in this arena.

TB is the leading cause of death in South Africa, mostly associated with the HIV/Aids epidemic and affecting more than 7 million South Africans.

Health inequalities, although nowadays based on socioeconomic status, remain extremely high. Inequality in South Africa is a runaway train that must be addressed by this government.

Prevention is the key, as in most cases, prevention will be more than treatment. TB, which is linked to poor nutrition and residing in dense informal settlements where there is poor sanitation, can best be addressed by addressing the socioeconomic disparities that exist for the people living in these areas. That would build resilience.

In agreeing with you, Minister, we only speak about pulmonary TB. One hon member of this House, our own hon Van der Merwe,

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at the age of 22 had intestinal TB and they had to remove a massive tumour in her stomach. So, we have to focus on all the other areas where TB can be afflicted upon a person. Fifty years ago, I contracted TB and I had to go through rigorous treatment in hospital. Fortunately, in our days, the treatment was much quicker and easier than having to wait for six months.

We must also look at high risk communities, such as those of our miners and prisoners and additional measures must be adopted in these instances to prevent the spread of the disease.

TB is easily curable, but our public health system must rise to the challenge and continue to rise to the challenge.

In conclusion, we welcome the launch that we will attend tonight and the mission and vision of the Global TB Caucus of Parliamentarians. We want to congratulate you, hon Motsoaledi, for co-chairing the worldwide network of parliamentarians.

Well done. Thank you very much.

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Mr A M SHAIK EMAM: Speaker, the NFP welcomes this great initiative. Hon Minister, once again, you lead by example. The establishment of the Tuberculosis, TB, Caucus is long overdue. The TB epidemic in South Africa is accelerated by HIV/Aids with co-infection rate of 60%. Unless, we win the war on HIV/Aids, the chances of winning the war on TB is just a dream.

Since 2009, the dual epidemic of HIV/Aids and TB had reached alarming proportions, as a consequence of the denialism of HIV/Aids. The government intervention, the national strategic plan stabilized the epidemic, however South Africa is still one of the largest in the world with a TB burden with a 400% increase. The role out of Anti-retroviral treatment resulting in an improvement in TB cases is also acknowledged. Major gains in treating HIV/Aids and TB slashed the death toll. However, TB remains a challenge in South Africa.

Approximately 3000 cases per 100 000 people are infected with TB in the mining sector. The poor socio-economic conditions, the lack of proper water and sanitation facilities, the cramped housing, high substance abuse, poor health facilities

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in many areas, teenage pregnancy are all contributing factors to the high TB prevalence in our communities.

The marginalization and segregation of our people deprived of basic human necessities and human right, living in squalor conditions was the driving force behind the high level of HIV/Aids and TB infection in South Africa. The influx of foreigners from the neighbouring countries has also added pressure on the National Department of Health and its budget.

To fight the scourge of HIV/Aids and TB from all fronts, we need to be united and this initiative that is being put through by the Minister and the National Department of Health, a worldwide initiative must be welcome.

Hon Speaker, almost 1% of our people develop active TB. 80% of the population are infected with TB, 88% of those infected with latent TB are those living in informal settlements or townships.

In 2015 alone, 25 000 people died from TB. Eastern Cape, KwaZulu-Natal and Western Cape have the highest incidents of



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TB. With over 7,2 million people living with HIV/Aids ... We all know that it affects the poorest of the poor and that the rise of the dual epidemic is catastrophic.

The NFP is encouraged and supports this initiative. Hon Minister, we will support this and be part and parcel of this initiative. The NFP supports this initiative. Thank you.

Ms C N MAJEKE: Speaker, hon members, in 2015, the World Health Organisation, WHO, stated that there were 25 000 deaths from Tuberculosis, TB, in South Africa. These statistics, whilst they exclude those people who had both TB and HIV/Aids, infection when they died, confirms that TB continues to be the leading cause of death, of this curable disease.

In 2016, this contagious infection was still a major cause of worldwide death and suffering. It is a global public health challenge which needs to be controlled, conceived and carried out along with the basic principles of equity, human rights to health and social protection.

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As public representatives, largely representing those who are historically marginalised, greatly exposed to health problems and often face difficulties in accessing care, must stand up, mobilise and together with our communities, support the efforts to eliminate TB by 2030.

The Minister has spoken very loud and clear when he said "Members of Parliament must be at the centre of challenges that face the citizens they represent. No other battle desperately requires the leadership, advocacy and guidance by parliamentarians than the battle against TB".

The South Africa, Chapter of the TB Caucus of parliamentarians must play its legislative role in combating diseases that disproportionately affect the poorest, by amongst others. Seek to appropriately address the social and economic determinants of ill health and ensure adequate implementation of the specific interventions available in the Department of health and other plans. Expose the connectedness of social and economic conditions, which make TB prevention, care, control and curability a greater challenge.

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Ensure that government departments join forces to combat poverty and its consequences, including health conditions like TB, in order to foster South Africa as a development nation. This will require a deeper and more comprehensive integration of services meant to address this challenge. Engage communities to play a pivotal role in reaching the most vulnerable groups and promote active citizenship against TB.

Last but not least, the caucus must be provided with the necessary financial support and rapid research in order to successfully contribute to the realization of the goals set in the United Nations' Sustainable Development Goals and the South Africa's National Development Plan. We also welcome tonight's launch by the hon Minister. I thank you.

Mr W M MADISHA: Speaker, there can hardly be any family in South Africa that has not been afflicted in one way or another by the scourge of Tuberculosis, TB. All be it, one sits in this House today, one travels back to a period of about two decades before one's coming here. Then, as many here present will know or do know, one was a leader of the organised working class, and one was aware of the pandemic nature of

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both TB and HIV/Aids in our country and the link between them. Thousands of workers and the poor, in the mines and farms, in all manufacturing areas and even workers of the mines were affected and are still affected.

Both TB and HIV/Aids remain health conditions that afflict our poor and impoverished communities more than they do in more affluent communities. They also stigmatise both stigmatise those afflicted by them - and yet both are eminently treatable. It is against this background that the Cope supports the launch of South Africa's Chapter of the Global TB Caucus of parliamentarians.

We agree with the assertion by the Minister of Health when he stated that in the past, I suppose he still remembers, and I quote that: "Members of Parliament must be at the centre of challenges that face the citizens they represent. No other battle desperately requires the leadership, advocacy and guidance by parliamentarians than the battle against TB".

I therefore wish to say that Cope supports this and I hope we shall succeed as South Africans. Thank you.

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Ms C N NDABA: Thank you very much, hon Speaker. Hon Ministers, hon member, good afternoon. The ANC remains committed to working tirelessly towards improving equity, quality and access to healthcare across for all South Africans. Over the years, South Africans have continued to experience generalised HIV and TB epidemics. The impact of HIV pandemic, and associated increase in TB prevalence became the single largest cause of death during the period between 2005 and 2010.

The ANC-led government has made notable interventions to curb this scourge; more than 6,8 million people living with HIV and Aids get treatment; screening, treatment and preventative methods are intensified and readily available for free in government facilities; and the problem of stigmatisation is greatly reduced to an extent that people living with HIV and TB are now acceptable in the society.

The World Health Organisation estimates that about 420 000 people are infected with TB every year; and about half of those infected are found and provided with treatment.

Tuberculosis is the number one killer in South Africa, with 27 315 having succumbed to the disease in 2018. About 20 000

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South Africans are infected with multidrug resistant, which is much more complex. It takes long to treat and exorbitantly expensive.

Statistics SA, in its 2016 report on the mortality and causes of death in South Africa, identified that certain infectious and parasitic diseases in 2016 were the second most common main group of underlying causes, comprising of 18,2% deaths. This group included 1 007 deaths due to multidrug resistant TB and 114 deaths due to extensively drug-resistant TB.

The ANC-led government has made important gains in responding to the epidemics of HIV, TB and STIs but the national response needs to be accelerated if the country is to achieve the global health community goal of ending these as public health threats by 2030. The national strategic plan for HIV and TB 2017 to 2022 is South Africa's fourth plan to build on the significant progress achieved to date. To addressing gaps identified during the past five years and seek to scale-up best practice and ensure that quality and innovation underpins service provision. Whilst the county has made strides towards combating this epidemic, more work needs to be done.

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In recognising the need for the involvement of Members of Parliament in the fight against TB, Members of Parliament from across the globe came together to establish the global TB caucus in 2014; the global TB Caucus is a unique global network of Parliamentarians united by their shared commitment to end the TB epidemic.

It will take concerted efforts to mitigate the devastating human and economic impact of this disease. Political will is one important pillar if the world is to end TB. South Africa is one of the countries with a high TB burden. If we can be able to reduce the number of new TB infections and to follow up on mission cases, those actions will have a big impact in reducing new TB cases and deaths. The work to end TB is a political matter.

At the heart of this initiative is the purpose to mitigate TB deaths, avoid new infections and save the health and wellbeing of fellow South Africans. Support from Parliament in the establishment and operationalisation of the caucus will ensure that Member of Parliament's work with partners on the ground on solutions to the TB problem.

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As Members of Parliament, we need to be involved in ensuring that enough resources are allocated for TB-prevention; care and treatment; finding missing cases and the development of new tools. We encourage the various committees in the Joint Houses, National Assembly and NCOP, dealing with health matters to lead the work of South African Members of Parliament in ensuring they contribute meaningfully to end TB.

We implore Members of Parliament to be active agents of this campaign in their day-to-day work as well as when they are out doing constituency work, and to be involved in the following activities: Raising awareness and mobilising communities to protect themselves from TB, by getting screened and tested when they have symptoms; being part of a campaign to find missing TB patients that is, the undiagnosed cases, and defaulters; be actively involved in global discussions on TB to share experiences; and also learn from responses in other countries; and incorporate TB in constituency work.

Just remember, it is in our hands to end Aids and TB. It is with these words in my mind that the ANC is calling on all South African Members of Parliament to be part of the global



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voices, shaping the future on TB direction and for more concerted efforts to be made in an effort to realize our National Development Plan target, of progressively improving TB, prevention and cure. It is indeed, in our hands to end TB in this country.

*IsiZulu:*

Ngiyabonga. Uzokwenza lokho kumphakathi wakho owumele.

Ngiyabonga, Somlomo.

Mr S M JAFTA: Hon Speaker, the launch of the first Global tuberculosis, TB, Caucus in Barcelona four years ago represented the early form of global network foreshadowing a collective resolved to fight the scourge of TB. Consistent with the United Nations' Millennium Development Goals and a plethora of international instruments on the fight against TB, the TB Caucus was not indifferent to the course of combating the scourge of TB. The leadership of the caucus co-chair, Dr Aaron Motsoaledi, has been sterling.

The African Independent Congress' Members of Parliament will take membership of the Global Caucus in order to spread its

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footprint and most importantly, to raise awareness on rural villages about TB and its attendant transmutations. We will do so as civil servants of the people and largely, as the flag bearers of our rural communities. A report commissioned by Global TB Caucus indicates that about 116 signatories have already joined the caucus. We would like to take this opportunity to invite Members of this Parliament to collect the draft membership template and dispatch it to their immediate neighbouring countries who are not yet part of the Barcelona Declaration. The Draft Template of the TB Caucus records that TB, I quote:

Is the leading global cause of death from an airborne disease, killing 1,5 million people last year.

The Barcelona Declaration establishing the Global TB Caucus makes a clarion call that every patient, regardless of who they are, where they live, or their ability to pay, shall have access to quick, accurate diagnosis and high quality treatment, and that TB diagnosis and treatment never result in the impoverishment of patients of their families.

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The fight against the scourge of TB can no longer be deferred to history. We have to collectively wage a struggle to combat this scourge effortlessly. We commend the work of the executive committee of the caucus and the sterling clarity of thought in the Minister Motsoaledi's leadership. I thank you. [Applause.]

Ms E R WILSON: Hon Speaker, very recently, photographs with Minister Aaron Motsoaledi fast asleep in a parliamentary sitting, did the rounds on social media. We are not sure if the House was just so damn boring, or if it is age, or even a sleeping sickness that has overcome the Minister. However, he appears to have been afflicted for some time. Definitely, for well over a couple of years he appeared to sleep through the Life Esidimeni crisis, the oncology crisis in KwaZulu-Natal and appears to be comatose about the failing health sector in South Africa. Of course, nothing of this had to do with the Minister; there were provincial crisis that were out of his hands. Can we hold the Minister accountable? Well, apparently not.

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He has also been fast asleep on the commitment to South Africa and its involvement in the Global TB Caucus too it seems. The Global TB Caucus was established in 2014, some four years ago. Therefore, by all accounts Minister Motsoaledi has been actively involved, but has this Parliament. The resolution presented today should have been on the table years ago. It is uncanny that it comes to this House just prior to the upcoming United Nations High Level Meeting in New York this month. Why is that this resolution has not been tabled before? Is this a frantic effort to save face to show South Africa's commitment to the eradication of the disease? In fact, before the resolution before us has even been passed by this House, the caucus has been established; we are invited to the launch this evening. We've already been introduced to the ambassadors, Minister. What exactly is the game plan here?

TB, without a doubt, is a leading cause of death in South Africa, and will continue to be so. We should have long been championing the efforts to combat the disease and in some instances some South Africans have. Indeed, there have been gains and a 21% decline in the mortality rate of TB sufferers is commendable, Minister. However, South Africa still has the

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sixth highest TB incidences in the world. Most alarming is that in 2015, 450 000 new cases of TB were diagnosed. Almost half a million new cases added to the millions of sufferers already diagnosed. It is an astronomical figure. South Africa is currently recording 270 000 new human immunodeficiency virus, HIV, infections annually too. What a sad state of affairs. All your fancy awards, Minister, are not curbing infection rates in South Africa.

The United Nations Sustainable Development Goals are aimed at accelerating the elimination of the disease by 2030. Is this possible in South Africa? Not likely. Certainly, not with 450 000 new cases being recorded a year. South Africa faces a crisis. Unemployment is at a record high and social grants do not even cover the basic household nutritional requirements. There is no money for nutritional food, clothing and for warmth. Abject poverty levels are at its highest. Hundreds of children are dying each month from malnutrition related diseases and mothers go without food while they give their babies sugar water for sustenance. Housing delivery, particularly the Reconstruction and Development Programme,

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RDPs, have been abysmal and whole families continue to live in one-roomed shacks throughout the country.

Hospitals and clinics are collapsing due to underfunding, lack of maintenance and professional staff and medicinal shortages. Many areas do not even have access to drinking water or water, full stop. The sad plight of the majority of South Africans is a result of the systemic failure of ANC policies over 20 years, the pillaging of state coffers and self-enrichment of the connected few. It has been a case of me first, and my people last. People are jobless, hungry and undernourished and as a result have compromised immune systems. How are they going to fight off infection? Six, seven, eight members of families are sharing one small cramped room at night with no ventilation. One person with TB will infect an entire household overnight.

In many areas mobile clinics do not arrive for weeks on end, at farming or rural communities and badly managed and badly resourced clinics are a nightmare for the poor. Facing the cold and damp, hundreds of people camp out at clinics from early hours in the morning, hoping that today will be the day

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they get assistance. Many that we have visited recently did not have antibiotics, cough syrups and treatment for colds or fever. There were no bacille Calmette-Guerin, BCG, vaccines for babies who are at risk of measles, mumps and rubella increasing their vulnerability and further compromising their immune systems.

Poor service delivery in the health sector often means that patients, who start out on TB medications do not finish their course. When they feel better they stop their meds. Travelling to clinics, facing the queues and sitting for hours in waiting rooms is an effort. The end result is that treatable TB becomes a multidrug resistant TB in a short space of time. This requires specialised treatment ... [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Point of order, Madam Speaker, the Minister of Small Business Development told the hon Wilson to shut up. I would submit to you that that is unparliamentary and she must withdraw that.

The SPEAKER: Hon Minister, did you say shut up?

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

Ms E R WILSON: This requires specialised treatment and hospitalisation at huge costs - this at a time when the Department of Health is in a crisis and unable to deliver its mandate due to financial constraints and mismanagement. Multi-drug-resistant tuberculosis, MDR-TB, incidence doubled between 2007 and 2017. Will your chapter of the Global TB Caucus, for South African chapter Minister, which is launching tonight already, if resolved in this House, be able to address the TB epidemic, or will it, like so many other task teams and panels introduced by the ANC be all talk and no action. Let's see. But, one thing is for sure. Until such time as the ruling party gets to grip with the fact that South Africa has been driven into the ground by poor ANC policies, lack of political will, corruption and state capture and that service delivery of the most basic needs has failed, TB is an epidemic that will not be eradicated in South Africa. [Applause.]

Mr A F MAHLALELA: Hon Speaker, Ministers and Deputy Ministers, well I thought we have the same understanding with what we are



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discussing. We are discussing the challenge that is facing the world of Tuberculosis, TB.

Tuberculosis is the world's leading infectious killer. It is a world problem not just a South African problem. Therefore, the debate will be within that context of understanding that we are confronting with the world challenges. That is why this caucus is not an ANC caucus.

What is being proposed to be established is a global TB caucus which was established globally. It is not an ANC matter. I am not sure whether hon Wilson did understand that.

Unfortunately, she decided to enter the space and became more irrelevant to the topic that we are discussing.

For your own information, hon Wilson, we did discuss this matter at the portfolio committee long before you arrived and we arrived at a conclusion that we need to establish this caucus. There was a consensus on the matter before you came in and unfortunately maybe you were not briefed by the colleagues that you replaced as to the process that we have taken at a portfolio committee level. That is why even early this year;

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the chairperson went to Russia to be part of the world global TB summit that was taking place there, because we had already agreed on principle.

So, what we are doing today is formalising the discussion that has taken place for sometimes. In 2015, the Minister was here addressing the House and then subsequent to that as a portfolio committee we took the matter forward which your members were part of it. Now, you become opportunistic and try to play into the gallery and try to make yourself nice.

What is important is that we should understand that 10,4 million people in the world, according to World Health Organisation fell ill of the disease and 1,7 million died from it, since year 2000 and over 30 million people are said to have died from TB in the world.

Despite a huge decline of the mortality rate in South Africa, TB however, remains leading cause of death, especially among black males. According to Statistics SA of the total 456 612 deaths in South Africa which were registered in 2016, the

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majority of whom were men, which is 252,7%, with a ratio of 112 male's deaths per 100 female deaths.

The World Health Organisation for example estimates that 124 000 people died of TB in South Africa in 2016 about 330 daily. As reflected, it remains the country's leading cause of death, and has been made worse by the HIV/Aids epidemic.

These deaths are not inevitable because TB can be treated and cured. As public representatives, we therefore, should not accept that millions of our people are dying when we can do something about it instead of standing here and grand stand.

So, that's why the Global TB caucus exists. We are trying to a process of establishing it so that we mobilise the entire world to make political leaders take action on the diseases by giving the disease a voice that as public representatives, regardless of our political and ideological orientation should unite against this killer disease.

It is also estimated that about 80% of the population of South Africa is infected with TB bacteria, the vast majority of who

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have latent TB rather than active TB. The highest prevalence of latent TB, estimated at 88% has been found to be among the people in the age group 30-39-year-old living in townships and informal settlements.

One of the critical challenges in our response to TB as a country is the poor infection control measures in most public places. In taxis or in waiting rooms at clinics or at Home Affairs offices, often windows are not opened and all the people present breathe the same air.

In addition, many of our correctional facilities are overcrowded and create ideal conditions for the transmission of TB. In this regard, we need to show much ambition in dealing with these challenges as public representatives collectively, regardless of our political orientation.

