6.1. 9 In terms of the Life Skills, 690 educators were trained on HIV /AIDS programmes. The noted challenges are: shortage of staff to do training and monitor the program. Also only one progamme running and districts are not covered.

6.1.10 The District office support in schools

It was reported that Districts are supposed to visit every school at least twice per year. The District Officers have been seconded to act as circuit managers. The challenge however is that some Circuit Managers have to manage more than one District.

6.1. 11 Provincial Budget

The Department had overspent its budget of 90%. The challenges are that the department has been using a wrong formula. The overflow of educators also impacted in overspending. Also most educators are not qualified to educate mathematics and sciences.

The following issues were explained

- The department explained that the issue of school under the tree had been resolved and there was no school under the trees.
- The educators had been paid, permanent educators were paid on the 27th and others were going to be paid on the 31st.
- There were 25 special schools with 6657 learners.
- Yes, the department had the largest number of ghost educators and it was working in co-operation with the department of treasury to deal with the matter.
- The service providers' contract for nutrition food ends in February 2007. The department plans was to utilize parents as volunteers in feeding the learners. The parents would be given proper catering training.
- The circuit managers was supposed to conduct two visits per week but every school is visited at least twice per year, because some circuit managers have to manager two circuits (at least twice per year sounds rather too low)
- The department managed to enrol 30 500 learners in community ECD sites.
- Lack of FET trainers was caused by lack of capacity to implement the new training programme, as most of the educators are under-qualified.
- The department does call for people on the ground with expertise but some of them are old and don't respond.

7. Report on meeting with representatives of the organized teacher formations

The delegation met with representatives of SADTU and NAPTOSA. The Unions briefed the delegation on challenges on following issues:

7.1 Issues of Provincial Leadership and Management

It was mentioned that the department management lack synergy and was riddled with inconsistence. The management is generally tired and unresponsive to the situation that they are being faced with. There was no space for provision of leadership and innovation. Most managers had been on acting capacity for many years, vacancies are unfilled and that compromises service delivery.

7.1.1 Human Resources

The working force is reported as stagnated in terms of skills development and concern is that the department is loosing personnel to other departments at a higher rate. The department needs to deskill its work force with technological skills.

7.1.2 The Education System

The system is still focused on the creation of work seekers than job creation. It was reported that the FET level is still more academic, with no intrusion of vocational skills. The educators are not equipped and more workshop and training should be conducted.

7.1.3 Implementation of New Curriculum Strategy (NCS) of State of Readiness

The department should make training a high priority and provide enough resources to make the programme realizable.

7.1.4 Provision of infrastructure, school transport and PSNP

Most schools have no toilets, furniture, electricity, security and sport facilities. Learners in rural areas are crossing rivers to school because of lack of bridges and school transport. The nutrition programme is functional but the concern is that learners are fed poor quality food. The department should form task teams at all levels to monitor corruption of primary school nutrition programme scheme.

7.1.5 Discipline and Management

The department should provide change management training for educators and

Parents have to deal with the challenge of discipline. The department should embrace:

a) Ethics and practice of management
b) Organizational development - developing and sustaining effective structures, systems and procedures of improved management.
c) People development empowering managers by building their professional competencies.

7.1.6 HIV AND AIDS: **The department should provide training for educators on how to deal with issues of HIV/AIDS.**

7.1.7 No- school fees: **The criteria and policy used for no school fees should be revisited.**

7.2 Report on meeting with District Senior Management Team

The district managers briefed the delegation on their statistic data, co-functions and challenges as follows:

Name of Districts	No. of Circuits	No. of schools	No. of Teachers	No. Educators	Staff Complement	Vacancy rate
Mopane	22+2	770			-19 Circuit Managers, -11 temporary, -8 permanent.	292 posts, 60%filled 3 vacant
Waterberg	18				-18 Circuit managers, -14 temporary -4 permanent	295 posts 134 filled 152vacant
Capricorn	32	933			-32 Circuit managers -12 permanent -20 temporary	
Vhembe	27	108			-27 Circuit managers -25 permanent -2 temporary	3 vacant post: Personnel, Financial, Examination managers
Bohlabela	16	400			-16 Circuit managers -6 permanent -10 temporary	292 posts 120 filled
Sekhukhune	33	919			- Circuit manager -6 permanent	All posts are vacant

Challenges

- Shortage of staff
- Recruitment process was stopped by the department with no reasons
- Principals hold posts that were higher than lecturers
- Delay of approvals by the department
- Lack of accommodation for circuit managers
- The new orgarnogram was done in 1997 and was sent to the department but still not approved.
- Some schools had computers with no electricity
- Lack of psychologist in schools
- Some schools had first aid kit and others don't
- Lack of telephone lines in school

The following issues were explained

- Issue of delay of exam papers was caused by shortage of staff and the vastness of the province
- They had waited for 9 years for approval of new organogram
- The key role of District Managers was:
  - To ensure delivery of quality education by means of planning and implementation.

- To implement government policies.
- To advise head of the department of issues related to schools.
- To ensure proper utilization of government resources.

- The school transport was provided.
- There are 45% qualified educators for mathematics and science.

7.3 Report on meeting with Circuit Managers

The Circuit Managers briefed the delegation on their role and challenges in schools.
The role of Circuit Managers was:

- To support and assist schools with legislations in place.
- To assist schools in solving problems with management.
- To make recommendations for recruitment of educators

Challenges

- There were circuit managers acting for more than eight years
- Shortage of staff that leads to lack of schools visits, circuit managers are expected to do administration work
- Lack of discipline in all levels, learners, educators, principals and circuit manager
- Lack of leadership from the department
- Lack of consultation, unions and other parties are consulted more effectively then circuit managers
- Lack of definition of quality education
- Transport was provided but not for all learners
- Learners were not provided with nutrition food every day
- Lack of communication systems
- Lack of support structures and resources
- Gap in circuit managers salaries
- Workshops were conducted after work was done and affected the quality of education
- Lack of office space and telephone lines in schools
- Delay for approvals from the department

The delegation thanked and commended the circuit managers for the good work done despite the challenges. It was also mentioned that the department would be tabling its quarterly report to the provincial legislature soon and the output of this meeting would assist the members in dealing with these challenges.

8. REPORT ON VISIT TO SCHOOLS

8.1 Hoërskool Warmbad

Hoërskool Warmbad is a former model C school; Afrikaans was the only language of instruction until 1998. After 1998 English was introduced in a parallel medium. The school has intake of 664 learners, of which 354 are taught in Afrikaans and 310 use the English medium. In terms of performance, it has for five consecutive years received 100% pass rate for matric. In a period of eight years only one learner had failed matric.

In 2005 the school won two trophies, for best result in Waterberg region and best performance of former Model C School in the province. The school also obtained 65 distinctions from eighty-four candidates and 59% of all candidates obtained University exemption.

The following challenges were noted:
Infrastructure

- Lack of boundary fence and security
- Bathrooms are not adequate due to increase in learners
- Lack of furniture, request was sent to the department since 2004
- School buildings need minor repairs and paint

School transport

- Lack of transport for learners, most learners stay in school hostels
- Access roads with potholes is in very poor condition

The following issues were explained:

- The school was still waiting for the response from the department regarding furniture and school transport (verify with school)
- Yes the school was integrated and had no racial problem
- The school educators who attended workshops for OBE and had clear systems in place to monitor OBE standards.
- The school has exemption policy and learners who do not afford school fees were required to apply for exemption.
- The issue of HIV/AIDS, the school has a priest who had a good relationship with learners and a psychologist from the clinic assisting the school with HIV/AIDS programmes.
- The School Govern Body (SGB) assists the school in payment of people to maintain the cleanness of the school ground.

The delegation expressed appreciation on the excellent work done by educations and thanked the School Govern Body (SGB) for its participation in school, for achieving high passing rate.

8. 2 SPA Park Primary School

The school had eight hundred and one learners with 25 educators, one support staff and
nine volunteers. The average passing rate for the last five years was above 90%. The school was one of the leading schools in terms of educational performance in the province. The school link up with other stakeholders to improve COLTS in the school. The school was quintile four schools. They had two computer rooms with forty-three and thirty-nine computers. The school has remedial programme for four learners and one disable learner.

Infrastructure
The school had eight classrooms, five asbestos classes, and five mobile units, five classes outside the school and one in the tent. Rotary donated two rooms utilized as offices and a kitchen for nutrition purposes. Parents were involved in building the three storerooms. It is only permanent classes that have electricity. The school has twenty-four toilets for learners, three cisterns and four for staff and adults.

Human resources

- The school post establishment was supposed to have eighteen post and sixteen was filled.

Curriculum, OBE, RNCS & NCS

- Educators attended workshops and training for curriculum.
- The school was one of the pilot studies for introduction of OBE.
- Senior educators were currently trained in NCS.
- The school had additional languages, Afrikaans, Sepedi and Setswana

Primary School Nutrition Programme

- The school had eight parents' volunteers who render their services on a daily basis. The parents were paid R110 per month from the department.

HIV/AIDS: The school has an operating HIV/AIDS programme.

In terms of discipline, the school had educators in charge for discipline

Concerning school transport, there are learners walking a distance of 7km to school and the school does not have transport.

The challenges of the school included:

- Lack of space for school ground
- Shortage of classrooms.
- Lack of proper administration office and staff room
- Lack of proper fencing for sports field.
- Lack of electricity in mobile units
- NCS textbooks were not replaced annually.
- LTSM arrives late and top-ups never arrive at school
- Lack of discipline and support from parents.
- Lack of refresh courses for educators in NCS
- Lack of funds to pay for school services. One hundred and eighty-four learners were exempted from school fees and other learners were partially exempted.
- Understaffing of circuit office influence the implementation of IQMS negatively
- Lack of library books and equipment.
- The department has not paid school's account.

Issue for clarification: The delegation was informed that the school and the circuit office have good working relations.

8.3 Albert Luthuli Primary School

The school was established in 1999 as a new Public Primary School in the township to address the demand for more schools. The school has enrollment of 749 learners with 60 educators. The average passing rate for the past five years was 80%. The school is categorized as quintile school.

Infrastructure

- The school has 2x4 classrooms and four mobile classrooms with no furniture
- The school had received donation of a computer, photocopier and typewriter.
- The school has three seats of toilets for educators and four seats for learners
- Lack of school grounds, the school was engaged in discussions with the municipality for the provision of the sports fields next to the school.

Curriculum

- The school offers mathematics and science
- Most educators were new in the school and had a challenge of implementing RNCS and NCS.

Human resources

- The school post establishment was for twelve educators in 2005. In February, 2005 the school received other three posts which have not yet been filled
- The school has no HOD and no Deputy Principal

On discipline, the school has a high rate of absenteeism both educators and learners

National School Nutrition Programme (NSNP)

There are two educators involved in the progamme with parent as volunteers. There is no school kitchen and food was prepared out side.

Challenges

- Lack of furniture and resources
- Lack of support staff
- Lack of classrooms and library
- Lack of kitchen, wood and pots
- Unemployment of parents, affecting the finance of the school
- Lack of commitment of parents in learner's education
- Lack of administration office and telephone line
- Lack of summative evaluation and the role of DSG'S and SDT.
- Lack of capacity for SGB's
- Lack of sport facilities
- Lack of complete management in school
- Lack of funds

The following issues were clarified

- The department had clarified the schools in different categories and this year the school qualify on the category of building a facility. The school believe that a sports field is needed.
- The circuit office was supportive but the challenge was lack of staff in the circuit office that was causing the delay.
- The school gets funding from the department for norms and standards and from school fees at R85 per learner per year.
- Absenteeism was caused by the high rate of educator's sick leaves and the learner's home responsibilities.
- The school did try to connect the line with telkom but due to financial constrains the process was delayed
- The SGB's workshop was planned in 2005 on 'Responsibilities and role of SGB's' but failed because of poor attendance.

Comments
It was emphasis that involvement of parents and SGB's in schools was very critical. The principal gave the impression that he was working alone in the school with no assistant from SGB's and SMT. The workshops for SGB's and SMT should be conducted to ensure smooth running of the school.

8.4 Phemphe Primary School Farm School

The farm school was established in 1958 with three classrooms and 150 learners with 2 educators. The school enrollment had dropped to thirty- two learners for the past five years.

The school infrastructure, is not in god condition, has three classrooms with dilapidated roofs, no supply water since 1996, no electricity, no fencing, no educators accommodation, telephone and playgrounds.

The National School Nutrition Programme is in programme in place but with no volunteers, as most parents are farm workers.

Concerning Scholar transport, an application was submitted to the Department and the application was successful.

Challenges

- Merging of the school with Doornfontein School.
- The Circuit Manager gave the background and the progress on the merging process as follows:

The Doornfontein School was situated 2,2km away from Mphempe primary school with eighteen learners and two educators. The School had all facilities needed by a normal school. The two schools were merged in April 2004 but the merging process was not successful. The process continued in January 2005 and was successful, however necessary steps were not followed as result the Department was taken to court by Doornfontein School. The process was thereafter followed correctly and the MEC wrote a letter to confirm the matter. The department is thus waiting for the outcome/ response from the court.

8.5 Arkona Primary School

The school was an old Missionary Institution, which was established in 1877 with no running water, no borehole and no telephone. The school had nine dilapidated buildings. The principal was appointed in March 2006.

In terms of infrastructure, the school has nine old classrooms, one improved administration office, which was also heavily infected by termites. It was never renovated; the termites destroyed the school furniture, class door, library materials and cleaning materials. The school has toilets for boys and girls and for educators in which were not in a good condition.

National School Nutrition Programme (NSNP)

- The school has nutrition programme in place with two parent's volunteers and has a vegetables garden. The food was kept in a storeroom and there was an improvised kitchen.

Curriculum: Some educators had attended NCS workshop.

Challenges

In terms of management of the school, the Principal is not well trained, no support from the Circuit Office. Also the school is not well resourced, the school has only one computer, lack of funds because most parents are unemployed. There is serous shortage of water supply, no proper sports facilities and high theft rate in the area. The department proposed merging of both schools Arkona with the school next to it.

The following issues were clarified:

- The merging was a solution but the challenge was the process that was stressful for the educators and parents.
- Yes, the school informed the department about the classrooms and the department visited the school. The department recommended that the school was dilapidated and proposed the merging.
- The circuit office assistance was not effective because of lack of staff.
- There was no existence of SMT in the school
- The school was classified as quintile two, but had not received the funds from the department for norms and standards.
- Yes, there was SGB's in place and good participation of parents. Most funding was fundraised by SGB's by selling vegetables.
- There school had no discipline problem and learners had lessons about HIV/AIDS information.
- The school had no cleaner and caretaker the parents were assisting with cleaning the school.

8.6 Bopedi Bapedi High School

Bopedi Bapedi High was established in 1956. It started with two teachers. In 2004 the Transnet Foundation renovated the school and donated 21 Computers and two printers. The school had had both boys' and girls' hostels. The boy's hostels were erected by the department of Education and the girl's hostel was financed by CIBA GEIGI Company. The school enrolment was eight hundred and fifty. The average pass matric rate for the pass five years was 90% and had been incorporated into Dinaledi Schools.

The school serves as a center where almost all academic activities such as workshops, meetings and academic seminars were held and also as venue for meetings of churches, political parties and examination center for UNISA.

In terms of school Infrastructure, there is no proper school fence and the hostel dining hall was extremely in poor condition. The school had four toilets for girls, four for boys and two for educators.

Concerning NS Curriculum, not all educators received training in the NCS. However those who received it are busy with implementation. The school encounter difficulties in obtaining learners support material in Electrical Technology and Engineering Graphics and Design

Discipline

- The school had a challenge of drug abuse and all the relevant stakeholders were involved to assist in addressing this problem.

Challenges

- Lack of toilets and proper school grounds.
- Lack of school fence and security. The school has been a victim of vandalism and housebreaking and nineteen computers have been stolen,
- Shortage of suitable qualified educators in Mathematics and Physical Science and Technology.
- Retraining of Educators in NCS

The following issues were clarified:

- The school had submitted the request for infrastructure and toilets to the department and still waiting for the response.
- The school experience disturbance only when there was a lack of communication about the activity.
- The school had no career guidance as a subject; educators were motivating the learners in class.
- The school has discipline problems with learners take drugs and parents and stakeholders were invited to address the learners.
- The school had health worker running the HIV/AIDS programme
- The school managed to achieve high passing rate because of dedication of educators and learners in their work. There were 31% learners who passed mathematics and 64% passed science. The challenge is that the learners who are taking commercial are not concentrating fully in mathematics.
- The school is at quintile 2 and has received funding from school fees that was R200 per learner per year.
- The school had a good relationship with Circuit Office and the Circuit Manager visits the school frequently.
- There is a displayed South African National Flag in the school.

Comment: On the issue of vandalism and security the delegation emphasized that the department should assist the school in dealing with the challenge.

8.7 Legaletlwa Secondary School

The school was established in 1977 with 8 classes and 197 learners with 3 educators. In 1999 the school had a new principal with twenty-three educators. The average passing rate from 2001 was 18, 2% and improved to 87, 8% in 2005.

The school Infrastructure, there are nine electrified classrooms and five mobile classrooms with five hundred desks supplied by the department. The mobile classrooms were utilized for staff room, library, laboratory and principal office. There were ten pit toilets, two for educators, four boys and four for girl learners. The school does not have proper running waster, they make use of borehole and does not have proper sports facilities.

In terms of the **New Curriculum Strategy**, not all educators received training There is shortage of LSM in some learning areas and in grade 10 the all learner received the Learner Support Materials.

Challenges
The school is generally not well resourced and under supplied with sanitation, no proper library, science laboratory and computer. There are no qualified teachers for NCS, administration personnel, office and necessary equipments. The is no proper security fence and sports facilities.

The following issues were clarified:

- The schools building plans included a laboratory and library which were to be built before 2009. An application for more classrooms as been submitted to the Department and a response was awaited.
- Some parent's were supportive and the school had a good relationship with the SGB'S
- The school was waiting for the HOD post to be filled so that they would deal with the issue of water
- The school experience on discipline was late coming of learners and was involving parents to come to school and explain. They had no experience of HIV/AIDS in school
- The school would like to have more workshops on IQMS.
- The school establishment was eighteen and went down to sixteen
- The overall of number of learners taking mathematics is 57% and 82.4% for science.

Comments
It was emphasized that schools should have national symbols to reflect that it represents the Nation.

8.8 Thengwe Secondary School

The school was established in 1965 as Mutale Secondary School. In 1966 was relocated to the current premises after Chief Nethengwe had donated land for its erection. The first Matriculation was introduced in 1976. Students at the school actively participated in the 1976 student uprisings. It has school establishment of 53 educators comprising of, 1 principal, 2-deputy principal, 4 Heads of Department and 46 educators. For the past five years the school holds 98% matric pass rate.

The school had a strong link with former students and they assist the school to motivate learners. One of the educators has won trip to Mali on National Heritage day celebration and was nominated to visit UK on behalf of the Limpopo Department of Education.

In January 2005, the school received two evaluation reports from which indicated that the existing were unfit to host learners for teaching and learning purposes. The report was submitted to the Education MEC in January 2005. The construction of two newly erected blocks of four classrooms is at the initial stages.

In terms of the New Curriculum Strategy, the school curriculum was organized into four streams: Natural Science, Economics and Management Science, Humanities and Language, with each stream under one Head of department. The grade twelve learners achieved 400/400 in Physical Science and 400/400 in Economic in 2005 final examinations. The school feature among Top 10 schools in Limpopo Province and top 3 schools in Vhembe Districts. The school was nominated to participate in enrichment programme owing to continuous good performance in grade twelve.

Challenges

- Overcrowding in the classrooms
- Migration of experienced teachers to promotional posts in other schools
- Insufficient training in the NCS in planning and assessment
- Delay in replacing educators leaving the school for promotion at the critical time for preparations of examinations

Learners were not exposed to institutions of higher learning because of where the school was situated.

The following issues were clarified:

- The school was working with parent in dealing with discipline. They had allocated time in the school year plan to address issues of HIV/AID and drug problem and had invited relevant stakeholders
- The school educators and SGB's visit the community to inform the parents about the schools issues, and school meeting attendance was good
- The school does not have a serious drop out rate; this was only because of teenage pregnancy.
- The school had their own school structure for effective communication. The principal and the deputies meet everyday to discussion the school matters and cascade the matters to SMT and SGB's. The school had internal motivational talks and also support from SGB's and the Chief of the village.

Comments

The school was commended on the very good relationship on leadership of SMT and SGB's. The school was the only school that presented a school year plan.

8.9 Mbilwi High School (courtesy visit)

The school holds a 100% matric pass rate since 1995 and all learners obtained an exemption. The school has an enrollment of 1130 learners. Most of the learners are doing mathematics and science and are registered for higher grade. There good relationship between the management team, Learners Representative Council (LRC) and good participation of parents (SGB's).

