

**THURSDAY, 27 JUNE 2019**

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***PROCEEDINGS OF THE NATIONAL ASSEMBLY***

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The House met at 14:00.

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

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

**APPOINTMENT OF CHIEF WHIPS AND OTHER PARLIAMENTARY OFFICE**

**BEARERS**

(Announcements)

The Speaker announced that Ms P C P Majodina had been elected as Chief Whip of the Majority Party, Ms D E Dlakude as Deputy Chief Whip of the Majority Party, and Mr J H Steenhuisen as Chief Whip of the Opposition.

The Speaker further announced that she had been informed that Mr M A Maimane had been elected by the Democratic Alliance as its Parliamentary Leader and therefore Leader of the Opposition in terms of section 57(2)(d) of the Constitution.

The Speaker also announced that she had been informed that the Deputy President had been designated Leader of Government Business in the National Assembly in terms of section 91(4) of the Constitution.

The Speaker announced that she had, in terms of Rule 34, designated Dr G W Koornhof as Parliamentary Counsellor to the President.

Lastly, the Speaker announced that details of members who filled vacancies and took oath and affirmation after the first seating of the Assembly had been published in the ATC.

**REVIVAL OF APPROPRIATION BILL [B6 - 2019]**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY moved:

That the House revives the Appropriation Bill [B6 - 2019] (National Assembly - sec 77) and resumes proceedings on the Bill from the stage it reached on the last day of the sixth session of the Fifth Parliament, taking into account the provisions of the Money Bills Amendment Procedure and Related Matters Act, Act No 9 of 2009.

Motion agreed.

**ELECTION OF HOUSE CHAIRPERSONS**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY moved:

That the House, in terms of Rule 22, elects the following members as House Chairpersons: Mr C T Frolick; Ms M G Boroto; and Mr M L D Ntombela.

**ELECTION OF HOUSE CHAIRPERSONS**

(Amended Draft Resolution)

The CHIEF WHIP OF THE OPPOSITION moved as an amendment:

That the House, in terms of Rule 22, elects the following members as House Chairpersons: Dr A Lotriet; Ms M G Boroto; and Mr M L D Ntombela.

The SPEAKER: Hon members, can I just remind the House that any proposed amendment to the draft resolutions before the House are regulated in terms of Rule 121, that a member may propose an amendment in writing to a draft resolution if the amendment does not extend the scope of the draft resolution; that a signed copy of the amendment must be delivered to the secretary at the Table; that the Table will assess if the amendment is procedurally in order and advise accordingly; that all proposed amendments that are considered are compliant and will be put up for a decision in sequence with the last proposal being put there first; and that the original motion will be put last with or without the amendments, as the case may be.

Hon members, is there any further amendments to the motion as put by the Chief Whip of the Majority Party? Have we received the amendment from hon Steenhuisen?

The CHIEF WHIP OF THE OPPOSITION: It is coming!

The SPEAKER: It is coming. [Interjections.]

Mr G A GARDEE: Madam Speaker, I rise on a point of order.

The SPEAKER: On a point of order, sir, whilst we are waiting.

Mr G A GARDEE: Madam Speaker, I would want to believe that, procedurally, the motion on the Order Paper was published before we came here and the amendment could have been tabled before the start of the session, and we not could wait for him to do a missive and handwriting there ... [Interjections.] because it does not appear to be procedurally compliant with the Rules. Can you please make a ruling in that regard, Madam Speaker?

The SPEAKER: Hon Gardee, unfortunately, Rule 121 says the things that I read into the record. If there is any other amendment, then it must be handed over to the Table so that they are accommodated. [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, on a point of order: May I also just make the point because obviously the hon Gardee wasn't at the programming committee meeting this morning but the Order Paper was provided to us this morning at programming ... [Interjections.]

The SPEAKER: Hon Steenhuisen, that was not a point of order.

The CHIEF WHIP OF THE OPPOSITION: No, it is a point of order because the Order Paper was only provided to us this morning prior to party caucuses, and party caucuses made a decision to give us direction on this matter.

The SPEAKER: Hon members, even if it wasn't or even if it was provided, Rule 121 does give them ... and I have ruled on this matter. Hon members ... [Inaudible.] hon members, from what we have in front of us, the motion is in order. The motion is the same as the one that the hon Chief Whip of the Majority proposes at the beginning except that on the second line it proposes that the name of the hon Frolick is replaced by the name of the hon A Lotriet; so, the motion is in order.