The Department of Health has developed a new comprehensive plan which is aligned with the WHO's and TB strategy that focuses on preventing, finding and treating TB. Some of the plan's strategic interventions are facility based TB screening, active case finding amongst select key populations, scale up

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short course of MDR treatment and the strengthening of TB information to improve patient management and health service delivery.

The Global TB caucus in its declaration, made the following observation and I quote;

"That the current rate of progress in combating TB is too low, such that the disease will remain a threat to the social and economic wellbeing of millions of citizens around the world of centuries to come, and that accelerating progress against the disease should be recognised by all government to be in the interest of all".

The declaration further concludes by making the following commitment, which is the commitment that I thought all of us are going or will be making today. We therefore, commit to use all means at our disposal to urge sustained action from our governments, to secure the necessary international and domestic resources to combat TB and to press for the prioritisation of the disease on the political agendas,

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specifically to insist that patients and vulnerable groups are placed at the heart of the response to the disease, supporting the engagement of communities and civil society groups in every aspect of TB prevention and giving patients a stronger voice in the response to the epidemic.

For your information, the Global TB Caucus is a voluntary parliamentary grouping, led by its members for its members and its non-partisan. There is therefore a need for all members who wish to be part of this caucus to be given an opportunity to sign a declaration. There is a declaration when you enter there where you voluntarily say you want to be part of the process to combat this disease. It is not a political matter. It has nothing to do with which political party do you belong. That is what is important. There is also a need to involve provincial legislatures as you know that health is a concurrent function and therefore most of the work are done at the provincial level and also involve some metros because some of the metros are providing health care services.

There is therefore a need to make sure that we worker together as a collective, those who have an interest of our people at

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heart and those who doesn't want to use this platform of dealing with the challenges that are confronting our people as a political football and a political tool for their own narrow political interest.

In conclusion, achieving the TB targets and milestones of the Sustainable Development Goals and the National Development Plan, NDP, vision 2030 vision, requires provision of TB care and prevention within the broader context of Universal Health Coverage, UHC and multi-sectoral action to address the social and economic determinants and consequences of TB. As members of the ANC, we highly welcome and support these initiatives and commit ourselves to work with all political parties and civil society to ensure that the TB epidemic as a public health threat is eradicated. Thank you very much.

THE CHIEF WHIP OF THE MAJORITY PARTY: House Chairperson, we wish to amend paragraph four appearing on the motion as follows: resolves with the concurrence of the National Council of Provinces to establish the South African Chapter of the Global TB Caucus, coordinated by a body which will be

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constituted in consultation with the whips of each party and provincial legislatures. Thank you very much, House Chair.

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

Question agreed to.

Motion, as amended, accordingly agreed to.

**NATIONAL ENVIRONMENTAL MANAGEMENT LAWS AMENDMENT BILL**

(Consideration of Report of Portfolio Committee on  
Environmental Affairs thereon)

**NATIONAL ENVIRONMENTAL MANAGEMENT LAWS AMENDMENT BILL**

(Second Reading debate)

The Chief Whip of The Majority Party moved that: The Report of the Portfolio Committee on Environmental Affairs on National Environmental Laws Amendment Bill as well the National



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Environmental Management Laws Amendment Bill, B 14B - 2017, be referred back to the committee for further consideration and report to the House.

The HOUSE CHAIRPERSON (Mr C T Frolick): I now put the motion. Are there any objections? [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, yes, there is an objection. I would like to know in terms of what Rule this referral back is being done. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, I am informed that it is done in terms of Rule 123, sub rule 1, paragraph d, read in conjunction with paragraphs f and g.

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, if that is the case, the motion requires the unanimous concurrence of the House to pass. The DA is not in concurrence, so the motion must fall away.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Chief Whip, was there consultation in this regard? Because one would expect

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that there would have been discussion and concurrence before motions like these are brought to the House.

The CHIEF WHIP OF THE MAJORITY PARTY: Chair, we are aware that a matter of this nature would oblige us to consult with the various parties. We have done so. [Interjections.] We have, yes. I have personally, together with the Deputy Chief Whip, spoken to all the Whips.

But, let's just put the reasons, Chair. Maybe that is what we need to put on the platform here.

As we were readying ourselves to debate these matters, we received, through the Office of the Speaker, a letter from the Minister that said that the amendments that were effected by the portfolio committee still had to be consulted on with other Ministers. That is the essence of the reason we are requesting that this matter goes back. It is so that this necessary consultation is then undertaken by Minister Edna Molewa.

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We are not doing this because we would like to delay the passing of this legislation. We work with members of the executive on any legislation that is before the House. By the way, also consider that this legislation is not legislation that was constructed by the committee; it is legislation from the executive itself. Therefore we are again requesting and pleading with all parties that, at an opportune moment soonest, we will bring this matter so that it is finalised.

Yes, we take the point, because, indeed, hon Steenhuisen was correct that this matter was concluded by our committee around June. We agree.

We also agree that whatever consultation the executive members indeed needed to do on this matter, should have been done. We fully agree. But we can't, when we receive a request, as late as it is in the day, ignore it and pretend that we did not receive a request from a member of the executive from whom this legislation emanates. [Interjections.] That's what we are requesting, House Chair, and that is the motivation.

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At any rate, the Minister is not even here. She is doing some other important work for this country in China. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, Chief Whip. Hon Steenhuisen?

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, I would like to address you in terms of Rule 290 of the NA Rules, which says very clearly that all Bills placed on the Order Paper for Second Reading must be debated, unless the Programming Committee, notwithstanding Rule 210, by consensus, decides otherwise.

This matter was programmed. What makes me frustrated around this matter - and the Chief Whip would know this because I have shared this with him, and we have concurred on the withdrawal of another item, item 7 - is that this committee report had been completed on 22 June. The Minister has had nearly three months to conduct herself on the matter.

What is very clear is that ... what has happened here is that the Minister has not kept track of her own legislation. It has

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come in through the Programming Committee and was put onto the Order Paper for Second Reading. The fact that the Minister is not here but in China should be neither here nor there.

Frankly, it appears, as well ... [Interjections.]

Working is something you wouldn't know anything about!

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

The CHIEF WHIP OF THE OPPOSITION: The truth of the matter is that, even as of this morning, the chairperson of the portfolio committee and the Deputy Minister had not been consulted around this withdrawal.

And therefore, I really ... I'm getting very tired of the executive continually treating this House as if it were an afterthought. [Applause.] We see it in Questions and we see it in this type of behaviour. The Minister knew it was on the Order Paper for Second Reading. If she wanted to stop it, the ANC or any person could have moved an amendment in terms of

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the Rules, which then would have led to a referral back by the Speaker.

In this instance, we are standing firm on principle. It's been programmed, it's on the Order Paper, and we're not going to support a motion to withdraw it from the Order Paper. It must be debated, or it must be withdrawn by the Minister.

Again, there would be implications there, but this short-circuiting to accommodate Ministers who don't do their jobs properly needs to come to an end in this House.

Mr N SINGH: Chairperson, we will support the request because we believe that it is ... we are not going to be able to debate this piece of legislation that is on the Order Paper. The Minister is not here. But it's not for that reason. It is rather unfortunate that this notice of us not debating or considering this Bill was only given to us this morning. As hon Steenhuisen and the hon Chief Whip of the ANC has said, the matter was tabled by the committee for debate in June.

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This legislation is extremely important because it brings together all pieces of environmental legislation under one law, allowing us to move away from a silo mentality.

I think what would be fair for us to ask, going forward – and the Chief Whips' Forum needs to do this – is what timeframe the Minister is putting to ensure that proper consultation takes place with all other departments so that we as Parliament can deal with this piece of legislation as expeditiously as possible. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, I've allowed the members of the Chief Whips' Forum to speak to this matter. It's quite clear that they are still at variance as different views are emanating.

What we will do is to move on to the next item on the Order Paper, and I would like the Chief Whip of the ANC as well as the other Whips to consult on the matter and then report back to us after we deal with the Third Order and Fourth Order. If you can do so, Chief Whips, I will appreciate it, as I want to move on.

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I will thus let that matter stand over for a while to allow us to move on to the Third Order.

**CHOICE ON TERMINATION OF PREGNANCY AMENDMENT BILL**

(Consideration of Report and Bill)

Ms M L DUNJWA: Hon House Chair, members of the executive, Deputies, members of the august House and our visitors, I am standing here to introduce the report which came before the committee; Choice on Termination of Pregnancy Amendment Bill 34, 2017, which was section 76 Bill which was a private members' Bill.

On 27 March hon Dudley did come before the committee to brief it. There were some interactions as the issues were raised by members. On 07 May the department also came before the committee to take the committee through on issues around the choice on the termination of pregnancy Bill. The committee had deliberations and there were issues that were raised which are tabled in the Bill. The entire committee with no exceptions looking into a number of issues; the guidelines in South



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Africa, the world health organisations and all the matters that were raised and considering all those matters in that, it felt that all parties that are part of the committee we all agreed that the Bill we are tabling here is not desirable. It is in that view that we then put it before this House.

Hon House Chair, it is however a Bill that is not coming for the first time in this Parliament of the Republic of South Africa. At the time that it was raised we all know that it is a sensitive and emotional Bill that is taking a consideration of a number of things. Nevertheless, in the centre as the African National Congress, the Department of Health and ourselves we know for a fact that there are a number of women that have perished in the backyard abortionists. Parliament at a particular time felt it fit that it is important that women must have a choice and processes were put in place in some of our institutions. Therefore, we think that it is important that we continue with that process of ensuring that every woman is enabled to make a choice in terms of the reproductive system. Thank you, hon Chair.

There was no debate.

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

That the Report be adopted.

*Declarations of Vote:*

Ms C DUDLEY: Hon Chair and hon Minister, the ACDP is grateful for the opportunity that we have today to speak to this Bill which was briefly considered in the Portfolio Committee on Health but given significant airtime by radio stations that facilitated the discussion and allowed the public a voice. Being able to openly discuss these painful issues helps us South Africans feel that we are part of nation building and not marginalised or ignored when our beliefs do not support the popular narrative.

As you are aware, the ACDP believes in the sanctity of human life and looks forward to a time when the life of an unborn child would be given the reasonable protection that it deserves. This legislative proposal however does not seek to challenge the Constitution but to improve the existing provisions in legislation that are inline with the

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Constitution. The amendment aims to ensure greater protection of a woman's rights to apply her mind to relevant facts and information in order to make an informed choice and to ensure through mandatory not as opposed to non-mandatory counselling that adequate budgets are made available for this purpose.

Secondly, it also aimed at address discrimination against babies conceived by women in low income families. The original amendment proposed removing social and economic ...

[Inaudible.] as a ground for termination of the 13 weeks but later just added a requirement that a social worker and a medical practitioner take the necessary decision together as a social worker is better placed to know whether alternative solutions are available for consideration.

Finally, as the intention of the legislators in 1996 to increase restrictions on termination of pregnancy inline with the development of the baby in the womb is clear. Reference to a risk of injury to the foetus as a valid reason to terminate an otherwise viable baby after 20 weeks of gestation is not only vague but an excessive response. Every birth could be said to pose a risk of injury to the foetus and provision

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already exists in the termination of a foetus after the 20 week if the continued pregnancy would result in severe malformation of that foetus.

As you have heard one of the main concerns expressed in opposing the Bill is the cost of the ultrasound machines. Then, the ACDP is of the opinion that the fact that not all clinics including abortion providing clinics have access to this basic technology not fourth revolutionary technology, basic technology, is first of all discriminatory. We realise that for some the concern is that if a woman sees the developing child within her she will feel pressure not to go ahead with the termination. In terms of the research done this does not often happen. It doesn't often result in a change regarding the decision already taken to abort. However, a percentage of women do change their minds and are grateful that they did.

Many abortions in South Africa are repeat abortions and the potential for educating women at this time regarding safer sex and future pregnancies is significant. Now, pretending that the foetus is not alive is misleading and unscientific as

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well. In a society where people value freedom to choose they also value transparency and access to information so that those choices are informed choices ... [Interjections.]

So, I quickly want to thank the legal services for the valuable work done in assisting me with the drafting of this Bill and also those members of the committee who actually did want us to apply our minds further. Thank you very much for this opportunity today. Thank you.

Ms E R WILSON: Chairperson, the Bill of Rights in the Constitution of South Africa, which is the cornerstone of our democracy, is clear about the freedom of choice. It states that all South Africans has the right to dignity and equality, it states that everyone has the right to bodily and psychologically integrity which includes the rights to make decisions concerning reproduction, security in and control of their own bodies and not be subjected to medical or scientific experiments without their informed consent.

Furthermore, everyone has the right to the freedom of conscience, religion, thought, belief and opinion as well as

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privacy. As legislatures ours is not the right to judge or to dictate to any person on a decision to terminate neither her pregnancy nor it is our business to know why such a decision has been taken. There are a myriad of reasons that can dictate decisions around abortion keeping in mind that we are the rape capital of the of the world. Our rights to privacy are protected. No doctor has the right to decide for a patient either except to give professional advice.

In South Africa a woman of any age can get an abortion on request without reasons if her pregnancy is less than 13 weeks into the term. Between 13 and 20 weeks she may only get an abortion if her own physical or mental health is at stake, if the baby will be delivered with severe abnormalities and if the baby was conceived by incest or rape or if she can convince that her economic or social situation warrants the termination of her pregnancy. After 20 weeks abortion can only be considered if the baby's life is at risk or there is a likelihood of severe abnormality.

As legislators it is our responsibility to ensure that regardless of the decisions made by any woman in South Africa

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that they have access to appropriate information, that their safety and wellbeing is being protected and that regardless of the decision made, care and counselling is available when requested, regardless of the legality and regardless of the reasons why, a woman wanting to terminate her pregnancy is more likely to do so legally or illegally. What is important is the safety and wellbeing of the woman who have abortions including those who choose to go to illegal and unscrupulous abortionists with no training, medical qualifications or sanitary facilities.

Thousands of women still choose illegal clinics to terminate pregnancies. In many instances this is as a result of lack of knowledge and this must be our priority. Social stigma and concerns about confidentiality and costs are driving factors in unsafe abortions. Abortions in dark hidden recesses are often preferable to facing public scrutiny, working through red tape and feeling exposed. Our failed health system does not assist in this regard. We are overwhelmed with complaints about ill-treatment of patients at clinics and at hospitals. Nurses chastise women about being sexually active even when sex was forced upon them.

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They are told that they are irresponsible and slated for making decisions to terminate. They are often turned away even when they have travelled some distance to get to a clinic because of staff shortages, no resources or daily quotas. This drives women to illegal abortionists often with horrific results. Thousands of lives are lost yearly due to botched illegal procedures. Abortions are carried out without pain killers, with concocted chemicals and unsterilised utensils. Infections are rife and reproductive organs are often badly damaged.

We support all efforts to the education of women, access to professional care and health professionals. We continue to fight for the upliftment of a health system which is severely hampered by shortage of staff and resources. Education for our women is a key and must be prioritised along with the budget to support it. The DA will support amendments to Bill provided that they improve lives but the implementation of these amendments proposed require R47 billion that the health budget does not have. The DA recognises that this Bill is sensitive and even we as legislators today have a right to freedom of



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conscience, religion, thought, belief, opinion and privacy too. I thank you, Chair. [Applause.]

Ms S J NKOMO: Chairperson and hon members the IFP is definitely concerned with the type of areas which may not be taken care of if things are to go okay with this termination or this choice of the termination of pregnancy. Firstly, it is quite important for us to be aware that women have a right to a choice as to what actually happens to their reproductive life. We are also aware of some of the issues which have been happening to some of the women, where they have been killed by some of the illegal abortions due to massive bleeding. Some of them have had massive sepsis and others have actually died from these types of procedures which are done illegally, and all of that is unacceptable.

We really feel as the IFP that the education has to be given to both males and females on issues of pregnancy. It need not only be women who are educated because at any rate, everybody knows it's actually a two way process which makes that woman pregnant. Therefore, it's important for us to also bring in the males and educate them on matters.

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Secondly, we do take note that, part of the issues which are also being addressed are the 12 weeks where women can make a choice of their own to go forth and have a termination performed. After that, we do find that most women need to go through medical doctors in order for them to terminate.

It is important for us to recognise that our women in many areas especially in the rural areas are very far from medical clinics. Therefore, it is quite important to have extension officers go to those areas to inform them as much as possible about the processes that are going to be done as well the decisions they need to take.

As the IFP, we support this choice of termination although we would like to request that a lot of continued education be put forth so that women are given an informed choice, not just a choice where they go for something which can even kill them, but a choice which will be informed with the latest type of information so that when they take the decision to terminate or to continue with the pregnancy, they are well informed.

Thank you very much.

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Mr A M SHAIK EMMAM: Hon House Chair, as the NFP we know the concern raised by colleague from the ACDP. It is a fact that no matter how much we deny that abortion or murder of an innocent child should not be encouraged unless the circumstances demands it.

Hon Chairperson, one may argue that a mother has the right to decide to terminate the pregnancy for various reasons. Some argue that the mother is put under pressure even when consultation takes place. Others argue that it is her right, and sole right to decide. However, we must not exclude the psychological and emotional effect it can have on the person as well as the other parties which maybe interrelated in respect to the child that will be born. The mother might decide to change her mind and seek guidance on other options.

Hon Chairperson, the questions is: Why should all these processes not be put in place in order to assist the mother to make a well informed decision? The mother needs to take all aspects into consideration before making a decision that cannot be undone. If the mother gets to a point of regret, this can have an everlasting psychological effect on her. This

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matter needs extensive deliberation, debates and a lot of inputs from civil society, social development, health organisations, religious leaders and the community.

Another issue is that the woman has the sole decision whereby the father has no right to decide. As the NFP we are unable to accept or reject this amendment due to the views of a limited source. We are of the opinion that this matter should be engaged with extensively so we can look at both sides of the coin before making an informed decision. I thank you.

Ms C N MAJEKE: Hon Chairperson, hon members, termination of pregnancy otherwise known as abortion is a common medical practice globally. In South Africa it was legalised in 1996 as part of our transition to democracy. The UDM supports the committee's report in particular the recommendation on greater education and awareness campaigns that must be community based and driven.

Many societies understand abortion as a moral transgression even if it is beneficial to the public health which is sanctioned legally. South Africa abortion culture reveals this

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paradox. The Choice on Termination of Pregnancy Act has reduced mortality and morbidity resulting from unsafe and illegal abortions which remains a practice in particular amongst the poorest of the poor

Women continue to terminate unwanted pregnancies as they always have, away from the glare of public view in the shadows of the reproductive space. Evidence suggests that, women who are black and African, of lower socioeconomic status are disproportionately vulnerable to morbidity and mortality from these unsafe and illegal abortions.

Many South Africans whether they differ across sociodemographic groups with implications of inequalities in service accessibility and health are unaware of the key provisions of the Act. It is therefore imperative that this House commits to leading the rollout of a deliberate programme that will increase public awareness of the Act and relevant regulations. This programme must be accompanied by actions that will improve community access to abortion services as well as reducing the stigma that remains associated with abortion. I thank you.

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Mr T RAWULA: Hon Chair, the amendment Bill presented to us by the member of the ACDP here today presents us with a very important challenge for our constitutional democracy, relating to the vertical applications of fundamental rights guaranteed in the Constitution. These fundamental rights provided for in the Constitution are the cornerstone of our democracy.

They guarantee rights of the individual against the restrictive nature of religious fundamentalists, as well as religiously driven notions of legislation. So, here today we are faced with two choices, either allowing a tiny group of religious fundamentalists who have a particular view on the subject of termination of pregnancy, or protecting the fundamental rights of women to decide, without undue influence and guilt tripping by the state.