They recruit educators from neighboring schools for Saturday classes to teach grades 8 to 12. The school host winter classes its learners and those from surrounded schools. These classes assist learners, especially grade twelve learners to prepare for their final examination. They also had the learners exchange programme and invite educators from other schools for exchange ideas from other school by visiting the school. The school are hosts Science Expo for Youth Scientist and AMSA (mathematics competition) for the Region.

The school infrastructure has twenty-four overcrowded classrooms built by the department but no furniture has been supplied. Three learners seat on one desk while other use their laps as a table. There is supply of water and electricity. The management raised funds to build the school hall, but this has not been completed due to lack of funds. The school had no sports grounds because some of the new classrooms were built on spaces reserved as fields for soccer and netball.

In terms of the **NCS**, there were not reported problems, with the problems. The principal and the management team encourage educators to finish the syllabi in June. The school tries not to have formal staff meeting that would take most of teaching periods. The principal tries and have informal discussions with every staff-member about the work progress and challenges.

Discipline: The principal and management team encourage educators and learners to be punctual at school. The school had no challenge of absenteeism.

The school challenges are shortage of educators and classrooms due to promotions. There is shortage of furniture and textbooks; no Media Centre; lack of funds to complete the school hall; no proper Technical Drawing Classrooms and sports facilities for learners

Comments

The delegation expressed appreciation to the school for the effort and dedication of educators on their good work.

8.10 Mahematshena Primary School

The school is situated in rural area and is classified as quintile 3. The school has an enrolment of 643 learners with 18 educators and an Acting principal.

In terms of the infrastructure, there are eight classrooms in good condition; four of these were built by the community with assistance from the SGB's and other four by the department. The classrooms built by the department require renovations. The school had electricity and water donated by Independent Electoral Commission (IEC). It has eight shacks classrooms that were utilized during rainy season because of poor condition of the classrooms. There are no sports ground facilities

In terms of **curriculum development**, the educators were sent on RNCS and NCS training; however the duration for these workshops was short.

The school had **nutrition programme** in place with parents preparing food for the learners.

The **noted challenges** are no proper sports facilities, no administration office, hall, school library and computers. The school was classified as quintile three and does not fall under it

The following issues were clarified:

- The principal post was not advertised
- The school had no discipline challenges
- The school had a good relationship with the parents and support was received from the Chief of the village.
- They had good working relationship with the circuit office and the circuit manager was visiting the school.
- The school had written to the department about the challenges faced by the school. The department responded that the school was on the priority list for 2006. The department would build eight classrooms and eight toilets.
- There were schools in the area with similar challenges and was classified as quintile two. The principal edged the department to revisit the quintile classification on the area.

8.11 Surprise visit to O R Mabotja High School

The delegation arrived at the school and most educators were sitting in the staff room during school time. Three educators were absent at school and the principal informed the delegation that only one educator reported sick. It was noted that there was a lack of discipline in among the educators and learners. The school-passing rate had decreased from 80% to 43%.

It was agreed that the school was in serious problem and the department should intervene in rescuing the school. The delegation requested he school principal to submit a detailed report on challenges faced by the school.

8.12 Taxila Combined School

The school was a combined Primary and high school and was situated in the so-called Indian area. It was initially built to cater for five hundred learners but has since grown to house 1148 learners. The school was race-integrated school with an approximate breakdown of 80% black learners, 20% Indian, coloured and white learners.

The school was voted into the Top 100 schools in the country for three consecutive years. The SGB of the school was actively involved and were handling the interviews and appointments of educators. The annual school fees were R1000 per learner per year

In terms of **infrastructure**, the electricity and water are available and have been paid up. However the school has a shortage of classrooms, the grounds need upgrading. In terms of LSM, the educators have been on training, however, more training and workshop should be offered to improve the standard of learning and application strategies of the educators. The schools have been supplied with LSM materials. The school does not have functional nutrition programme. It is still at foundation phase and is being run through financial support of previous learners.

Challenges
The school does not have an educator for science & mathematics (grades 11 & 12) since March 2006. In order to address this challenge, services of a private tutor were secured to teach on Saturday classes. There is concern about lack of parental involvement on school activities. In terms of infrastructure, the school does not have a hall and the resource centre has not been updated since 10 years ago.

9. Report on feedback meeting with the Department

The delegation met with the Department for a feedback meeting and following issues were raised for clarity:

Concerning mergers of **Doornfontein and Mphemphe Primary Schools**, it was reported that all necessary legal steps as prescribed in Section 12(A) of the South African Schools act 84, 1996 as amended have been followed by the department. The MEC has issued a directive to the SGB's of Mphemphe and Doornfontein to hold a meeting in terms of subsection 6(a) and (b) and Sec(12(a) of SASA. As a result that a meeting of the two schools SGBS was scheduled for the 12 July 2005 and could not take place, because the Doornfontein SGB indicated in writing their intentions to appeal against the merger to the Minister of Education. (Section 12 clause (7) of SASA). It was further explained that a letter from Head Office dated 22 November 2005 seeking the position of the Mphemphe SGB as to the merge was transmitted accordingly. The Mphemphe SGB chairperson wrote a letter to the Minister indicating the school position on the merger. The Minister of Education responded in a letter by confirming the position of the MEC after considering the submission of Doornfontein School.

The delegation recommended that the department should direct hold a joint meeting between the schools that should lead to final merger.

The **Arkona Higher Primary School** has grades 5 to 7 with in enrolment of 177 learners. It has nine old dilapidated classrooms and no water on the premises. The delegation observed that the school uses pit toilets and these were not well managed and posed a health hazard. The school was infested with termites which destroyed chalkboards, doors, the roof, library material and table tops.

The **Tiitsane Lower Primary School** is separated by a fence from Arkona Higher Primary School. It has 18 classrooms, of which 8 of them are not being utilized. The school has electricity and running water, however water is not always available.

Considering the infrastructure of the two schools and their proximity to each other, and also that one school offers Grade R to 4, while the other offers Grade 5 to 7, it the delegation suggested that it would be educationally and financially sound to merge the two schools in order to maximize provision of resources.

It was further reported that the job descriptions of Circuit Manager were developed and distributed to line managers and relevant supervisors for adjustment and implementation.

The delegation was informed that the new Organogram has been finalized by the MEC and Premier's Office and the job evaluation on all the Senior Management

Service (SMS) posts. The results of these were handed to the department on July 30, 2006.

Concerning the **Mbilwi Secondary School,** it was last furnished in 1992. The delegation was informed that the new upgrading level was determined in 2004 for implementation with affect from January 01, 2005. This has however not happened due to budgetary constraints. The department then took a decision to implement the new grading level as they to effect increase in total salary bill of the department.

The department is preparing for a new post provisioning for 2007, and this cost factor was being included in the determinations with a view to implementing new grading levels with effect from January 01, 2006.

In terms of the appointment of two HOD's, the Department records show that there was only one post of HOD advertised for Albert Luthuli Primary School. An appointment has already been made at the school. The appointed educator was Mogashoa who was a female educator. The school does not qualify for two HOD's post. It is believed that a there was misunderstanding caused by non-filling of the other HoD post and it being occupied on adhoc/temporary basis.

Regarding the issue of acting Circuit Managers and educators, the organogram has been finalized but there in key obstacle is that the arrangements have not been concluded Thus these have been have filled on acting capacities.
The school based educators have been appointed in acting capacity simply because the higher posts had been advertised in an open vacancy list and the selection processes were at advanced stages. This aspect has effectively been concluded except in those few instances where there was a dispute declared and the dispute resolution process, under the coordination of the Bargaining Council, has not been concluded.

Concerning the policy for **educator's salaries,** it was reported that all conditions of service for the educators, including basic salaries as well as commencing notches are determined nationally through a collective bargaining mechanism of the Education Labour Relation Council (ELRC). The province does not have any authority of making distinct determinations.

The province is responsible for ensuring compliance with conditions and requirements and to implement the salary dispensation as pre-determined.

5. Recommendations

The Human Resource Provision and Development
Noting that the department has a huge unacceptable staff vacancy rate (18900, it is recommended that an efficient and effective human resources management and development section should be set up. This section should be at the strategic management level to deal with recruitment, development and planning.
It is further recommended that the Limpopo Department of Education should develop plan of action to fill in the vacant posts before the end of the current financial year. This plan should cover the whole education system in order to give effect to the provision of quality education.

Infrastructure
The department should move away from classroom building to school building concept. The Department should consider developing minimum norms and standards for schools.

Implement of new curriculum
The appointment of curriculum implementors should be given a top priority to implementation of the new curriculum as this has impact on unfilled posts.

Specific schools
The committee has noted with disappointment the reluctance of the Doorhfontein School Governing Council to merge with Mphempe Primary School. Despite the MEC having followed appropriate legal process, children at Mphempe Primary continue to suffer humiliation of attending school in an environment where there is no water, electricity, toilets and dangerous for the past nine years. It is recommended that the National department should interact in this matter.

Concerning the Arkona and Tisane Primary Schools, the Department should approve the merge process by March 2007.

The outstanding leadership and management of the Thengwe Secondary and Mbilu High Schools, with their consistent 100% pass rate, should be used as models for good leadership and management.

In O R Mabotja High School there are a number of challenges, it is recommended the Limpopo Department of Education should develop mechanisms in addressing them. The Portfolio Committee should consider undertaking follow up visit to this school next year.

Report to be considered.

3. Report of the Portfolio Committee on Education on the Consideration of the Annual Report 2005/06 of the Department of Education, dated 19 September 2006:

1. Background

The Constitution of the Republic of South Africa (Act 108 of 1996) recognizes that legislatures have a critical role to play in overseeing and monitoring the performance of Departments and Public Entities.
Section 65 (1) of the Public Finance Management Act requires that Ministers table the Annual Reports for Departments and Public Entities for which they are responsible. The date for tabling of Annual Reports of Public Entities and Departments is 30 September each year.

Section 65 (1) of the Public Finance Management Act (1996) states that when tabling a report the Executive Authority responsible for a department or entity must table in the National Assembly or a Provincial Legislature, as may be appropriate. The Annual Report and Financial Statements referred to in section 40 (1) (d) and the audit report on those within one month after the Accounting Authority for the Public Entity received the audit report.

All Parliamentary Portfolio Committee's are required to consider and report on Departmental and Public Entities' annual reports after tabling and referral. The Committee decided to invite the Department to come before it on 19 September 2006.

The purpose for consideration of the annual reports is to assess the performance of the department or public entities against the targets set in the previous financial year.

2. Annual Report 2005/06 of the Department of Education

The Director-General, Mr. Duncan Hindle, briefed Members of the Committee on the 2005/06 Annual Report of the Department for the year ended 31 March 2006. The report was set against five year priorities areas of the department:

- Dealing with poverty
- Skills Development
- Human Resource Development
- Quality improvement
- Health Education and Institutional development

The report focused mainly on

- General Education, Further Education and Training,
- Higher education, Quality Promotion and Development
- System Planning and Monitoring and Administration.

2.1 General Education

Curriculum and Assessment Development with reference to Early Childhood Development

The draft norms and Standards for the Funding of Grade R in Public schools which were approved by the Minister of Finance were released for public comment. Statistics revealed that 70% of 6year olds are in grade R. The Cabinet approved the national Integrated Plan (called Tshwaragano ka Bana) on Early Child hood Development (0-4yrs). A Cluster Programme for implementation of the integrated plan has been developed by the Departments of Social Development, Health and Education.

Curriculum and Assessment Development with reference to Special needs and Inclusive education

The National Guidelines for inclusive learning Programmes, together with the national Strategy for Screening, Identification, Assessment and Support of learners with special needs, were finalised for field testing. Among others, the guidelines enable educators to understand how to teach within a context of special needs. Also they enable for ordinary teachers to identify learners with special needs.

There are District-based Support Teams to monitor the implementation of Inclusive Education in all provinces. These are in areas where there are special schools in order to ensure that learners' needs are attended to and that the resources benefit the intended recipients.

Other matters

The National Protocol on Assessment, which aims to reduce the administrative workload of teachers, has been published. It has however been found that this tool is not clear enough for educators, thus there are considerations to have it as a policy.

The guidelines on school uniforms, was gazetted and this would be used by school Governing Bodies when determining school uniforms. This would ensure that parents are not unreasonably burdened by the cost of school uniforms, and that learners are not excluded for not wearing school uniform.

Reading Development

In order to promote reading in schools, the department has done the following:
5 233 primary schools were provided with sets of 100 Story books. 751 schools were provided with sets of books for Grade 9 learners from the Africa's 100 Best Books of the 20th century. It was noted that many schools have not received books as of July this year. In order to address this challenge, the Learning and Teaching Support Materials (LTSM Forum comprising of stakeholders involved with Learning and Teaching Support Materials was established.

Institutional and Human resource Development

The Education Management Framework and the South African Standard for Principalship (an entry-level qualification for principals) were finalised. National Guidelines for School Governing Body Elections were distributed to provinces in October 2005 in preparation for national SGB elections in 2006.
In addition, the department has distributed 2 million leaflets on the Rights and Responsibilities of Parents and Learners in all provinces through a range of government and civil organisations. In addition a handbook for district management was produced. An Education Management Information System (EMIS) has been developed and administered in 2 districts. This is a system developed to gather data that will lead to development of district profiles. A full report of the findings will be available next year. For 2005/06 financial year, 1 200 provincial officials and 40 000 grade 7 teachers received preliminary training on National Curriculum Statement (NCS) through 653 orientation workshops. 278 teachers have completed an advanced Certificate in Education (in Maths, Science and Technology) with DoE bursaries. In addressing the issues of under qualified, about 2 649 teachers graduated with an National Professional Diploma in Education (NPDE) to become professionally qualified (REQV 13)

Quality Promotion and Assurance

The department has conducted random systematic evaluation to more than 35 000 (over 5% of population) grade 6 learners across the country, to assess if their performance is improving. The baseline for planning and monitoring is available on learner performance in the languages of learning and teaching (LOLTS), and in mathematics and natural sciences to be used by all grade 6 teachers. The national and provincial reports compiled will be considered for use by policy-and decision-makers.

2.2 Further Education and Training

As from January 2006 all provinces implemented the National Curriculum Strategy (NCS) grade 10. The July exam results for grade 10 reflect that this is a

difficult curriculum, which will require further determination for 2007. The success of the curriculum will be evaluated from the 2008 matric results.
The Mathematics, Science and Technology Strategy have been expanded to include 400 Dinaledi Schools. In order to address the shortage of LTSM in schools, a catalogue of grade 11 textbooks has been compiled for selection. The schools have to make a final selection of their textbooks based on the developed catalogue.

Improving learner attainment

The Senior Certificate Examinations were administered and conducted successfully and a report was released on 29 December 2005. The most improved School Award ceremony which aims to encourage schools was held in March 2006.

Further Education and Training (FET) Colleges

The policy for the National Certificate (Vocational) has been gazetted, which indicates 13 priority skills programmes developed for Colleges. The conditional grant for recapitalisation of 50 Further Education and Training Colleges has been developed to support colleges with ICT, infrastructure and facilities development. The Department has set aside R 10 000 per lecturing staff for their development.

2.3 Higher Education

Consolidation of the Restructuring Process

In June 2005, the restructuring of the Higher Education System through mergers and incorporations was formally completed with the establishment of the Walter Sisulu University of Science and Technology, in Eastern Cape. All the newly established higher Education institutions have established substantive councils. The Vice Chancellors have been appointed in most institutions. The merging of administrative and management policies and processes are also well underway at most of the institutions. The Institutions are focusing their attention to the restructuring of the academic arrangements.

Consolidation of the Restructuring Process

The Department has provided on-going technical support and assistance to institutions to facilitate the restructuring process. For the financial year the department has allocated R419 million in support direct merger costs and for much needed capital renewal, for improvement of student residences, The Tshwane University of Technology has been allocated R36 million, R30 million to the University of Fort Hare, and R30 million to the North-West University.

Finalisation of new Statutory Minimum Requirements to Higher Education

The new schools curriculum for grades 10 - 12 was introduced in January 2005. The first cohort of learners following the RNCS will write the National Senior Certificate in 2008. This has necessitated the adoption of new minimum entry requirements into higher education. The new requirements were developed in collaboration with the higher education sector and were gazetted by the Minister of Education in August 2005. There was enough time to inform learners in the selection of their school subjects for the new curriculum.

National Conference on African Studies

The Ministry of Education hosted a highly successful conference to explore the status of African Studies in South African universities. The conference was attended by local, continental and international academics. A working group of conference participants was established to pursue the curricula challenges identified from the conference deliberations.

Higher Education Aids Programme (HEAIDS)

The European Union provided a generous grant to the Department of Education to establish a programme in the higher education Sector to address the challenges of the HIV and AIDS pandemic in the sector. The HEAIDS programme is managed on behalf of the Department by Higher Education South Africa, (HESA), and the newly established umbrella body of vice-chancellors.

The South African Union of Students (SAUS)

The Department of Education provided technical support and advice for the establishment of SAUS, which was launched early in 2006. The SAUS brings together Student Representative Councils (SRCs) of all Universities and Universities of Technology into a single body, which will represent the interests of students nationally and internationally.

2.4 Quality Promotion and Development

Equity in education

The Ministerial Committee on Gender Equity reported on this period; the recommendations are being analysed to determine to what extent have these been implemented. In terms of EFA goals 5, on gender equity, South Africa has achieved this goal. It has been found that there are more boys than girls in primary schools. The Girls Education Movement (GEM) however provides opportunity for girls to affirm themselves. There are 3 GEM clubs established in Limpopo. Resource packages have been sent to all schools in celebration of 50 years of the Freedom Charter. The Department has made available bursaries for Advanced Certificate in Race and Values, benefiting 600 Districts and provincial officials.

Health in Education

The schools health project was launched in Eastern Cape, for screening and treatment of minor ailments including deworming. In response to the HSRC study, the department has introduced health and wellness programmes for educators. The evaluation of ongoing HIV and AIDS Life skills programme including the peer Education programmes have shown that this process is beginning to bear results. The National School Nutrition Programme has seen the department reaching 4 927 540 learners in 13 853 schools. This is linked to job creation where 29 222 jobs were created, with 3 000 food gardens having been established.

Social Inclusion

The Ministerial Committee on Literacy has been appointed and their recommendations on the international research on Cuba, Venezuela and New Zealand are to be considered by Cabinet. In terms of ABET, 19 946 facilitators have been appointed under the EPWP, 29 974 learners attended ABET programmes related to Education. 246 335 learners have enrolled for

programmes at 2 901 Public Adult Learning Centres (PALCs). These centres offer certification, for entry in to a Technikon.

School Enrichment

The Minister of Education and the Minister of Sport and Recreation of SA (SRSA) have signed a framework Agreement for the management, organisation and co-ordination of Schools Sport. Schools Sports focuses on making available sports facilities within the cluster area of schools. In promotion, the schools have had celebrations in support of the Freedom Charter, through farm and rural school games, national Music Eisteddfod, National Language Festival. Other activities included competition on National Indigenous Music; Movement and Games festival including National Girls Games which are held in September each year. Also, the department has forged partnerships to address school safety and drug abuse in schools

2.5 System Planning and Monitoring

Financial Planning

The financing norms and standards for education have been revised to promote more equitable and pro-poor funding of school education. This has been done through revision legislation and norms to accommodate the introduction of no fee schools. The ABET norms have been approved, while the FET and ECD norms have been published for public comments. The Department has launched the National Education Infrastructure Management System (NEIMS) an electronic system to record the schools needs. In March this year 9000 schools were assessed and to date the record is at 15 000 schools.

The FET Colleges have been supported through the recapitalisation system. In terms of Inclusive Education, full service schools have been developed, these are schools that are able to accommodate learners irrespective of their special needs.

Human Resource Planning Provision and Evaluation

The Department has introduced an improved career path opportunity for educators to progress to a maximum salary that is about 20% higher than the previous maximum. The model of accelerated progression has been introduced for all educators who consistently perform at a level of "good" that is for a period of 3 years. The Department has introduced a collective agreement on School grading norms, which if used effectively will be of benefit to good principals.

Education Labour Relations and Conditions of Service

In terms of Labour relations issues, the Department has signed a Collective Agreement on Integrated Quality Management System (IQMS) for school based education therapists and psychologists at FET Colleges. The signing of a Collective Agreement will enhance a career path for qualified post level 1 teachers and accelerated salary progression for all educators on applicable salary levels. Further, in order to address the teacher salary backlog, the Collective Agreement No 2 of 2005 on salary progression for the period 1 July to 30 June 2002 has been concluded.

Legislation and Legal Services

Amendments to the South African School Act, 1996 (SASA) were affected to allow for, inter-alia: The declaration of "no fee schools, about 70% of learners are

expected to benefit in 2007: A school governing body that could be able to suspend a learner who is found to have committed a serious misconduct without the approval of the Head of Department (HOD). There are considerations for New Regulations relating to the Exemption of Parents from Payment of School Fees in Public School.