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

Mr N SINGH: Hon Speaker, on a point of order: I just want to know if the bells are not going to be rung if we are putting a motion for voting. [Interjections.]

The SPEAKER: That time will come.

Division demanded.

The House divided.

AYES - 83: Abrahams, A L A; Bagrain, M; Basson, L J; Bergman, D; Bozzoli, B; Breytenbach, G; Brink, C; Cachalia, G K Y; Cardo, M J; Chetty, M; Clarke, M O; Cuthbert, M J; De Freitas, M S F; De Villiers, J N; Faber, W F; George, D T; Gondwe, M M; Graham, S J; Gumbi, H S; Gwarube, S; Hicklin, M B; Hill-Lewis, G G; Hinana, N E; Hoosen, M H; Horn, W; Hunsinger, C H H; Ismail, H ; Joseph, D; Julius, J W W; Khanyile, T A; King, C V; Kohler, D; Kruger, H C C; Krumbock, G R; Lees, R A; Lorimer, J R B; Lotriet, A; Mabhena, T B; Mabika, M S; Mackenzie, C; Macpherson, D W; Maimane, M A; Majola, T R; Malatsi, M S; Marais, S J F; Masango, B S; Masipa, N P; Mazzone, N W A; Mbabama, T M; Mbhele, Z N; Mc Gluwa, J J; Mhlongo, T W; Mileham, K J; Mpambo-Sibhukwana, T G; Mphithi, L; Ngcobo, S; Nodada, B B; Ntshayisa, L M; Opperman, G; Phillips, C; Powell, E L; Roos, A C; Sarupen, A N; Schreiber, L A; Seithloho, I S; Selfe, J; Sharif, N K; Shelembe, M L; Spies, E R J; Steenhuisen, J H; Steyn, A; Tarabella Marchesi, N I; Terblanche, O S; Van Damme, P T; Van Der Walt, D; Van Dyk, V; Van Minnen, B M; Walters, T C R; Waters, M; Weber, A M M; Whitfield, A G; Wilson, E R; Winkler, H S.

NOES - 205: Abraham, P N; Adams, R C; Adoons, N G; April, H G; Besani, S J; Beukes, A J; Bilankulu, J H; Bilankulu, N K; Bongo, B T; Boroto, M G; Buthelezi, S N; Buthelezi, E M; Capa, R N; Capa, N; Cebekhulu, R N; Chabane, M S; Chikunga, L S; Dhlomo, S M; Didiza, A T; Dikgale, M C; Direko, D R; Dirks, M A; Dlakude, D E; Dlamini, D D; Dlamini, S M; Dlulane, B N; Dunjwa, M L; Dyantyi, P P; Dyantyi, Q R; Frolick, C T; Galo, M P; Gantsho, N; Gela, A; Gina, N; Gomba, M M; Gumbu, T T; Gumede, S N; Gungubele, M; Hadebe, B M; Hendricks, M G E; Hermans, J; Hermans, N L; Hlengwa, M; Hlongo, A S; Holomisa, S P; Jacobs, F; Jacobs, K L; James, T H; Joemat-Pettersson, T M; Kekana, P S; Khalipha, T D; Kibi, M T; Koornhof, G W; Kubayi-Ngubane, M T; Kubheka, N J; Kula, S M; Kwankwa, N L S; Lamola, R O; Legwase, T I; Lesoma, R M M; Letsie, W T; Lubengo, M L; Luthuli, B N; Luzipo, S; Maake, J J; Mabe, B P; Mabiletsa, M D; Mafu, N N; Magaxa, K E; Magwanishe, G; Mahambehlala, T; Mahlalela, A F; Mahlatsi, K D; Mahlaule, M G; Mahlo, N P; Majodina, P C P; Majola, F Z; Majozi, Z; Makhubela-Mashele, L S; Malatji, T; Malinga, V T; Malomane, V P; Maluleke, B; Mamabolo, J B; Manamela, K B; Mananiso, J S; Mandela, Z M D; Maneli, B M; Mangcu, L N; Mantashe, P T; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Maseko-Jele, N H; Mashego, M R; Mashele, T V; Masiko, F A; Masondo, D; Masondo, T S; Maswanganyi, M J; Mathafa, O M; Mathale, C C; Mathebula, E F; Mbatha, S G N;