So, what does the Amendment Bill want us to do? The hon member from the ACDP wants us to legislate for access to ultrasound services and counselling, so as to allow pregnant women to make an informed choice regarding the termination of their pregnancy. This is done under the pretext that these provisions will protect, and are beneficial to women.

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But if you go deeper, they also want women to undergo mandatory counselling before they undergo termination of pregnancy, and that this must be after a mandatory ultrasound had been done. In this way, if this Bill were to pass, women who need a medical procedure would have to undergo a series of restrictive and morally manipulative processes, just to make a choice about whether or not to terminate.

This also presumes that women who decide to terminate their pregnancies do so ill-informed. This kind of thinking is very condescending towards women. It presumes that women recklessly decide to terminate their pregnancies without thinking. But at the core of it, the ACDP wants us to sign into law of their own twisted notions of Christian fundamentalism.

This House must refuse to do this. We must refuse the risk of eroding fundamental rights of people based on religious beliefs. There are many challenges facing women in this country. They are the most vulnerable to abuse and sexual violence at the hands of men. Women are the most violated in their own marriages, and by abusive partners who molest them.

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Women know the struggles they are facing. We ought not therefore try and limit the rights they have to decide about their own bodies. The right to determine whether or not to terminate a pregnancy must not be subject to manipulation by religious zealots in a secular society such as ours. Thank you.

Mr A F MAHLALELA: Hon House Chair, the Choice on Termination of Pregnancy Act, when it was enacted in 1996, it was intended as law of general application to realise the constitutional rights of women, as opposed to the view held by hon Dudley and I quote that, "the intention of the legislation in 1996 was to increase restrictions on termination of pregnancy." This is correctly incorrect.

The main reason was for women to have access to abortion so that we are able to deal with lot of street abortion that was currently taking place prior 1996, where a large number of women didn't have access to it and as a result, were dying because of that. It was not to increase restriction, but to improve access as required by the Constitution.



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The Choice on Termination of Pregnancy Act in its preamble refers to the constitutional rights of women, and I quote: "Recognising that the Constitution protects the rights of persons to make decisions concerning reproduction and to security in and control over their bodies."

This recognition of constitutional rights of an individual to make choices around her body, specifically her reproductive autonomy, as well as the right to safe, effective and affordable healthcare, to enable an individual to practice her reproductive autonomy. In acknowledging this right, the preamble correctly states that the state has the responsibility to provide reproductive health to all and also to provide safe conditions under which the right of choice can be exercised without fear, harm or interference.

It is our view, therefore House Chair that, the proposed amendments by hon Dudley are aimed at reinforcing and creating new barriers for reproductive autonomy and reproductive health care. The proposed amendment in section 1, for example, on the definition of gestation period by introducing the mandatory use ultrasound insinuates a lack of trustworthiness on the

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part of woman in identifying when her last menstrual cycle took place.

This view creates an idea that women who go for termination of pregnancy are inherently liars and therefore, their word needs to be first tested and confirmed through the usage of ultrasound. The ultrasound machinery, once became mandatory, will place extra burden on an already financial burden healthcare system.

The insertion of section 3(1) which gives access to ultrasound equipment and ultrasound examination as part of mandatory counselling, shall include relevant information relating to the state of development of the foetus, including the provision of electronic images which is designed to play at the emotions of the pregnant woman and also make her feel guilty about her decision of seeking termination.

Hon Dudley wants to force us as this House to accept the description which has not scientific description, which is, that foetus is baby. Scientifically and internationally, a foetus it's not a baby. But she wants us to believe and accept

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that a foetus it's a baby. She wants to coerce all of us and women as a whole on her political and ideological orientation as opposed to women taking informed choices upon which this Act of 1996 was founded.

The amendment of section 4, which calls for mandatory counselling also violates the rights of the individual to autonomy. It is our view, House Chair that, counselling should not persuade the woman from going through termination, and should in no way take the form of narrow-moralistic or religious philosophies.

This suggested amendment for mandatory counselling will also further place a burden on the state to provide such counselling and therefore create additional expenses on the already financial challenged health care system. In order for us to implement this, will require an additional amount of R47 billion, which are finances that we don't have.

Provision for counselling to women should be voluntary, confidential and nondirective, because in any way, many women have made a decision to have an abortion before seeking care,

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and such decisions should be respected by all of us, without subjecting them into mandatory counselling. Let me conclude by referring to what the World Health Organisation, WHO, guidelines of 2012 on safe abortion says, and I quote:

Requiring third-party authorisation from one or more medical professionals or a hospital committee, court, police, parent or guardian, or a woman's partner or a spouse, it's a health system and a service delivery barrier that affect women and girls' access to safe abortion.

It is therefore in this context, hon House Chair that, we are of the view that this Bill is not desirable because it is going to take us back to prior 1996 where we will have lots of street abortions where many women are going to die, because they will not have access to abortion as a result of the introduction of these new measures that this Bill is proposing. Thank you very much.

Motion agreed to (African Christian Democratic Party dissenting).

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Report accordingly adopted.

**CHOICE ON TERMINATION OF PREGNANCY AMENDMENT BILL**

(Second Reading)

There was no debate.

Bill not read a second time.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, I now want to return to order one and two. Hon members will recall that I requested the hon Chief Whips to consult on the matter that was under dispute and I now want to recognise the hon the Chief Whip of the Majority Party.

**POSTPONEMENT OF FIRST AND SECOND ORDERS**

The CHIEF WHIP OF THE MAJORITY PARTY: Thank you hon House Chair for giving us an opportunity to consult on this matter and find one another. We therefore move after our consultation, we move in terms of Rule 123 1(c) House Chair

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that the report of the Portfolio Committee on Environmental Affairs on National Environmental Management Laws Amendment Bill B9 2017, as well as the National Environmental Management Laws Amendment Bill B 14B 2017, be postponed to the sitting of 11 September 2018.

House Chair, of course pursuant to this agreement we request that your good office also persuade the Office of the Speaker to write the necessary letter to the concerned Minister. Thank you very much, House Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Chief Whip. Are there any objections? No objections. Agreed to, and I undertake to take up the matter with the Speaker in order to give effect to this motion.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON POLICE ON  
INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE AMENDMENT BILL**

There was no debate.

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The Chief Whip of the Majority Party moved: That the Report be adopted.

Motion agreed to.

Report accordingly adopted.

**INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE**

**AMENDMENT BILL**

(Second Reading debate)

Mr F BEUKMAN: Hon House Chairperson, hon members and fellow South Africans, thank you for the opportunity to speak in support of the Bill this afternoon. The Portfolio Committee on Police having initiated the Independent Police Investigative Directorate Amendment Bill, recommends that this House approves this Bill.

In terms of section 206 of the Constitution of the Republic of South Africa, provision is made for the Independent Police Complaints body established by the national legislation that

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must investigate any alleged misconduct, or offence committed by a member of the Police Service. The legislation that governs the mandate of the Independent Complaints body is the Independent Police Investigative Directorate Act 1 of 2011.

The Independent Police Investigative Directorate Amendment Act Bill was tabled as a committee Bill in the National Assembly on 1 March 2018. In terms of the National Assembly Rule 274(3) the draft Independent Police Investigative Directorate Amendment Bill 218 was published for public comments in the *Government Gazette* 41667 on 1 June 2018. The purpose of this Bill is to give effect to the Constitutional Court judgment: *McBride v Minister of Police and Another* with respect to the process for the removal of the executive director of Independent Police Investigative Directorate, Ipid.

The Constitutional Court directed Parliament to rectify the defects in the Independent Police Investigative Directorate Act within two years from the date of the judgment. The timeline for Parliament to remedy the Independent Police Investigative Directorate Act expires on 5 September 2018.



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The Constitutional Court declared the following sections inconsistent with the Constitution and invalid to the extent that they authorise the Minister of Police to suspend, and take any disciplinary steps pursuant to a suspension or remove from office the executive director of the Independent Police Investigative Directorate.

Section 63(a) and 66 of the Independent Police Investigative Directorate Act 1 of 2011, section 16(a)(b) and sections 71 and 72 of the Public Service Act and regulation 13 of the Ipid regulations.

In November 2017, 14 months after the Constitutional Court judgment, the Portfolio Committee on Police wrote to the Secretary of Police and the executive director of Ipid to ascertain the progress about the tabling of a legislative proposal to Parliament. The executive director of Ipid indicated in a letter that they handed the processing of a Bill to the Civilian Secretariat for Police Service for finalisation. The Portfolio Committee on Police received a letter from the Secretary of Police on 7 December 2017,

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indicating the process to remedy the defects in the Independent Police Investigative Directorate Act.

In the letter, the secretary outlined the process which needed to be undertaken. It included consultations with the following stakeholders before the Bill would be approved by Cabinet. Firstly, presentation to the development committee, secondly, engagement with the State Law Advisors, thirdly, presentation to the Justice Crime Prevention and Security Cluster, and presentation to the Justice Crime Prevention and Security, JCPS, Cabinet committee and then consideration of the Justice Crime Prevention and Security, Cabinet committee recommendations by Cabinet. The Secretariat indicated they would not be able to table the draft Bill in January 2018 for processing by Parliament.

House Chairperson, the Portfolio Committee on Police subsequently given the time available to process the Bill, decided on a committee Bill processed to make sure that the defects in the Bill were cured as per the Constitutional Court judgment: *McBride v the Minister of Police and Another of*

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2016. The committee report to initiate this process was adopted by the portfolio committee on 21 February 2018.

The committee resolved to amend the Independent Police Investigative Directorate Act to strengthen it. The committee accordingly submitted the legislative proposals to the National Assembly, in terms of the National Assembly Rules, seeking permission to proceed with the preparation of the draft Bill. The committee received permission from the National Assembly on 24 April 2018 to process the Bill.

The committee advertised for public comments and submissions on the Bill in the *Government Gazette* on 1 June 2018. The committee then received 10 written submissions from the following organisations and held public hearings on the Bill on 28 to 29 June 2018 and 3 and 4 July 2018. The following organisations and individuals made submissions: The African Policing Civilian Oversight Forum, the African Criminal Justice Reform Forum, Mary de Haas Independent Violence Monitor, the Independent Police Investigative Directorate, and the Civilian Secretariat for Police Service, the Western Cape Provincial Government Department of Community Safety, the SA

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Catholics Bishops Conference, the Council for the Advancement of the SA Constitution, Casac, the Centre for Applied Legal Studies, and the Helen Suzman Foundation.

The Independent Police Investigative Directorate and the Civilian Secretariat for Police made a joint presentation. There was also additional submission from the Ipid. Both the departments attended all the hearings. During the discussions on the Bill in the committee, two general themes came to the fore: One was to effect the changes as directed by the Constitutional Court and the other was to engage on a much wider review of the Independent Police Investigative Directorate Act.

It is important to note that the Bill that was published for public comment was focussed on the specific sections raised by the Constitutional Court. The majority view that prevailed in the committee was for purposes of the current legislative cycle to focus only on the sections raised by the Constitutional Court judgment.

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A committee Bill was developed and introduced on 30 July 2018. Due to the recess period and scheduling the debate is only taking place today. The Portfolio Committee on Police adopted the Bill on 4 July 2018, nearly two months before the deadline. It is a common course that an application will have to be made to the Constitutional Court for the extension of 5 September 2018 deadline to ensure that the NCOP can also process the Bill.

House Chairperson, the contents of the Bills is as follows: Clause 1 amends section 6 of the Act by the appeal subsection 6 which deals with the removal of the executive director, there is new clause 2 and this section sets out the process to be followed to remove the executive director. This process is subject to parliamentary scrutiny and clause 2 expressly states that laws and codes governing the public service do not apply to the removal of the executive director. Clause 3 is the short title of the Amendment Bill.

The committee wishes to express its gratitude to the individuals, organisations and stakeholders who participated in the process and contributed to the developing of the Bill.

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We want to thank the Legal Advisor of Parliament, Mr Michael Prins for his kind assistance during the process. We also want to thank the content advisor, researcher and committee secretary for their contribution during the process. I thank you. [Applause.]

Mr Z N MBHELE: House Chairperson, the Independent Police Investigative Directorate, IPID, Amendment Bill seeks to strengthen and reinforce the independence of the Independent Police Investigative Directorate and is thus an opportune moment for this House to reflect on why independent state institutions are crucial the underpinnings and effective working of our democracy.

At a structural level, an effective democracy - that is an accountable and responsive democracy - does not fundamentally depend on the good intentions of the governing party or on the bona fides and goodwill of the executive; effective democracy fundamentally depends on strong checks and balances on power.

To borrow a well-known phrase, if power corrupts and absolute power corrupts absolutely, we cannot thus rely on the power

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holders to protect themselves from the corrosive effects of power or the rest of us from the destructive effects of power abuse. That protection has to come from external players who become an immune system to counter such corrosion and destruction.

That is why an effective democracy requires countervailing sites of power to challenge state power when that state power is exercised irrationally. We know this because our very own country narrowly avoided succumbing to the implosive effects of the "Zupta" virus that infected much of our polity, thanks to the immune system response provided by independent state and non-state institutions to check and counterbalance rapacious and venal state capture, albeit just barely and by the skin of our teeth.

It was an independent Public Protector's office that drew the line in the sand against the misuse of public funds for undue personal benefit with the "State of Capture" report. It was the independent judiciary that upheld and clarified the powers of the Public Protector and drew the line in the sand against self-serving abuse of public office and public institutions.

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It was thus no surprise, as we are hearing day after day from the Zondo Commission of Inquiry, that part of the state capture agenda involved the infiltration, undermining, hobbling and ultimately politicisation of state institutions like the Hawks, NPA, SARS and SAPS, who should operate with independence, impartiality and intrepidity, in line with rationality and the rule of law.

Having witnessed, lived and suffered through the effects of state capture and its neutering effect on what should be independent state institutions, it should be top of the agenda going forward, to implement a raft of reforms that strengthen and reinforce the independence of the spectrum of state institutions and the DA has previously made several proposals; for the firewalling of our institutions in this regard.

The extent of political will on the part of the ANC to initiate such reforms is questionable and one wonders if this amendment Bill would ever have happened had it not been for the Constitutional Court ruling compelling it.



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Nonetheless the Bill is here and we welcome it as it is in line with the DA's policy stance in support of strongly independent investigative state institutions to ensure accountability for criminality and misconduct within the police service.

While we fully support the amendment provision for parliamentary scrutiny and oversight in relation to the suspension, discipline or removal of the Director of the IPID, thus limiting and conditioning the Minister of Police's power to remove him/her from office, we remain concerned that the Bill is silent about a clearly stipulated parliamentary process that should be followed prior to the initiation of removal proceedings, thus rendering the role of the National Assembly vulnerable to abuse.

Our proposed amendment to the Bill, regrettably, did not succeed when voted upon in the committee but we hope to table such an amendment during the NCOP stage of Bill processing and tighten up the one remaining lacuna. Thank you.

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Mr S P MHLONGO: After a long titanic battle between the evil and the good, finally the good has won the race. We, as EFF, welcome the amendment of the IPID Directorate Bill with an aim of further consolidating its independence in a fight against crime, corruption and abuse of power.

For far too long, the ruling party has wrecked the police service, destroyed its capacity, failed our men and women in blue, and made a mockery of such an important public service. With the police in such a shocking state, IPID is the only organ of state standing without being compromised by what we have heard in the Zondo Commission of a senior officer of the Hawks defeating the ends of justice and yet facing a suspension instead of being sent behind bars.

The failures of the ruling party has rendered IPID useless, irrelevant and inefficient because every time the Director of this organ does his job, the ruling party would unleash its corrupt Ministers with an aim of removing the very same well performing head of the institution. That is why we have very few cases of successful prosecution of police brutality; hence

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we continue to see shocking incidents like what we have heard in the Zondo Commission.

It has been six years since the ruling party government killed our people in Marikana, and not even a single person has been arrested and held to account, instead widows and children of mine workers continue to suffer in unimaginable poverty and suffering.

We have police arrested for their involvement in cash-in-transit heist, and these police together with their friends in the ruling party go around using state resources parading themselves as law enforcement officers only to kill our people like for example the one who was arrested from Luthuli House - a senior party official.

In all these acts, the IPID is left alone to investigate and do their job without support yet facing an uphill battle. Because the government appoint incompetent and corrupt police commissioners, who need the ruling party to protect them and politicise the appointment of Directors of IPID, we find ourselves in this particular mess.

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Hopefully, with the amendment to the IPID Bill, Parliament can now play a much more meaningful role in deciding the fate of the IPID Director; all these shenanigans will come to an end. We are not going to let the ruling party abuse its majority now, as we are hot on your heels ensuring that the oversight work is done to the latter end.

We will certainly make sure that our men and women abide by their oath of office and not continue to kill our people without consequences. We need a police service that protects our people and upholds the rule of law unlike getting the very same top officer who will say "no, kill this case, it is a DA matter" when it is a plain corruption matter threatening the sovereignty of our country.

As the EFF we support this amendment and we say the evil has been defeated and we shall continue standing by the good.

Mr E M BUTHELEZI: Deputy Speaker, following the judgment and orders of the Constitutional Court in the matter between *McBride v Minister of Police and Another* the Constitutional Court declared sections of the Independent Police

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Investigative Directorate Act, IPID Act inconsistent with the Constitution and invalid to the extent that they authorised the Minister of Police to suspend, take any disciplinary steps pursuant to suspension, or remove from office the executive director of the Independent Police Investigative Directorate, IPID. As the IFP we support the amendments to the IPID Act following the Constitutional Court judgement and order to rectify the legislation. These amendments are indeed a step in the right direction for curtailing any forms of political interference in the work of the IPID. We have seen in the recent past the intensified efforts by captured individuals to manoeuvre their way in meddling with the core business of the directorate. The IPID is tasked with ensuring independent oversight over the SA Police Service, SAPS and investigating allegations of misconduct against them. It can never be that this independent body becomes marred in political battles and that officers of the law are shielded because they are closely aligned to the Police Minister. This body must at all times maintain the highest standards of integrity and excellence. It is important therefore that we restore this institution to one of greater independence. The relationship between IPID and the SAPS cannot be fraught.

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IPID must be empowered and properly resourced to oversee the conduct of the police. The SAPS officers must know that they are not above the law. In order for us all to regain confidence in the ability of SAPS to keep us safe, we need to focus on the work of the IPID in order to address the issues within SAPS. Crime affects millions of South Africans daily and we cannot grow our economy to desirable levels because of it and therefore we cannot afford to fund programmes which will uplift the millions of South Africans living in abject poverty. For this reason the IFP welcomes the amendments to the Act and we hope IPID and in effect SAPS can get their house in order. Thank you very much.

Mr A M SHAIK EMAM: Hon Deputy Speaker, the NFP welcomes the report on the IPID Amendment Bill tabled here today. The amendment tabled here today provides for Parliament's oversight in the event of suspension, discipline or removal of the executive director. The amendment tabled here is a direct result of the Constitutional Court matter *McBride v Minister of Police* and of course that came at a very high cost to the taxpayers.

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As a result of defects in legislation, the Constitutional Court directed Parliament to correct such defects within 24 months from the date of the order which was handed down on 6 September 2016, which leaves us with only two days to comply with this directive, of course I think we would then need an extension in order to comply with it. The amendment of section 6 of the Act and the insertion of section 6A into the Act clearly sets out the process to be followed to remove the executive director which provides for the process to be scrutinised by Parliament with no financial implication. We note that the procedures that have been followed by the portfolio committee and held, and that all processes have been followed, all public participation took place and it is satisfied. The NFP supports the amendment Bill tabled here today.