Further the Department successfully defended a case *Phenithi vs Minister of Education,* in the Supreme Court of Appeal that sought to declare unconstitutional section 14 of the Employment of Educators Act. The Department was also successful in an application to scrap the discriminatory provisions in a certain higher education bursary fund. The implementation of the Integrated Quality Management System (IQMS) was not even in all provinces. A dispute was resolved and steps are being taken to improve the implementation to ensure that the outcomes are more credible through rigorous moderation.

Information Monitoring and Evaluation

In July 2005, the department hosted a major conference to review the first ten years of post-apartheid education. The conference attracted over 400 delegates, including teacher unions, school governing body associations and research organizations. The focus of the conference was on assessment and progress of the last decade in education, and engaged in an agenda setting exercise for education for the next decade.

International Relations

The relations with the rest of Africa and south-south cooperation in particular have dominated the agenda in International Relations and the UNESCO Commission. The Department on behalf of South Africa has been involved in facilitating representation at the 33rd UNESCO General Conference in Paris. South Africa has successfully put forward a candidate as an Executive Member of the UNESCO Board (Prof Brain Figaji). Another development, a Centre for Chinese Students has been established through the University of Stellenbosch. Also a South African exchange progormame with India Brazil (IBSA) has been established.

2.6 Auditor General's Opinion

The Auditor-General, without qualifying the audit opinion, emphasized the following:

- Conditional Grant: The provinces do not report on 15th of each month despite regular reminders. Thus the Accounting Officer is unable to report on 20th of each month.
- Assets Register: The Accounting Officer has an incomplete register for intangible assets including computer software and copyright materials.

2.8 Finances

Expenditure Outcomes for 2005/06 are reflected as follows

Spent 98.5% of total budget

Total underspending:	*R 193.109 million (1.5%)*
Less underspending on mergers	R 157.103 million (1.2%)
Underspend on operational activities	33.516 million (0.3%)

Approved Roll-overs

Higher Education mergers	R 157.103 million
Commitments on operational	12.840 million
Total	169.943 million
Total underspend after rollovers:	*R 23.166 million (0.2%)*

The Director-General concluded by agreeing with the findings of the Human rights Commission Report on Sccio- Economic Rights, of July 2006, that reasonable measures have been taken to make education progressively available and accessible. However despite this progress achieved, a lot still needs to be done.

3. Conclusions

Having interrogated the 2005/06 Annual Report of the Department of Education in terms of the requirements of Public Finance Management Act, the Committee applauded the Department for their report however; there are certain areas of concern that were highlighted:

- The recorded under spending, especially in KZN and Eastern Cape,
- The Annual report does not reflect the state of provinces in relation to set norms and standards set by the National Department,
- The fact that the grade R are not part of the staff establishment,
- Consideration to ensure that in terms of ECD, resources benefit those in provinces.

The Chairperson thanked Members for attending the meeting. He further thanked the Director-General and his team for the manner in which it was presented.

4. Recommendations

Having interrogated the 2005/06 Annual Report of the Department of Education in terms of the requirements of Public Finance Management Act, the Committee recommends as follows: That the Department:

- The mechanisms for reporting on conditional grants need to be re-considered.
- Put in place own software and publications to ensure that the assets are properly registered.

Report to be considered.

4. Report of the Portfolio Committee on Education on Visit to Oudtshoorn as Part of the People's Assembly on 14 September 2006:

Introduction

On Wednesday the 6th September, 2006, Prof. Shepherd Mayatula MP, the Chairperson of the Portfolio on Education Committee was requested by House Chairperson, Mr. G. Doidge MP to "identify schools for oversight work for the 14th September. This period coincided with the Parliament's People Assembly programmes, which was planned to visit to Oudshoorn. Prof Mayatula then contacted Mr. Cameron Dugmore, the Provincial MEC of Education, for assistance. Mr. Dugmore gracefully agreed to contact his Education Officials in Oudtshoorn to make the necessary arrangements.

Delegation

The Portfolio Committee meeting of the 12th September approved the following Members to form the delegation for the oversight visit: Prof. S.M. Mayatula MP (ANC) to lead the delegation accompanied by Adv. A. Gaum MP (ANC), Ms. P. Mashangoane MP (ANC), Mr. G. Boinamo MP (DA) and Mr. I. Mfundisi MP (UCDP).

Logistical problems:

- Though the names of the delegation were submitted to the organizers of the Peoples Assembly, the Members of the delegation were accommodated in different venues. To make things worse, Ms. Phumza Mpoyiya, the Committee Secretary, was accommodated in George, which is more than an hour's drive from Oudtshoorn.
- Though the Committee was promised a vehicle to transport them to the schools, no such vehicle was made available to them.
- Though the organizers promised to fetch the Committee Secretary at 7h00 on the day of the oversight visit, this promise was not fulfilled.
- It was the officials of the Department of Education of Oudtshoorn, under the leadership of Mr. Anton Gunther, the Circuit Manager, who came to the rescue. Three cars were made available to the Committee, (a) The first to collect the Committee Secretary from George, (b) The second to collect Ms. Mashangoane who was accommodated in some secluded venue and (c) the third, a combi made available to transport the delegation to all the schools. This combi was borrowed from one of the school.
- The delegation had to start discussions in the first school in the absence of Mpoyiya, the Committee Secretary and Ms. Mashangoane, who both joined later in the meeting, due to logistical problems.

VISIT TO FEZEKILE SECONDARY SCHOOL

Fezekile Secondary School is a rural school situated in the Southern Cape/Karoo District of the Western Cape. There are 464 learners and 14 educators including the principal. It covers Grades 8 to Grade 12. The matric results in the last few years were as follows; 2001 = 46%; 2002 = 80%; 2003 = 90%; 2005 = 68%. The Grade 10 examination results in June this year were only 17.8%.

The following were some of the reasons given for this poor performance:

- Learners are not used to the new format.
- Learners do not know how to study.

General observations on the quality of education and the role of Circuit Managers:
The standard of reading and writing is generally low in our schools and this could be ascribed to (a) the methodology of teaching and (b) the role of Circuit Managers.

Methodology of teaching as a solution to low literacy:
Despite the Outcomes Based Education, it is important to:

- Teach phonetics in our schools.
- Emphasize actual writing and loud reading.
- Reading comprehension is of vital importance.
- Mother tongue instruction in the lower grades.

The role of the Circuit Managers:
Though the main role of Circuit Managers is to manage the curriculum, and see to the educational development of their schools, they do not have a well defined job description. On average, each circuit manager is in charge of around twenty three schools which he/she, on average, visits only three times a year. Most of his/her time is spent on unending meetings in response to request/instructions from the national or provincial departments. These three visits entail:

- In the beginning of the year to see to it that everything is in place.
- To assess the development of the school and
- At the end of the year for performance appraisal.

Recommendations:

- All promotion post including those of principals, should be contract posts. This would create room for disciplining, including demotion of those managers, who do not perform.
- Circuit Managers should spend at least one week in each school conducting Whole School Evaluation.

Human resources:
There are no unfilled posts.

Funding:

- The school has not been declared a no-fee school, though the neighbouring primary school has been declared a no-fee school. This is causing discontent among the parents.
- School fees are R135 per annum
- 80% of the learners do not pay fees.

Curriculum

- All the staff has been trained in NCS FET.
- Training in NCS GET will be conducted in September.
- Not all learners have received the necessary text books. They have only received those allowed within the Norms and Standards.
- The school has begun with the selection of text books for 2007.

Early Childhood Development (ECD)
This is a Senior Secondary School starting at Grade 8, it does not have any ECD section.

Integrated Quality Management System (IQMS)

- The IQMS is operational.
- PGP's have been completed.
- Class visitations will commence next quarter.

Inclusive Education

- There are no learners with physical or mental disabilities in the school.
- The school is not aware children who are unable to attend because of disability.

Infrastructure
This is a well established school with all the necessary amenities. The only equipment they need is a duplicating machine.

Learner transport

- The learners either walk or use taxis to school.
- Since on average the distance from school is only 3 kms, they do not qualify for learner transport subsidies.

School Nutrition programme (SNP)

- The school offers SNP everyday at 10h00.
- Meals are prepared by parents and volunteers.
- Only bread and milkshake is offered at the moment. Cooked meals will be offered next quarter. Necessary equipment, that is, stove, pots etc. have already been supplied.

Discipline
There is a disciplinary committee to promote discipline, but it is struggling because of the following reasons:

- Socio-economic conditions like dysfunctional family structures, poverty related circumstances, alcohol and drug abuse, unemployment.
- Parents have abdicated their role parenting and they expect educators to play their role.

The following attempts have been made to improve and maintain discipline:

- A meeting was arranged with the parents of the two neighbouring schools, the police as well as community institutions.
- The role of shebeens and taverns were addressed.
- The shebeen and tavern owners signed some commitment contracts to commit themselves not to sell alcohol and drugs to school learners. This was a very successful exercise that will be followed up with a reviewing meeting next quarter to assess previous efforts and plan future strategy.
- A meeting is planned, in consultation with the Social Worker, for early next quarter to workshop the parents in an attempt to motivate and assist them in their task of contemporary parenting.

Functioning of School Governing Bodies (SGBs)

- The new SGB for this year has been elected.
- Parents were not over eager to serve on the SGB.
- The attendance on the election day was average.

Three main challenges:

1. Under-funding of the school as reflected above. The school should be reclassified as a No-Fee school.
2. Access of the community to Information Technology
    - As an educational institution situated within a community in dire need of access to Information Technology, though we have a computer laboratory, we cannot offer them any courses, due to lack of personnel and funds for the maintenance of the computers.
    - Currently in the process of establishing a partnership with Ulwazi E-Community, an IT organization situated in Bongolethu Library. They, unfortunately, do not have the required mandate, resource and legal status to finalize a contract with the school.
    - Computers not insured due to financial constraints.

Recommendation:

- Funding must be made available for the maintenance of the computers.
- An arrangement must be made to have the school computers covered in case of theft, fire or any eventuality.
- Ulwazi E-Community must be given the necessary assistance to work with the schools to train the communities.

3. Discipline as reflected above with special reference to the involvement of parents and members of the community.

VISIT TO VLAKTEPLAAS UCC PRIMARY SCHOOL

This is a special project, which caters for farm children within the 35km radius of Vlakteplaas. It is situated in a church land and services the children of farm labourers. Mr Jans Rautenback (affectionately known as Oom Jan), the driving force of the project receives funding for the school from European organizations through his contacts.

The delegation was taken around and noted a number of observations

The school caters for 112 learners, from grades R to 7. It operates a multi grade proramme with two educators and a principal. It has three classrooms which are fully equipped with teaching visual and audio facilities. The learens are provided with uniform on 18 months periods. They also receive three meals per day. There are about 15 learners who receive a scholarship.

In the grade 1- class, there are 10 semi-blind learners who are placed in front of the class. These learners receive extra attention from the educators. The school had 30 computers which are used by grades 1 to 3 learners. In addition these would be used for adult education. There is new and fully established computer laboratory, which will be used by senior classes. The project addresses some of the gaps in free education, by offering ABET, Sports, and also promote community involvement in school activities

The delegation applauded Oom Jan for his efforts. It noted that his project is slightly different from the merger process of farm school as in Northwest. It was noted that this approach could be used as a pilot project to be extended to other farm schools.

Mr Rautenback, requested that, once the project is completed, government should be available to be part of the opening ceremony.

Recommendations:

- The school should consider contacting the FET Section of the National Department of Education for advice and accreditation of the proposed Technical Section of the School.
- The Committee will (a) Request the Minister of Education and the MEC to visit the school to observe the wonderful work done by the private sector to enhance schooling in the farming community (b) If possible, the Minister to invite Mr. Rautenback to the next budget speech to show appreciation of his work and invite other organizations to do like wise.

VISIT TO SATURNUS PRIMARY SCHOOL

The delegation was met by the Principal Mr. September who is on secondment for 12 months with the Department and his Deputy Mr. Muller, currently the Acting Principal for the school.

The school has learner intake of 1 456, caters for grades 1 to 7. The school has 38 educators, excluding the Principal.

The delegation noted that province does not use the quintile system as this question was not responded to in all the schools. However, it was noted that the Circuit Managers use categories A (poor) and B (not poor) to classify schools. This was a concern for the delegation because, the quintile system is a national policy used by government to fund schools. The delegation resolved that this is a matter to be taken up with the MEC.
The following was observed:

- The school has a budget for the no-fee school at R 426 per learner for 1 456 learners.
- Though some parents have already paid the school fees, those who haven't will not have to pay.
- In addition parents have to pay R10 for computer fees, despite the fact that this has been declared a no-fee school.

This is matter of serious concern because if parents are forced to pay for a service, it reflects the policy is being disregarded and undermined. The school was advised to reconsider this matter.

Early Childhood Development
The school does not have plans to accommodate grade R learners, while it is a no-fee school. This was considered as a matter of concern. The explanation provided by the Deputy Principal is that the school was built for 1 000 learners and even though it has 4 additional fabricated classrooms which were initially planned for grade R learners. The challenge, for the school however is that it does not have proper facilities for grade R learners.

The Western Cape government has a policy objective that by 2010 all 5-year old learners must be in grade R. In areas where grade R exists, the educators are not part of the staff establishment. This is a matter of concern and should be brought to the attention of the MEC.

It became apparent that grader R learners are not considered as a main stream education in the Province. This is considered as an added cost thus the process of establishing grade R in schools has been delayed.

Challenges
The school has overcrowded classes because is it situated in a developing area. The school caters for learners from farms, as well as surrounding communities.

In terms of literacy and numeracy skills, the school produces learners who are not able to read. This is a challenge of the education system which states that learners should not repeat more than once in a given phase. In case where the classes have big numbers, there is no personal contact between the educators and the learner.

The delegation appealed to the educators to make education more exciting so that learners do not stay away from school. If after being at school for 7 years, the learners are unable to read and write that raises concerns about the quality of teaching. The Headmaster should be dedicated in improving the learning opportunities for learners.

Overall Recommendations

Top Management and Circuit Managers:

- All promotion post including those of principals, should be contract posts. This would create room for disciplining, including demotion of those managers, who do not perform.
- The Circuit Managers should spend more time in schools and at least one week in each school conducting Whole School Evaluation.
- There is a need for a well defined description for top management.
- Despite some schools being declared no- fee schools, they continue to charge learners; one form of levy or another, for example, fees to use computers. This habit should be stopped immediately and monitored.
- There is a need to integrate Grade R classes and educators into the primary schools as part of the main stream education in the province.

Fezekile Secondary School

- Funding must be made available for the maintenance of the computers.
- An arrangement must be made to have the school computers covered in case of theft, fire or any eventuality.
- Ulwazi E-Community must be given the necessary assistance to work with the schools to train the communities.

Vlakteplaas UCC Primary School

- The school should consider contacting the FET Section of the National Department of Education for advice and accreditation of the proposed Technical Section of the school.
- The Committee will request (a) Request the Minister of Education to visit the school to observe the wonderful work done by the private sector to enhance schooling in the framing community (b) If possible the Minister to invite Mr.

Rautenback to the next budget speech to show appreciation of his work and invite other organizations to do like wise.

General

- The committee believes that grade R education should be entrenched in schools, as this allows for cognitive development.
- It was recommended that the Portfolio Committee should in future plan to visit more schools within the Western Cape Province.

Words of thanks and appreciation

The delegation extends words of thanks and appreciation to the support and dedication provided by the District officials even though the meetings took place within very short notice. The immediate response of the MEC, made the oversight visit possible. The support given by the Director, Mrs Sesenya, who managed to keep things going even though she was not in office, her support is appreciated. Specific reference goes to Mr. Anton Gunther, the Circuit Manager, who went out of his way to keep the delegation comfortable by availing himself through all the visits.

Report to be considered.

5. Report of the Portfolio Committee on Education on the Conference on Transformation of Higher Education in Africa

A. BACKGROUND

The Portfolio Committee on Education received an invitation to attend a conference organized by Excellante International of the Services Seta. The focus of the conference was Transformation of Higher Education in Africa, and was held on 22 & 23 March 2006 at Sunnyside Park Hotel, Johannesburg.

B. TERMS OF REFERENCE

The Committee delegated Prof SM Mayatula, Chairperson) (ANC), Ms M J J Matosmela (ANC), Mr G Boinamo (DA) and Mr A M Mpontshane (IFP) to represent the Committee at the Conference.

C. REPORT ON THE CONFERENCE

The delegation reports on behalf of the Committee as follows:

1. CHALLENGES FOR CHANGE IN THE ORGANISATIONAL CULTURE OF HIGHER EDUCATION INSTITUTUTIONS BY DR. LILLA DU TOIT–Director of the Department of Education: Eastern Cape

In this section of presentation, the presenter's experience is that the more the transformation occurs in education the more things remain the same. The feeling is that South African education needs total quality management (T.Q.M). We cannot have world class workforce without world class education. We also need integrated quality management system (IQMS) in our education. Every time the benchmark must be lifted, we have to say "this time we have reached this and we lift the benchmark higher" each time we reach our aim or our goal, we have to raise it higher.

1.1 New ideas are important for learning to occur. Four main building blocks:

- Systematic problem solving
- Experimentation with new approaches
- Learning from own experiences and past history
- Learning from experience past and practices of others (benchmarking)

1.2 Key performance indicators:

What is it that you are supposed to do in order to contribute to your organisation's vision, mission, values and principles? Do not treat people like mushroom, feeding them manure and keep them in the dark. A successful leader sets standards in order to move the industry or the company where he wants it to be.

2. INTERNALIZATION OF HIGHER EDUCATION BY DR. JAMES ELLIS – Director, International Relations, University of Johannesburg.

In this section of presentation, the presenter's perception is that South Africa is an exciting destination for both scholars and students from abroad. However, there are challenges faced by institutions of learning such as:

- Consolidation of young democracy
- Human resources development to provide skills for the emerging economy
- Afford scholars and students excellent opportunities for research and community based education
- Engagement in development practice
- Africa's world famous tourism attractions.

2.1 Challenges and Opportunities

- Internationalisation is the demand of the modern world to develop globally competent citizens.
- The global neighborhood-learning a lot about each other without learning from each other.
- Dire need to make use of knowledge, skill and resources
- Higher Education is a response connecting diverse cultures, societies and landscapes and meeting responsibilities.
- Higher Education must be global institutions engaged in issues and roles that transcend borders and embrace diversity
- Consideration of difference between globalization and internationalization
- Must address concerns in influences in teaching and learning
- Research and outreach through programmes of internationalization
- Must address effects of our earlier relative isolation from international intellectual interaction.
- Institutional and national (systems) responses to be formulated to address challenges and opportunities posed.
- Opportunity not only to transform challenges.

2.2 Higher Education Transformation and the National Development Agenda

- The transformation in higher education needs to address the challenges of reconstruction and consolidate democracy on the agenda of tertiary institutions.

3. ANALYZING CURRENT MANAGEMENT STRATTEGIES BY CAROL READ- Director, Business Performance Services.

3.1 Experiences in Further Education and Training (FET)

- Inadequate planning
- Capacity constrains
- Inappropriate staffing models
- Outdated technology
- High staff turnover
- Low morale
- Declining learner numbers
- Poor communication
- Financial constraints
- Process collapse

3.2 Challenges

The following were highlighted as challenges for Higher Education:

- stakeholder management
- funding models
- enrolment planning
- transformation
- internationalization and globalization
- relationship between schools and Higher Education
- staff capacity development
- research
- relationship with business sector
- multi-campus nature of institutions

3.3. The following were **suggested as a way forward:**

- sustainability
- resource constraints to be addressed
- stakeholder management to be prioritized
- need to implement change management
- risk and controls
- use appropriate expertise

4. DISCUSSING TEACHERS AND LABOUR RELATIONS BY MR THULAS NXESI- General Secretary of SADTU

4.1 Higher Education Sector

Bargaining and Labour Relations
Since 1994 the educator's workload has increased dramatically. The union (SADTU) has done all it could to alleviate this problem but the situation stays the same. The process of merger has been messy. What prevails is them and us mentality. Education cannot be taken as just one of the expenses in the physcus, it is an investment.

4.2 Challenges in Higher Education

- Stakeholders
- Funding models
- Enrolment planning
- Transformation

4.3 The Way Forward

- Sustainability
- Resource constraints
- Stakeholder management
- Change management
- Risk and controls
- Use appropriate expertise

4.4 Exclusion of Black students from University

These exclusions are:

- Financial exclusion, student's inability to pay fees.
- Academic exclusion, students who do not pass are excluded.

NB. National Financial student assistance (NSFAS) is just covering tuition, no books and no residential fees. Universities cannot use student's numbers (number of students) as a formula for funding. E.g. we have admitted so many students, so we expect so much money from the government.

4.5 Observations

This was a very informative discussion which was based on a research report conducted by Naledi (National Labour & Economic Development Institute), published in October 2005.
The following issues, inter alia, were raised:

- There are still a lot of contract and temporary lecturers, especially amongst blacks.
- The race and gender distribution in most institutions does not reflect the new image of South Africa, since most high positions are still occupied by white males.
- It is difficult to unionize the sector because the conditions of employment at the Higher Education public sector institutions in South Africa are different for each institution, as there are no centralized conditions – setting system such as collective bargaining covering all institutions.
- However, there are common issues that necessitate unionization e.g. salaries of academics vis-à-vis those of managers; the racial configuration; gender inequity, etc.