Mbingo-Gigaba, B P; Mbuyane, S H; Mc Donald, L E; Mchunu, E S;  
Mchunu, T V B; Mdabe, S W; Mgweba, T; Mhaule, M R; Mjobo, L N;  
Mkhatshwa, N T; Mkhize, H B; Mkhwanazi, J C N; Mlenzana, Z;  
Mmutle, T N; Moatshe, R M; Modise, P M P; Moela, D L; Mofokeng,  
J M; Mohamed, H; Molala, L E; Molekwa, M A; Moroatshehla, P R;  
Morolong, I K; Motaung, A; Motaung, N E; Motshekga, M S; Mpanza,  
T S; Mpumza, G G; Mthembu, A H; Mthethwa, E N; Munyai, T B;  
Muthambi, A F; Mvana, N Q; Myeni, E T; Ndaba, C N; Ngcobo, S L;  
Ngwezi, X; Nkabane, N P; Nkomo, Z; Nkosi, B S; Nkosi, D M;  
Nontsele, M; Ntobongwana, N; Ntombela, M L D; Ntshavheni, K P S;  
Ntuli, M M; Nxumalo, M N; Nzimande, B E; Nzuza, N B; Papo, A H  
M; Patrein, S; Peacock, N P; Peter, Z J; Peters, E D; Phaahla, M  
J; Phiri, C N; Pilane-Majake, M C C; Qayiso, X S; Radebe, B A;  
Ramadwa, M M; Seabi, A M; Semanya, M R; Shabalala, L F;  
Shabalala, N F; Sibisi, C H M; Sibiya, D P; Sihlwayi, N N;  
Singh, N; Sithole, K P; Siwela, E K; Siwela, V S; Skosana, G J;  
Skwatsha, M; Sokatsha, M S; Somyo, S S; Sotyu, M M; Stock, D M;  
Swarts, B; Tlhape, M M E; Tlhomelang, K B; Tlou, M M; Tolashe, G  
N; Tongwane, T M A; Tseke, G K; Tseki, M A; Tsenoli, S L;  
Tshabalala, J; Tshwete, P; Van Der Merwe, L L; Wolmarans, M J;  
Xaba, V C; Xaba-Ntshaba, P P; Xasa, F D; Xego, S T; Yabo, B S;  
Zibula, B T; Zulu, L D; Zuma, A S; Zungu, T R M; Zungula, V;  
Zwane, M J.

ABSTAIN - 15: August, S N; Boshoff, W J; Breedt, T; Groenewald, I M; Groenewald, P J; Jordaan, H; Meshoe, K R J; Mulder, C P; Mulder, F J; Nxesi, T W T; Sukers, M E; Swart, S N; Thring, W M; Van Staden, P A; Wessels, W W.

Question not agreed to.

Amendment accordingly negatived.

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

Declarations of vote made on behalf of Democratic Alliance, Freedom Front Plus, United Democratic Movement, Economic Freedom Fighters and African National Congress.

Question agreed to.

Motion accordingly agreed to.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker!

The SPEAKER: Hon Steenhuisen!

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, in terms of Rule 108 of the National Assembly Rules, the DA requests to make a declaration. [Interjections.]

The SPEAKER: A declaration on the vote we have just taken or a declaration on something else, hon Steenhuisen?

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, it says that the presiding officer may at any time after the question has been fully put, if so requested, permit one member of each political party to declare its vote by stating on behalf of his party, the reason why his party is in favour or not ...

[Interjections.]

The SPEAKER: Hon Steenhuisen, the way I understand the process is that before the vote, you can make the declaration of your vote.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, the Rule is specific. It says the presiding officer may - and this is the important part ... [Interjections.] - at any time after a question has been fully put. The question has now been fully put - we had the division - this is the appropriate time.

[Interjections.] [Applause.]

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I have listened carefully to hon Steenhuisen. When he read that Rule he said, the presiding officer may, there is no must there. I thank you. [Interjections.]