Mr N L S KWANKWA: Hon Deputy Speaker and hon members, while the IPID is not a Chapter 9 institution like the Office of the Public Protector which is given special recognition and a fairly robust guarantee of independence by the Constitution, it does receive some constitutional recognition of its independence, albeit in less emphatic terms. Section 206 of

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the Constitution provides for an independent police complaints body to be established by national legislation and that national legislation is the Independent Police Investigative Directorate Act of 2011 and it gives birth to the important instrument of our constitutional democracy.

Through this legislation, the IPID has a clear role to play in combating corruption in the criminal justice system, and members of the public should report corruption in the police or the abuse during investigations. The UDM welcomes these amendments as in any event; keeping these sections as they were, and given the role of the IPID as a police watchdog, it may have sustained a conflict of interest or even created a constraint on the independence of the IPID. Given the governing party's propensity to deploy cadres in strategic positions, the Minister of Police need not wield such powers of suspension over the head of IPID.

*IsiXhosa:*

Impuku awukwazi ukuthi mayigadwe yikati, kuba ingxaki kukuba ayizukukwazi. Izakuhlala ikati isebenzisa gwenxa amagunya ayo kuba kaloku iyijongile, igxeleshile ifana noSokhetye,



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uSokhetye wathi xa kuziwa kuye ukuba alamle kweli dabi lokutyiwa kwesonka, asibeke esi sonka apha phantsi emana esiluma apha ecaleni sade saphela, bakhala.Yilento sithi mayingenziwa, kuba kaloku ichaphazela indlela yokusebenza ye IPID ekugadeni ukuba namapolisa la, angasebenzisi gwenxa amagunya awo.

*English:*

The IPID must now be loyal to the nation and place citizens at the apex of its work. To this end, it must be an effective independent and an impartial investigating and oversight body that is committed to justice. Over the last 10 years - just to mention one or two examples - the IPID has been receiving reports, indicating that there are still police stations in the country where one is most likely to be assaulted, tortured, raped or even die in custody. In fact, according to the Wits Justice Project report, between 2004 and 2014, more than 17 000 cases of death, rapes, assaults and torture were reported to IPID, countrywide. We also need to ensure that IPID is effective, and as required by law, do everything in order to assist in the fight against the murder of police officers that is also on the rise in our country ...

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*IsiXhosa:*

...besikukhumbula molo wethu, mathse! uncedile ubuye.

Dr P J GROENEWALD: Deputy Speaker, this amendment Bill is about who polices the police and it is essential that you have an independent body that can police the police but we also know - and it is actually a pity - that we had to wait for the Constitutional Court to make a decision to force the governing party to amend the Bill to ensure a more independent body when it comes to investigations against the members of the police service.

*Afrikaans:*

Die VF Plus ondersteun hierdie wysigingswetsontwerp hoewel dit nie ideaal is nie. As ons gaan kyk na die onafhanklikheid is dit nou so dat daar meer parlementêre toesig is, dat die Portefeuljekomitee oor Polisie sal kyk as daar klagtes is teen die uitvoerende direkteur van die Onafhanklike Polisie-ondersoek Direktooraat, maar ons weet ook dat, binne die portefeuljekomitees, die ANC, of die regerende party, ook altyd die meerderheid het. Ek kan egter eerlikwaar sê ek dink 'n uitstaande kenmerk spesifiek van die Portefeuljekomitee oor

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Polisie is dat dit werklik gaan oor wat in die beste belang van die polisie en van Suid-Afrika is en dat partypolitiek binne die Portefeuljekomitee oor Polisie nie sterk na vore tree soos in ander portefeuljekomitees nie.

Daar is ook 'n verdere hindernis wat oorkom moet word, sou daardie benadering verander dat die regerende party wat in elk geval 'n meerderheid in die portefeuljekomitee het, wel 'n beslissing kan maak. Dit is dat 'n aanbeveling van die portefeuljekomitee na hierdie Huis ook met 'n tweederde-meerderheid goedgekeur moet word. Dit is dus uiters belangrik dat die mense van Suid-Afrika ook moet weet dat alles gedoen moet word om te verhinder dat 'n regerende party 'n tweederde-meerderheid het. Eintlik moet ons sorg dat die ANC vervang word in volgende jaar se verkiesing.

Daarvoor ondersteun die VF Plus hierdie wysigingswetsontwerp, maar dit is ook nie verhewe bo alles nie, want ons het reeds op die tafel 'n klagte teen die bestaande uitvoerende direkteur, mnr Robert McBride, wat dan nou ook ondersoek moet word. Ek dank u.

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Mr W M MADISHA: COPE believes that this Bill is an attempt by the committee to comply with the order of the Constitutional Court in the matter between McBride vs Minister of Police. In essence, the court found that provisions of the IPID Act did not protect the IPID and its head from undue influence or political pressure by the executive nor secure its independence and ruled that the Minister had no right to take unilateral action against McBride.

Our criminal justice system was providing immunity from prosecution to Zuma, the Guptas and their agents *et al*, in the criminal political patronage network. Now, what was left of IPID's independence was its attack and McBride was in the way.

The shocking revelations at the State Capture Commission of Inquiry are showing how former President Zuma and his cohorts were betraying our trust and the country as were the ANC. The extent of this treachery and the damage done to the country, its people and our future, let alone the central role of the ANC herein - grows more stark and apparent with each passing day.

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The COPE supports this Amendment Bill, which provides important measures to support and ensure the independence of IPID.

It nonetheless represents but one small step in recapturing and rebuilding our institutions of governance, of moving towards good governance, of creating conditions conducive to growth and fixing our broken country.

I want to emphasise what I said before, of course as I sit down, that Dear Minister of Police, I can't see him, and the government that they make sure that the police are paid because they not, for example, if some of them are doing extra work, dangerous work can get R400 or R800 per month, that is a crisis. Thank you very much.

Ms L MABIJA: Deputy Speaker, hon members, Ministers and Deputy Ministers, guests up the gallery and all South Africans,

*Tshivenḡa:*

Ndi masiari avhuḡi.

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*English:*

I would like emphasise that the ANC government reiterates its support for the functional and operational independence of the directorate as the oversight mechanism to keep criminality within the ranks of the SAPS in check. The ANC further indicated that the IPID should continue putting strategies and plans in place to ensure better service delivery to communities.

In fact, the IPID's ultimate goal is to contribute towards the achievement of Vision 2030 as outlined in the NDP which is that the people living in South should feel safe and enjoy community life free of fear; that the ANC needs a professional police service, which is trusted by the community - service that safeguards lives and property without discrimination and respect the right to equality and justice.

The directorate exercises its function in accordance with the IPDI Act, independently from SAPS and Municipal Police Services, MPS. The thrust of the work of the directorate is to investigate serious and priority crimes allegedly committed by

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the members of the SAPS and MPS. This includes a greater focus on systemic corruption.

The purpose of this Bill is to amend the Independent Police Investigative Directorate Act of 2011, so as to align the provision relating to IPID with the judgement of the Constitutional Court to those provisions in order to ensure that the directorate has the necessary structural and operational independence to fulfil its mandate without undue interference; and to provide for matters connected therewith.

Key aspects of the amendment Bill: Amendment of section 6 of the Independent Police Investigative Directorate Act - removal from office the executive; clause 6(A) (1), the executive director may only be removed from office on the grounds of misconduct, incapacity or incompetency; clause 6(A) (1) (a) on a finding to the effect by the committee of the National Assembly; clause 6(A) (b) and the adopted of the National Assembly of resolution calling for that person's removal from office; clause 6(A) (2), the National Assembly may adopt a resolution contemplated in subsection 1(b) with a supporting vote of at least two-thirds of its members; clause 6(A) (3) (a),

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the Minister may suspend the executive director at any time after the start of the proceeding of a committee of the National Assembly for the removal of that person, clause 6(A)(3)(b), must remove the executive director from office upon adoption by the National Assembly of a resolution calling for the executive director's removal; section 6(A)(4), the Minister may allow the executive at his or her request, to vacate his or her office, clause 6(A)(4)(a), on account of continued ill health or for any reason other than which Minister deems sufficient; clause 6(A)(5), the executive director must address the request contemplated in subsection (4) to the Minister at least six calendar months prior to the date of which the executive director wishes to vacate his or her office unless the Minister grants a shorter period in a specific case.

Processing the Bill in Parliament, the Portfolio Committee on Police having met on 6 February 2018, resolved to table a Committee Bill before the National Assembly on amendments of the IPID Bill in line with the Constitutional Court judgement. The Portfolio Committee on Police then dealt with the Bill in



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terms of the procedure established by section 75 of the Constitution of the Republic of South Africa.

In conclusion, the ANC supports the Amendment Bill of the Independent Police Investigative Directorate as they are in line with section 206(6) of the Constitution and further, the Bill is consistent with the pronouncements and findings of the Constitutional Court. The ANC recommends that the House adopt the Bill.

*Tshivenḁa:*

Ee, zwo itea. Ro zwi kona. Kha ḁi vhe ḁuvha lavhuḁi.

Mr M P GALO: Thank you very much, Deputy Speaker. The independence of the DPCI, Directorate for Priority Crime Investigation commonly known as the Hawks, was confirmed eight years ago in the Glenister case. This judgment must have informed the then Minister of Police to safeguard the independence of the Independent Police Investigative Directorate, IPID. This was not so.

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The High Court in McBride vs Minister of Police and others correctly ruled that the constitutional and functional independence of IPID from SAPS' was important.

Hon Deputy Speaker, the Executive Director of IPID is responsible for giving guidelines concerning the investigation and management of cases by officials within the respective provincial offices; the administration of national and provincial offices; the training of staff at national and provincial levels and the referral of criminal cases to the NPA for criminal prosecution.

The extents of these duties require an independent-minded head of IPID whose removal would not be dependent on the whim of the executive authority. The Constitution established IPID outside of the SAPS for good reason.

It is on this basis that the Parliament should insulate the Executive Director of IPID against any removal as though he is a public servant. In the words of Justice Bosielo "Public servants are beholden to government. They operate under government instructions and control."

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The AIC welcomes the constitutional court's proposed amendments, and therefore the AIC supports the Amendment Bill. I thank you.

Mr L R MBINDA: Thanks, hon Deputy Speaker. On behalf of the PAC, let me once again reiterate our long standing position in calling for a total de-politicizing of our security cluster so as to defend and protect its independence.

The recent past history has taught our nation that even this democratic government under the leadership of the ruling party can influence or misuse our security cluster to advance political and personal interests.

We have instances like the so-called spy tapes saga, the mass killing of miners in Marikana, the inability of the Hawks and the police to deal with political killings in areas such as KwaZulu-Natal, Mpumalanga, etc.

These are characteristics of a security cluster that is highly politicised and this poses a threat to peace and stability in the country. The appointment of incapable and corrupt

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officials by their political cronies in senior leadership positions of our state security cluster has become the order of the day.

Of course, we are aware that this is not a mistake. This is a clear syndicate co-ordinated from senior government offices. There are people who continue doing unlawful acts and nothing is done to them as they have economic relations with the political elites, and the very political elites are law unto themselves.

The mere fact that we have so many thieves who continue to loot taxpayer's money in our municipalities and other state entities, while they continue to hold offices and nothing seems to be done to them, is a clear indication that this is a syndicate.

As the PAC, we call for tighter laws to secure the independence of our security cluster and minimise the influence and authority of political figures in the running of the day-to-day of our security cluster. Changing of faces of the leadership of the security cluster for each and every

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eventuality will not assist us as a country.

As PAC, we are in full respect of the Constitutional Court ruling and we are also in support of this Amendment Bill. Thank you.

Mr N T GODI: Deputy Speaker, Comrades, hon members, the APC supports the Amendments to the Independent Police Investigative Directorate Act, which is a compliance with the Constitutional Court ruling. Our only concern, Deputy Speaker, is the late processing of the amendments, yet we had two years to do so.

The strengthening of the IPID's independence is not an end in itself but a means to enhance its stability to fight corruption within SAPS without undue influence or hindrance.

We take this opportunity to stress to this House that if Independent Police Investigative Directorate is to play an enhanced role in fighting corruption within SAPS this amendment must be followed by making other changes to the Act to deal with some clearing defects. Some of these defects may

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also need the amendments of the South African Police Service Amendment Act and the Intelligence Oversight Act.

These should, amongst others, deal with counter investigations of IPID officers by the police to frustrate them; the declassification of specifically procurement records from Crime Intelligence to enable investigations. Right now, the IPID and SAPS are in court on this issue of declassification. We urgently need clearer legal certainty on access.

The Independent Police Investigative Directorate needs much support, legislative and financial support to do their critical work of cleaning SAPS of criminal elements. I thank you.

Ms D KOHLER: How catastrophically simple it is for a New Dawn to slide into one's worst nightmare. Now, let me reveal to this House how easy it is to capture a ward, a Metro, an institution - a country.

Using the IPID as a perfect microcosm of the whole, these are the six easy steps: First, you anoint as head the country a

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person whose ethical behaviour is admired by the leaders of countries such as Venezuela or Zimbabwe.

Secondly, that person anoints like-minded Ministers who deliver, for example, face-mopping fabrications as the truth, the whole truth and nothing but the mystical truth of the Firepool.

Thirdly, after ensuring jailed cadres are released to die at home – some many, many years ago now and still smoking cigars and golfing – that person is tasked with dealing with those running an oversight body performing far, far too well.

Oversight bodies across the spectrum are deliberately underfunded, and then stamped on for not performing. Like making the IPID undertake the massive Marikana investigation for which they received zero funding. But should they, despite the chronic staff and shortages of resource succeed, they do so in the full knowledge that they exist as a mere SAPS to the Constitution. Think of 1 238 recommendations the IPID sent the SAPS, in relation to deaths in custody, rape, torture, corruption, and of all of that just one single police officer

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was fired.

Indeed, the ANC has a proud history of crushing underfoot those entities which function impeccably. They did it to the Scorpions, but thanks to the DA not quite quickly enough to spare Jackie Selebi his moment in jail. They simply ignored the national shame the rest of us felt as the President of Interpol turnout to be a shabby Shaik of a crook.

The aim of focussing on and destroying oversight bodies has been to protect the cadres, the family members, the lovers, and the Guptas or their proxies.

Fourthly, this person who is just one of many you understand, as this scenario is proudly played out by the ANC in entity after entity, institution after institution, Ministry after Ministry, will be put where most needed to deal with those irritatingly successful oversight bodies like the IPLD.

His or her job is now to flood the captured media with fake allegations against the high flyers within these institutions, the ones who tries their damndest to do the right thing for



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South Africa - think Dramat, Labiya, Booysen.

Fake liba-charges are run through a multi-million rand Twitter bot system which has only one aim - that of destroying lives and reputations.

As surely as the sun rises, those who try to do the right thing are removed. In the IPID scenario a fine cadre of the ANC confounded all by doing his job without fear or favour - like Dramat did. Like Labiya did. Like Booysen did. Obviously he had to go, and his like-minded colleagues with him. Out came the metaphorical handcuffs and jackboots. They were removed, and in one of the most cynical moves of this whole scenario, in as an acting head was put, not a member of the IPID, not a civilian to oversee a civilian oversight body, but someone plopped in from the SAPS.

But there's more, the new acting head was from Richard Mdluli's Crime Intelligence division. The same Richard Mdluli now retired on full pension - who an internal investigation painted as a thief, and who moved seven members of his family

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in to keep him well informed even today.

So this would be number 5, putting in a cadre or a veritable cabal of cadres prepared to do whatever it takes - shred the files, destroy the organisation, move staff from province to province, put experts in areas in which they have no skills.

In the IPID case the Crime Intelligence interlopers were led by one Israel Kgamanyane who was paid R300 000, for doing such a great job. He cleared Mbangwa an illegal Zimbabwean apparently working for that Minister using a false name; they did nothing about the Phahlane matter and claimed they have dealt with it; and then, they waffled it off - all aided by the Minister so easy to do.

And finally number six - when the courts chuck the acting head out, you pop him or her into another entity to wait for the next time you need them.

All of this in the full knowledge that there is a comforting built-in fall-back protection in the shape of legislation that allows this sort of scenario to happen in the first place -

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over and over and over again. All over such legislation exists, voted through by the rubber-stampers thus allowing Ministers enormous powers to hire and fire at a whim.

Of course, you also fail to pay the costs of those you illegally suspended – to this day Robert McBride hasn't seen a brass farthing. I don't know where the Minister is, but tell him to "Pay the man," recession or no recession.

Hopefully, today we will see a small move towards stopping this 6-step plan – what we are doing here today is barely touching the surface – lip-services is what we are doing. Lip-service, we had great inputs and we couldn't use one of them. Not exactly a shining hour for the New Dawn, is it?

[Applause.]

Mr J J MAAKE: Deputy Speaker, with everything being said and done, let the truth be told. The checks and balances that were put in here, they were put by the ANC and nobody else. History tells us that the first thing that happens when people get their liberation from colonial oppression is to correct what was brutal and savaged subjugation of the majority by a few

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minority. [Interjections.] In the South African situation this was done by a change of legislation and the amendments of some of laws which could still be salvaged. But above all, the checks and balances were put in place by the introduction of the Chapter 9 institutions done by the ANC. A clear indication of our government's commitment towards the eradication of apartheid brutality and stupidity, or should I say, "stupidity" [Laughter.] ... the way it is written, for some people in this House so that they can clearly understand me. Those who practise stupidity are themselves stupid. [Interjections.]

It is rather surprising that after more than 24 years, we still have stupid people especially in this Parliament. Stupidity must be declared a crime punishable by law, and then we might have a breath of fresh air as almost half of this house might be locked up and we remain enjoying ourselves with no headaches. [Interjections.]

The Chapter 9 institutions, the Public Protector, the Auditor-General, the Human Rights Commission, the Commission on Gender Equality, the Commission for the Promotion and Protection of

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the Rights of Cultural Religious and Linguistic Communities and the Doctoral Commission explain themselves - they were established by the ANC government. They are trying to protect our people against abuse and brutalisation. But what seems to happen is that these checks and balances that were established with good intentions are being abused by our previous oppressors. It seems like the new legislation and institutions are serving them more than the ones that they were intended for.

The Independent Police Investigative Directorate, the Ipid, is one of those structures that were formed in order to make sure that the Police Service is put under check, so that the brutality that was suffered by our people under the previous regime must never be repeated. The police would do anything, from torture to murder with impunity. [Interjections.] These amendments were effected by the Constitutional Court of this land in order to establish the independence of Ipid from influence by the Minister of Police.

This is the aim of these amendments that we effected in this Bill, we are presenting before you. It must be said, however,

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that an overall relook at the Ipid Act is still going to be done in order to make it correspond well with the SA Police Service Act.

For now, we are just responding to the judgement of the Constitutional Court that seeks to strengthen the independence of the Ipid and to provide for the necessary parliamentary oversight. The Constitutional Court ruled that the head of the Ipid can only be removed for misconduct, incapacity or incompetence following a probe by Parliament and after a vote by a two-thirds majority vote in the National Assembly.

We need to amend those provisions in order to ensure that the directorate has the necessary structural and operational independence to fulfil its mandate without undue interference. There is this thing that we call lying by omission. We can say all the truth, but if you omit something you are actually lying. By omitting the fact that all these checks and balances were made by the ANC - it means you are lying because that's where it comes from. [Laughter.]

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The ANC therefore supports the amendment of the Independent Police Investigative Directorate to be in line with section 206(6) of the Constitution and the Bill to be consistent with the pronouncement and the findings of the Constitutional Court and recommends that the House adopts this Bill. These were all established in order to prevent the repeat of what was a nightmare for the majority of our people in this country. If you haven't heard this time, I wouldn't know what else can you hear? The ANC supports. [Applause.]