5. CHALLENGES IN PRIVATE PUBLIC PARTERASHIPS BY MAHLUBI MABIZELA – Research Specialist in Human Science Research Council

5.1 Observations

The following were highlighted as the challenges:

- legitimacy of such partnerships

- conforming to changing environment in order to survive
- nature and objectives of partnerships (is it for profit)
- unclear purpose of partnership
- unconvincing commitment to education
- high demand for face-to-face intervention

6. THE REALITIES OF PUBLIC PRIVATE PARTENSHIPS (a case study) BY MR AG KGOTLE - CEO of the Association of Private Providers of Education, Training & Development

There is a feeling that face to face institutions such Wits, North West Vista, University of Johannesburg and private learning institutions such as private schools, colleges, these alone would not satisfy the needs of SA Europeans come to visit SA to feel it and when they are here, they do not want to feel like they are still in Europe, they want to feel South Africa.

The following questions were posed to participants in order to stimulate a way forward:

- Are we prepared to rock the boat?
- Are we prepared to tell the undiluted truth?
- Are we prepared to upset the powers that be?
- For how long do we want to be part of this status quo? (No pain no gain)
- Are we ready to be ostracized / marginalized for our belief?
- Are we keen to be vocal to the voiceless?

7. ENROLMENTS AND LIBRARY RESOURCES BY DR. LOVENESS KAUNDA – Director of International Academic Programmes, University of Cape Town

The discussion was based on an investigation of the relationship between enrolment and library resources of higher education institutions in South Africa and Malawi.

The following issues were highlighted and analyzed in a tabular form:

- Enrolment at South African universities in relation to the possible average number of monograph volumes per student and academic ranking in the world, region and country, where available.
- Other categories of resources of South African universities and number of branch libraries
- List of South African universities sampled and the financial aid allocated by November 2005
- List of South African universities with the corresponding 2005 full cost of study

The following topics were covered on the second day of the conference:

8. LOOKNG AT ACADEMIC DEVELOPMENT IN HIGHER EDUCATION BY DR DRIEKIE HAY- Dean of academic development at the South African Association for Research and Development in Higher Education.

8.1 The following were highlighted as academic challenges facing South Africa:

- Finances
- Access

- Equity studies
- Skills-based training
- Quality
- Co-operation agreements

8.2 Nature of Academic development

- Higher education's track records are poor
- Scholarships of academic development
- An open set of practices

The history the struggle of Higher Education in SA dates back in 1970 and was initiated in 1970, with specific reference to:

- Black students: providing access, Add on provisions, 1990's a shift to mainstream,
- Professional academic staff development: including formal and informal learning
- Training, job and institutional specifics: Development takes longer time span and is open ended; Training is directed to improving lecturers' knowledge, skills and attitudes so that they perform their roles effectively.

8.3 Challenges with Education system in South African

S.A academics are grabbing models and ideas from Europe, America and Britain and apply them in South African conditions which may not be the same with Europe, Britain and America, without applying their minds as to what do South African students need.

The process of accreditation of lecturers in the UK. Concerns were highlighted on the following issues:

- Missing link with appraisal
- viewed as add on periphery
- Need for mentorship programme
- Scholarship is needed
- Professionalising academic development practices
- Too much of European and Western Models

It was mentioned that the External evaluation of university academics should be done by external experts on that particular course, e.g. economics lecturers to be assessed by external economics fundis. It is important that universities have to be development with African ethos, values, norms and standards.

The University of Free State University has diversity as one of it's values. The challenge with universities however is that they have fossilized elements like old professors, lecturers and traditional SRC leaders who think that they are part of university furniture and they can't be moved.

It was also revealed that it is important for any person to never impress on others that he/she is patronizing them or you know more than them or you are teaching them, for you lose it at once.

9. SKILLS AND KNOWLEDGE DEVELOPMENT BY NOMBULELO NXESI– CEO Education, Training and Development Practises (SETA)

The following issues were discussed at length and form part of the way forward:

Skills Development and Quality Education (SETA) is to ensure that through Education and Training, skills are developed in order to take care of employability and therefore addressing the issue of poverty, i.e. They should increase employability and alleviate poverty.

9.1 Learnerships to be;
- Occupationally focused
- Lead to qualification
- Combination of formal education and training and work experience

Internships should be;
- for individuals already qualified
- mentored work experience

Legislation: Skills KILLS Development Act
- NSA- National Skills Association
- NSDS- National Skills Development Strategy
- NSF- National Skills Fund

Each and every institution of higher learning has R1 000 000-00 for staff training. SETAS are beginning to focus more on quality issues than quality issues.

Higher Education: This needs to transform through interfacing with skills development strategy. South Africa lacks skills in bridging the gap of the first and the second economies.

10. INTERFACING WITH SKILLS DEVELOPMENT STRATEGY OF SOUTH AFRICA BY JOEL SAMUELS -Deputy Executive Officer of the South African Qualifications Authority (SAQA)

The following were highlighted as challenges facing the SAQA:
- Internationalisation
- Globalisation,, accountability
- Information technology
- Financing and funding
  White paper – 3 highlights
- human resource development
- high-level skills development
- production, acquisition, etc.

The following issues were also discussed at length:
- The problem of developing a technologically advanced black force.
- SAQA and JIPS (Joint Implementation Plans) have engaged many stakeholders to expedite the generation of many qualifications that are required by sectors.

11. Co-ORDINATING INSTITUTTIONAL COLLABORATION BY LAUREL BECKER –HOD Arts, Language and Human Movements at University of Pretoria

The main theme of presentation was *on the challenges of change: chomping at the bit or really championing the cause?*

The message was that successful collaborations and mergers of institutions are largely dependant on the attitude of the people involved. There are people who are willing to champion the cause, while there are also those people who are chomping at the bit i.e. People who do it half-heartedly.

12. ENCOURAGING EQUITY AND DIVERSITY BY PROF. JOHAN BECKMAN UNIVERSITY OF PRETORIA

12.1 Aspects of Equity and Higher Education in South Africa

Equity is a cornerstone of education policies. Redress is necessary but actionable policies are not in place.
It is crucial that the demographics of the institution echo or reflect the national demographics policy intentions.

- Magic want syndrome
- Object of equitization
- Designated groups
- Blacks (Africans) coloureds and indians
- Women, people with disabilities.

12.2 Exclusion of black Students from University

Financial exclusion (can't pay fees)
Academic exclusion (can't pass)
It is important for the government to revisit the allocation of NSFAS (National Financial Student Assistance) and ensure that it includes not only tuition but also books and residential fees.

Universities should not use students' numbers as a formula for funding. For example, we have admitted so many students, so we expect so much money from the government.
Funding as a mechanism for driving equity has dropped.
The government says "if you do not perform, you get extra money to enable you to perform.

The dropout rate or intrusion of black students is resulting from the lack of preparedness for higher education. Lack of funding is another cause of dropout (unemployment) of parents, lack of resources in black schools, long distance traveling to school; HIV/AIDS attacks both teachers and learners.

The presentation was based on the challenges facing higher education as discussed at length by the previous speakers, although the emphasis was on the changing of attitudes in order to allow equity and diversity in the higher education institutions.
There was a tendency to put more emphasis on the white male academics being regarded as "redundant" irrespective of the knowledge and experience they have gathered over the years.

A more balanced approach would be preferred, where these academics could be recognized and their skills be utilized where necessary, but this should not be at the expense of the necessary changes in the higher education sector, which are in line with the democratic principles of the country.

13. WAY FORWARD

STRATEGIC PLANNING BY DR. ADRIAAN VAN SCHOON–Director of the Bureau for Counselling Career and Academic Development at the University of South Africa

The importance of strategic planning was emphasized at this stage, and that the way strategic planning is done determines whether plans become effective or not.

The following issues were discussed at length:

- basic principles of complexity theory
- factors increasing the complexity of the external higher education environment in South Africa
- proposals regarding strategic planning in higher education to improve effectiveness and efficiency of the process

14. PANEL DISCUSSIONS

With respect to the higher education act, is there really a need for equity and diversity in the higher education system?

This was an open session where different ideas were shared on whether or not there is a need for equity and diversity in the higher education system. This was an academic exercise, no specific way forward was agreed upon.

15. RECOMMEDATIONS OF THE DELEGATION

It is recommended that all Members of the Portfolio Committee to be furnished with copies of the Naledi Report, which gives a comprehensive perspective of the discussion and suggested way-forward.

It is recommended that Members of the Portfolio Committee be furnished with copies of the discussion document for more information.

15. 1 CONCLUDING REMARKS

This was a very enlightening and informative conference. It was an opportunity for Committee Members to interact with these stakeholders and to gather important information which cannot be gathered through oversight visits. It has given us a broader perspective of the scenario in higher education, which will enhance our debates and decision making in Parliament. The delegation is grateful for the opportunity granted to them to attend this conference.

Report to be considered.

6. **PORTFOLIO COMMITTEE ON EDUCATION**

Chairperson: Prof S. M. Mayatula

Draft Annual Report -: January – November 2006

1. **Secretarial Support**

Committee Secretary : Ms Phumza Mpoyiya

Secretary to Chairperson: Ms Zuraynah Van der Meulen

2. **Mandate of the Committee**

The objectives of the Portfolio Committee on Education are to:

- Facilitate public participation, monitoring and oversight function over the legislative processes relating to education
- Confer with relevant governmental and civil society organs on educational matters
- Enhance and develop the capacity of its Members to exercise effective oversight over the Executive Authority in education
- Monitor whether the Department of Education fulfils its mandate
- Process and approve legislation and international protocols and conventions relating to education
- Participate in National and International educational conferences
- Confer with the National Council of Provinces on education legislation affecting the Provincial Legislatures, and
- Engage in any activities and programmes aimed at the development and delivery of quality public education to all South Africans.

3. **Chairperson's Overview:**

The Committee began the year with the allocation of a new Committee Secretary, who was instrumental in finalising three oversight reports and minutes that were outstanding from the previous year. We also had the pleasure of having the presence of the Minister and the Deputy Minister who came to brief us on the budget vote and strategic plans of the department. In order to capacitate its members, the committee utilised the services of Afrec from UCT, for a workshop focusing on improving the committee's oversight function using annual reports. In addition, we held a workshop to develop a business plan with the assistance of the Strategic Unit of Parliament; it was also instrumental in producing the committee's plan document. Further, the

committee received invitations and attended two conferences, which were represented by different members of the committees.

This year the committee visited schools in Northwest and Limpopo Provinces. Another delegation visited schools in Oudtshoorn as part of the People's Assembly programmes. In November the committee had scheduled for a study to Mauritius undertook a study tour to Mauritus to gain insight and share learning experiences about the education system in that country. In the fourth term, the committee had to deal with the Further Education and Training Colleges (FET) Bill, though and prior during the hearings, there were issues of concerns highlighted by the different stakeholders, the committee managed to deal with these in the best way it could. The working relations and support given by the department and the relevant stakeholders in making sure that issues are dealt with properly is well appreciated.

The support of the committee and the team is always appreciated.

4. Department reporting to the Committee: Department of Education

Entities:

4.1 Council on Higher Education (CHE)

This Council was established by the Higher Education Act (Act 101 of 1997) and is responsible for advising the Minister on all aspects of Higher Education, including functioning arrangements, language policy and the appropriated shape and education systems. It also holds executive responsibility for quality assurance through its permanent sub-committee, the Higher Education Quality Committee (HEQC).

4.2 Higher Education Quality Committee (HEQC)

This Sub-Committee of Council on Higher Education has the mandate to promote quality assurance in Higher Education, audit the quality assurance of Higher Education Institutions and accredit programmes of Higher Education.

4.3 South African Council for Educators (SACE)

This Council was established in terms of the South African Council for Educators Act, No. 31 of 2000. It is responsible for the registration, promotion and professional development of educators, and for setting, maintaining and protecting the ethical and professional standards of educators.

4.4 Education, Labour Relations Council (ELRC)

This Council is a bargaining council for education sector and it was established in terms of the Labour Relations Act, No. 66 of 1995 as amended by the Labour Relations Amendment Act, No. 42 of 1996. The Council consists of equal representation of the employer (National and Provincial Departments of Education) and the employees (Trade Unions representing educators). It aims to create effective and constructive labour relations in the education sector and to ensure the promotion and transformation of education at all levels of society.

4.5 National Students Financial Aid Scheme (NSFAS)

The National Student Financial Aid Scheme was established in terms of the National Student Financial Aid Scheme Act, No. 56 of 1999. It is responsible for allocating loans and bursaries to eligible students, developing criteria and conditions for the granting of loans and bursaries to students in consultation with the Minister of Education, raising funds, recovering loans, maintaining and analysing a database and undertaking research for the better utilisation of financial resources. The main role is to provide access to Higher Education for economically needy but academically able South Africans.

4.6 South African Qualifications Authority (SAQA)

SAQA is a statutory body established in terms of the South African Qualifications Act, No. 58 of 1995. Its main functions are to oversee the development and implementation of the National Qualification Framework, by formulating and publishing policies and criteria for the registration of bodies responsible for establishing education and training standards or qualifications and for the accreditation of bodies for monitoring and auditing achievements in terms of such standards and qualifications. To oversee the implementation of the National Qualification Framework by ensuring registration, accreditation and assignment of functions to the bodies referred to above as well as the registration of national standards and qualifications on the framework. It must focus on ensuring access, quality, redress and development for all learners through an Integrated National Framework of learning achievements. It must also take steps to ensure that provisions for accreditation are complied with and where appropriate, that registered standards and qualifications are internationally comparable.

4.7 National Board for Education and Training (NBET)

The National Board for Education and Training's task is to advise the Minister of Education on matters related to Further Education and Training.

4.8 UMALUSI (General and Further Education and Training Quality Assurance Council)

Umalusi, the Council for Quality Assurance in General and Further Education and Training was established under the General and Further Education and Training Quality Assurance Act, No. 58 of 2001. It replaced the former South African Certification Council in April 2002. This Council is mandated to monitor the quality assurance of providers, quality assurance of qualifications and learning programmes, quality assurance of assessment and reporting on quality in education and training.

5. Number of Committee meetings held:

- Meetings held: 24
- Meetings postponed: 4 due to Parliamentary programme (12/05, 17/05, 22/08 & 20/10) but were rescheduled.

Date	**Institution**	**Purpose of Briefing/Presentation**	**Date of adoption of minutes**
7 March	DoE	Briefings on No fee schools and on 2005 matric results.	29 March
8 March		Adoption of Committee documents: • Annual Report: Jan. – Dec. 2005 • Ghana & Mali Report: 15-23 Oct. 2005 • FET Colleges Report. 15-19 Aug. 2005 • SADC Sub-Region FAPED Report: 29-30 Aug. 2005 • JL Zwane Centre Report – 14 Oct. 2005 • Minutes of 1, 8, & 15th Nov. 2005 • Minutes of 7th February 2006	29 March
14 March	SACE and NBET	Hearings on budget Vote	29 March –minutes
15 March	ELRC, NSFAS & SAQA	Hearings on Budget Vote	30 May – minutes
29 March	CHE & Umalusi	Hearings on Budget Vote	06 June- minutes
2 May	Afrec	Training workshop on consideration of budgets and annual reports.	no minutes

9 May	DoE	Hearings on Budget Vote and Strategic Plan of DoE. And on how the Presidential State of the Nation Address impact on the Department. Minister to be present.	13 June
23 May	CHE Task Team	Briefing on Higher Education on Institutional Autonomy and Academic Freedom. (Jointly with PC on Science & Technology) Consideration of invitations to 4th SADC conference from Umalusi and another from the University of Free State.	06 June
30 May	DoE	Briefing on progress made on implementation of EFA policy with specific reference to ECD targets. And on HIV/AIDS. Report back by delegates - Conference on Transformation of Higher Education in Africa.	31 October
6 June		Strategic planning workshop. Consideration of minutes of 29 March and 23 May 2006.	Business plan produced by strategic unit on 13 June.
13 June	DoE	Briefing on impact of ASGISA and on mechanisms to reduce the number of youths who are out of school.	31 October
20 June	DoE	Briefing on introduction of the Integrated Management System (IQMS), with specific reference to Employment conditions of Educators and accountability measures in place for school management.	31 October
15 August	DoE	Briefing by DoE on improvement of school infrastructure and learning resources.	31 October
29 August		Further briefing on capacity of the Department of Education, with specific reference to curriculum support, efficiency of District Offices, Circuit Managers, school evaluation & new employment conditions for educators.	31 October
5 September	DoE	Briefing by DoE on language in Education issues (influenced by the Language in Education colloquium hosted in CPT recently).	31 October

12 September		Briefing on mergers of HE institutions and funding mechanisms for HE institutions. Adoption of report on oversight visit to provinces Further briefing by DoE on relationship between the department of Education and Education on ASGISA .	31 October
19 September	DoE	Briefing on DoE Annual Report 2005/06	31 October
18 October		Briefing by DoE on proposed amendments by NCOP on the Further Education and Training Bill [B23-2006]	31 October
20 October			meeting postponed to 7 November 2006
24 October		Public Hearings on FET Colleges Bill [B23B-2006]	
31 October		1) Informal consideration of the Further Education and Training Bill [B23B-2006] 2) Consideration of committee oversight reports and minutes: (30/05; 15/08; 05/09; 12/09; 8/10) 3) Consideration of Draft report on DoE Annual report 2005/06 (dated 19/09)	
3 November		Formal consideration of the Further Education and Training Bill [B23B-2006]	4 November (ATC)
7 November		Public hearings on Annual Reports 2005/06: a) General and Further Education and Training Quality Assurance Council (UMALUSI) b) Council on Higher Education (CHE) c) Education Labour Relations Council (ELRC) & d) South African Qualifications Authority (SAQA)	To be considered first term 2007
14 November		Public hearings on Annual Reports of : 1) SACE, NBFET & NASFAS 2) Consideration of committee reports for conferences and oversight.	To be considered first term 2007

6. Legislation referred to the committee- 1

6.1 Legislation referred to the committee in terms of Joint Rule 159:

On 2 November 2006 the Further Education & Training Colleges Bill [B23B-2006], classified as section 76, was referred to the Committee.

In dealing with the Bill, the committee was proactive and held joint briefing by the Department with Select Committee on 6 September 2006. Further briefings were received from the Department on 18 October 2006. In order to solicit inputs from the public, the committee advertised for public comment on 30 September, allowing 2weeks for submissions and public hearings were held, on 24 October. The committee deliberated on inputs on 31 October 2006 and finalized the on 3 November 2006. The Committee reported on the Bill with proposed amendments. The committee report on the Bill was tabled in the ATC on 3 November 2006 and it was debated by NA on 7 November 2006.