Mr N F SHIVAMBU: So, hon Speaker, in terms of the acceptable process, when a question has been put, you can ask for a declaration and not when a vote has been cast already. So, let us not unnecessarily waste time. We do not agree with Frolick but it's an ANC process. There is no sound Rules basis to grant a declaration now. So, let us proceed to the next item so that we can finish on time. We must go home, eish! [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker!

The SPEAKER: Hon Steenhuisen!

The CHIEF WHIP OF THE OPPOSITION: This would be a major departure from the precedent that's been followed, certainly in all the Parliaments that I have been part of. [Interjections.] When a declaration is requested, in terms of the Rule which is very clear, after the question has been fully put - the question has now been fully put - and we would like to make a

declaration. We have a massive departure from practice if such a declaration was not allowed. [Interjections.]

Dr C P MULDER: Hon Speaker!

The SPEAKER: Hon Mulder!

Dr C P MULDER: Hon Speaker, may I address you on this point?

The SPEAKER: Yes, Sir.

Dr C P MULDER: The fact of the matter is that the Rules make provision that it's absolutely in the discretion of the Speaker to decide yes or no. The Speaker may or may not. So, that's technically correct. What I would like to ask, hon Speaker, it's quite clear that the official opposition would like to motivate why they did what they did and I would urge the hon Speaker to allow that because some of us would also like to react to what just happened in the House. But it's your discretion, Madam Speaker. You decide if you want to allow it or not.

[Interjections.]

The SPEAKER: Hon members, may I Rule on the matter? The hon Steenhuisen proposed an amendment to a motion and the question

was put to the House. The usual practice is that before you vote ... [Interjections.]

`n AGB LID: Luister! (*Translation of Afrikaans word follows.*)

[AN HON MEMBER: Listen!]

The SPEAKER: I will not preside here and be interrupted by interjections, by people who refuse to listen.

Hon members, before a question is usually voted on, members have the right to declare their motions. This Rule says I may - it gives me the discretion - and I tend to use my discretion on this one for a simple reason. The simple reason is that the amendment to the motion has to do with the first motion as put by the Chief Whip of the Majority on that motion. I wish to suggest to this House that if you wish to make your declaration, you may still make it on the motion as put by the Chief Whip of the Majority Party because it is about the same thing. The amendment from hon Steenhuisen was about the removal of one name and the substitution of that name by his choice and his party's choice. This is my Ruling. I then want to proceed and put the motion as it appears on the Order Paper. Are there any objections?

The CHIEF WHIP OF THE OPPOSITION: May I make a declaration in terms of Rule 108, Madam Speaker?

The SPEAKER: Yes, you may make your declaration. [Applause.]

*Declarations of vote:*

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, thank you very much and at the heart of this issue today; lies a very important principle of multipartyism. Those who do not learn from history are doomed to repeat history. During the course of the Fifth Parliament, the Chief Whips Forum conducted an extended tour to both Ghana and to the United Kingdom. It was a multi-party delegation and was ... [Interjections.]

The SPEAKER: You are protected, Sir; please proceed.

[Interjections.] Order, members! You are protected, hon Steenhuisen.

The CHIEF WHIP OF THE OPPOSITION: I thought someone was breaking out into "Beat It" there. [Laughter.] One of the learning lessons from that study tour - and it was captured in the report that was actually tabled here in this Parliament - was the fact that it was encouraged in both Parliaments that there be presiding officers and chairpersons from a variety of parties in

those Parliaments and Houses because this gives more credibility to the presidium of the particular House. It was one of the key lessons which came from that particular study tour.

Now, there is no use for us going on those study tours to learn things, bring them back, and put reports here in the House, if we are not prepared to learn from them. [Interjections.] So here it could have been a perfect opportunity for this Parliament, to signal that it actually takes the Constitution seriously. We had talks about ensuring that minority parties represented in the House have adequate representation and are able to participate in the affairs of the House.

Needless with our precedent, because it was only the Fifth Parliament, out of all our Parliaments, that did not have a presiding officer from the opposition ... [Applause.] It's the only part. It was an outlier in the democratic Parliaments of the Republic of SA. [Interjections.] I think it was a bad practice. I think it led to a lot of breakdown in the House because the presiding officer's authority had no particular credibility in many instances; people felt that they were being victimised politically; and parties felt like their agendas were being suppressed because there was a political agenda. This led to an unhealthy situation in the House which ended up being a

remarkable undermining of the presiding officers in this particular House.