Debate concluded.

Bill read a second time.

**EXPROPRIATION BILL**

(Consideration of Bill and of Report of Portfolio Committee on Public Works Thereon and the President's Reservations on Constitutionality of Bill as Submitted to Him)

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The DEPUTY SPEAKER: Hon Mmemezi? [Interjections.] Hon Maloyi, hon Mmemezi has wasted 30 seconds of our time.

[Interjections.]

Mr H M Z MMEMEZI: Deputy Speaker, I would just like to state at the outset that the Portfolio Committee on Public Works had unanimously agreed that the Expropriation Bill be rejected, which means be withdrawn.

This is done in accordance with Joint Rule 208(2) read with Joint Rule 203(3)(c).

In line with Joint Rules 205, 206 and 207, the committee reports a recommendation that the Assembly rejects the Expropriation Bill, Bill B4d-215, so that it may be reintroduced at a later stage.

The decision to reject rather than withdraw the Bill is based on Joint Rule 203(c) which specifically states that, if the committee agrees with the reservation of the President -



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the committee must recommend that the Assembly rescinds its decision to pass the Bill and reject the Bill if it regards the Bill as being procedurally ...

[Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Point of order.

The DEPUTY SPEAKER: Hon Mmemezi, please take your seat. Yes, hon member, on what point are you rising?

The CHIEF WHIP OF THE OPPOSITION: I am asking clarity from you, procedurally. If the Bill is being withdrawn, and the committee report is being withdrawn, why are we discussing it? Surely it's just a resolution of the House ... Are we going to have a full set of declarations now?

The DEPUTY SPEAKER: No, the procedure as agreed to, as I understand it, is that this matter is being reported. The Chief Whip will say what we must do about that, and that will be it.

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The CHIEF WHIP OF THE OPPOSITION: Sorry, Deputy Speaker, my understanding was different. The consultations I had earlier with the Chief Whip's Office were that item seven was to be withdrawn from the agenda. That would mean that the hon Mmemezi would not be required to move the report. That was my understanding. If that has changed, we need to get our speakers ready to participate.

The DEPUTY SPEAKER: Hon Steenhuisen, please use the opportunity when it arises to ask for declarations, then we will do that. Hon Mmemezi, please conclude.

Mr H M Z MMEMEZI: Deputy Speaker, the Joint Rules of Parliament was applied to reject the Expropriation Bill because the President found that procedural weaknesses on the side of the NCOP may cause the legislation to be challenged in court.

Judgment by the Constitutional Court, Doctors for Life, and The Land Access Movement of South Africa, Lamosa, stated clearly that a weakness in one House is a weakness in both.

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The portfolio committee, after legal consultation, realised that it should use the Joint Rules to reject the Bill because the committee agreed that those weaknesses had to be addressed. The Bill is therefore hereby rejected as the Rules say. This allows for an improved Expropriation Bill to be reintroduced by the Minister at a later stage.

Therefore, as the committee, we recommend that this Parliament rejects the Bill. Thank you.

The DEPUTY SPEAKER: I now recognise the hon the Chief Whip of the Majority Party.

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, sorry, on a point of order. How is it possible to withdraw or reject a Bill that's not before us? The committee report should be here with the Second Reading, then, if that is the case. This is most irregular! [Interjections.]

The DEPUTY SPEAKER: Okay. Hon Chief Whip, please proceed.

[Interjections.]

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The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker, in terms of Joint Rule 203(3)(c), I move that the Report by the committee be adopted and, accordingly, we rescind our previous decision to pass the Expropriation Bill and, as the Joint Rule dictates, reject the Bill in terms of the Rule that I have quoted. We so move.

The DEPUTY SPEAKER: Hon members, the motion is that the report be adopted ...

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

The DEPUTY SPEAKER: ... that the Assembly rescinds its previous decision to pass the Expropriation Bill, and rejects the Bill. Are there any objections?

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, on a point of procedure, there's no Bill before us to reject.

The DEPUTY SPEAKER: Hon member, there is a report before us that we can reject. [Interjections.]

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The CHIEF WHIP OF THE OPPOSITION: But you said "reject the Bill"! He said "reject the Bill"!

The DEPUTY SPEAKER: Hon member, the motion is that the report be adopted, the Assembly rescinds its previous decision to pass the Expropriation Bill and rejects the Bill.

[Interjections.] Yes, hon member?

Mr N M PAULSEN: Deputy Speaker, I think the Bill is being withdrawn. It is not being rejected.

The DEPUTY SPEAKER: Hon member, the motion ...

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, on a point of order: Only the member of the executive who introduced the bill can withdraw the bill.

The DEPUTY SPEAKER: Hon members, the motion is that the report be adopted, that the Assembly rescinds its previous decision to pass the Expropriation Bill. Any objections?

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Mr M WATERS: Hon Deputy Speaker, the DA would like to make a declaration.

*Declarations of vote:*

Dr M J FIGG: Deputy Speaker, the Portfolio Committee on Public Works considered the status of the Expropriation Bill on 28 August 2018.

The Bill was first tabled in Parliament in 2015. The bill was returned to Parliament and one of the reasons given was that "there was insufficient consultation."

The Expropriation Bill was rejected by the committee as it contained "defects that cannot be corrected".

Interestingly, the Bill in its current form does not provide for expropriation without compensation, but rather just an equitable compensation. So while the majority of the parties at the portfolio committee meeting rejected the Bill, the DA and the ANC reject it for different reasons.

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The DA rejects the Bill as we believe that provision is made in the Constitution for expropriation of property that includes land, while the ANC wants to send it back to the department for redrafting to include expropriation without compensation.

The cunning hon Cronin stated in a meeting that all parties to the Bill being withdrawn ... I had to correct him as I ... it's not what I had said. In fact, the Bill was rejected by the portfolio committee.

The committee initially planned to recommence public hearings but decided against this as the National Assembly resolved on 27 February 2018 to establish a Joint Constitutional Review Committee. This committee was tasked with conducting public hearings and make recommendations to Parliament as to whether section 25 of the Constitution should be amended.

This process, in our view, has resulted in fruitless and wasteful expenditure, as the DA is of the opinion that the Constitution adequately addresses expropriation.

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We further believe that the whole process was flawed for the following reasons. The committee was chaired by a corrupt chairman. [Interjections.] The President of the Republic announced the decision to amend the Constitution ...

The DEPUTY SPEAKER: Hon member, withdraw that. You can't say a member is corrupt unless you put before the House a substantiated motion. Otherwise, you withdraw it, sir. Please!

Dr M J FIGG: I didn't mention any names.

The DEPUTY SPEAKER: Hon member, there is only one chairperson. There can't be any other chairperson. Withdraw your statement, please.

Dr M J FIGG: It's interesting that you also know who the chairperson is ... [Inaudible.]

The DEPUTY SPEAKER: Hon member, withdraw your remarks. If you ...

Dr M J FIGG: I withdraw.



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The DEPUTY SPEAKER: Thank you. Proceed.

Dr M J FIGG: The chairman of the Constitutional Review Committee stated that "quality and not quantity of the submissions will influence our recommendation", whatever that means.

The hearings were attended by people whose sole purpose was to disrupt the meetings and who had little or no interest in the agenda.

We also believe that it is unnecessary to redraft the Bill as there is already legislation in place to redress the historical injustice of land dispossession, denial of access to land, and forced removals.

While the Land Act of 1913 formalised the land dispossession of many black South Africans, the Land Restitution Act of 1994 was promulgated to give them back the land that was taken from them. Insofar as the Rural Development Programme is concerned, the RDP target was to transfer 30% of agricultural land back

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to black people by 1999. But, by 2004, only 3% had been transferred, and by 2013, only 6,5%.

There has also been a lack of commitment by this ANC-led government to real reform, which is revealed in the meagre budget allocations to land reform programmes over the years. Last year, only 0,14% of the National Budget was allocated to land reform - the lowest ever.

As recent as July this year, the Department of Public Works stated that it was in the process of categorising R12 billion worth of unused properties for permanent disposal.

So the DA believes that, instead of incurring fruitless and wasteful expenditure on amending section 25 of the Constitution to allow for expropriation without compensation, the state should focus on redistributing land under its ownership.

The DA believes that there is no need to amend the Constitution or table a new Bill, as the Constitution already makes provision for the state to expropriate land.

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The reality is that the ANC blames the Constitution for its failure to implement land reform. In our view, changing the Constitution is neither necessary nor sufficient as the state cannot distribute the millions of hectares it currently possesses. Clearly, this government is failing the people of South Africa.

Come 2019, the people of South Africa will vote the DA into power, and the DA will create one South Africa for all, founded on the values of freedom, fairness, opportunity and diversity.

We are opposed to the expropriation of land without compensation, and to tampering with the Constitution.

The DA supports rapidly expanding ownership to people who have been denied land through our painful history of dispossession. All this must be implemented through the prescriptions of the Constitution as it stands. Thank you. [Applause.]

*Declarations of vote (Contd.):*

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Mr S P MHLONGO: Deputy Speaker, our people have spoken loud and clear in all public hearings that were conducted by this Parliament. The EFF welcomes the withdrawal of the Expropriation Bill by the Portfolio Committee on Public Works. We rejected this Bill when it was first debated here because we had argued that it provided no shifts in thinking about land and had retributive elements in it.

It is premised on the current Constitutional Framework which is too restrictive and basically protecting property rights of the minorities to the detriment of the redistributive land reforms. It would therefore make no sense for us to continue with this Bill at the moment because we are going to amend the Constitution soon to allow for expropriation without compensation and that's a fact.

We will do this in a way that will give this Parliament decisive clarity on the kind of legislation that must follow to address the modalities that are obviously lacking in the Bill we are now withdrawing. The new Bill, which we will introduce after this process will be definite and grant the

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necessary powers to the state to drive the process of transforming our society without any forms of ambiguity.

The EFF therefore welcomes the withdrawal of this Bill. Thank you. [Applause.]

Ms S J NKOMO: Chairperson, the IFP is extremely concerned about some of the matters that are coming up on this amendment. Firstly, I think most of us are aware that as we are sitting here, there is a committee of Parliament that is still going through thousands of the submissions which have been received. Now, we cannot have a process taking place here in this House whilst another process is taking place outside. It is very important to ensure that effectiveness of the whole process takes place in such a way that we take all areas on board.

Secondly, the IFP is also of a very strong belief that once we expropriate there will definitely be very high instances where there's got to be expropriation with compensation. It has to be there because that is what the law actually states. You cannot just take something from somebody without paying out

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although there are certain instances where we need to look at those areas and say to ourselves that here there is no need for compensation. Taking forth those issues and ensuring that we put stability in our as we move forth with everything that should be covered in this expropriation Bill is important.

We must state as the IFP that peace has got to prevail when it comes to this matter. Our country needs stability, peace and to ensure that as we move forward, we move as a united nation and not as a country that is divided in such a way that we get people to start fighting and doing things which are unacceptable.

The IFP commends the suspension or the parking of this whole matter until when the second process is completed and then we take that process forward. Thank you.

Mr A M SHAIK EMAM: Hon Deputy Speaker, the NFP welcomes the report of the Department of Public Works on the Expropriation Bill tabled here today. Hon Deputy Speaker, it is clear that in attempting to amend the Bill, the processes followed did not meet the Constitutional and legislative requirements. In

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terms of the Report of the committee, it intended to recommence public hearing for the National Council of Province. The NFP notes the turn of events, particularly the resolution of the 27 February 2018 to establish a Joint Parliamentary Constitution and Review Committee to consider an amendment to the Bill.

The NFP further acknowledges the waste of resources to conduct parallel public hearings. The Constitution Review Committee is in the process of concluding its public participation process, its work and such will shortly release its findings and recommendations. As a consequence thereof, it is clear that the Bill before the House may be irrelevant.

Should it be deemed necessary the Bill could be reintroduced at a later stage. The NFP having considered the facts contained in the report rejects the Appropriation Bill tabled here today.

Mr M L W FILTANE: Hon Chair, the UDM had refused to support this Bill last year. I stood up here and I said it is nonsense. [Interjections.] The reason I have said so was

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simply that it only recognises property from 1913 and South Africa is not that much young. For that same reason we support this redistribution by the committee that this Bill should be withheld.

The other reason why we it, is because the very process had been flawed. There had not been sufficient consultation with the people, so, it was bound to fall on its face anyway.

[Laughter.] The other reason why we support this is because as this Fifth Parliament, we have had to grow and focus on the bigger picture instead of dealing with this comprehensive land issue piece meal by piece meal. Remember, in this Bill, there was provision for expropriation with compensation. We have moved away from that so it does make sense that we should put it aside. But, but, but, one hopes that the current process of the CRC will give us the desired results of securing a piece of legislation that amends our Constitution so that we can have expropriation without compensation. I repeat, but, but, but. Thank you.

Mr F ADAMS: Deputy Speaker, we thank all the parties that have agreed with ANC. The DA has also agreed but I think somewhere



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along the line they have changed the tune as they always do. As a party that wants to be in power and they are losing power, I would suggest to you Madam that you get your head screwed on right and think right because South Africans are losing faith in you. Look at Nelson Mandela Bay; it is going to happen in Tshwane, Johannesburg and all over.

Deputy Speaker, South Africans are losing faith in you. The... [Inaudible.] has shown what faith does South Africa lost in you.

*Afrikaans:*

Suid-Afrikaners het vertroue in u verloor, want u het nie 'n vaste standpunt nie. U kan nie standpunt inneem nie. Hierdie Onteieningswetgewing moet verander word. Dit moet hersien word, want ons moet die insae van alle Suid-Afrikaners kry, spesifiek tradisionele leiers se insae. Ons weet dat die DA geen bekommernis oor tradisionele leiers het nie, want hulle respekteer nie tradisionele leiers nie.

*English:*

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They don't respect traditional leaders and we have to take in the factors of traditional leaders because they play a major part in South Africa's context and shape South Africa. If you can look at our Prince Buthelezi, who is a traditionalist, he has shaped South Africa the way that you and I can be free today where your children and my children can sit around one table and where you sitting on that side are still calling baasskap because your members have agreed but when the baas spoke, they said no, we cannot come here and agree. We are properly trained as South Africans; therefore we say that we welcome the rejection of this Bill so that it can be refined so that we can give South Africa, as a responsible ANC-led government, a package that will suit South Africa because South Africans have spoken.

*Afrikaans:*

Die ANC-regering luister na die Suid-Afrikaners. Hulle luister nie net na klein groepies Suid-Afrikaners wie se belange hulle beskerm nie, maar hulle luister na die breër Suid-Afrikaanse bevolking en daarom sê die ANC dat hierdie wetgewing een of ander tyd weer sal voorkom.

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Agb McGluwa, jy kan maar sit; hulle het jou uitgeskop uit Noordwes. So, sit maar. Die ANC sê dat hierdie wetgewing weer terug sal kom en ons staan daarby. Dankie.

*English:*

Mr J J McGLUWA: Deputy Speaker, I rise on a point of order and want to know whether the former NNP member will take a question?

The DEPUTY SPEAKER: Hon member that is not a point of order. Take your seat. You want to respond to that? You don't have to because I have ruled it out of order.

Mr F ADAMS: Deputy Speaker, I am a former NNP member but I am a re-born ANC child, not like you who is wondering from that side to that side, not like you who is flying all across the bridges and rivers and can't find a suitable home because you know that the DA is not your home. Sooner or later you will be coming to knock on the ANC's door. It is the reason why they kick you from pillar to post. You can't even deal in the North West hon member; you can't even solve the problems in North West. [Applause.]

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*Afrikaans:*

Die ADJUNKSPEAKER: Stilte in die Huis, asseblief! Stilte in die Huis, asseblief!

*English:*

The CHIEF WHIP OF THE OPPOSITION: Deputy Speaker, may I please address you in terms of Joint Rule 206.

The DEPUTY SPEAKER: Yes.

The CHIEF WHIP OF THE OPPOSITION: Joint Rule 206 is very clear about how remission needs to work. It says very clear that if a remitted Bill is either procedural or substantively so defective that it cannot be corrected, the Assembly must consider rejection of the Bill.

I would submit to you that the defects that the President listed in his concerns do not fall within the pier of your category or unable to be corrected; and that the method that is being used to deal with this Bill is incorrect method, that in fact, if it had been remitted it should have been dealt with in terms of the usual Rules of procedure. And what is

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happening here is Rule 205 and Rule 207, are being used as fig leaves to try and get this out of a difficult situation. What should have rather happened - a far neater action option would have been if the executive members had withdrawn the Bill and re-introduced a new Bill at a later stage.

However, what they are actually admitting here, hon Cronin is that the work and Bill that your department has done is so defective and so shoddy that it is incapable of correction; and in that it is an indictment on both this Parliament and the NCOP. And you and I both know that that's not the case. And we know that this Bill is not effective; it's not effective ... [Interjections.] ... you can't speak on a point of order!

Mrs H O MKHALIPHI: On a point of order, Deputy Speaker - Deputy Speaker, on a point of order! [Interjections.]

The DEPUTY SPEAKER: Hon members! Hon members, please, hon member, are you done hon member?

The CHIEF WHIP OF THE OPPOSITION: Can I finish my point?

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The DEPUTY SPEAKER: Finish your point, finish your point, and finish it now.

The CHIEF WHIP OF THE OPPOSITION: The truth of the matter is that using the argument of concurrent processes as not fatal enough to render this to fall into the category of fatally incapable of being corrected; and we are going down the road that is procedurally incorrect. And whatever you rule today, if you rule against me - that is fine, but I would ask that this decision then be taken to the Rules Committee, because we are making a big mistake.

The DEPUTY SPEAKER: Hon members, this is ... [Interjections.] hon Cronin?

The DEPUTY MINISTER OF PUBLIC WORKS: Deputy Chair, can I speak just on one matter which hon Steenhuisen has raised.

The DEPUTY SPEAKER: Yes, hon member, what is the matter?

The DEPUTY MINISTER OF PUBLIC WORKS: We did investigate the possibility of the department and the Minister who introduced

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the Bill originally, withdrawing it at the stage in the light of the concurrent processes that are happening with the CRC processes in particular, that's the issue. But we were advised by the Parliamentary Law Advisors that, in fact, it was no longer in our possession. This is the Bill that had been returned by President ... [Interjections.]

The DEPUTY SPEAKER: Hon Cronin, can I ... [Interjections.] I will tell you why. Hon members, we are in the process of voting on a motion. The hon Steenhuisen's opinion will be responded to appropriately in the right place where he says. Right now the question before you is to answer the question. The motion is that the report be adopted. The Assembly rescinds its previous decision to pass the Expropriation Bill and rejects the Bill; are there any objections?

Hon members, there been objection, I put the question. Those in favour will say Aye.

Hon MEMEBRS: Aye!

The DEPUTY SPEAKER: Those against will say no.

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Hon MEMEBRS: No!

The DEPUTY SPEAKER: I think the ayes have it.

Division demanded.

The House divided.

[Take in from Minutes.]

Motion agreed to.

Report adopted, the Assembly accordingly rescinded its previous decision on the Expropriation Bill [B 4D-2015] and rejected the Bill in terms of Joint Rule 203(3) (c).

**CONSIDERATION OF CANDIDATES NOMINATED FOR APPOINTMENT AS  
MEMBERS OF ELECTORAL COMMISSION**

Mr H P CHAUKE: Deputy Speaker, let me first use my lingo so that you can recognise that there is difference between Mashile and Chauke.