6.2 Papers (International Agreements, Protocols, Conventions, Reports etc) referred to a Committee: included:

REFERRALS NOT FOR CONSIDERATION AND REPORT			
Name	**Date referred**	**ATC page**	Action by committee
Government Notice Non 540 published in Government gazette No 128719 dated 10 April 2006: Call for written submissions from stakeholder bodies and members of the public on the draft policy document: An Addendum to the policy document, the national Certificate: A qualification at Level 4 on the national Qualifications Framework (NQF), regarding learners with special needs, in terms of the National Education Policy Act,1996 (Act No 27 of 1996)	19 June	1461	noted
Government Notice No 603 published in Government Gazette No 28806 dated 8 May 2006: Call for comment on Further Education and Colleges Bill, 2006.	19 June	1461	noted

Government Notice No 265 published in Government Gazette No 28657 dated 24 March 2006: Calling for nomination of persons to serve as members of the Second Umalusi Council for General and Further Education and Training Quality Assurance for the period 8 June 2006 until 7 June 2010, in terms of the Act, 2001, (Act No 58 of 2001)	19 June	1461	noted
Government Notice No 593 published in Government Gazette No 28790 dated 3 May 2006: National policy regarding further education and training programmes: Approval of Modern Greek and additional subject to be listed in the national Curriculum Statement : Grades 10-12 (General), in terms of the National Policy Act, 1996 (Act No 27 of 1996) and the South African Schools Act, 1996 (Act No 84 of 1996)	19 June	1461	noted

6.2 Oversight visits:

Province	Objective of Visit	Dates	Delegation	Report/publication
1) Northwest	To assess the extent to which quality education is provided, with specific reference a number of issues. The theme "Towards the provision of quality education in the second decade of democracy"	31 July- 4 August	Prof. S M Mayatula (ANC), Ms PR Mashangoana (ANC), Adv. A Gaum (ANC), Mr IM Mfundisi (ACDP), Committee Secretary: Ms Phumza Mpoyiya & Ms N Stemela, Committee Assistant.	Adopted on 14 November
2) Limpopo			Mr B Mthembu (ANC), Mr BG Mosala (ANC) , Mr RPZ Van Der Heever (ANC) & Ms L Maloney(ANC) , Ms N Borotho stand-in Committee Secretary & Ms C Adams, Committee Assistant.	Adopted 14 November
3) Oudsthoorn, Western Cape	As part of People's Assembly programme- "Towards the provision of quality education in the second decade of democracy"	14 September	Prof. S M Mayatula (ANC), Ms PR Mashangoana (ANC), Adv. A Gaum(ANC), Mr IM Mfundisi (ACDP), Committee Secretary: Ms Phumza Mpoyiya	Adopted 14 November

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

6.3 Invitations of Chairperson or delegation of a committee: Workshops and conferences attended:

Invitee	Names of delegates	Purpose	Dates	Estimated cost	Report/ publication
Excellante International (Accredited Services Seta)	Prof SM Mayatula (ANC) Mr B Mthembu (ANC) Ms M J Matsomela (ANC) Mr G G Boinamo (DA) Mr Mpontshane (IFP)	Conference on Transformation of Higher Education in Africa	22-23 March	R 55 830.44	Adopted on 14 November
University of Free State	Mr B Mthembu (ANC)	Inaugural King Moshoeshoe Lecture	25 May	R 4 389.00	
4th Annual SADC Conference, hosted by Umalusi	Prof. SM Mayatula, (ANC) Ms PR Mashangoane (ANC) & Mr G G Boinamo (DA)	Assessment and Educational Standards	25- 30 June	R 23 818.00	
BNFET Annual workshop	Prof S M Mayatula	Investment in Education	19 September	R 11 277	Adopted on 14 November
4th FAPED meeting in Malawi	Mr B Mthembu (ANC) Mr G G Bionamo (DA)		8-10 November	R 2 150	

7. International Visits:

Place(s) Visited	Objective of Visit	Dates	Delegation	Report
Mauritius	To share common problems and experiences as well as also interesting initiatives aimed at educational reform undertaken by the government of Mauritius, which could be a learning experience for South Africa.	17-25 November	Prof SM Mayatula(ANC), Mr BG Mosala (ANC), Ms MJJ Matsomela (ANC), Ms S Sigcau (UDM) & Ms P Mpoyiya (Committee Secretary)	To be considered first term 2007

8. Budget Vote

Date of referral on ATC: 8 March 2006

Department/ entity	Date of briefing	Public hearing	Date of report
Department of Education	9 May	9 May	Minutes Adopted
Council for Higher Education		14 March	
South African Council for Educators			
Education Labour Resource Council			
National Board for Education & Training			
National Students Financial Aid Scheme		15 March	Minutes Adopted
South African Qualification Authority			
Umalusi		29 March	Minutes Adopted
Council for Higher Education			Minutes Adopted

9. Annual reports from Departments and entities referred to committees:

Department/ entity	Date of referral	Date of briefing	Date of report
Umalusi		7 November	To be considered first term 2007
Council for Higher Education			
Education Labour Relations Council			
South African Qualifications Authority			
South African Council of Educators		14 November	To be considered first term 2007
National Students Financial Aid Scheme			
National Board For Education & Training			

10. Budget of the committee

Total budget	Catering	Provincial visits	International trips	Conferences/ w/shops	Public hearings	Balance
R500.00.00	R 26,709.00	R 154, 192.00	R181, 226.00	R 3,0000	R 58,128.60	R 76.774.00

*** The costs for the workshop of 22-23 March, was R 23, 389.00 will be taken from the budget of 2004/05 financial year.

10.1 Approved Sponsorships to the committee or individual Member:

APPTED conference
FAPED meeting
CCME conference

11. Outstanding\Pending issues:
Please indicate issues to be followed up by the committee in the 1st next term 2007.

- Adoption of Committee Annual Report
- Report on Annual reports of entities
- Committee Programme, 2007

12. Support Staff

Committee Secretary : Ms Phumza Mpoyiya

Control Committee Secretary : Mr Tenda Madima

Committee Assistant : Ms Claudine Adams

Secretary to Chairperson : Ms Z Van der Meullen

Researcher *(Research Unit)* : Mr Wela Manona

....
COMMITTEE SECRETARY **DATE**

....
CONTROL COMMITTEE SECRETARY **DATE**

....
COMMITTEE CHAIRPERSON **DATE**

FRIDAY, 23 MARCH 2007

ANNOUNCEMENTS

National Assembly and National Council of Provinces

1. **The Speaker and the Chairperson**

The Speaker and the Chairperson, on 22 March 2007, called a Joint Sitting of the National Assembly and the National Council of Provinces, as follows:

CALLING OF JOINT SITTING OF PARLIAMENT

The Speaker of the National Assembly, Ms B Mbete, and the Chairperson of the National Council of Provinces, Mr M J Mahlangu, in terms of Joint Rule 7(2), have called a joint sitting of the Houses of Parliament for Tuesday, 27 March 2007 at 12:00 in order to present the new emblem of Parliament to the Joint Sitting.

....
BMBETE, MP M J MAHLANGU, MP
SPEAKER OF CHAIRPERSON OF
THE NATIONAL THE NATIONAL
ASSEMBLY COUNCIL OF PROVINCES

COMMITTEE REPORTS

National Assembly

ANNUAL REPORT OF THE PORTFOLIO COMMITTEE ON TRADE AND INDUSTRY

PERIOD

FEBRUARY - NOVEMBER 2006

Name of the Committee: Trade and Industry

Chairperson: Mr. B A D Martins

Committee Secretary: Ms. M A Williams

Mandate of the committee:

- To ensure that policies, programmes and legislation of the Department of Trade and Industry are responsive to government's national objectives.
- To contribute to the effective development and implementation of legislation.
- To effectively play an oversight role over the Department of Trade and Industry.
- To respond to challenges posed by the "second economy".
- To focus on growth and development and modernisation of the "first economy".
- To facilitate public participation.

Chairperson's overview:

To deal with legislation referred to the Committee by the House, including hearings from parties proposing amendments. The rules of Parliament provide for Portfolio Committees, *inter alia*, (1) to deal with legislation referred to them by the House, including hearing from interested parties and proposing amendments; (2) to oversee the work of the corresponding Ministry and government Department; and (3) to make policy proposals. The Portfolio Committee on Trade and Industry has been active at all these levels. It has been responsible for processing bill introduced by the Minster of Trade and Industry, which has frequently involved holding public hearings and proposing amendments.

Department\s reporting to the Committee:

Department of Trade and Industry

Entities reporting to the Committee:

1. DTI: Department of Trade and Industry
2. SANAS: South African National Accreditation System
3. KHULA: Khula Enterprise Finance
4. NEF: National Empowerment Fund
5. IDC: Industrial Development Corporation
6. NGB: National Gambling Board
7. SEDA: Small Enterprise Development Agency
8. SABS: South African Bureau of Standards
9. ITAC: International Trade Administration Commission
10. EXIC: Export Credit Insurance Corporation of South Africa
11. NLB: National Lotteries Board
12. CC: Competition commission
13. CT: Competition Tribunal
14. NCR: National Credit Regulator
15. SAQI: South African Quality Institute
16. CIPRO: Companies for Intellectual Property Registration Officer
17. EAAB: Estate Agency Affairs Board

Number of Committee meetings held: 29

COMPOSITION OF COMMITTEE (Include dates of appointment and discharges)

Membership

Member	Total Meetings Held	Number of meetings Attended	%	Appointment Date	Discharge Date
African National Congress					
Oliphant, Mr DDA	29	13	44,8	ATC: 06-11-06	
Martins, Mr BA	29	23	79,3		
Mahomed,Ms F	29	16	55,1		
Khunou, Ms NP	29	11	37,9		ATC: 06-11-06
Maake,Mr J	29	15	51,7		
Maja, Mr SJ	29	21	72	ATC: 06-11-06	
Rasmeni, Mr SM	29	23	79,3	ATC: 06-11-06	
Sefularo, Dr M	29	13	44,8		ATC: 06-11-06
Ramodibe, Ms D	29	19	65,5		
Turok, Prof B	29	16	55		
Dlali, Mr DM	29	9	31		
Njikelana, Mr SJ	29	24	82,7		
Ntuli, Mrs BM	29	11	37,9	ATC: 06-11-06	
Nkem-Abonta,Dr E	29	6	75 %		ATC: 06-11-06
Nonkonyane, Mr M	29	6	20,6	ATC: 06-11-06	
Democratic Alliance					
Labuschagne, Mr LB	29	22	75,8		
Rabie, Dr P	29	23	79,3		
Inkatha Freedom Party					
Chang, Ms ES	29	20	68,9		
United Democratic Movement					
African Christian Democratic Party					
Cupido, Mr HB	29	2	0,68		

Pan Africanist Congress Of Azania					
Minority Front					
Bhoola, Mr R	**29**	**3**	**1,03**		
Azanian People's Organisation					
Nefolovhodwe, Mr PJ	**29**	**2**	**0,68**		

DATE OF MEETING	AGENDA	MINUTES ADOPTED
01 February 2006	Consideration of the Committee Programme – 2006 Consideration of the Committees Annual Report – 2005 Adoption of the Committee's Report on dti Annual Report Adoption of the Committee's Business Plan – 2006 Briefing on the outcomes of the WTO negotiations	No
07 March 2006	Briefing on the BBBEE Codes of Good Practices: Phase one and two	No
08 March 2006	Briefing on the Budget by Cotii (SEDA and the National Gambling Board	No
10 March 2006	Briefing on the Budget by Cotii (IDC; NEF and the Khula)	No
14 March 2006	Briefing on the Investment Climate Survey	No
15 March 2006	Briefing on the dti's Strategic Plans 2006 - 2009 Briefing on the dti's Budget 2006/2007 Briefing on the dti's Legislative Programme for 2006	No
17 March 2006	Briefing on the Small Business Strategy and Adoption of the Committee's Report on the Budget Process	No
22 March 2006	Briefing on the Consumer Protection Policy Briefing on the National Credit regulations Consideration of the Committee Report on the International Parliamentary Conference on the WTO	No

24 March 2006	Update on the Strategic Framework on Gender and Women's Economic Empowerment	No
12 May 2006	Initial Briefing on the Corporate Laws Amendment Bill	No
17 May 2006	Update on the Trade Negotiations (WTO, SACU, NEPAD and IBSA)	No
29 May 2006	Public Hearings on the Corporate Laws Amendment Bill	No
30 May 2006	Public Hearings on the Corporate Laws Amendment Bill and DTI responds to public hearings	No
31 May 2006	Further deliberations and finalization of the Corporate Laws Amendment Bill	No
21 June 2006	Briefing on the customized Sector Programmes, including a status report on the Textile Industry	No
Sat, 24 June – Sun, 02 July 2006	WTO Training, Geneva Switzerland.	No
02 August 2006	Briefing on the Draft Regional Industrial Strategy.	No
16 August 2006	Discussion on the Regulations under the National Credit.	No
23 August 2006	Initial briefing on the Accreditation to Conformity Assessment Bill and the Measurements Units and Measurements Standards Bill.	No
30 August 2006	Briefing on the Review of the Sugar Act.	No
Sat 02 – Sun 10 September 2006	Study tour to the Peoples Republic of China.	No
06 September 2006	Formal discussions on the Accreditation to Conformity Assessment Bill and the Measurements Units and Measurements Standards Bill.	No
13 September 2006	Oversight visit to Atlantis: sponsored by the Industrial Development Corporation/ joint meeting with the SC on Economic and Foreign Affairs.	No
20 September 2006	Consideration of the NCOP Amendments to the Corporate Laws Amendment Bill. Public Hearings on the Accreditation for Conformity Assessment Bill and the Measurements Units and Measurements Standards Bills.	No
11 October 2006	Further deliberations of the Accreditation for conformity Assessment bill, 2006 and the Measurement Units and Measurement Standards Bill, 2006	No
18 October 2006	Adoption of Study Tour Reports: WTO Training, Geneva Switzerland Finalization of the Accreditation for conformity Assessment bill, 2006 and the Measurement Units and Measurement Standards Bill, 2006 Briefing on the National Credit Regulations (Implementation phase)	No
25 October 2006	Annual Report presentation by the Export Credit Insurance Corporation of South Africa	No
27 October 2006	Annual Report Presentation: Specialist Services [Small Enterprise Development Agency, South African Bureau of Standards and the International Trade Administration Commission (SEDA ,SABS, ITAC)	No

1 November 2006	Annual Report Presentation: Development Finance Institutions [IDC, KHULA and NEF]	No
3 November 2006	Ratification and Finalization of the Free Trade Agreement (FTA) between the EFTA and SACU	No
08 November 2006	Annual Report Presentations: Regulatory [Competition Commission, Competition Tribunal and the National Lotteries Board]	No
15 November 2006	Presentation on the DTI's Annual Report 2005/2006 Adoption of the Committees Annual Report Annual Report Presentation: National Industrial Participation Review and Preparatory Work for 2007	No

Cancelled meetings: 01

Legislation referred to a committee:
1. Corporate Laws Amendment Bill
Referral date: 8 May 2006
Briefings by the Department: 1
Public Hearings: 29 May 2006 – 03 May 2006
Institutions:

- Deloitte
- Pricewaterhouse Coopers
- KPMG
- Ernst and Young [tax]
- ABASA
- ACCA
- SAICA
- SA Institute of Professional Accountants
- Ernst and Young
- JSE
- Grant Thornton
- Independent Regulatory Board for Auditors

No of Submissions: 13
Report Adopted: yes, 06 June 2006
Adoption: with amendments, these **are contained in the Document prepared by the DTI;**

Technical Issues-Corporate Laws Amendment Bill, 2006
Policy Issues-Corporate Laws Amendment Bill, 2006
Report publication: 07 June 2006
Date adopted in the House: 07 June 2006

2. Accreditation for Conformity Assessment Bill and Measurements Units and Measurements Standards Bill.
Referral date: 8 May 2006
Briefings by the Department: 2
Public Hearings: 20 September 2006

1. **Institutions:** Business unity South Africa (BUSA) oral presentation By Dr. L Lotter
2. SA Scale Company, written presentation.

No of Submissions: 02
Report Adopted: yes, 20 September 2006
Adoption: with amendments,
Report publication: 07 June 2006
Date adopted in the House: 07 June 2006

Papers (International Agreements, Protocols, Conventions, Reports etc) referred to a Committee:

DATE	NAME OF PAPER	REFERRAL DATE	DATE CONSIDERED	DATE REPORT PUBLISHED IN ATC
19/06/06	(a) Exchange of Letters between the Governments of the Republic of South Africa and the Government of the Federal Republic of Germany concerning the Project: Programme to Develop Markets for Business Development Services, tabled in terms of	19/06/06	Not considered	Not published
19/06/06	(b) Explanatory Memorandum on the Exchange of Letters between the Government of the Republic of South Africa and the Government of the Federal Republic of Germany concerning the Project: Programme to Develop Markets for	19/06/06	Not considered	Not published

	Business Development Services.			
29/09/06	The Reports of the Independent Auditors on the Financial Statements	29/09/06	Not Considered	Not published
01/09/06	(a) Government Notice No R853 published in Government Gazette No 27946 dated 2 September 2005: Standards Matters in terms of the Standards Act, 1993 (Act No 29 of 1993). 1931 (b) Government Notice No R854 published in Government Gazette No 27947 dated 2 September 2005:Withdrawal and replacement of the compulsory specification for motor vehicles of category N2/3, in terms of the Standards Act, 1993 (Act No 29 of 1993). (c) Government Notice No R855 published in Government Gazette No 27947 dated 2 September 2005:Withdrawal and replacement of the compulsory specification for motor vehicles of category M2/3, in terms of the Standards Act, 1993 (Act No 29 of 1993). (d) Government Notice No R856 published in Government Gazette No 27947 dated 2 September 2005:Withdrawal and replacement of the compulsory specification for motor vehicles of category	01 September 2006	Not considered	Not published

	M1, in terms of the Standards Act, 1993 (Act No 29 of 1993). (e) Government Notice No R857 published in Government Gazette No 27947 dated 2 September 2005:Withdrawal and replacement of the compulsory specification for motor vehicles of category N1, in terms of the Standards Act, 1993 (Act No 29 of 1993). (f) Government Notice No R915 published in Government Gazette No 28039 dated 23 September 2005: Incorporation of an external company as a company in the Republic of South Africa: Paddington Limited, in terms of the Companies Act, 1973 (Act No 61 of 1973). (g) Government Notice No R916 published in Government Gazette No 28039 dated 23 September 2005: Incorporation of an external company as a company in the Republic of South Africa: Kasvel Limited, in terms of the Companies Act, 1973 (Act No 61 of 1973). (h) Government Notice No R.397 published in Government Gazette No 28767 dated 28 April 2006: International Trade and Administration Commission of South Africa: Tariff investigations: Regulations, in terms of the International Trade Administration			

	Act, 2002 (Act No 71 of 2002). (i) Proclamation No 22 published in Government Gazette No 28824 dated 11 May 2006: Commencement of the National Credit Act, 2005 (Act No 34 of 2005). (j) Government Notice No R.489 published in Government Gazette No 28864 dated 31 May 2006: Regulations made in terms of the National Credit Act, 2005 (Act No 34 of 2005). (k) Government Notice No R.517 published in Government Gazette No 28894 dated 1 June 2006: Establishments of Collecting Societies in the Music Industry, in terms of the Copyright Act, 1978 (Act No 98 of 1978). (l) Government Notice No R.477 published in Government Gazette No 28848 dated 2 June 2006: Regulations: Payment of levy and the issue of sales permits with regard to compulsory specifications: Amendment, in terms of the Standards Act, 1993 (Act No 29 of 1993). (m) Government Notice No R.478 published in Government Gazette No 28848 dated 2 June 2006: Regulations: Payment of levy and the issue of sales permits with regard to compulsory specifications: Amendment, in terms of the Standards Act,			

	1993 (Act No 29 of 1993). (n) Government Notice No R.479 published in Government Gazette No 28848 dated 2 June 2006: Regulations: Payment of levy and the issue of sales permits with regard to compulsory specifications: Amendment, in terms of the Standards Act, 1993 (Act No 29 of 1993). (o) Government Notice No R.599 published in Government Gazette No 28924 dated 15 June 2006: Exemption from the provisions of sections 143(2): WPP Group PLC, in terms of the Companies Act, 1973 (Act No 61 of 1973). (p) Government Notice No R.654 published in Government Gazette No 28976 dated 7 July 2006: International Trade Administration Commission of South Africa, in terms of the International Trade Administration Act, 2002 (Act No 71 of 2002).			
07/11/06	(a) Report and Financial Statements of the National Empowerment Fund for 2005-2006, including the Report of the Independent Auditors on the Financial Statements for 2005-2006	07/11/06	01/11/06	To be published 2007
07/11/06	(a) Free Trade Agreement between the European Free Trade	07/11/06	03/11/06	11/11/06

	Association (EFTA) and the Southern African Customs Union (SACU), tabled in terms of section 231(2) of the Constitution, 1996. (b) Explanatory Memorandum to the Free Trade Agreement between the European Free Trade Association (EFTA) and the Southern African Customs Union (SACU).			
08/11/06	(a) Report of the Auditor-General on the findings identified during an investigation into procurement at the Companies and Intellectual Property Registration Office (CIPRO)—September 2006 [RP 245-2006].	08/11/06		
08/11/06	(a) Report and Financial Statements of the Small Enterprises Development Agency for 2005-2006, including the Report of the Auditor-General for the fifteen month period ended on 31 March 2006.	08/11/06	27/11/06	To be considered in 2007

OVERSIGHT AND LEGISLATIVE PROGRAMME

Institutional Oversight:

As part of its oversight functions, the Committee considered and reported on the Annual Report of the Department of Trade and Industry for the 2005/6 financial year on 15 November 2006.

The Committee deliberated on the Annual Reports of (10) ten of the Department of Trade and Industry's entities.