I therefore think that it would have been a healthy return to the post-democratic convention in South Africa, for us to have had a presiding officer from one of the opposition parties.

[Applause.] We happen to be the official opposition and we would have liked to have the opportunity to one of the House Chairs, but it would have obviously come from anyone of them, had the ANC had the courage to be bigger than narrow partisan party interest ... [Interjections.] ... and put this people's Parliament - not the ANC Parliament ... [Interjections.] ... not the Luthuli House Parliament ... [Interjections.] ... not the Magashule-faction Parliament ... [Interjections.] ... but the people's Parliament would have other parties that also represent the people. [Interjections.]

Every single one of us got into this Parliament on exactly the same number of votes from people voting for our political parties. [Interjections.] I think it is a sad day for this Parliament that this is the case. [Interjections.] That being said, I also think and certainly was the view of our caucus meeting this morning that, given the events of the Bosasa, given the unanswered questions that remain ... [Interjections.] ... in

the interest of the House, it would be better to have a presiding officer who didn't have these questions hanging over their head.

That is why the impeccable hon Lotriet who has a very proud record of service in this Parliament, who served on the Constitutional ... [Interjections.] ... No, I won't sit down. And I will tell you why I won't sit down; it's because you didn't send me here, and your voters didn't send me here. I was sent here not to sit down. I was sent here to stand up!

[Applause.] And I will never sit down for you and you can grow old trying, but it will never happen. So, you keep it up! I will keep standing; and you keep sitting that side of the House.

[Applause.] Because, that is what we are here to do; we are here to stand up for the people of South Africa that you have forgotten. So, don't tell me to sit down. [Interjections.]

Are there going to, in the interest of this Parliament, start having a multiparty culture re-established, Chair?

[Interjections.] And this not only extends to House Chairs, but it also extends to the chairpersons of committees as well. There is no reason there can't be an EFF chairman of the committee, or a DA chairman of the committee if we are truly committed to

putting the people of South Africa first and putting this institution first. [Applause.]

Dr C P MULDER: Hon Speaker, it is good to hear that my colleague wants to stand up. If I remember correctly, it was our party in the elections that said that they will fight back and stand up against what is happening. Nevertheless, be that as it may, technically speaking, the hon Chief Whip of the Opposition is correct because we have had the precedence in the First, Second, Third and Fourth Parliaments that we also accommodated other voices from opposition parties when it comes to presiding officers. We did do that.

It was only in the Fifth Parliament that we moved away from that precedent where the ruling party decided to obtain all the seats. Technically, the Chief Whip of the Opposition is correct in saying that, it is not a good practice and is also correct in saying that, when we went to Ghana and the United Kingdom, we saw there that other parties are accommodated in that process. The fact is that, today that will not happen because the resolution will be passed by the majority party, appointing three members from the ruling party.

That places a huge responsibility on those three presiding officers to act in such an impartial manner that they convince Parliament and the South Africans watching, that they are indeed impartial referees in this Chamber. That they are not there at the behest of the ruling party but they are there in the interest of all Members of Parliament.

Although this is technically correct, I have another problem. What happened just now is a very dangerous precedent. Why? We have other structures in this House and one of them is the Chief Whips' Forum. Yesterday, these matters were discussed at the Chief Whips' Forum. That is why they are in the Order Paper. We reached consensus amongst all the parties that these are the names that we will propose to the House today. Now, the problem is this, it is not for parties to say that they want this or that person and then it happens automatically.

Today, the House takes a decision in terms of these appointments. Then, with all due respect to my colleagues in the official opposition, we have three to four motions more to come, where the House will take a decision. In each of those nominations I see members from the opposition parties. Technically speaking, the House could decide that we change those names. We could do that. The only reason would be because

we did not keep to what we agreed upon yesterday. I would urge the House not to do so. Nevertheless, I want to say to my colleagues that you have set a very difficult and dangerous precedent today, where the ruling party with its majority can decide on behalf of all of us. Don't do that. Thank you.

Mnu N L S KWANKWA: Mamelani torhwana, masiqale sicacise nje into ibenye. Okokuqala, i-UDM ayifuni sikhundla. Ayizanga kuthethela ukuba ifumane isikhundla sokuba nguSihlalo weNdlu ...