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*Xitsonga:*

Ndzi khensa nkarhi lowu u ndzi nyikeke wona leswaku ndzi nyika Palamende xiviko xa ntirho lowu nga tirha hi komiti ya Ndzawulo ya Timhaka ta Xikaya eka ku hlawula swirho swa Independent Electoral Commission of South Africa, IEC.

*English:*

The Portfolio Committee on Home Affairs considered the request of the Chief Justice of the Republic of South Africa, Mr Mogoeng Mogoeng, to the National Assembly to nominate suitable candidates to fill the vacancy in the IEC, and it report as follows.

Interviews of publicly submitted candidates were conducted by the panel established in terms of section 6(3) of the Electoral Commission Act, Act 51 of 1996, which comprised the Chief Justice as the chairperson, the chairperson of the Human Rights Commission, the chairperson of the Gender Equality and the Public Protector. Subsequently, the Chief Justice submitted the shortlisted eight candidates and their Curriculum Vitae to the National Assembly for consideration to the filling of these vacancies.

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The matter of the Independent Electoral Commission vacancies was referred to the committee on 11 July 2018 for consideration, and the report, see attached, tabling the committee Report No 93 of 2018, Page 3. The committee met on 15 August 2018, and the chairperson tabled the report of the shortlisted candidates to ensure that committee members consult with their political parties. The committee met again on 21 August 2018, and it was agreed that there should be public comments on the shortlisted names between 21 August 2018 and 24 August 2018. The committee received 32 submissions. The committee met on 28 August 2018, to recommend the three candidates to fill the vacancy.

Following its deliberations, the committee recommended that the House approves the nomination of the following three candidates for their appointment to fill the vacancy in the IEC, namely, Judge Dhayanithie Pillay, Mr Mosotho Simon Moepya and Dr Nomsa Praisya Masuku. These are the three names as presented by the committee, and therefore we call on the National Assembly to agree with our report. Thank you very much.

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There was no debate.

*Declarations of vote:*

Mr M WATERS: Chair, the IEC is a vital institution and ensures that our elections are free and fair. It is therefore imperative that as Members of Parliament we ensure that we appoint commissioners with not only integrity, but also once had the confidence of the wider public as this is fundamental in ensuring the credibility of the upcoming general elections.

The nominations of Judge Pillay and Dr Masuku as commissioners are welcomed and supported by the DA. However, the nomination of Mr Mosotho Moepya is most certainly not supported by the DA. By nominating Mr Moepya the ANC has blown the dark clouds of doubts and suspicion back over the IEC which once again raises concerns of its integrity. These dark clouds are engulfing the new dawn that the President so regularly talks about.

As the former chief executive of the IEC, Mr Moepya authorised a payment of the legal fees of the disgraced former chairperson Advocate Pansy Tlakula when she wanted to appeal

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against the judgment of the Electoral Court in relation to the Public Protector's report entitled Inappropriate Moves. This was done without consulting the IEC and Commissioner Terry Tselane has stated publicly that it was done irregularly. It was done without a binding contractual undertaking which would have allowed the IEC to recover the money from Advocate Tlakula in the event of her losing the appeal.

In addition, he was warned about the requirements and his obligations under the Public Finance Management Act, PFMA, which he simply ignored, all of these when Advocate Tlakula was no longer an employee of the IEC. These honourable members cost the taxpayers at least R500 million.

In addition, the Public Protector's report, Inappropriate Moves, urged the IEC to consider disciplinary action against Mr Moepya over his role and irregular leasing of the Centurion headquarters. The Public Protector found that the R320 million lease contract of the Riverside Office Park violated procurement rules. So what did Mr do? Instead of facing the music and clearing his name within the IEC, he simply resigned from the IEC and therefore no disciplinary action took place

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against him. He has also to date never challenged the findings of the Public Protector's report.

To put into context we have an individual who, according to the Public Protector, violated certain procurement rules, refused to challenge the Public Protector's report and resigned from the IEC before disciplinary processes could take place. Now he wants to be the very commissioner of the same institution that is supposed to guarantee free and fair elections next year. I don't think so. If this is your new dawn we want nothing to do with it. If the ANC are truly committed to the new dawn and turning their backs on corruption and state capture, they would not have dared to suggest, let alone support, the nomination of Mr Moepya. He is neither fit nor proper to hold constitutional office.

Sadly, the ANC's intentions are clear for all of us to see. The new dawn was but a bleb on the horizon and the dark clouds of doubt hang heavily over the IEC. We sincerely hope that the other commissioners have the resolve to blow them away. I thank you very much.

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*Declarations of vote (Contd.):*

Mr N M PAULSEN: Chairperson, the EFF welcomes the nomination of Judge Dhayanithie Pillay and based on the Judge's experience both in the electoral court governance and legal, the commission will benefit greatly. However, having said that, the ANC should be ashamed of themselves for always pushing people of a dubious character with questionable history and a cloud hanging over their heads into positions. How do you bring a person whom the Public Protector said is corrupt and who failed to challenge the Public Protector's findings? He didn't even challenge the findings but because the ANC is used to abusing the majority in the committee, we end up with people without credibility for such an important position.

To reduce the appointment of people to the IEC to political patronage is misguided and threatens the foundation of our democracy. Our people must have faith that their votes are secret and counted properly. However, the way patronage is put before competence, credibility and the right to free elections, this cannot be guaranteed. The EFF will only support the appointment of Judge Pillay. Thank you very much.

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Ms S J NKOMO: Chairperson and hon members, the IFP supports the nomination of Mosotho Moepya, Ms Masuku and Judge Pillay. Actually, I would like to address the matter of Mr Moepya. On the list which was sent by the Chief Justice, Mr Moepya's CV was beautiful. He is competent, good, and will be able to perform his task. That is why during our discussion as the IFP we actually chose him as well as the other two people.

Chairperson, I think the matter here is the person that is being fought. Is it Mr Moepya or the Chief Justice because it is the Chief Justice who sent us all the names? So, the matter here is not with Mr Moepya but the Chief Justice. Therefore, the parties which have a problem with nominations and everything else must take the Chief Justice to court.

[Interjections.] Take him to court and you will be surprised because we, the IFP, will support or be friends of the Chief Justice. I think the ANC will also be friends of the Chief Justice. [Interjections.] Therefore, let's go for it!

Lastly, when the Chief Justice wrote the recommendation, he actually stated matters on this case which they are talking about. He said that Mr Moepya was not found guilty. If he was not found guilty, who are we here to find him guilty when even

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the Chief Justice had not found him guilty? [Interjections.]  
[Applause.] Under the leadership of Mr Glen Mashinini we do know that he will be able to do his work well. And to my brother, Mr Waters with whom we come from Gauteng and go way back, this time we tend to differ a little bit. Thank you.  
[Applause.]

Prof N M KHUBISA: Hon Deputy Speaker, hon members, as the NFP we just went through the profiles of all the candidates that the Chief Justice recommended. The Chief Justice was chairing the committee and working with the Gender Commission, Public Protector and Human Rights Commission. At the end of the day, the Chief Justice and the committee had to recommend eight candidates. The three candidates that the committee is saying we must recommend were among the candidates who were put forth by the Chief Justice. When you read the profiles of all the 26 candidates who were put forth, we know that most of them are well educated with different profiles in the private sector, politics, industrial policy, etc. However, at the end of the day the committee has recommended these three candidates.



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As you could see hon Deputy Speaker, Advocate Pillay has an LLM and is an extraordinary professor at the University of Pretoria. We think he is qualified. With the retirement of Justice Makhanya, I think he will play a pivotal role on the IEC. Of course, Dr Masuku, an academic who has been with the IEC for a long time, has a PhD. He has taught at the universities and has done the outreach policies of the IEC. Of course, Mr Moepya has the qualifications and credentials. The issue that was mentioned by the Public Protector was put forth in his CV. He was honest about it and we know about it. He was part of the candidates who were recommended by the Chief justice. Therefore, as the NFP, in light of all these recommendations, we want to support all the candidates and believe that they will be able to steer the ship forward. They play an oversight over the IEC as there is that part of management and operations. Chairperson, we support. Thank you.

[Applause.]

Mr N T GODI: Hon Deputy Speaker, comrades and hon members, the APC stands to support the names proposed. We can only speak for Dr Masuku and Mr Moepya as the people that we know. We have no objection to the third candidate. We are not

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supporting him but we have no objection because we have no reason to object. We think that with the 2019 elections coming, it is important that the IEC should have its full complement of commissioners to be able to assist with the adequate preparations for the elections.

I do hope that as the three nominees are going to be confirmed, they will give consideration and I want to call on all the parties that are here to support our perspective that, as we go to the elections, there is this practice of a toss for which party will be number one on the ballot paper. Our proposal is that all parties must toss. If there are 26 parties, let us all go and toss and get our positions rather than saying only number one and the rest must be in alphabetical order. I hope they are listening and will give due consideration to this proposal. Thank you very much.

Mr D M GUMEDE: Hon Deputy Speaker, let me first thank the chairperson of the portfolio committee, Mr Chauke for his splendid leadership as well as members of the committee for a frank, transparent and brilliant engagement during the discussion of names from the panel led by the Chief Justice.

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We are proud to say that all along the discussions were productive and with a single objective which was to produce an electoral commission that South Africans could trust and depend on.

We believe that all candidates without exception had impeccable credentials and exceptional track records. Thanks to the panel led by the Chief Justice. But then, it's a pity we had to choose only three of the eight candidates. Given the background and experience of the three, the ANC is confident that they will not hinder the progress of the IEC but will strengthen and accelerate the process of this important institution which is already preparing for general elections next year.

Coming to allegations levelled against Mr Moepya and after he has given his account, the Public Protector apologised in the way it treated him. That is according to the email from the Chief Justice to the Speaker of this House. We therefore support Dr Masuku, Justice Pillay and Mr Moepya. However, the Da, by inference, opposes the Chief Justice, the Public Protector ... [Interjections.] ... the leader of the Gender

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Commission and the leader of the Human Rights Commission. It wants to discredit all government institutions that were instituted to support this democracy. You are opposing those institutions.

Mr Waters talked about the legal fees of the former IEC Chairperson. Let me tell you that this predates the meeting of the panel and its decisions, and the panel has pronounced on this. So, we cannot be a society run on allegations. There should be facts, truth and what has evidence. You cannot just come and make allegations. Regarding Mr Moepya, you do not know what integrity means. Integrity means that you are honourable in truth and deed, and Mr Moepya proved these to the Chief Justice and the whole panel that he is a man of integrity. Let me quote the words of the Chief Justice in concluding his remarks to the panel. The Chief Justice said:

Mr Moepya came across as a professional and a man of integrity. He would, if appointed, make an excellent commissioner of the Electoral Commission.

Now the DA opposes that. What crap is that? [Laughter.]

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The DEPUTY SPEAKER: Hon Gumede, please withdraw that fancy language you just used. We can't deploy such language in the House. It is unparliamentary. No, no, no!

Mr D M GUMEDE: I am sorry!

*Sesotho:*

MOTLATSI WA SEPIKARA: Ha nka e bua ka Sesotho ntho eo, e mpe.

*English:*

Mr D M GUMEDE: I withdraw. It was against the DA but well, I withdraw, Chairperson. [Laughter.]

The DEPUTY SPEAKER: No, no, no. You shouldn't say that against anyone in the House here.

Mr D M GUMEDE: I am sorry and I withdraw, hon Deputy Speaker. Those were the words of the Chief Justice which the DA opposes. We say we support; the IFP supports; the NFP supports and all the parties that have made proposals similar to ours. Everyone except the DA and EFF are supporting each other. No, it cannot be correct. You cannot oppose every institution

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which supports democracy in South Africa; and everyone including the Chief Justice, Public Protector, Human Rights Commission and every Chapter 9 institution in the name of democracy. You cannot be democrats. [Interjections.] You are out of order! Therefore, the ANC fully agrees with the panel on this matter and supports the report tabled by the committee. I thank you, hon Deputy Speaker. [Applause.]

Question put: That the nominations of Judge D Pillay, Mr M S Moepya and Dr N P Masuku for appointment as Electoral Commissioners be approved.

Division demanded.

The House divided.

[TAKE IN FROM THE MINUTES]

Question agreed to.

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Nominations accordingly approved in accordance with section 193(5) (b) (ii) of the Constitution, 1996, read with section 6(2) (c) of the Electoral Commission Act, Act 51 of 1996.

**EXPLOSION AT RHEINMETALL DENEL MUNITIONS FACTORY, SOMERSET  
WEST, KILLS EIGHT PEOPLE AND INJURES FOUR PEOPLE**

(Draft Resolution)

Mr M S MOTIMELE: Deputy Speaker, I move without notice:

That the House -

- (1) notes with great shock the death of eight people and the four who were fatally injured following an explosion at Rheinmetall Denel Munitions Factory, at Somerset West, on Monday, 3 September 2018;
- (2) remembers that Denel is the largest manufacturer of defence equipment in South Africa and operates in the military aerospace and landward defence environment;

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- (3) also remembers that the affect facility is joint-owned by German-South African companies and manufactures ammunition and explosive products for the South African military and police as well as international clients;
- (4) acknowledges that the cause of the explosion is not yet known but an eye-witness reported seeing a huge fireball from 5 kilometres away;
- (5) commends the swift response of the fire and rescue team in minimising the impact of the explosion;
- (6) supports the planned investigation to determine the cause of the explosion;
- (7) conveys its condolences to the families of the deceased; and
- (8) wishes those injured a speedy recovery.

Agreed to.



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UNITED NATIONS HUMAN RIGHTS COUNCIL CONCLUDES ITS  
INVESTIGATIONS ON THE ROHINGYA GENOCIDE

(Draft Resolution)

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

That the House -

- (1) notes the United Nations Human Rights Council, UNHRC, concluded its investigations on the Rohingya genocide on Monday, 27 August 2018;
- (2) further notes that the United Nations has called for General Min Aung Hlaing to resign or face investigation for prosecution for genocide, war crimes and crimes against humanity against Rohingya in Rakhine;
- (3) acknowledges that the mission was created by the Human Rights Council in March 2017 to investigate

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human rights abuses and genocide where 700 000  
Rohingya Muslims fled Rakhine state to Bangladesh;

- (4) condemns the acts of brutal crackdown in August last year on insurgents amid accounts of arson, murder and rape at the hands of soldiers and vigilante mobs;
- (5) calls on the South African government to support the United Nations Human Rights Council in ensuring justice for the Rohingya people; and
- (6) recognises that the people of Rohingya deserve justice for these human rights atrocities.

Agreed to.

The HOUSE CHAIPERSON (Ms A T DIDIZA): Hon members, may I beg your indulgence that we put the question on the earlier motion. My apologies to you that I didn't do it. We are going back to the motion as read by the member of the ANC.

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If there are no objections to that motion of condolence, I put the motion. No objections, agreed to. Thank you very much members, for your understanding.

**MULTICHOICE SHOULD BE SUMMONED BY PARLIAMENT TO EXPLAIN PRICE  
HIKES AND ITS CHOICE OF NEWZROOM AFRICA**

(Draft Resolution)

Mr T RAWULA: House Chairperson, I move without notice:

That the House -

- (1) notes MultiChoice's monopoly in the subscription TV industry;
- (2) recognises that MultiChoice has been accused of illegal activities in order to maintain its dominance of the market;

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(3) further recognises that MultiChoice's monopoly has allowed the company to overcharge DSTV subscribers; and

(4) calls for an urgent joint sitting of the Portfolio Committees of, Economic Development, Trade and Industry, Communications, and Telecommunications and Postal Services Committees, to summon MultiChoice to come and explain their decision to choose Newzroom Africa as the new 24 hour news channel.

Motion rejected and becomes a notice of motion.

**CASTER SEMENYA DEFENDS HER 800M DIAMOND LEAGUE CROWN IN STYLE**

(Draft Resolution)

Ms N S DLULANE: House Chairperson, I move without notice:

That the House -

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- (1) notes that Caster Semenya defended the Diamond League crown with an emphatic win in Zurich on Thursday, 30 August 2018;
- (2) further notes that the unstoppable Semenya cruised to victory in the 800m event followed by Ajee Wilson of the United States and Natoya Goule of Jamaica who finished third;
- (3) recalls that even with a strong field assembled on the night, Semenya led for most of the race with some distance between herself and the chasing pack from the start till the end;
- (4) further recalls that she strode further away from her opposition down the final straight, winning by around eight metres and stopping the clock in a time of 1:55:27;
- (5) acknowledges that this was her third consecutive Diamond League trophy and she is now unbeaten in the 800m event for a period of three years;

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- (6) realises that Semenya continues to dominate the 800m event despite a new International Association of Athletics Federations, IAAF, ruling from 1 November, that all athletes classified as "hyper-lowered androgynous" will have to take medication so their testosterone levels can be lowered; and
- (7) congratulates Caster Semenya on successfully defending her title.

Agreed to.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): The early motion without notice by the EFF where there was an objection will be converted to a notice of motion.

**SOUTH AFRICAN BOOK DEVELOPMENT COUNCIL TO HOST NATIONAL BOOK  
WEEK ON 3 - 4 SEPTEMBER 2018**

(Draft Resolution)

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

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That the House -

- (1) notes that National Book Week, NBW, will take place from 3 - 9 September 2018;
- (2) further notes that the week-long event is hosted by the South African Book Development Council, SABDC, in association with the Department of Arts and Culture;
- (3) acknowledges that this event is celebrated annually, and that the initiative encourages South Africans to value reading as a fun and pleasurable activity and to showcase how reading can become part of daily life;
- (4) further acknowledges that the theme for this year's event is #OURSTORIES, which is intended to highlight not only the fact that storytelling is deeply ingrained in African culture, but that South Africans can and should be the authors of their own stories;

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- (5) recognises that over three million South Africans remain illiterate, according to Statistics South Africa, and more needs to be done to encourage reading as it is an important factor for education, experience, knowledge and imagination building and poverty alleviation and upliftment; and
- (6) urges all South Africans to participate in National Book Week by buying a book or visiting their nearest library; urges parents to read to their children; youth to assist others who may not be able to read and for all and sundry to participate in any manner in creating awareness for reading and literacy.

Agreed to.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): I thought, hon member, you'll also add "writing a book". Surely, after five years in this Parliament we can all write books, #WRITEYOURSTORIES.

**STUDENTS IN DURBAN'S OFF-CAMPUS RESIDENCES AND COMMUNES HAVE**

**BECOME VICTIMS OF ARMED ROBBERY**



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(Draft Resolution)

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

That the House -

- (1) notes that university students who live in Durban off-campus residences and communes in the Durban area have regularly become victims of armed robbery which occurs whilst they are travelling to residences or when they are in these off-campus residences especially in the evenings or at night;
- (2) further notes that in most campuses, there are students that have been killed or faced death threats;
- (3) acknowledges that safety and security is a huge challenge in these off-campus residences and students' lives are always under threat;
- (4) calls upon the Department of Higher Education and Training, universities, Technical and Vocational

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Education and Training, TVET, colleges, the private sector, non-governmental organizations and civil society to meet urgently and seriously deliberate on the matter of student safety; and

- (5) further calls on universities and the Department of Higher Education and Training to prioritise this important matter of building student accommodation.

Agreed to.

**PASSING OF PROFESSOR MARINUS WIECHERS**

(Draft Resolution)

Ms P E ADAMS: I move without notice on behalf of the ANC:

That the House -

- (1) notes with great sadness the passing of Professor Marinus Wiechers in Pretoria on Friday, 31 August

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2018, after suffering heart problems in July this year.