Export Credit Insurance Corporation of South Africa	- 25 October 2006
Small Enterprise Development Agency [SEDA]	- 27 October 2006
South African Bureau of Standards [SABS]	- 27 October 2006
International Trade Administration Commission [ITAC]	- 27 October 2006
Industrial Development Corporation [IDC]	- 01 November 2006
KHULA Enterprise Finance	- 01 November 2006
National Empowerment Fund [NEF]	- 01 November 2006
Competition Commission [CC]	- 08 November 2006
Competition Tribunal [CT]	- 08 November 2006
National Lotteries Board	- 08 November 2006

International / National visits: 4

Oversight visit to Atlantis - 13 September 2006
Oversight visit to the Peoples Parliament, Oudtshoorn – 14 September 2006
WTO Training, Geneva Switzerland - 24 /06 – 02/07 2006
Study tour of the Peoples Republic of China – 02 – 10 September 2006

Invitations of Chairperson or delegation of a committee

Invitation from where\whom: Industrial Development Corporation [IDC]
Who is invited? The members from the Portfolio Committee on Trade and Industry
Purpose of the event: An oversight visit to two factories in Atlantis, in terms of the investment provided by the IDC.
Dates: 13 September 2006
Report: No, not required by the Committee
Estimated cost: R3525.00

International Visits: 02

1. Geneva, Switzerland:

Dates: 24 June – 02 July 2006
Delegation + staff: 4 + 1
Country/places visited: Geneva, Switzerland
Report to be adopted: 18 October 2006
Estimated cost: R390 000

2. China

Dates: 02 September – 10 September 2006
Delegation + staff: 5 + 1
Country/places visited: Beijing, Shanghai, Xiamen, China
Report to be adopted
Estimated cost: R331 521.22

Budget Vote:
Referral date: 08 March 2006
Briefing by Department: 15 March 2006
Report: Adopted, yes
Report publication: 17 March 2006

Approved Sponsorships to the committee or individual Member: Chinese Ministry of Commerce [MOFCOM]
R81 696.00 [accommodation and ground travel in China]

SUPPORT STAFF

Committee Secretary: Ms. M Williams

Control Committee Secretary: Ms. G Abdullatief

Committee Assistant: Mr. M Erasmus

Secretary to Chairperson: Ms. C Nobevu

Researcher *(Research Unit)*: None

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COMMITTEE SECRETARY **DATE**

....
CONTROL COMMITTEE SECRETARY **DATE**

....
COMMITTEE CHAIRPERSON **DATE**

MONDAY, 26 MARCH 2007

ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. **Introduction of Bill**

(1) **The Minister of Housing**

(a) ***Housing Consumers Protection Measures Amendment Bill*** [B 6—2007] (National Assembly—proposed sec 76) [Explanatory summary of Bill and prior notice of its introduction published in *Government Gazette* No 29521 of 21 January 2007.]

Introduction and referral to the **Portfolio Committee on Housing** of the National Assembly, as well as referral to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160.

In terms of Joint Rule 154 written views on the classification of the Bill may be submitted to the JTM within three parliamentary working days.

TABLINGS

National Assembly and National Council of Provinces

1. **The Minister of Communications**

(a) Strategic Plan of the Department of Communications for 2007 to 2010.

2. **The Minister for Agriculture and Land Affairs**

(a) Strategic Plan of the Department of Agriculture for 2007 to 2008.

National Assembly

1. **The Speaker**

SADC PF's Interim Statement on the Election Observer Mission to Lesotho—17th February 2007.

17TH FEBRUARY, 2007 LESOTHO PARLIAMENTARY ELECTIONS
INTERIM STATEMENT

INTRODUCTION

Pursuant to an invitation from the government of the Kingdom of Lesotho, a 23-member Election Observer Mission of the SADC Parliamentary Forum (Forum) arrived in Maseru on 10th February, 2007 to observe Lesotho's 2007 Parliamentary Elections. This is the second time that the Forum has been invited to and observed elections in Lesotho. In 2002 the Forum observed and published a report on the conduct of the Parliamentary Elections that were held in May of that year. The 2007 Lesotho Parliamentary Elections are the 21st elections to be observed by the Forum in the SADC region since 1999.

The delegation comprised Members of Parliament (MPs) from Botswana, Malawi, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. The Mission was supported by the Secretary General of the Forum together with officials from the Windhoek-based Secretariat and officials from national parliaments of SADC countries. The Speaker of the National Assembly of Botswana, who is also the Chairperson of the Forum, led the Mission. The selection of the participating MPs was based on the Constitution of the Forum, which makes it mandatory for the composition of Forum delegations to reflect gender parity and the political plurality.

The Mission's terms of reference included an assessment of the extent to which the constitutional and legal framework governing elections in Lesotho provided a conducive environment for credible, free and fair elections. The Mission also examined issues relating to the independence and impartiality of the Independent Electoral Commission (IEC) in discharging its mandate. Other critical issues that formed part of the Mission's points of inquiry included:

- The equal participation of women and men both as candidates and voters;
- The extent to which the voter registration process and the resultant voters' register were all inclusive;
- Secrecy of the ballot and the transparency and legitimacy of the electoral process
- The quality of voter education, the nature of the campaign and conduct of political parties,
- Role of security forces,
- Role of the media in promoting fair and balanced media reporting and coverage of election activities,
- Polling arrangements, vote counting, tabulation and announcement of results; and
- Conflict resolution mechanisms and consultative processes between the IEC, political parties and other stakeholders.

This statement represents the Mission's preliminary findings, observations and recommendations on the 17th February, 2007 Lesotho Parliamentary Elections. A comprehensive report will be compiled and published not later than 90 days from the date of this statement.

OBSERVATION METHODOLOGY

Upon arrival in the country on 10th February, 2007, the Mission convened an orientation workshop to familiarise itself with all aspects of the electoral process in general and assessing the state of election preparedness on the part of key stakeholders. This important process involved a review of the constitutional, legal and policy framework governing elections, consultations with the IEC, political parties, the police, members of the media fraternity, civil society organisations as well as local and international election observers. Some of the political parties that exchanged views with the Mission include the Lesotho Congress for Democracy (LCD), Basotho National Party (BNP), Lesotho People's Congress (LPC), National Independent Party (NIP) and the All Basotho Convention (ABC). The Mission observed the campaign and other pre-election activities as well as voting, vote counting and announcement of results in the districts of Maseru, Berea, Leribe and Mohale's Hoek including star rallies that were held by the LCD, ABC and BNP in Maseru on Sunday 10th February, 2007. On Sunday 18th February, 2007 and Monday 19th February, 2007, the Mission witnessed the announcement of some of the election results by the IEC at the Manthabiseng Convention Centre.

The observation process was based on checklists that were developed in terms of the *Norms and Standards for Elections in the SADC Region*, the *SADC Principles and Guidelines for Democratic Elections*, the *African Union Declaration on the Principles Governing Democratic Elections in Africa*, the *Declaration of Principles for International Election Observation and Code of Conduct for International Observers*, among other election instruments.

FINDINGS

Political Environment

The Mission's observations and feedback from a wide range of stakeholders bear out the fact that the political environment within which elections were conducted was generally calm, peaceful, tolerant and conducive for the free exercise of the right to vote and be voted for. It is worth noting that the three rallies referred to above went on peacefully as supporters of different parties, interacted without incident.

Constitutional and Legal Framework

The Bill of Rights in the Constitution of the Kingdom of Lesotho recognises citizens' right to freedoms of expression, peaceful assembly and association. It also recognises the right to participate in government including the right "to vote or to stand for election ... under a system of universal and equal suffrage and secret ballot."

The Mission is of the view that the just-ended polls were conducted in compliance with the constitutional and legal framework governing elections and public participation in governance in Lesotho. The Mission is satisfied that the framework in place at the time of the election generally augurs well for the participation of ordinary Basotho from all walks of life in electoral processes.

Notwithstanding the legality of 'snap' elections in Lesotho, the Mission notes that such elections could, as was the case in the just ended elections, result in unforeseen logistical and administrative challenges on the part of the IEC and political parties. The calling of elections

at least three months earlier than anticipated, could explain some of the problems associated with the accuracy of the voters' register and concerns about the quality of voter education.

Independence and Impartiality of the IEC

The Second Amendment to the Constitution, Act No. 7 of 1997 makes provision for the establishment, composition, powers and functions of the IEC. The IEC is appointed by the Head of State (the King) on the advice of the Council of State. The law provides for the involvement of all registered political parties in the selection of persons eligible for appointment onto the IEC, through the presentation of names for consideration by the Council of State.

Act No. 7 of 1997 bestows on the IEC, the responsibility of organising, conducting and supervising of National Assembly elections 'in an impartial and independent manner'. The IEC is also responsible for the delimitation of constituencies, supervising and controlling the registration of electors, registration of political parties, ascertaining, publishing and declaring election results. In line with regional election instruments, the IEC is funded through the Consolidated Fund as provided by Parliament. The Director of Elections, who is the Chief Executive of the IEC is defined as a public officer and is appointed by the IEC in consultation with the Public Service Commission. The independence of the IEC is protected under the Act.

The Mission is satisfied that the manner in which the IEC is appointed and the legal provisions on the independence of the IEC are consistent with the standards set in regional election instruments. The Mission did not find any evidence of partiality on the part of the IEC.

The Electoral System

Since 2002, the Kingdom of Lesotho has used the Mixed Member Proportionate (MMP) electoral system. In terms of this system, in addition to the 80 directly elected First Past The Post (FPTP) constituency parliamentary seats, 40 additional proportional representation (PR) seats are allocated to contesting parties on the basis of the strength of their performance, provided however that a party that surpasses a certain threshold in the constituency vote, does not dominate other parties in the PR vote. In this regard, the MMP system should be seen as a compensatory model that ensures that every vote counts and parties that achieve a reasonable showing at the polls get representation in the National Assembly. If properly utilised, the system should enhance political inclusiveness, including the participation of women, the youth and other disadvantaged social groups in politics.

The Mission observed that there were political and legal challenges to the manner in which the MMP system was being implemented in the 2007 Parliamentary Elections.

The Voters' Register

The IEC managed to produce a voters' roll of 916, 230 voters out of an estimated total population of 2, 400 000 citizens. The Mission was made aware of the challenges that the IEC faced in its efforts to produce a credible and all-inclusive voters' register. It is clear that the calling of a 'snap' election had negatively affected the IEC's capacity to register voters, facilitate inspection of the register, and subsequently compile an up to date voters' register ahead of the elections. Similarly, due to the limited time allocated for inspection of the

preliminary voters' registers, some voters were unable to verify their details. On the eve of the elections the IEC conceded that there were still some problems with incomplete or incorrect voters' details on the register. By the IEC's own admission some 10, 000 entries did not include the respective voters' photographs.

In other cases, voters who had transferred from one polling station to another could not find their names on the voters' roll. There were also cases where a voter could not find their name on the voters' roll, yet they were in possession of a voter's card issued by the IEC. The law provides that only those voters whose names are on the voters' roll can vote and consequently, the group of voters referred to in the preceding paragraph could not vote.

The Mission was informed that where a voter did not have a voter's card, driver's licence or passport, they could benefit from the assistance of an official witness to vouch for them, provided that their names were on the voters' roll. On voting day, the Mission observed that there were incidences where voters were unable to vote due to incomplete or incorrect details on the voters' roll.

It is also significant to note that party agents were not availed copies of the voters' roll and had to rely on the polling officials and official witnesses to verify the identity of voters.

Delimitation of Constituencies

The law mandates the IEC to demarcate constituencies in relation to the distribution of the voting population. The Mission notes that although there was a population census in April, 2006, no new constituency boundaries were created hence the 2002 constituency boundaries remained in place, despite a 10% increase in the number of polling stations to the current 2, 558.

Voter Education

Comprehensive voter education is critical to the effective participation of citizens in their government. Upon arrival in the country, the Mission was made aware of the efforts of the IEC, civil society, political parties and the media to carry out voter education. The Mission was made to understand that this process commenced in September, 2006. At that time, the IEC was planning for the month of May, 2007 as a possible date of elections. The IEC's voter education programme took the form of messages in the print and electronic media, on public commuter vehicles, posters, pamphlets and radio phone-in programmes.

Notwithstanding the voter education initiatives highlighted above, the Mission observed apparent lack of familiarity with voting procedures, resulting in polling staff taking time to illustrate in some detail how to exercise the right to vote.

Media Coverage

Section 47(k) of the National Assembly Election Order (1992) provides *inter alia*, that 'every political party shall have the right to have the substance of its campaign propaganda reported on news broadcasts of the Government-owned media and in any newspaper in circulation in Lesotho'. It further mandates the IEC to make arrangements with the Government-controlled media to 'allocate time on the radio and television during which political parties may be allowed to speak or appear in campaigning for an election…' In addition, the law provides that in their coverage of campaign propaganda, the media should maintain

neutrality, and that the IEC should monitor such news broadcast. These provisions are in line with regional election instruments, including the *MISA/SABA Guidelines and Principles for Broadcast Coverage of Elections in the SADC Region*[ii].

As is the case in most SADC countries, unlike the print media, the electronic media, particularly Radio Lesotho and to some extent Lesotho Television have the largest reach across the country. At the time of its arrival on 10th February, 2007, the Mission was informed by stakeholders, including the IEC that the public electronic media's coverage of the elections had hitherto been largely skewed in favour of the ruling party. Following representations to the IEC, however, an independent media monitoring panel had been appointed, resulting in some improvement in the public media's coverage of the election campaign.

Gender Representation and Participation

Available statistics show that only 107 (or 17%) of the 617 constituency candidates were women. On the PR lists, however, 197 (or 32%) of the 606 candidates were women. The statistics above suggest that some political parties had taken advantage of the PR system to promote the participation of women in politics. What is at issue though is the position of women candidates on the PR list; it being understood that the higher the position of a candidate on the list, the better the chances of such candidates making it to parliament and vice versa. An analysis of the party lists shows that the representation of women in the first 10 slots on the PR list of nine political parties, stood at an average of 27%. Of these parties, only 3 had women in either the first or second position.

A positive development in the participation of women in the electoral process could be seen in the large number of women who were deployed by the IEC and political parties as polling officials and party agents, respectively.

The above statistics show that in spite of the progressive MMP electoral system, Lesotho like the majority of other SADC countries, continues to lag behind in the advancement of women in politics. In this regard, the Forum pledges to work with all political parties in the post election period to impress upon them the need for gender parity in politics as provided for in regional and international instruments which Lesotho is signatory to. Through the Regional Women's Parliamentary Caucus (RWPC) the Forum intends to organise capacity building initiatives for the newly elected women parliamentarians to ensure that they take their rightful place in the legislature.

Campaign Finance

Section 47 (n) of the National Assembly Election Order (1992) allows political parties to 'appeal for and receive voluntary donations from any individual organisation in or outside Lesotho', and to declare donations exceeding M20, 000 (ZAR20, 000) to the IEC. It is significant to note that the law compels political parties to deposit such donations into a 'single bank account into which all income of the political party including contributions from any other sources shall be paid and from which all election expenses shall be paid'.[iii]

During the just ended elections, provision was made for political parties to benefit from public funding for their campaigns. The Mission however received complaints arising from

the late release of campaign funding from the IEC, and the use of Government vehicles for campaigns.

It is the Mission's considered view that in order to enhance the capacity of political parties to participate in electoral processes and level the playing field; campaign funding should be availed well ahead of the election date and that Government resources should not be used to abet one political party at the expense of others.

Polling Stations

The Mission is satisfied that the 2, 558 polling stations which the IEC established for the just ended elections were adequate. This was evidenced by the fact that at the end of the designated voting period, queues had disappeared at most polling stations visited by the Mission. All the polling stations visited by the Mission were located in neutral and easily accessible places.

The Poll

Most of the polling stations visited by the Mission opened on time and the organisation and management of the voting process at the 78 polling stations visited by the Mission largely complied with the relevant legal and administrative procedures. It is important to note however, that in a few instances, voting was delayed due to the late delivery of election materials. In some cases, presiding officers seemed unfamiliar with the voting procedures, resulting in a very slow voting process especially at the beginning of voting or the disenfranchisement of some voters due to incomplete and/or incorrect details on the voters' roll. As illustrated elsewhere in this statement, some presiding officers did not make use of official witnesses to confirm the identity of affected voters.

The secrecy of the ballot was guaranteed and voters exercised their right without hindrance. Appropriate arrangements were made for the physically challenged, the elderly, expecting mothers and the visually impaired to cast their votes.

The Count

The counting of ballots proceeded smoothly albeit very slowly. Party agents participated actively in the counting process. Copies of certified results were availed to party agents at all polling stations visited by the Mission. The Mission notes with interest, a new innovation in the Lesotho electoral process where **independent auditors** were contracted to verify the accuracy of election results during collation of results at constituency centres and at national level. This practice was viewed by political parties and the IEC as a way of further enhancing transparency of the ballot counting process and seemed to have worked very well.

Declaration of Results

Whereas election results were promptly announced at polling stations, the same cannot be said with regard to the declaration of consolidated results to the nation. By 08h00 on Tuesday 20th February, 2007, the third day after the close of polls, not all the results had been announced. While noting that the law provides for the announcement of final elections results within seven days after the close of polls, the Mission however recommends that in future, every effort should be made to expeditiously announce election results to pre-empt any undue anxiety.

The Role of Security Forces
The Mission is satisfied that the Lesotho Mounted Police Service did well to facilitate the electoral process.

Voter Turnout
Preliminary figures announced by the IEC show voter turnouts averaging 49% something that could be attributed to a combination of factors such as the untimely scheduling of the just ended elections, lack of comprehensive voter education and the apparent slowing down of the campaign momentum after the star rallies of the three major political parties some five days before polling day.

GOOD PRACTICES

The Mission has observed the following good practices from the just-ended elections:

1. A peaceful and mature campaign which benefited from the positive and encouraging pronouncements by leaders of most political parties speaking out against violence and political intolerance;
2. Regular consultations between the IEC and political parties especially in the period leading to voting day and with respect to important decisions such as the distribution of campaign funds to parties;
3. Provision of training and financial support for the deployment of party agents both as a confidence building measure as well as enhancing the transparency of the electoral process. As a result, party agents were present and active at all the polling stations visited by the Mission.
4. Voting and ballot counting process involving the participation of party agents, including the provision of certified results to party agents at polling station and constituency levels;
5. IEC-sponsored debates which were witnessed by observers and the public, and were broadcast live in the electronic media;
6. Establishment of a media monitoring group to promote equitable access to the media and ensure compliance with legal provisions on election coverage;
7. Establishment of multiple polling stations for every 500 voters in one centre, segregated according to voters' last names;
8. Introduction of independent auditors to verify the results at polling stations, constituencies and national levels;
9. The presence of conflict management officers at district level to address election-related conflicts as and when they arose;
10. Allowing local and international observers free and unhindered access and regular consultations throughout the electoral process. This is in line with regional and international guidelines for elections;
11. Provision for advance voting for persons who were expected to be on official duty on voting day;
12. Preferential treatment for people with disabilities, the elderly and expecting mothers and the visually impaired to cast their votes;
13. Existence of an enforceable code of conduct and an election offences regime as part of the statutes;
14. Declaration of the Election Day as a public holiday even though the day fell on a weekend and closing of liquor outlets were also closed on the day. These innovations presented those who so wished, with the opportunity to cast their ballots, and

15. Provision for prisoners to exercise their constitutional right to vote.

RECOMMENDATIONS

1. Bearing in mind that correcting the existing historical imbalances in the participation and representation of women and men in politics requires deliberate and concerted action at all levels of society, political parties in Lesotho should put in place practical measures to promote the participation of women in political processes. The MMP electoral system presents all political parties the opportunity to act decisively by putting women at the top of PR lists;
2. Voter registration and related processes should be carried out on a continuous basis to ensure that the voters' roll is kept up to date;
3. Campaign funding should be released to qualifying political parties well in advance of the election date to enable parties to make effective and efficient use of such funds;
4. As provided in the law, the IEC should be proactive in monitoring media coverage of election campaigns to ensure professional, fair and balanced coverage of campaigns and campaign messages;
5. Mechanisms should be put in place to facilitate the work of the IEC in the event of a 'snap' election. These measures could include allocation of additional financial and other resources to enable the IEC to meet the extra-ordinary pressures and deadlines that accompany a 'snap' election;
6. Copies of the voters' roll should be made available to party agents to enable them to independently verify the identities of voters;
7. The IEC should develop a long term strategy on voter education to enhance the impact and effectiveness of such education. Political parties, civil society organisations and the media should all be key stakeholders in this process;
8. The IEC should seriously consider establishing user-friendly voting facilities for people with disabilities;
9. Mechanisms should be developed to expedite the announcement of election results at national level to forestall unnecessary anxiety in the population. Through comprehensive training and logistical support, the IEC should enhance the capacity of polling station staff to compile accurate results and facilitate speedy flow of information to constituency centres and to the IEC headquarters, and
10. In view of concerns raised by stakeholders that political inclusiveness, which is one of the main benefits of the MMP system, was threatened by pre-election alliances, the Mission recommends the enactment of legislation and/or the adoption of guidelines to govern such alliances. This should enhance the benefits of the MMP electoral system and promote inter-party collaboration and a fair contest.

CONCLUSION

The Mission commends the people of Lesotho for the peaceful manner in which the elections have been conducted. Based on the above findings and observations, the Mission concludes that both the conduct and environment within which the just-ended Parliamentary Elections were held afforded the people of Lesotho the opportunity to freely elect leaders of their choice. Notwithstanding the recommended areas for improvement reflected above, the elections were free and fair and in line with the SADC Parliamentary Forum *Norms and Standards for Elections in the SADC Region* and elections

The Mission is grateful for the invitation to observe the just ended elections. Special thanks go to the IEC, political parties, the Lesotho Mounted Police Service, civil society organisations, the churches, the media, local and international observers and the Basotho nation for cooperating with the Mission during its tour of duty.

Done at 11h30 at Maseru, Lesotho this 20th day of February, 2007 in the English and Portuguese languages, both texts being equally authentic.