*(Translation of isiXhosa paragraph follows.)*

[Please listen. Let us first explain just one thing. Firstly, the UDM is not after positions. It did not come here to debate and get the House Chairperson's position ...]

Mr N L S KWANKWA: ...and all of that nonsense and so on.

Okwesibini, thina asiphikisani nokuba nityumbe uFrolick. Hayi yena uyaqhuba ngamandla umhlekezi kwaye siza kugagana naye apha. Imbangi yokuba sime kule ndawo yeyokuba unyanisile ohloniphekileyo uJohn Steenhuisen kwaye le nto sasikhe sayixoxa phaya ... *(Translation of isiXhosa paragraph follows.)*

[Secondly, we are not against your nomination of Frolick. He is doing his best and we will face him here. The reason we are adamant that hon John Steenhuisen is correct and we have discussed this thing before ...]

... on a study tour of the Chief Whips' Forum and in principle there was an agreement that it is something that we need to explore. [Interjections.]

Yima kancinci, nithetha nje into eningayaziyo. Okwesithathu, le nto ithetha ukuba ezi ngxelo xa sizixoxa kwaye sizivuma sigqithisa nje usana kunina, asinazinjongo zokuzilandelela ekuhambeni kwexesha. Ndicebisa ukuba singaphindi sizikhathaze ngokuya kufunda kumanye amazwe. Ohloniphekileyo uSteenhuisen uyiphakamisile le nto kulaa Foramu yabaBhexeshi abaziNtloko kwaye ndicinga ukuba uyaphazama ohloniphekileyo uMulder.

*(Translation of isiXhosa paragraph follows.)*

[Hold on a second; you just talk about something you have no idea about. Thirdly, this means discussing and subsequently adopting these reports will be a mere rubber-stamping or formality, with no intention to follow up on them later. I suggest that we should not bother ourselves to undertake study

tours again. Hon Steenhuisen raised this in the Chief Whips' Forum and I think hon Mulder is making a mistake.]

I was one of the people who supported him to say it is one of the issues that we discussed last year and it is one of the resolutions we thought we were going to take forward to the Sixth democratic Parliament. Unfortunately, that has not happened. The issue here is about improving and increasing the credibility of Parliament so that it is not "us" against "them" ...

... kuthiwe hayi le Palamente liziko nje le-ANC kuba iyalawula. Ndakhe ndayibona ke le nto isenzeka ngaphambili kwaye nina nihewula, nikhwaza nje naningekho. [Uwelewele.] Kaloku omnye uSihlalo weNdlu wayesuka kwi-IFP kwimihla yangaphambili. Le nto yamoshwa nguMsholozzi. Nina ngoku senisithi nisebenza nomntu wonke nibe nikhankanya amagama enkokeli zemibutho yethu xa uMongameli Ramaphosa esenza intetho ngobume besizwe. Ngoku xa kufuneka nenze laa nto uMongameli ebethetha ngayo kunzima ukuba nivume ukuyenza. Masincede siyilungise ekuhambeni kwethuba kodwa qhubani nodwa okwangoku. Iza kunixaka kuba niza kuthi xa nibethwa ngala maqela aphikisayo nibe nibhekabheka nijonge kuthi. Thina siza kube singekho. La masela. [Uwelewele.]

*(Translation of isiXhosa paragraph follows.)*

[... and then people will say this Parliament is just a platform of the ANC because it is the ruling party. I have witnessed this before and you, while you are heckling and shouting, you were not here. [Interjections.] Remember that one of the House Chairpersons was from the IFP before but Msholozzi spoiled that. You already said that you work with everybody and also mentioned the names of the leaders of our political parties when President Ramaphosa delivered the state of the nation address. And when the time comes for you to fulfil promises made by the President, you are reluctant to fulfil them. We should work towards correcting this in future, but for now you are on your own. This will get you into trouble and you will come crying to us when the other opposition parties are beating you up - you will expect us to help. When that time comes, we will not be available to help. These thieves. [Interjections.]]

The SPEAKER: Hon Kwankwa, I am not sure who you are referring to as "amasela."

Mr N L S KWANKWA: No one! No one, Speaker.

The SPEAKER: It is definitely not the members of this House. Am I correct?

Mr N L S KWANKWA: No, no, absolutely not. No, you are quite correct.