- (2) further notes that Professor Marinus Wiechers was a constitutional law expert who helped draft South Africa's interim Constitution in the early 1990s;
- (3) recalls that he was also a former vice-chancellor at the University of South Africa who embraced transformation at that institution;
- (4) acknowledges his valuable contribution towards South Africa's transition to democracy;
- (5) believes that his death has robbed South Africa of a humble patriot as well as an intellectual and a legal mind; and
- (6) conveys its condolences to the family of Professor Marinus Wiechers, and his colleagues in the legal fraternity and academia.

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Agreed to.

**SCHOOLGIRLS' ABDUCTION AND RAPE RISE IN WESTERN CAPE**

(Draft Resolution)

Ms C N MAJEKE: I move without notice on behalf of the UDM:

That the House -

- (1) notes that as we concluded Women's Month last week, reports of schoolgirls' abduction and rape was on the rise in the Western Cape, in particular Cape Town;
- (2) further notes that, whilst these cases were reported to the police, they still remain at the investigation stage;
- (3) believes that these acts are inhuman, and put the education and life of the girl-child in serious danger;

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- (4) calls on the SA Police Service, together with the Department of Basic Education to collaborate on a plan to put an immediate stop to this type of crime and to act swiftly to bring the perpetrators to book; and
- (5) further calls on parents, educators, law enforcement agencies governmental and nongovernmental agencies to join efforts of ensuring that children are safe at all times especially when they are travelling to and from school.

Agreed to.

**BUS ACCIDENT KILLS TEN PEOPLE**

(Draft Resolution)

Mr R T HUGO: I hereby move without notice on behalf of the DA:

That the House -

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- (1) notes that in the early hours of Thursday morning, 30 August 2018, a horrific bus accident occurred between Beaufort West and Aberdeen;
- (2) further notes that the bus was travelling from Cape Town to the Eastern Cape and ten passengers lost their lives in the accident, with other passengers still in hospital;
- (3) recognises the quick response from the emergency medical staff and personnel at Beaufort West Hospital;
- (4) acknowledges that South African roads are amongst the world's deadliest and encourages safe driving at all times; and
- (5) sends its sincere condolences to the families of the affected by the horrific accident.

Agreed to.

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**SHACK FIRES KILL FOUR PEOPLE**

(Draft Resolution)

Mr N M PAULSEN: I hereby rise on behalf of the EFF to move:

That the House-

- (1) notes the shack fires in Pelican Park and Phillipi East which killed four people over the weekend in Cape Town;
- (2) further notes that 40 people were left homeless by these fires;
- (3) our government's failure to address the legacy of apartheid spatial planning is why we continue to see so many die in shack fires across the country;
- (4) our people do not have access to land, proper housing, sanitation and descent roads in informal settlements;

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(5) they are forced to live on top of each other as the land they once lived on was stolen by whites;

(6) our people need to build quality spacious housing and communities close to economic opportunities and services;

(7) this will only happen when the land is expropriated without compensation;

(8) only then will our people be able to leave the overcrowded concentration camps that we call townships;

(9) note that the only long term solution to shack fire is expropriation of land without compensation.

I so move!

The motion was objected to, and the motion becomes Notice of Motion according to section 65 of the Constitution.



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Mr N M PAULSEN: And, the public must note anti-planners of the ANC.

HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon Paulsen! Hon Paulsen, can you take your seat? You have made your statement in terms of a motion ... [Interjections.]

Mr N M PAULSEN: That's why you won't get metros! [Laughter.]

HOUSE CHAIRPERSON (Ms A T Didiza): Hon members, I am not sure whether that is a sign that you are being tired. Given that there have been objections; the motion will be converted to a Notice of Motion.

**SOUTH AFRICA WINS BID TO HOST 2024 GENERAL ASSEMBLY OF  
INTERNATIONAL ASTRONOMICAL UNION**

(Draft Resolution)

Ms L M MASEKO: House Chairperson, the ANC moves without notice:

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That the House -

- (1) welcomes the good news that South Africa won the bid to host the 2024 General Assembly of the International Astronomical Union, IAU;
- (2) further notes that the decision was announced by the newly elected President of the IAU, Prof Ewine van Dishoeck, at the association's General Assembly in Vienna on Friday, 31 August 2018;
- (3) acknowledges that this will be the first time the Assembly is held on African soil, in what will be the 105th year of existence of this prestigious global association of professional astronomers;
- (4) remembers that the IAU was founded in 1919 with a mission to promote and safeguard the science of astronomy in all its aspects through international cooperation;

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- (5) further remembers that it has 12 557 individual members in 90 countries worldwide;
- (6) understands that the international community is recognising the investments and concerted efforts that South Africa has been making in growing the discipline of astronomy in Africa; and
- (7) congratulates the bid committee for their sterling work in representing our country well.

Agreed to.

**FARMWORKERS BUILD BRICK HOUSES UPON BEING GIVEN LAND PORTION**

**BY FARMER**

(Draft Resolution)

Mr A F MADELLA: House Chair, the ANC moves without notice:

That the House -

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- (1) notes that in the small town of Amsterdam in Mpumalanga, a community of farm workers are finally building brick houses for themselves after farm owner, Colin Forbes, gave a portion of his land to his employees seven years ago;
- (2) acknowledges that the Forbes family have owned Athole Farm in the small town near the Swaziland border since 1860;
- (3) further acknowledges that seven years ago Colin followed his father's idea of showing humanity to their workers by giving away 10% of the farm to them;
- (4) understands that he also provided mentorship and resources, including supplying them with the initial seeds, fertilisers, pesticides and diesel to operate machinery;
- (5) further understands that his generosity extended to training neighbours and workers on business

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management skills and giving them an annual profit share from the cash crop;

(6) remembers that the 500ha piece of land became an agri-village for the community who is now building houses for themselves; and

(7) commends Colin Forbes on his decision and on realising that farmworkers can do better than just earning a salary as farmworkers.

Agreed to.

**KILLING OF CHILDREN BY CRIMINALS**

(Draft Resolution)

Mr L M NTSHAYISA: moved without notice on behalf of the AIC:

That the House -

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- (1) notes that the country can no longer endure the killing of our children by criminals;
- (2) further notes that the perpetrators are not prepared at all to stop these criminal activities;
- (3) realises that government and the communities at large should also not be prepared to stop defending our children against these criminals;
- (4) further realises that it is worse in the Western Cape where 279 children were murdered and 263 raped in the 2017-2018 financial year;
- (5) acknowledges that 3 915 children and women were murdered across the country and 370 women murdered in the Western Cape;
- (6) understands that it is very important to protect our children and women at all costs;

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- (7) further understands that the killing of our children and women is the killing of our nation;
- (8) further acknowledges that it is proper for the soldiers to also defend our children and women; and
- (9) calls on all South Africans to fight the scourge of murder and violence against children and women.

Agreed to.

**GROUNDBREAKING RESEARCH IN SOUTH AFRICAN HEALTH CARE INVENT  
DIABETES-DETECTING CHIP**

(Draft Resolution)

Ms N NDONGENI: House Chairperson, I move without notice:

That the House -

- (1) notes that on Wednesday, 29 August 2018, female researchers from the Council for Scientific and

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Industrial Research unveiled groundbreaking research in health care when they developed a diabetes-detecting chip to monitor blood sugar levels by analysing breath;

- (2) further notes that the breath analyser technology aims to supplement, and eventually replace, "finger prick" glucometers for monitoring diabetes in patients;
- (3) understands that the new solution is noninvasive and alleviates pain, as well as opportunistic infections;
- (4) further understands that the researchers managed to combine two of the most advanced molecular technologies, by making stem cells through skin and genome engineering;
- (5) acknowledges that this research proves that African scientists are at the forefront of solving African problems; and



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- (6) congratulates the Council for Scientific and Industrial Research for this wonderful breakthrough.

Agreed to.

**CALLS UPON TRANSPORT DEPARTMENT'S INTERVENTION REGARDING  
SAFETY OF PUBLIC TRANSPORT COMMUTERS**

(Draft Resolution)

Mr C H H HUNSINGER: House Chair, I move without notice:

That the House -

- (1) acknowledges that taxis' frequently experience service interruptions due to infights and violence;
- (2) notes that more than 140 train coaches at a total estimated loss of R300 million have been destroyed in the last three years, and on average 10 armed robberies occur on buses per month with a disturbing increase in stone throwing and petrol bombing; and

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(3) calls upon the department to intervene regarding the safety of commuters and passengers using public transport modes.

I thank you.

Agreed to.

**SAA FIRST INTERCONTINENTAL ALL-FEMALE OPERATED FLIGHT  
COMMEMORATES WOMEN'S MONTH**

Ms L A MNGANGA-GCABASHE: House Chairperson, I moved without notice:

That the House -

(1) notes that on Thursday, 30 August 2018, SA Airway, SAA, commemorated Women's Month by using its capable female cockpit and cabin staffers to operate an international flight from Johannesburg to São Paulo, Brazil, by an all-female crew;

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(2) understands that at the helm of this maiden voyage was the 53-year-old Captain Jane Trembath, Senior Officer Asnath Mahapa and Senior Officer Annemari Smit;

(3) further understands that the ground engineer, flight dispatch, ramp agent, departure controller, operations control centre, and communication in-flight as well as the ground handlers, which all perform important functions adding to smooth operations, were also all female;

(4) recalls that in the SAA 85 years of its existence, this was its first intercontinental all-female operated flight;

(5) remembers that the news garnered plenty of social media attention with media and regular citizens lauding SAA on this move; and

(6) congratulates SAA for taking this bold step in honour of women in South Africa.

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Agreed to.

The HOUSE CHAIRPERSON (Ms A T Didiza): Indeed, malibongwe igama lamakhosikhasi [let the name of women be praised]. This concludes motions without notice. I am sure while you are sitting here you were wishing that I would say this concludes the debate, don't you? [Interjections.] Wow, okay, but I am not saying so.

**LAUNCH OF HIRAX PROJECT**

(Member's Statement)

Mr N J J VAN R KOORNHOF (ANC): Chairperson, the Minister of Science and Technology launched the Hydrogen Intensity and Real-Time Analysis eXperiment, HIRAX, flagship project in Durban earlier this month.

This project is aligned to the Department of Science and Technology programme, and it addresses key scientific questions in each of the priority science areas. Furthermore, HIRAX makes strong connections in the fields of human capital

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development, education, astronomy infrastructure, innovation, big data science, and international collaboration. The HIRAX project includes the mapping of the distribution of neutral hydrogen gas in the universe.

The project complements other South African-led radio experiments to increase South Africa's reputation as the world leader in radio astronomy. The project will have numerous synergies and will complement MeerKAT, thus adding value to this investment and elevating the Karoo site as a destination for world-class astronomy. Hydrogen is a fuel of the future and is becoming very fashionable. On a recent visit to Japan, we saw the first few hydrogen fuel-cell cars, and buses will run at the next Olympics in Tokyo. This industry gives South Africa an opportunity to partner with those industries that need fuel-cell cars. Let's hope it happens.

**ECONOMIC RECESSION LINKED TO ANC FAILURE TO IMPLEMENT ECONOMIC REFORMS**

(Member's Statement)

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Mr D J MAYNIER (DA): Chairperson, we are now in deep economic trouble with the economy in recession and with 9,6 million people who do not have jobs in South Africa.

The fact is that President Cyril Ramaphosa has failed to implement structural reforms to boost economic reforms to boost economic growth and create jobs in favour of a series of summits, conferences, dialogues, combined with a series of reckless policies, including the formation of a state bank, land expropriation without compensation and the nationalisation of the central bank - which are, of course, designed to maintain unity within a divided governing party and to co-opt radical opposition parties ahead of Election 2019.

We are, put simply, in deep economic trouble because President Cyril Ramaphosa is more committed to fixing the politics than he is to fixing the economics in South Africa.

[Interjections.] We can fix the economy and give hope to the 9,6 million people who do not have jobs by implementing structural reforms necessary to boost economic growth to an average of 3%, fighting for the independence of the central

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bank rather than fighting for the nationalisation of the central bank and privatising or part privatising zombie state-owned enterprises like South African Airways. I thank you.

**CORRUPTION AND MISMANAGEMENT AT HPCSA**

(Member's Statement)

Mr S P MHLONGO (EFF): Chair, the Health Professions Council of South Africa, HPCSA, is an organisation that has collapsed, an organisation where corruption and mismanagement are the norm.

Since the beginning of the year, we have been writing letters and questions to the Minister of Health, informing him of the corrupt activities taking place within the HPCSA board and management. Companies owned by the procurement officer of the council have been awarded contracts worth billions of rand. The ministerial task team that investigated allegations of administration irregularities, mismanagement, and poor governance made recommendations to the council, but those were never implemented. Instead, the looting continued with the

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board having now awarded itself a monthly salary instead of being paid per meeting, as per National Treasury Regulations.

It is high time that the HPCSA is investigated, and the Minister of Health must certainly work together with law enforcement agencies to ensure that this is brought to an end.

I thank you.

**TENDER IRREGULARITIES IN DA-LED CITY OF TSHWANE**

(Member's Statement)

Mrs J D KILIAN (ANC): Chairperson, the time has come to connect the dots in the DA-EFF fallout in Tshwane ...

[Interjections.] ... and also their sudden, sweet reconciliation that saved mayor Solly Msimanga for now.

[Interjections.]

The EFF objected to the suspension of municipal manager Mosola, the man who was their preferred candidate for municipal manager. Fast-forward to November 2017 and the irregular appointment of GladAfrica and mayor Msimanga's



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blissful ignorance of the R12 billion contract awarded to GladAfrica, contrary to all tender regulations - this whilst 30 consultants moved into a city-owned building where they pay no rent but charge the city astronomical fee of R4 000 per hour.

The ANC demands a thorough investigation into this tender irregularity. [Interjections.] The public has a right to know whether mayor Msimanga was captured by the EFF and whether this tender is supposed to pay for the election expenditure of both the DA and EFF. [Interjections.] I thank you.

**CALL FOR POSSIBLE REINSTATEMENT OF CAPITAL PUNISHMENT**

(Member's Statement)

Mr N SINGH (IFP): Chairperson, the tragic discovery of a murdered schoolboy found in a shallow grave in Phoenix, Durban yesterday, possibly identified by the SAPS as the young, nine-year-old Miguel Louw who went missing on 17 July, is yet another horror story of the rampant, serious crime levels we find in South Africa today. As the IFP, and I am sure as this

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august House, we send our deepest condolences to the family and friends of Miguel Louw. You are in our thoughts and constant prayers.

The IFP has stated on many occasions that violent contact crime, such as rape and murder, is out of control in South Africa. Yet, there appears to be no answer or meaningful consequence or deterrence to the commission of violent contact crime in our country. On 23 August, Mr Kidesh Ramjettan, 37 years of age, whilst at his business premises situated at Glazer Motors at around 16:00, was shot dead by an unknown assailant for no other apparent reason than the theft of his cellphone.

I can go on and on about the horrific murders that occur every day in South Africa. The simple fact, though, is that our justice and crime prevention system is failing us. Ordinary South Africans no longer feel nor are safe. The IFP has been approached by many South Africans who are calling for the reinstatement of capital punishment in South Africa, and we feel that government should, at the very least, open this matter up to the national discourse for discussion by our

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citizens in a process akin to the recent Constitutional Review Committee process on expropriation of land.

Let's talk about the death penalty. Let's talk about hard labour in our prisons without the chance of early parole for violent contact crimes. Let's talk about punishment that fits the crime. Let's have this discussion. We call upon government to immediately facilitate such efforts. Thank you.

**ANC LAND EXPROPRIATION PLANS DETRIMENTAL TO ECONOMY**

(Member's Statement)

*Afrikaans:*

Adv A D W ALBERTS (VF Plus): Voorsitter, die resessie waarin Suid-Afrika tans verkeer, dui op die regering se onvermoë om die ekonomie te beskerm.

Met die land se werkloosheidskoers en armoede is 'n resessie dodelik. Hierdie resessie moet voor die deur van die ANC-regering se onbesonne beleidsrigtings, soos onteiening sonder vergoeding, gelê word. Die onsekerheid wat deur die

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voorgestelde grondwetwysiging veroorsaak word, strem beleggings en uitbreiding wat tot ekonomiese groei en werkskepping kan lei.

Die VF Plus is van mening dat beleid en onverantwoordelike populistiese uitsprake oor nasionalisering en grond dadelik stopgesit moet word. Die ANC verleen Suid-Afrika deur die land se ekonomie prys te gee ter wille van goedkoop politieke punte met die oog op die 2019 verkiesing. 'n Nuwe beleid is nodig waar vryemarkbeginsels geld, asook 'n fiskale beleid wat die staat se finansiële posisie versterk, aanspreeklikheid verseker en 'n omgewing skep waar die privaatsektor kan groei. Hieronder sal Suid-Afrika ongelukkig net verder agteruit boer. Dankie.

**CALL FOR ZERO TOLERANCE ON FRAUD**

(Member's Statement)

*English:*

Ms S R VAN SCHALKWYK (ANC): Chairperson, the ANC welcomes the recent judgment where three former officials of the Department

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of Labour's Compensation Fund were found guilty of colluding with a physiotherapist by siphoning the Compensation Fund using fictitious claims and channelling the money, which would be shared later, into a driving school's account.

This is a continuous trend where officials and service providers are charged with hefty fines and jail sentences for fraud of millions of rand against the Compensation Fund which is an entity of the Department of Labour that provides cover to workers injured on duty or who contract diseases at work.

We therefore want to appeal to government officials, in general, and external service providers to refrain from hampering service delivery through fraud, money laundering and corruption because zero tolerance is at the order of the day for the ANC. I thank you. [Interjections.]

**CALL ON SASSA AND SAPO TO ENSURE NO INTERRUPTION TO GRANT  
PAYOUTS**

(Member's Statement)

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Mr N T GODI (APC): House Chair, we note that this is the last month of the Cash Paymaster Services, CPS, contract to disburse social grants. We are also aware that the SA Social Security Agency, Sassa, and the SA Post Office, SAPO, are working round the clock to ensure that, come month end, the state will have full capability to disburse.

Due to capacity and time constraints, difficulties have arisen, causing uncertainty to some of our people, especially in the rural areas, regarding the closure of some pay points, wrongful assertions that they are bound to go to towns away from their villages, and beneficiaries not given their full amounts by CPS, as happened in many parts of Limpopo yesterday. We call on the Sassa and the SAPO to redouble their efforts to solve these glitches and never allow the corrupt to derail this transition. They must enhance communication to ease anxiety.

The APC assures our people in the rural areas - Limpopo and everywhere else - that these challenges are temporary and will be overcome. The state will be able to keep the pay points as close as possible to the people. Thank you.

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**NELSON MANDELA FIDEL CASTRO MEDICAL TRAINING PROGRAMME SUCCESS  
STORY**

(Member's Statement)

Mr X MABASA (ANC): Chairperson, Ms Khomisani Makhetha, a sixth-year medical student currently enrolled in the Nelson Mandela Fidel Castro Medical Training Programme sponsored by the national Department of Health of South Africa recently penned a letter appreciating the efforts by the ANC. She says the following: We are truly grateful for the opportunity to have had such a life-changing experience. We salute those who made it possible. Ms Makhetha reflects on the great journey she and others have embarked on and states she looks forward to finally serving this wonderful country after completing her studies.

According to Ms Khomisani Makhetha, investment in this medical training programme is fundamental and is an investment in South Africa. She even quoted the words of the late Nelson Mandela, that it always seems impossible until it is done. This year, over 600 final-year students returned home after

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six years of living in Cuba and have been distributed to nine medical campuses across South Africa for reintegration into the programme.