Hon. Patrick K. Balopi, MP
Leader of the Delegation, Speaker of the National Assembly of Botswana and Chairperson of the SADC Parliamentary Forum

Hon. John E. Joswah, MP
MALAWI

Hon. Matilde Lampeao, MP
MOZAMBIQUE

Hon. Alexia Manombe-Ncube, MP
NAMIBIA

Hon. Nthabiseng Khunou, MP
SOUTH AFRICA

Hon. Marwick T. Khumalo, MP
SWAZILAND

Hon. Stella M. Manyanya, MP
TANZANIA

Hon. Emmanuel M. Hachipuka, MP
ZAMBIA

Hon. Shuvai Mahofa, MP
ZIMBABWE

Dr. Kasuka Mutukwa
SECRETARY GENERAL

The SADC Parliamentary Forum is a regional organisation of the national Parliaments of SADC Member States. The organisation is headquartered in Windhoek, Namibia and is involved in, among other regional initiatives, promoting good governance and democracy, advocating for gender equality, parliamentary capacity building and inter-parliamentary cooperation, deepening regional integration and e-governance (www.sadcpf.org)

[i] Chapter II (20)(b), Constitution of Lesotho, 1993
[ii] The Guidelines and Principles for Broadcast Coverage of Elections in the SADC Region were developed by the Media Institute of Southern Africa (MISA) and the Southern African Broadcasting Association (SABA), and were subsequently adopted by Chief Executives of public service broadcasting services at a SABA Annual General Meeting held in Arusha, Tanzania in September, 2005.
[iii] Chapter 4 (35)(3)(4), National Assembly Election Order, 1992

COMMITTEE REPORTS

National Assembly

1. **Report of the Portfolio Committee on Science and Technology on Study Tour to ENGEN Refinery, Durban 10 November 2006:**

The Portfolio Committee on Science and Technology, having conducted a study tour to ENGEN refinery in Durban on the 10 November 2006, reports as follows:

Members Present:

The delegation, under the leadership of the Chairperson of the Portfolio Committee, Hon. E N N Ngcobo (ANC), included Hon. A R Ainslie (ANC), Hon. F Mahomed (ANC), Prof I J Mohamed (ANC), Hon. S N Nxumalo (ANC), Hon. J P I Blanche (DA)

Apologies:

Hon. S Dithebe, Hon. B T Ngcobo (ANC), Hon. B J Mnyandu (ANC), Hon. M J Bhengu (IFP), Hon. A M Dreyer (DA), Hon. P J Nefolovhodwe (AZAPO), Hon. V C Gore (ID) and Hon. N T Godi (PAC)

Supporting Staff:

Ms Z Jansen (Committee Secretary)

Mrs C Adams (Committee Assistant)

Background:

The Portfolio Committee conducted a study tour of the ENGEN Refinery in Durban, a Division of ENGEN Petroleum South Africa. As the Portfolio Committee plays an influential role in government decision-making process on energy matters, a study tour to the refinery was beneficial to it.

Purpose for the study tour:

The aim of the study tour was to afford the Portfolio Committee an opportunity to familiarise themselves with the manufacturing of crude oils. It was also an opportunity for ENGEN and the Portfolio Committee to interact on issues of mutual interest such as: cleaner fuels program, bio fuels and the interrelationship with cleaner fuels; availability of skills pool and its capacity to meet the quality and demands of anticipated Capex Programs; issues relating to BEE and EE, and the industry charter; environmental issues around ensuring cleaner air in South Durban; challenges that ENGEN face and social responsibility issues.

Presentation by Mr W Hartmann, General Manager of ENGEN Refinery, Durban:

- It is unacceptable that the refinery is situated next to a residential area. However, it is working together with the community to overcome the challenges.
- ENGEN had made tremendous strides in environmental issues. The issue is a "hot potato", but it had worked on it jointly with the communities concerned and the situation has improved.
- Approximately 70% of ENGEN's construction work is outsourced to BEE owned companies. The staff of these companies are trained by ENGEN and used consistently. Staff would become familiar with the refinery and this would improve safety.
- ENGEN is actively involved in training. However, there is still a shortage of skills and this leads to the projects being delayed.
- ENGEN proposed a three point plan:

    1. Effective use of training—For example, candidates don't earn enough money and therefore leave the learnerships.

2. Better management of scarce skills resources—A data base should be established in order to inform companies of what skills are available in the country.

3. Scheduling of projects to reduce skills demand—Align projects with the shortage of skills and create incentives for going local.

- ENGEN will forward report discussed to the Chairperson and suggested that people who compiled the report on scarce skills present to the PC.

- ENGEN emphasised that the shortage of skills is an international phenomenon and many of South Africans are approached to work overseas.

- It is difficult to unlock funds from Sector Education and Training Authority (SETA) and therefore the delegation was requested to assist ENGEN in this area.

The following formed part of the discussion:

- The delegation from the Committee wanted to know what environmental issues were discussed with the communities? It expressed concern about the slow rate that women were absorbed in to high profile management positions and further enquired whether ENGEN facilitates storage tanks for new BEE entrants?

ENGEN responded that the environmental issues concern the impact that its sulphur dioxide emissions have on the surrounding communities. ENGEN has a permit to release 90 ton of sulphur dioxide. ENGEN had been issued a five year permit with a list of requirements. It would take ENGEN some time to meet the requirements. In terms of the permit, ENGEN is allowed 90 ton of emissions, however it had accumulated to more over time as it had incorrectly assessed the output. ENGEN environmental team is working on the problem in the best interest of the community. The environmental team had compiled a health study on the impact of sulphur dioxide and it was ascertained that it only affects people suffering from asthmatics. Coincidently there are many people suffering from asthma in the surrounding communities. ENGEN is striving to improve the air in Durban and it is unfortunate that the media tends to exacerbate issues. The media have not given them an opportunity to tell their side of the story. It has a progressive equity plan and all women who are appointed are so because they deserve it as it does not believe in "token" appointments. It will not support its competitors but there is legislation underway to support new entrants with storage facilities.

- Committee wanted to know what the level of Benzine is being emitted?

In response, ENGEN said that the Benzine levels are lower than what is required from the guidelines within the refinery. However, outside it is more and was not able to say why that is the case. Presently, ENGEN uses MNT in gasoline in order to curb high octane level.

- Committee pointed out that South Africa has lost skills in science, technology and engineering due to people leaving the country. Enquired what is being done to have those people with the necessary skills return to South Africa?

ENGEN responded that people are returning to South Africa however there is still the problem of skilled people leaving the country. This is

attributed to the fact that there is a skills shortage internationally.

- During the oversight visit to Rhodes University, the delegation for Science and Technology it discovered that there were many students, approximately 60% with science and technology degrees. However, these students struggled to find employment and many of them were preparing to leave the country.

  ENGEN responded by saying that the Joint Initiative on Priority on Skills Acquisition (JIPSA) experienced the same problem. ENGEN had received a number of Curriculum Vitaes from JIPSA. However, it was only able to employ two graduates in its operations department. Other graduates did not have science, technology or engineering degrees. It was proposed that such Curriculum Vitaes be forwarded to the office of the General Manager, Mr W Hartmann.

- Committee wanted to know what sanctions were taken against ENGEN?

  ENGEN responded that its intention was to meet all requirements. However, it had under estimated the weather conditions in Durban. The air in Durban remains stable. At the time when ENGEN agreed to the release of 35 tons, it did not have the information about the weather conditions. It had agreed to a package without all the necessary information. It was fined R2 000 per ton. It is working on improving the situation in a collaborative effort with the surrounding communities. It had demonstrated to the City of Durban that it is doing its utmost best to improve the scenario. Emphasised that Sulphur Dioxide is not as a big problem in the surrounding communities as the media has made it out to be and it is shifting to a more environmental approach wherein science can be used to assist in these issues.

Recommendations by the Portfolio Committee on Science and Technology:

- Committee should be briefed by both ENGEN and the surrounding communities on the environmental issues that was raised during the study tour. The Committee wants to assist companies like ENGEN to build relationships with communities as it has a bad history with communities. Committee should also assist ENGEN in building relationships with National and Provincial Government.

- Committee recommended that ENGEN send students overseas to obtain skills in order that they return and train people in South Africa.

- Committee agrees to provide assistance to ENGEN in accessing funds from SETA in order to train more graduates.

Acknowledgements:

The Committee wishes to thank all the people that it met and interacted with during the study tour. The hospitality accorded to the Delegation made the task of the Committee much easier and affordable.

Report to be considered.

2. **Report of the Portfolio Committee on Science and Technology on Study Tour to Sasolburg and Secunda, 10-11 August 2006:**

   The Portfolio Committee on Science and Technology, having conducted a study tour to Sasolburg and Secunda from 10-11 August 2006, reports as follows:

Members Present:

The delegation, under the leadership of the Chairperson of the Portfolio Committee, Hon. E N N Ngcobo (ANC), included Hon. S Dithebe (ANC), Hon. F Mahomed (ANC), Hon. B T Ngcobo (ANC), Hon. S N Nxumalo (ANC), Hon. J P I Blanche (DA), Hon. A M Dreyer (DA), Hon. H J Bekker (IFP), Hon. P J Nefolovhodwe (AZAPO)

Apologies:

Hon. A R Ainslie (ANC), Prof I J Mohamed (ANC), Hon. B J Mnyandu (ANC), Hon. M J Bhengu (IFP), Hon. V C Gore (ID) and Hon. N T Godi (PAC)

Supporting Staff:

Ms Z Jansen (Committee Secretary).

Background:

Sasol's technologies in the field of Gas-to-Liquid production were recently in the international limelight with the opening of the Oryx GTL project in Qatar. Sasol, in consultation with the Portfolio Committee, had decided to create the opportunity for Members of the PC to familiarise themselves with the technologies that Sasol had developed over the years.

Purpose/objective for the study tour:

The objective of the study tour was for Members of the Portfolio Committee of Science and Technology to familiarise themselves with the technologies that Sasol has developed over the years, in particular, Sasol's Research and Development Activities and its Manufacturing Plants. It was also an opportunity for Members of the PC to interact with Sasol on issues pertaining to the PC oversight function such as issues related to scarce skills and skills development.

10-11 August 2006 (Sasolburg and Secunda)

Sasol delegation briefed the PC on the following:

- Sasol's Black Economic Empowerment (BEE) objectives in Liquid Fuels Business is to increase and create new business and meaningful participation of broad-based groups such as communities, rural woman and youth groups.
- South Africa has a Bi-lateral trade agreement with Mozambique. Sasol therefore embarked on this project because of the bi-lateral agreement. Mozambique also has sufficient gas reserves. In this way, targeted Sasol's internal and external markets, BEE ventures and Mozambican markets.
- It is the leading beneficiator of coal to synfuels and petrochemicals.
- It was pointed out that for Accelerated Shared Growth Initiative South Africa (ASGISA) to succeed, the energy sector has to meet the following challenges:-

  1. Close the gap between investment required and domestic capital available.
  2. Close the gap between South African fuel demand and supply.
  3. Close the gap between demand for diesel and ability for crude oil refineries to supply.
  4. Close the supply gap of transportation energy needs to inland area.

- In order to close the energy gap Sasol would have to expand its coastal crude oil refineries, import refined products, invest in a new coastal refinery and invest in South Africa's

attributed to the fact that there is a skills shortage internationally.

- During the oversight visit to Rhodes University, the delegation for Science and Technology it discovered that there were many students, approximately 60% with science and technology degrees. However, these students struggled to find employment and many of them were preparing to leave the country.

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- It was pointed out that for Accelerated Shared Growth Initiative South Africa (ASGISA) to succeed, the energy sector has to meet the following challenges:-

  1. Close the gap between investment required and domestic capital available.
  2. Close the gap between South African fuel demand and supply.
  3. Close the gap between demand for diesel and ability for crude oil refineries to supply.
  4. Close the supply gap of transportation energy needs to inland area.

- In order to close the energy gap Sasol would have to expand its coastal crude oil refineries, import refined products, invest in a new coastal refinery and invest in South Africa's

competitive advantage in Coal-to-Liquids technology.

- In its global activities, it has identified 2 sites in Western China. Sasol has currently signed up with Chinese partners for a study to evaluate the feasibility of the projects.

The following formed part of the discussion:

- Committee enquired whether Sasol has made any progress in the Hydrogen Economy? Sasol responded that it produces the cheapest hydrogen in the world however, there is a problem transporting it and in generating it as it gives off Carbon Dioxide which is dangerous.

- Committee wanted to know how much electricity it uses? Sasol answered that it uses electricity equivalent to that of two cities the size of Durban.

- Committee questioned Sasol on how long would the gas reserves in Mozambique last? Sasol responded that the gas reserves in Mozambique should last for 40 years however, they are doing further exploration in this area. It pointed out that the issue is not how long the coal would last but whether it will be within economic developments.

- Committee enquired what would happen to the equipment when the gas reserves have depleted? Sasol responded that in terms of the agreement, Mozambique will retain ownership of the equipment.

- Committee enquired whether Sasol has a problem with retaining its staff? Sasol pointed out that it experience a problem with both tha scarcity of skills and retaining its staff. To overcome this challenge, the Group Executive decided that they will be doubling their budget allocated for bursaries.

- Committee queried the statistical breakdown of its staff, in particular what the percentage of its of managers, students and staff are women? Sasol responded that 12% of managers are women, 32% of their staff and students are women.

- Committee queried whether Sasol has a disaster management plan for their site as well as the communities surrounding the site? Does it take into account its employees mental state after accidents occurred on the site? Sasol emphasised that safety has become a way of life for all staff at Sasol. All its staff receives rescue training and before each shift starts there is safety training. It has emergency pre-planning for high-risk areas which is linked to government's disaster plan.

- Committee enquired what the composition of the Safety Committee? Sasol responded that the Safety Committee comprises of two union representatives and six managers, however when a vote is made on any issue, employees and mangers vote equally. It also adopts a style of management where everyone's input is taken into account.

- Committee pointed out that as petrol prices are soaring is Sasol looking at manufacturing vehicles that use gas. Sasol responded that it prototype vehicles using gas have been manufactured. It is exploring the possibility of using hydrogen, however there is the problem of carbon dioxide explained previously.

Recommendations:

- Sasol should have a portion of its students trained in other countries to

obtain relevant skills. Sasol responded that its Chief Executive Officer worked with the Deputy President of South Africa on Joint Initiative on Priority of Skills Acquisition (JIPSA) and that it is serious about the country's national priorities and transforming skills in South Africa.

- A national workshop on skills development be held and all the necessary stakeholders such as Agriculture (re: veterinary sciences), Minerals and Energy (re: technicians and artisans for the chemical industry), Labor (re: Seta's) Education (re: skills training) and Science and Technology (re: technical skills development) be invited. The workshop should focus on the challenges South Africa faces on the issue of scarce skills and skills development in a holistic manner.

Acknowledgements:

The Committee wishes to thank all the people that it met and interacted with during the study tour. The hospitality accorded to the Delegation made the task of the Committee much easier and affordable.

Report to be considered.

TUESDAY, 27 MARCH 2007

ANNOUNCEMENTS

National Assembly

The Speaker

1. **Referral to Committees of papers tabled**

   (1) The following papers are referred to the **Portfolio Committee on Justice and Constitutional Development** for consideration:

   (a) Draft Amendment of Regulations, made in terms of section 92 of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000).

   (b) Report on the provisional suspension from office of Mr I X Masimini, an additional magistrate at Queenstown, in terms of section 13(3)(b) of the Magistrates Act, 1993 (Act No 90 of 1993).

   (c) Report on the confirmation of the provisional suspension of magistrate K Suliman, a magistrate from Durban, in terms of section 13(4)(b) of the Magistrates Act, 1993 (Act No 90 of 1993).

   (2) The following paper is referred to the **Portfolio Committee on Finance** for consideration:

   (a) Regulations issued under section 13 of the Small Business Tax Amnesty and Amendment of Taxation Laws Act, 2006 (Act No 9 of 2006), prescribing the circumstances under which the Commissioner may waive any amount of additional tax, penalty or interest payable by specific persons.

   (3) The following paper is referred to the **Portfolio Committee on Health** for consideration:

   (a) Strategic Plan of the Department of Health for 2007/08 to 2009/10.

   (4) The following paper is referred to the **Portfolio Committee on Communications** for consideration:

   (a) Strategic Plan of Government Communication and Information System (GCIS) for 2007 to 2010.

(5) The following paper is referred to the **Portfolio Committee on Justice and Constitutional Development**:

(a) Report on vacancies in the offices of magistrates, in terms of section 9(5)(b) of the Magistrates' Courts Act, 1944 (Act No 32 of 1944).

(6) The following papers are referred to the **Portfolio Committee on Environmental Affairs and Tourism** for consideration:

(a) General Notice No 8 published in Government Gazette No 29528 dated 9 January 2007: Extension of the deadline for public comments on the Draft Subsistence and Small-scale Commercial Fisheries Policies, in terms of the Marine Living Resources Act, 1998 (Act No 18 of 1998).

(b) General Notice No 1832 published in Government Gazette No 29487 dated 12 January 2007: Publication of National Environmental Management: Waste Management Bill—for general comment: National Environmental Management Act, 1998 (Act No 107 of 1998).

(c) Government Notice No 147 published in Government Gazette No 29647 dated 23 February 2007: Waste tyre Regulations, in terms of the Environment Conservation, 1989 (Act No 73 of 1989).

(d) Government Notice No R.152 published in Government Gazette No 29657 dated 23 February 2007: Threatened or protected species Regulations, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).

(7) The following papers are referred to the **Portfolio Committee on Environmental Affairs and Tourism**:

(a) Government Notice No R.150 published in Government Gazette No 29657 dated 23 February 2007: Commencement of threatened or protected species Regulations, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).

(b) Government Notice No R.151 published in Government Gazette No 29657 dated 23 February 2007: Publication of lists of critically endangered, endangered, vulnerable and protected species, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).

(8) The following paper is referred to the **Portfolio Committee on Defence** and the **Joint Standing Committee on Defence**:

The President of the Republic submitted a letter dated 2 March 2007 to the Speaker of the National Assembly informing Members of the Assembly of the employment of the South African National Defence Force in the Republic of Mozambique.

(9) The following paper is referred to the **Portfolio Committee on Wa-**

ter Affairs and Forestry for consideration and report. The Report of the Independent Auditors is referred to the **Standing Committee on Public Accounts** for consideration:

(a) Report and Financial Statements of Magalies Water for the year ended June 2006, including the Report of the Independent Auditors on the Financial Statements for the year ended June 2006.

TABLINGS

National Assembly and National Council of Provinces

1. **The Speaker and the Chairperson**

(a) The Speaker of the National Assembly and the Chairperson of the National Council of Provinces, as co-chairpersons of the Joint Rules Committee, present the First Report of the Joint Rules Committee for 2007, dated 5 March 2007, as follows:

FIRST REPORT OF THE JOINT RULES COMMITTEE, 2007

The Speaker of the National Assembly and the Chairperson of the National Council of Provinces, as co-Chairpersons, present the First Report of the Joint Rules Committee, dated 5 March 2007, as follows:

On 18 November 2004, the Joint Rules Committee (JRC) adopted the Governance Model of Parliament, subject to the adjustment of details as identified at that meeting.

At an earlier JRC meeting on 21 September 2004, it had been resolved that the Presiding Officers and the Secretariat would reconsider and refine proposals before the Committee in regard to the Model, paying particular attention to four issues, one of which was the role of the Chief Whips' Forum and the Quarterly Consultative Forum.

The other three issues related to the relationship between the Directing Authority (referred to as the Parliamentary Oversight Authority) and the JRC, representivity on the Directing Authority and the participation of the Secretary to Parliament in the Directing Authority. These issues were subsequently resolved.

The remaining issue that needed consideration was therefore the relationship between the Chief Whips' forum and the Quarterly Consultative forum. This issue was considered and resolved by the JRC at a meeting on 21 June 2006.

Once the Model has been approved by the House, a range of rule changes will be required. The Joint Subcommittee on Review of the Joint Rules will then be required to draft appropriate rule amendments.

B Mbete, MP
Speaker of the National Assembly
M J Mahlangu, MP
Chairperson of the NCOP

Report to be considered.

GOVERNANCE MODEL FOR PARLIAMENT

(as agreed by the Joint Rules Committee on 18 November 2004
and as subsequently adjusted)

1. BACKGROUND

After the coming into operation of the Constitution, new Joint Rules were approved on 24 March 1999. The range of issues covered by the Joint Rules included Joint Sittings of the Houses, a joint committee system, a joint legislative process, including a process relating to national intervention in provincial government (section 100 of the Constitution) and a Code of Conduct for members.

In establishing the Joint Rules Committee (from Joint Rule 53), its functions and mandate broadly extended beyond Parliament's core business to include all aspects of the management and administration of Parliament. Furthermore, a range of subcomittees of the Joint Rules Committee were established, the majority of which focused on domestic matters related to the management and administration of the institution.