The SPEAKER: I am correct?

Mr N L S KWANKWA: You are quite correct.

The SPEAKER: So, "la masela" we will take it that you are referring to them in your imagination.

Mr N L S KWANKWA: No! Correct. [Laughter.]

The SPEAKER: Thank you very much, Sir.

Mr N L S KWANKWA: I am much obliged to you. [Laughter.]

USOMLOMO: Ngiyabonga. (*Translation of isiZulu word follows.*)

[The SPEAKER: Thank you.]

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

[Interjections.]

The SPEAKER: ... hon Dlakude, I am told ... [Interjections.] can I get your point.

Mr N F SHIVAMBU: I want to make a declaration, hon Speaker, and I can make the declaration from here.

The SPEAKER: You can.

Mr N F SHIVAMBU: There is no need for me to come there.

The SPEAKER: Hon Dlakude, do you mind letting the hon Shivambu to take precedence?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: No.

Mr N F SHIVAMBU: Hon Speaker, we think that there are a lot of extremely incompetent appointees of the ANC into committee chairpersons and presiding officers, including a Deputy Speaker who is extremely incompetent and mediocre. However, you have won the elections. Do whatever you want to do. We will meet in 2024. We will present our perspective to the electorate in terms of what should happen.

I honestly think that we should accept the electoral outcome and we have accepted that. We must not try to impose ourselves through other means and everything. You have won the elections and let's go on. [Interjections.] We will oppose each other in committees and we will take it from there. Thank you.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, let me take the opportunity to thank the hon Shivambu and hon Mulder. I thank you, hon Mulder because you alluded to what we have discussed in the Chief Whips' Forum.

Hon Speaker, yes, we undertook a study tour last year. Yes, we debated the Report of the study tour towards the end of the Fifth Parliament. Nothing has been implemented as yet. A study tour is just a study tour. [Interjections.] We will take what will work for us because we didn't go on a study tour in South Africa, but we went to other countries. So, their systems of elections might not be the same as ours. Therefore, we will take what works for us and leave other things.

Yes, we understand that we are a multiparty Parliament and we allow participation of all parties, but the fact of the matter is that, go out there and win the elections. The majority of South Africans gave the ANC the mandate to lead this country.

Hence, we will not outsource power because if we do that, it will create a problem for the ANC. Yes, in the ANC decisions are not taken by individuals, but we lead and take decisions collectively. The ANC is not running a spaza shop like the DA is doing ... [Interjections.]

Ms P T VAN DAMME: ... hon Speaker! Can I ask the Deputy Chief Whip of the ANC whether she understands the difference between a majoritarian Parliament and a participatory democracy? Does she understand the difference?

The SPEAKER: Hon Van Damme, she will not take a question during a declaration on the vote. Please proceed, mam.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, yes, we note the point of the DA. However, we do not agree with what the Chief Whip of the DA is saying. Again, in the previous Parliaments, yes, we had a presiding officer from the opposition party, especially from the IFP, but in the Fifth Parliament we had the very same arrangement that we are having now that the ANC won the elections and it decides to have presiding officers amongst its own members. Didn't we have a smooth running Parliament by then? [Interjections.]

Coming to the question of the hon member, hon Speaker, I just want to tell the hon member that if she takes me out for a drink in the bar, unfortunately, that bar is closed now and I don't drink. Thank you.

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

Question agreed to.

Motion accordingly agreed to.

**ELECTION OF MEMBERS TO REPRESENT PARLIAMENT IN PAN-AFRICAN  
PARLIAMENT**

(Draft Resolution)

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

That the House elects the following members to represent Parliament in the Pan-African Parliament in terms of article 4(2) and (3) of the Protocol to the Treaty Establishing the

African Economic Community Relating to the Pan-African  
Parliament:

- (a) Ms T R Modise (Speaker of the National Assembly);
- (b) Mr N A Masondo (Chairperson of the National Council of  
Provinces);
- (c) Ms P C P Majodina (ANC);
- (d) Mr T R Majola (DA); and
- (e) Mr J S Malema (EFF)

Motion agreed to.

Ms T R Modise, Mr N A Masondo, Ms P C P Majodina, Mr T R Majola  
and Mr J S Malema accordingly elected as members of the Pan-  
African Parliament.