The ANC commends Khomisani Makhetha for this honest assessment. It is indeed the late, great Comandante Fidel Castro who once said "condemn me ... History will absolve me". Thank you. [Applause.]

#### CORRUPTION AT MUNICIPALITIES

(Member's Statement)

Mr K J MILEHAM: Chairperson, I am very glad the ANC brought up the suspension of the City Manager of Tshwane. This should be a salutary lesson for them. Unlike the ANC, when allegations of corruption or maladministration are made against municipal officials, the Democratic Alliance does not sweep it under the carpet.

Instead, when these allegations were first made, mayor Msimanga immediately took steps to place the municipal



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manager, Mr Moeketsi Mosola, on suspension and initiated an investigation into his activities, with the likely outcome being disciplinary action and or criminal charges.

Now, compare this to the ANC-run municipality of Ethekekwini, where the mayor herself faces allegations of corruption and what have you done about it? Nothing. Maybe we should talk about Ekurhuleni, where the city manager is allegedly involved in soliciting bribes amounting to R300 000 per month. Again, what has the ANC done about it? Nothing.

Should we be surprised? No, not really. Ekurhuleni is a hotbed of financial mismanagement and corruption, just as Johannesburg, Tshwane and Nelson Mandela Bay were before the DA took over. Ask Dr Crispian Olver, the ANC official who wrote a book on the corruption in Nelson Mandela Bay, entitled: *How to steal a city*. So bad was it that an ANC councillor in Nelson Mandela Bay recently lamented that they were unable to pay their bills at the local ANC office because they no longer had control. [Applause.]

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(Member's Statement)

Mr T RAWULA: Chairperson, this past weekend, the EFF, the fastest growing political movement in South Africa, held a provincial people's assembly in the North West, Gauteng and Mpumalanga. Provincial assemblies are provincial elective conferences of the EFF and this is the second time that the EFF has had provincial assemblies, proving that the organisation is here to stay and will be a permanent feature of South African politics. [Interjections.]

There was a peaceful and democratic contestation, as is normal and healthy in any political organisation, with each province emerging united, stronger and ready for the 2019 elections. In the weeks ahead, provincial people's assemblies will be held in the Northern Cape, Limpopo, KwaZulu-Natal, the Eastern Cape, the Free State and the Western Cape.

Over the past five years, the organisation has grown in quality and quantity. This was reflected in the leaders who contested and were elected, and in the fact that 90% of all branches in each province have been launched and audited.

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The EFF will continue to go from strength to strength and will remain the driving force behind the general mission of economic freedom in our lifetime.

It has become clear that the EFF is going to set their agenda for 2019 to 2024. So, you must make peace with it and we are going to be the first organisation. Thank you very much.

**COMMITMENT BY THE CITY OF EKURHULENI TO DELIVER HOUSING UNITS**

(Member's Statement)

Ms B P MABE: Chairperson, the ANC commends the City of Ekurhuleni's commitment to deliver 100 000 housing units to the people of Ekurhuleni. Already some of its mega housing projects are taking shape. [Interjections.] In Tembisa Extension 25, over 140 million ...

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order! Order, members! Can we allow the member ... Order! Hon members, can we please allow the member who is reading her statement to do so? Order! You have to listen.

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Ms B P MABE: In Tembisa Extension 25, over R140 million has been set aside to build over 3 000 housing units in the next three years. Currently, the installation of bulk engineering infrastructure is continuing on site, with residents of Winnie Mandela Informal Settlement being the main beneficiaries of the new housing development.

Furthermore, over R2 billion is budgeted for the execution of the Leeupoort mega housing project in the next seven years. The northern development portion of the project is already underway. It is set to yield 5 252 housing units. Those communities that are set to benefit from this project include those from Jo Slovo, Ulana Settlement, Hlahane, Driefontein Crossroads, John Dube, Daggafontein, Roodekop Extension 3, Vosloorus, Katlehong, Reiger Park, Cinderella Hostel, Central Hostel and Ramaphosa.

The rounded figure is about 60 000 units. Over 110 900 service cites have been delivered and in the last week alone, 6 000 were delivered in Reiger Park. Halala [congratulations.] ANC! [Interjections.]

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The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order! Order, members! Hon members, I have been listening to people on my left and I think it is out of order. The issue of the dress code has not been settled in this House, so I really don't think that it is proper that people make inferences on how people are dressed. And I would really ask members to stop doing so. Let us focus on the issue at stake. [Interjections.]

Ms R C ADAMS: Chair, ...

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order! Members, I said earlier that you might need to go home, if you are so tired that you don't want to focus. [Interjections.]

**WARNING OF A STEADY DECLINE IN CLEAN AUDIT OUTCOMES AT  
WESTERN CAPE MUNICIPALITIES**

(Member's Statement)

Ms R C ADAMS: Chair, the ANC is dismayed by the Office of the Auditor-General's warning of a steady decline in clean audit outcomes at Western Cape municipalities. [Interjections.] This

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is shocking given that the DA government purports itself as a well-run government in terms of the rule of law, clean governance, transparency, service delivery and accountability.

The warning mainly stems from accountability issues and failure to implement the recommendations of the Auditor-General. Two audits remain outstanding and four municipalities received unqualified audit reports.

The overall regression from last year's clean audits of most of the municipalities is attributed to some municipalities not being able to take the message or recommendations of the Auditor-General seriously, as well as not demonstrating the required levels of accountability of governance.

The ANC advises that the DA cleans up its act and stop pretending to be where it clearly is not. [Interjections.] They should adhere to the call of the Office of the Auditor-General, which urges the DA political and administrative leadership to strive to improve accountability, good governance, and consequence management. I thank you.

[Interjections.]

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The HOUSE CHAIRPERSON (Ms AT DIDIZA): Order! Order! You don't even want to listen to your own member statement. Okay.

[Interjections.]

**THE STATE OF PRASA**

(Member's Statement)

Mr M S F DE FREITAS: House Chair, just after 10 today, over a 100 people were injured in a collision between two passenger trains in Selby, Johannesburg. The latest reports indicate that at least seven train commuters are seriously injured. This is yet another now almost weekly example of the state of Prasa and how little, if anything, is being done to deal with this state entity and getting it back on track.

Two weeks ago, I made public the overdue and still unpublished reports on Prasa. In it, the Auditor-General revealed how Prasa continues to be financially mismanaged and how tenders continue to be issued irregularly. The report reveals that Prasa's accumulative lost, as of 31 March last year is R4,5 billion.

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All this means that the commuter continues to suffer, as Prasa did not upgrade and modernise its infrastructure, causing senseless crashes, such as the one that took place today.

When is this government going to fix this rail system? This is simply not acceptable and it cannot carry on like this. Thank you. [Applause.]

**EVICTIONS OF FARM WORKERS ACROSS THE WESTERN CAPE PROVINCE**

(Member's Statement)

Mr N V XABA: Chair, the ANC is concerned about the continuous evictions of farm workers across the Western Cape Province. This is after the recent evictions of three families from Simondium Guest Lodge in Franschhoek. This eviction follows similar cases of about 200 families from other farms across the province, this year.

Over the years, the ruthless farmers abused the Extension of Security of Tenure Act 62 of 1997, to continue attacking the



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most vulnerable, the elderly, and people with disabilities, women and children. It is so bad of you.

The Act gives special rights to long-term occupiers, who are older than 60 years and who have lived on the land for 10 years or those who become disabled or sick, while they are employed by their owner, to stay on that land for the rest of their lives and they may normally not be evicted.

The ANC is of the view that the present power imbalances between the farmers and labour tenants are based on centuries of discriminatory laws, which have disadvantaged farm workers. The current abuse of power and unilateral actions by farmers are a spit in the face of a free, nonracial, democratic society.

We condemn this behaviour and call for a moratorium on the eviction of farm workers. Our people deserve better. Abusive behaviour by these farmers must stop. Boerskap [power of farmers] over our people, your time is over!

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The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon Paulsen, I was not asking you to speak. Can you please take your seat?

Mr N M PAULSEN: Chairperson, it is odd. The ANC government is calling for a moratorium. They can just have a moratorium. They are the government. You must use your power.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Can you please take your seat?

**NELSON MANDELA – FIDEL CASTRO MEDICAL TRAINING PROGRAMME**

**CHALLENGES IN HEALTH PROFESSIONS COUNCIL**

(Minister's Response)

The DEPUTY MINISTER OF HEALTH: Chair, I want to welcome the statement by hon Mabasa and confirm the success of the medical student training programme undertaken in Cuba, and also confirm that indeed, over 700 final year students are currently in our local medical schools doing their integration into the South African training programme.

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I want to take this opportunity to appreciate the positive contribution by South African medical schools because all of them are participating in the programme.

I also want to acknowledge the positive contribution and ... a great appreciation to the Cuban government and the people of Cuba for having been very generous to us in giving this opportunity to our young people.

With regard to the comment by the EFF on the Health Professions Council, I just want to say that we as a department and Ministry are well seized with some challenges which are there and we are dealing with the matter relating to some challenges in the Health Professions Council. Thanks, Chair.

**EFF – DA FALLOUT AND MAKE UP**

**VIOLENT CONTACT CRIME**

(Minister's Response)

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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Chair, let me thank hon Kilian for her exposé of a clearly DA – EFF unholy alliance given the kind of incidents that have been occurring there since they took over the Tshwane Municipality. I think for the DA its about time that they wrap their heads around the proverbial English adage that says, people who live in glass houses don't throw stones around, because very soon their own glass house might just fall apart. [Interjections.] The sooner they get to appreciate that the better for them, especially as we go into elections next year.

Let me go on to express empathy with the families of the bereaved, including the young person who was killed, that hon Singh referred to. Indeed, South Africa has recorded unacceptably high levels of violence. I must say that from Corrections we are pleased that over the past three years we have been able to increase the rate of compliance with parole conditions and conditions of persons who are in our community correction programme – 70 000 strong of them – at which point currently we are at about 98% – 99% compliance rate. This shows that the measures that we are putting in place to ensure that for the sake of the safety of South Africans we do not

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readily release people who are not ready to be reintegrated into society, in order to reduce levels of crime whilst we continue, through an invigorated police service, to ensure that those that continue to commit these heinous crimes are brought to book. Thank you very much.

**LAST MONTH OF CPS CONTRACT**

(Minister's Response)

The MINISTER OF TELECOMMUNICATIONS AND POSTAL SERVICES: House Chair let me thank hon Godi for recognising the good work which is done by the SA Social Security Agency, Sassa, and the SA Post Office, Sapo, in taking over the payments of social grants from Cash Paymaster Services, CPS.

I would like to assure this House that we will meet the deadline set by the Constitutional Court. Next month we will be taking over all of the payments, including cash payments from CPS.

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We are dealing with the glitches on the ground because we are there and responding to them, and working with our people who are councillors and other leaders on the ground.

We are also dealing with the criminals who have started break-ins and cash in transits. We are working with the police and some of them have been arrested. We are continuing to improve infrastructure and purchasing equipment so that we can make it faster and easier in these services.

We would like to assure hon Godi that not all pay points will be closed. We have been stressing this because some of the beneficiaries can't use the personal identification numbers, pins. We have made a commitment that we will continue to go and pay them. If there are few beneficiaries left in a locality we will transport them at our own cost to where we are actually paying those grants in our communities. So it is false that we are closing all pay points.

As an example, yesterday Sapo alone disbursed almost 70% of all funds. All funds were disbursed and they continue to increase successfully to beneficiaries, and the remaining 30%

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will be disbursed in the next few days. Thank you, hon  
Chairperson.

**GDP FIGURES AND SA RECESSION**

(Minister's Response)

The MINISTER OF ECONOMIC DEVELOPMENT: House Chair, hon Maynier and Alberts spoke about the gross domestic product, GDP, figures that were released this morning. It showed that GDP for the three month period until the end of June declined by 0,7% mainly due to a significant drop in agricultural output by some 29%. Hopefully this is the last phase of the impact of the drought on agriculture given the good rains in parts of the country. Other sectors that saw a decline in GDP were the retail and hotel sectors, transport, communication and manufacturing.

On a positive note, mining production was up, private business and finance services grew and construction was boosted by 2,3% during the quarter.

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What the GDP figures underline is the importance of the stimulus package and the structural reforms that have been prepared over the past few weeks. We have taken some key steps to implement, and in the limited time I want to illustrate with a few examples.

To increase levels of investment, we have now secured commitments from investors from countries as diverse as China, Saudi Arabia and the United Arab Emirates. The Forum on China-Africa Co-operation, Focac, meeting that took place in China this week is a key part of unlocking implementation.

To boost investment in energy, the new draft energy mix framework called the Integrated Resource Plan, IRP, has been unblocked and published for comment, and finalised about a week ago.

To boost spending on infrastructure, National Treasury has done work and the results will be set out in the Medium-Term Budget Policy Statement.



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To increase tourism numbers, a new visa agreement has been reached with two major countries with significant numbers of tourists. We signed one with China and we are finalising one with India to make it easier for tourists to visit South Africa.

To boost the communication sector ... [Time expired.]

**RECENT GDP FIGURES**

(Minister's Response)

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Hon Chair, I wish to thank Minister Patel for responding to the first issue that I wanted to respond to, which was raised by hon Maynier. I think that hon Patel has covered all the issues in terms of the economic figures and the GDP. It therefore gives me the chance to speak to the first issue that was raised by hon Maynier.

*IsiZulu:*

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... ngifuna ukuthi kuwe wena mhlonishwa Maynier ne-DA yonke ihlangene, asizuvuma thina siyi-ANC ukuthi niqhubeke nale-divide and rule yenu eniyithandayo. Ngifuna ukusho ukuthi futhi asizuvumela ondlebe zikhanyilanga benze lento ebabeyenza kudala, okokuqala, uMongameli uZuma umayela, yini enanibanga umsindo nithi, "hhayi uMongameli Zuma akalungile, akekho njeya makahambe, uhambile manje kunoMongameli Cyril Ramaphosa sekuqale nina futhi nithi, ayikho into ayenzayo, aniboni lutho kodwa noma kunjalo uyeza la azobika la, niyabona ngaphakathi nangaphandle ... wenzani? Uqeda ukunitshela futhi manje uNgqongqoshe u-Patel ukuthi wenzani kahlehle ngalesi-stimulus package akhuluma ngaso. Anilaleli lutho ... [Ubuwelewele.] inkinga yenu nivuka ekseni ningabheki ukuthi ...

*English:*

... what must we do to fix South Africa?

*IsiZulu:*

... nivuka ekseni nibhekane nokuthi ubani osephutheni.

Nizohluleka, kusukela kudala nanamhlanje, niyohlala nihluleka, nina bondlebe zikhanyilanga. Silana nje ngenxa yenu.

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**LAUNCH OF HYDROGEN INTENSITY AND REAL-TIME ANALYSIS EXPERIMENT**

**FLAGSHIP PROJECT**

**CORRUPTION IN COMPENSATION SYSTEMS**

(Minister's Response)

The DEPUTY MINISTER OF MINERAL RESOURCES: Chairperson, let me thank the hon Koornhof for raising the matter relating to research and development in hydrogen, and especially hydrogen fuel cells.

South Africa houses 90% of platinum reserves currently estimated at around \$2,3 trillion and is home to the three largest mining companies. In terms of direct employment, we are talking about 136 000 people, and it further supports 225 000 indirect jobs in platinum mines.

Platinum group metals, PGMs, as an entity are the second largest export revenue generator for South Africa.

Consequently, government has a strong interest in supporting the long-term sustainability of the industry.

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You would recall that we have done a lot of work in terms of platinum hydrogen fuel cells because platinum is the catalysis to ensure that we have clean energy in this category of hydrogen fuel cells.

We have done certain demonstration plants already. One that was very successful is in Kroonstad. You would know that the then Chamber of Mines is also powering its head office with hydrogen fuel cells and a lot of examples have been given in schools. Recently we had Hydrogen SA powering a school in the North West in this manner.

So the matter relating to the future where you have autocatalytic converters, hydrogen fuel cells, jewellery, and coins and minting that are being discussed in this, is a future that can boost platinum in this country. So we do welcome hydrogen fuel cells.

On the matter that was raised by an hon member, relating to corruption in the compensation system, members would recall that we have two compensation systems here. One is run by the Department of Labour under the Compensation for Occupational

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Injuries and Diseases Act, Coida, and the other one under the Department of Health, in particular on the Occupational Diseases in Mines and Works Act, ODMWA.

We have looked into the integration of this compensation systems, especially for mineworkers, to ensure that we keep it clean and effective. Thank you very much.

The HOUSE CHAIRPERSON (Ms A T Didiza): Thank you, hon member. Your time has expired. That concludes ministerial responses. Just to remind members that when we are here on the Chair we are guided by the time that is there, so we do time the two minutes of Ministers. We also time the member's statements. I now move to Notices of Motions, if you still have an appetite. Do you? [Interjections.] I don't hear very well. The ANC?

**NOTICES OF MOTION**

Mr N J J VAN R KOORNHOF: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

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That the House debates the importance of ensuring that the National Systems of Innovation is inclusive. I so move.

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

That the House debates the economic impact of the continuing policy uncertainty emanating from the land expropriation debate and its related negative effects on job creation. I so move.

Mr N M PAULSEN: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House debates the dire state of South Africa's water supply infrastructure and its impact on the lives of South Africans. I so move.

*Xitsonga:*

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Nkul X MABASA: Mutshamaxitulu, ndzi susumeta hi ku yimela vandla ra ANC leswaku eka ntshamo wa Palamente wa siku leri nga ta landzela Yindlu yi njhekanjhekisana hi:

That the House debates the support for community and small commercial media as a means of increasing media diversity.

Mr N SINGH: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the IFP:

That The House –

- (1) debates the fact that crime in general and serious violent contact crime in particular is out of control in South Africa;
- (2) notes that the justice system has failed South Africans in that they no longer feel, nor are safe and that there is currently a deep disjunct between the commission of crime and punishment meted out for same. I so move.

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Prof N M KHUBISA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the NFP:

That the House debates the scourge of political killings which continues to haunt the KwaZulu-Natal province. I so move.

Ms S R VAN SCHALKWYK: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates eliminating and preventing child labour exploitative practices in South Africa. I so move.

Ms C N MAJEKE: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the UDM:

That the House debates strategies and plans to enforce responsible driving, in particular the huge number of big trucks who drive recklessly on our roads, in order to reduce road fatalities. I so move.



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Me V VAN DYK: Voorsitter, by die volgende sitting van die Huis sal ek voorstel:

Dat die Huis die geskil rondom die Suid-Afrikaanse noordgrens met Namibië sal debatteer, met spesifieke bepaling vir die internasionale grens tussen Suid-Afrika en Namibië met betrekking tot die Oranjerivier-delta diamant-mekka paleokanaal.

Mr N M PAULSEN: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House debates the critical role of the early childhood development sector in ensuring equity and quality care for children aged 0-5 years. I so move.

Ms J D KILLIAN: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

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That the House debates the opportunities and threats presented to the country by the Fourth Industrial Revolution, and how government should respond to it. I so move.

Mr N XABA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates the importance of partnership between business, civil society, academia and government to ensure an inclusive national system of innovation. I so move.

Mr L M NTSHAYISA: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the AIC:

That the House debates contingency measures to bring solutions to the challenges of teacher attacks by the learners at schools. I so move.

Mr D BERGMAN: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

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That the House debates the scourge of abalone poaching in South Africa and solutions thereof. I so move.

Ms R C ADAMS: Chairperson, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates active steps to achieve accelerated economic growth to avoid further downgrades to South Africa's credit rating and the regaining of an investment grade. I so move.

Business concluded.

The House Adjourned AT 19:23