**ELECTION OF MEMBERS TO REPRESENT PARLIAMENT IN SOUTHERN AFRICAN  
DEVELOPMENT COMMUNITY PARLIAMENTARY FORUM**

(Draft Resolution)

The Chief Whip of the Majority Party moved:

That the House elects the following members to represent Parliament in the Southern African Development Community Parliamentary Forum in terms of article 6(3) of the Constitution of the Forum:

- (a) Ms T R Modise (Speaker of the National Assembly);
- (b) Mr D L Moela (ANC);
- (c) Mr T B Matibe (ANC);
- (d) Mr D Bergman (DA);
- (e) Ms H O Mkhalihi (EFF);
- (f) Chairperson of the Multiparty Women's Caucus (Name still to be confirmed).

Motion agreed to.

Ms T R Modise, Mr D L Moela, Mr T B Matibe, Mr D Bergman, Ms H O Mkhalihi and Chairperson of the Multiparty Women's Caucus accordingly elected to represent Parliament in the Southern African Development Community Parliamentary Forum.

**DESIGNATION OF MEMBERS TO JUDICIAL SERVICE COMMISSION**

(Draft Resolution)

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I hereby move the motion as indicated on the Order Paper:

That the House designates the following members to the Judicial Service Commission in terms of section 178(1)(h) of the Constitution of the Republic of SA, Act 108 of 1996:

- (a) Ms T R Modise (Speaker of the National Assembly);
- (b) Mr G Magwanishe (ANC);
- (c) Mr V C Xaba (ANC);
- (d) Adv G Breytenbach (DA);
- (e) Mr J S Malema (EFF); and
- (f) Mr N Singh (IFP).

I so move.

The SPEAKER: Are there any objections?

HON MEMBERS: No!

The SPEAKER: Hon Shivambu.

Mr N F SHIVAMBU: Hon Speaker, you'll realise when you have to sit in the Pan-African Parliament, the SADC Parliamentary Forum

and the Judicial Service Commission, JSC that it is not practical in terms of scheduling. You will not be able to sit in the three deployments and still be the Speaker of Parliament. It is not ... Whatever happens, will not happen. You are going to compromise one or more of the four major responsibilities. I think that the ANC caucus must relook into it in terms of re-scheduling [Laughter.] We can look into it now but later on, we must then deal with it in a different way. I think that is one thing you must look into closely.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, we take note of what hon Shivambu is saying and we are aware of what it means to have the Speaker in this forum. So, we will attend to it as the ANC. Thank you very much.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, Rule 85 gives a reflection on your ability to be a multitasker, but also for the sake of consistency, this is the thing about the EFF. They came here just now and said you have won the election, and must put whoever you want. Now they have a different view.

[Interjections.] [Applause.] It is Pravin one day and not Pravin the next day. It's Busisiwe Mkhwebane one day and no Busisiwe Mkhwebane the other day. [Interjections.] It's the Speaker one day and no Speaker the next day. It's hard to ...

The SPEAKER: Hon Steenhuisen. Hon member, can I close this matter?

HON MEMBERS: Yes.

The SPEAKER: Hon member, can I close this matter? Indeed, this matter is almost raised in the same way it was raised by yours truly, hon Shivambu and it is under discussion. So, the ANC will come back on this matter. [Interjections.] Other than the point raised by the hon Shivambu, is there any objection to this motion?

HON MEMBERS: No!

Motion agreed to.

Ms T R Modise, Mr G Magwanishe, Mr V C Xaba, Adv G Breytenbach, Mr J S Malema and Mr N Singh accordingly designated to the Judicial Service Commission.

**DESIGNATION OF MEMBERS TO MAGISTRATES COMMISSION**

(Draft Resolution)

The Chief Whip of the Majority Party moved:

That the House designates the following members to the Magistrates Commission in terms of section 3(1)(a)(x) of the Magistrates Act, Act 90 of 1993:

- (a) Ms D E Dlakude (ANC);
- (b) Mr Q R Dyantyi (ANC);
- (c) Mr W Horn (DA); and
- (d) Mr G A Gardee (EFF).

Motion agreed to.

Ms D E Dlakude, Mr Q R Dyantyi, Mr W Horn and Mr G A Gardee accordingly designated to the Magistrates Commission.

Business concluded.

The House adjourned at 14:50.

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