Leaving aside the intended purpose of this model, in practice it gave rise to numerous difficulties. The distinction between practical, detailed management issues and policy-making became blurred. As a result, the subcommittees, and even the Joint Rules Committee itself, increasingly ended up devoting much of their time to issues of micro-management. A lack of administrative support for the subcommittees added to the difficulties. A lack of implementation of Joint Rules Committee decisions also occurred. As a result, issues of policy and the core business of Parliament were sidelined.

2. MOTIVATION FOR A NEW APPROACH TO A GOVERNANCE MODEL

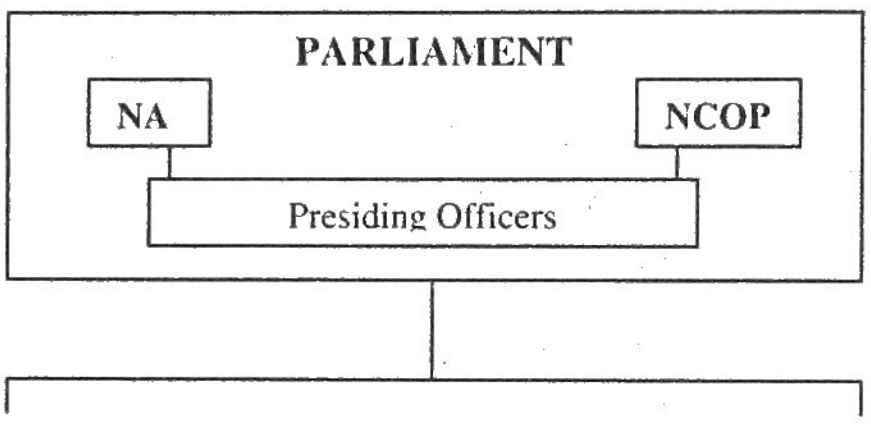
The policy-making of Parliament vests, respectively and jointly, in the National Assembly and the National Council of Provinces.

The public representatives determine the policy framework for the provision of support to them and hereby establish a Parliamentary Oversight Authority which will implement the policy and determine the level of services.

The joint heads of Parliament are the Speaker of the National Assembly and the Chairperson of the NCOP. The policy framework is agreed by the Houses of Parliament. The required services are provided by the Parliamentary Service, headed by the Secretary to Parliament as the accounting officer.

The Chairperson of the NCOP and the Speaker are jointly the appropriating authority for the budget of Parliament.

The work of Parliament can be grouped into two broad streams or categories, namely Parliamentary Business (Core functions) and the Parliamentary Service (Administration).



2.1 Parliamentary business (Core functions)

Constitutional references essentially relate to the core business of Parliament and specifically to the passage of legislation and establishment and regulation of joint committees.

Constitutionally the core business of Parliament concerns –

(1) passing legislation;

(2) scrutinising and overseeing executive action; and

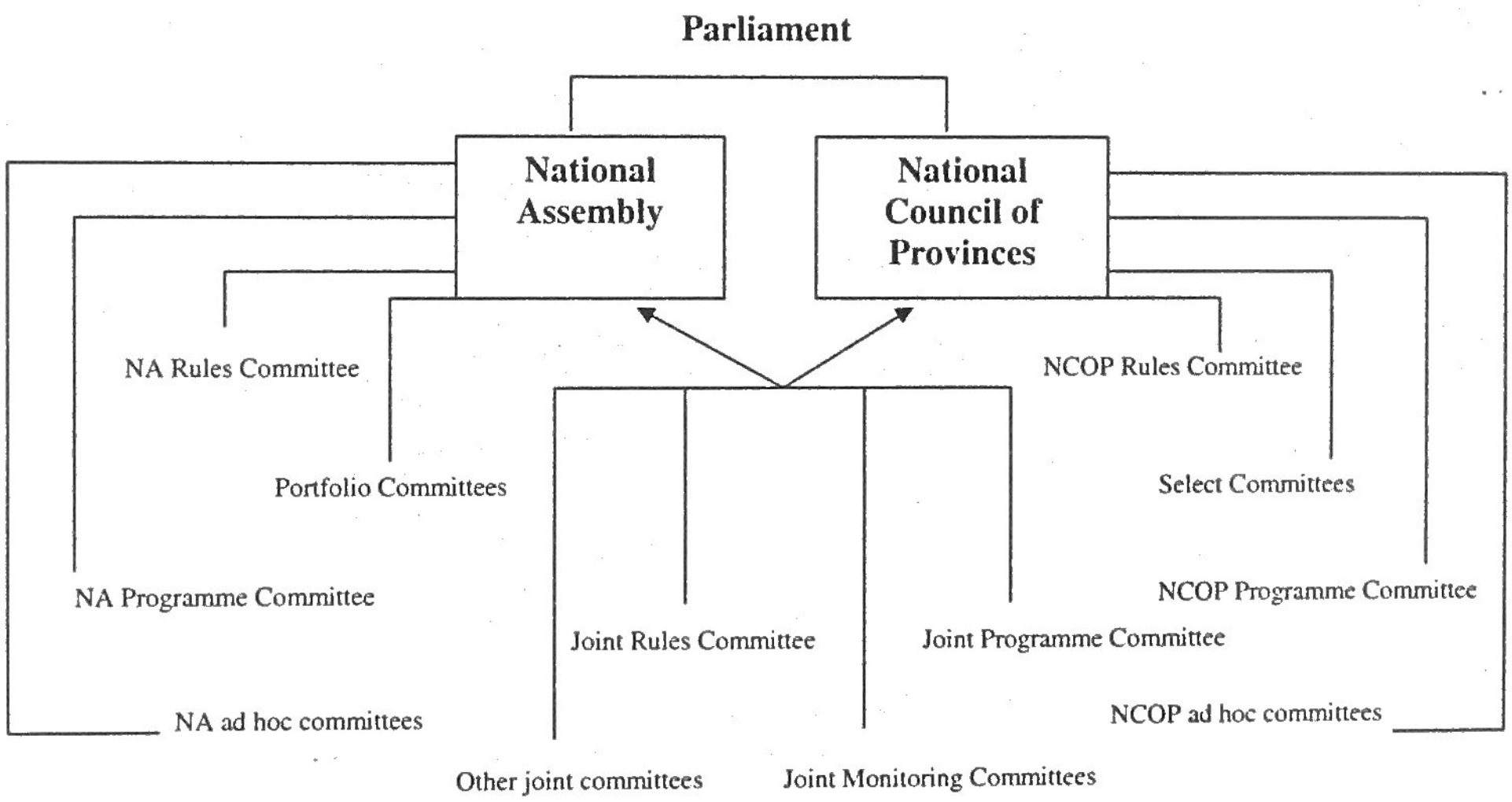
(3) providing a national forum for public consideration of issues, including issues affecting the provinces.

In performing these functions, due regard must be given to representative and participatory democracy, accountability (by Parliament), transparency and public involvement. In addition, Parliament is called upon to engage with, and participate in, a range of international organisations and forums.

Parliamentary business is conducted through plenary sessions of the National Assembly and the National Council of Provinces; the Programme Committee of each House and the Joint Programme Committee; the portfolio, select and other committees of each House or joint committees established by both Houses, including the Joint Rules Committee.

Parliamentary Business

(Core functions)



2.2 Parliamentary Service

The Parliamentary Service provides the administration and support for all the mechanisms and structures in which parliamentary business is conducted.

3. ROLE OF THE JOINT RULES COMMITTEE (JRC)

3.1 Constitution

(1) The Constitution, in section 45, states that a Joint Rules Committee must be established for the purpose of "making rules and orders concerning the joint business of the Assembly and the Council".

(2) It indicates that such rules and order concerning joint business include -

- procedures to facilitate the legislative process;
- the establishment of joint committees to consider and report on bills, if required;
- the establishment of a joint committee to review the Constitution at least annually; and
- regulating the business of the Joint Rules Committee, the Mediation Committee, the Constitutional Review Committee and any other joint committees.

3.2 Joint Rules Committee

(1) The Joint Rules Committe is the appropriate body to advise Parliament on the manner in which, in respect of the joint business of the Houses, it conducts its constitutional mandate.

(2) The Joint Rules Committee develops overall policy on issues related to the core business of Parliament, subject to the approval of Parliament.

(3) From that perspective, business requiring the Joint Rules Committee's attention includes:

(a) Matters relating to parliamentary oversight, such as –

- developing a common understanding of the oversight function and implementing best practices in that regard;
- developing protocols on structured interaction between the two Houses and their committees;
- the relationship between Parliament, the executive and the institutions supporting democracy;
- Parliament's role in the Budget process; and
- the assessment of all public entities that are to be held accountable.

(b) Issues arising out of committee work. This would include problems identified by committees in exercising their functions and, at a policy level, persistent noncompliance by organs of state with reporting requirements.

(c) Issues of policy relating to the introduction and application of the Code of Members' Interests and a code of conduct for members.

(d) Giving direction in regard to Parliament's international participation, including affiliation proposals and occupying leadership roles in such organisations.

(e) Mechanisms for the scrutiny of delegated legislation.

(f) Directives on the appropriate application of the principles of cooperative government with reference to the executive, the judiciary, the Chapter 9 institutions and the provincial and local spheres of government.

(g) Development of more effective mechanisms to facilitate public involvement. This could include reviewing the parliamentary programme framework, the nature of constituency work and new ways of reaching out to the public.

(h) Various issues requiring attention with regard to the passing of legislation, including structured accommodation of the executive's legislative programme, processes of engagement with the executive on bills and timeframes necessary for Parliament's consideration of bills.

4. PROPOSED GOVERNANCE MODEL

The governance model is outlined in the diagram that follows. A set of definitions and explanations of the various authorities and concepts outlined in the model follow below. The definitions are also applicable to earlier diagrams.

4.1 Definitions

Executive Committee (Exco): - a mechanism, composed of the Presiding Officers and the Secretariat, that acts as an interface between the Parliamentary Oversight Authority and the Secretariat and whose primary purpose it is to monitor the implementation of the strategic plan and policy decisions of the Parliamentary Oversight Authority.

Joint committees: - Committees consisting of members of both the National Assembly and the National Council of Provinces that are set up to facilitate the joint business of Parliament.

Joint Rules and orders: - Rules framed by the Joint Rules Committee that govern the joint business of Parliament in accordance with section 45 of the Constitution.

Joint Whips' Forum: - a forum composed of chief whips of political parties in the National Assembly and whips in the National Council of Provinces who facilitate consensus on matters of mutual interest referred by the Presiding Officers and channel members' perspectives to the Parliamentary Oversight Authority.[1]

[1] Further discussion and processing required with regard to operationalising the contact and communication between the whips of the two Houses. – JRC decision, 18 November 2004

Quarterly Consultative Forum: - a forum that facilitates the input of members of Parliament on matters related to members' facilities (training, catering, research and library services, information systems, accommodation and other members' support services), composed of the House Chairpersons of the National Assembly and the National Council of Provinces and the chairpersons of party caucuses or party representatives.

Parliamentary Budget Forum: - the forum that will prepare the parliamentary budget and report on it, composed of the Speaker, Deputy Speaker and House Chairpersons of the National Assembly; the Chairperson, Permanent Deputy Chairperson and House Chairpersons of the National Council of Provinces; the Chief Whip of the NCOP; the chief whip or senior whips of the majority party and the two largest opposition parties, as well as one from the other parties in the National Assembly; and, from either House, one senior member designated by the majority party and the two largest opposition parties respectively, as well as one from the other parties. The forum is co-chaired by the Speaker of the National Assembly and the Chairperson of the National Council of Provinces, or in the absence of either, the Deputy Speaker or Deputy Chairperson of the NCOP.

parliamentary business: - activities involving members of Parliament executing their functions of law-making and oversight.

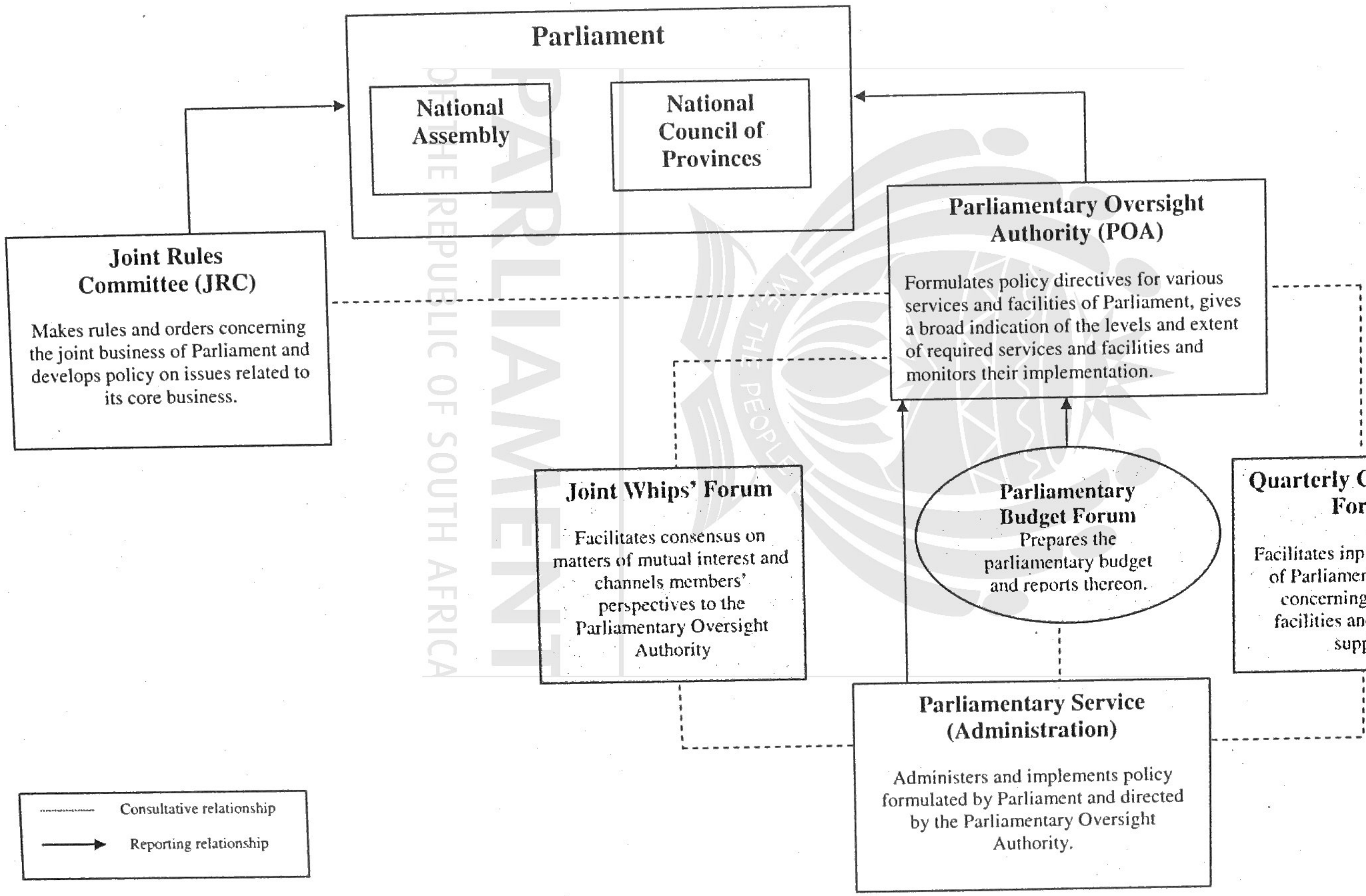
Parliamentary Oversight Authority: - the authority that interprets and oversees the implementation of policy formulated by the policy-making authority and determines the actual level of services, and oversees the Parliamentary Service through regular reports by the Secretary to Parliament.

Parliamentary Service: - the administration that administers and implements policy formulated by Parliament and is directed by the Parliamentary Oversight Authority.

policy-making authority: - the authority that determines policy and instructs the Joint Rules Committee and the Parliamentary Oversight Authority is Parliament, ie the National Assembly and the National Council of Provinces.

Secretariat: - The Secretariat consists of the Secretary to Parliament and the Deputy Secretary to Parliament (appointed by the Houses) and the Chief Operations Officer who assist the Secretary to Parliament.

Secretary to Parliament: - the head of the Parliamentary Service, appointed by resolution of both Houses as the chief executive officer and accounting officer of Parliament, who is responsible for the management of the parliamentary administration and parliamentary budget once it has been approved, and is accountable to the Presiding Officers.


Parliament
National Assembly
National Council of Provinces
Joint Rules Committee (JRC)
Makes rules and orders concerning the joint business of Parliament and develops policy on issues related to its core business.
Parliamentary Oversight Authority (POA)
Formulates policy directives for various services and facilities of Parliament, gives a broad indication of the levels and extent of required services and facilities and monitors their implementation.
Joint Whips' Forum
Facilitates consensus on matters of mutual interest and channels members' perspectives to the Parliamentary Oversight Authority
Parliamentary Budget Forum
Prepares the parliamentary budget and reports thereon.
Quarterly Consultative Forum
Facilitates input of members of Parliament on matters concerning members' facilities and members' support.
Parliamentary Service (Administration)
Administers and implements policy formulated by Parliament and directed by the Parliamentary Oversight Authority.
Consultative relationship
Reporting relationship

5. PARLIAMENTARY OVERSIGHT AUTHORITY (POA)

The governance model provides for a Parliamentary Oversight Authority that accounts to Parliament, ie both Houses, and has the following responsibilities:

(1) Formulating policy directives for the various services and facilities of Parliament; and

(2) ensuring policy implementation by giving a broad indication of the levels and extent of the required services and facilities for Parliament and monitoring their implementation.

Outline of the Parliamentary Oversight Authority:

5.1 Mandate

The mandate of the Parliamentary Oversight Authority is to put in place an appropriate system of governance by which Parliament is managed and controlled in support and furtherance of its strategies and policies to ensure an effective and efficient Parliament.

5.2 Functions and responsibilities

The Parliamentary Oversight Authority is responsible for all governance matters such as directing and planning, determining resource requirements and reporting on operations.

This specifically entails the following:

(1) Ensuring compliance with applicable legislation;

(2) setting the strategic direction, objectives and priorities of Parliament;

(3) determining policy parameters;

(4) agreeing key performance indicators in terms of the Medium-Term Expenditure Framework;

(5) delegating to management the detailed planning and implementation of that policy;

(6) ensuring compliance with accounting standards and policy;

(7) receiving inputs from the Quarterly Consultative Forum and the Joint Whips' Forum on matters pertaining to members' facilities and interests;

(8) considering reports from committees established by it, and also from –

  (a) the audit committee; and

  (b) the remuneration committee (which considers the remuneration of senior Parliamentary Service managers); and

(9) providing authorisation for decisions having a financial impact with regard to –

  (a) setting budget compilation parameters and policy;

  (b) setting accounting policy and standards;

  (c) reviewing annual and adjustment estimates;

(d) conducting quarterly performance reviews of measurable objectives, including the review of management and statutory financial reports; and

(e) authorising returns of direct charges against the National Revenue Fund.

5.3 Composition

The Parliamentary Oversight Authority shall be composed of -

(1) the Speaker of the National Assembly;

(2) the Chairperson of the National Council of Provinces;

(3) the Deputy Speaker of the National Assembly;

(4) the Permanent Deputy Chairperson of the National Council of Provinces;

(5) the Chief Whip of the Majority Party in the National Assembly;

(6) the Chief Whip of the Council;

(7) the Chief Whip of the largest opposition party in the National Assembly;

(8) the Chief Whip of the second largest opposition party in the National Assembly;

(9) two representatives elected by and representing the opposition parties other than the largest and second largest opposition parties in the National Assembly; and

(10) the Secretary to Parliament.[2]

Members of the Parliamentary Oversight Authority are appointed for the period that they hold office in the designated positions listed above.

In the absence of the chief whip, the deputy chief whip or a member duly designated by the chief whip can attend meetings of the Parliamentary Oversight Authority. A designated alternate member cannot attend a meeting of the Parliamentary Oversight Authority if the full member is present.

In respect of the execution and performance of its functions and powers, the members of the Parliamentary Oversight Authority are collectively accountable to the Speaker and the Chairperson of the National Council of Provinces who, in turn, are accountable to Parliament.

5.4 Chairpersons

The Speaker and the Chairperson of the National Council of Provinces are co-chairpersons of the Parliamentary Oversight Authority.

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[2] The Secretary to Parliament serves in the Parliamentary Oversight Authority in *ex officio* capacity and does not have voting rights.

5.5 Procedures of the Parliamentary Oversight Authority

(1) The Parliamentary Oversight Authority may regulate its proceedings and perform its functions in a manner it deems fit.

(2) Meetings of the Parliamentary Oversight Authority shall be held at least quarterly or as the chairpersons may determine.

(3) At any meeting of the Parliamentary Oversight Authority, the presence of six members shall constitute a quorum.

(4) The Parliamentary Oversight Authority shall operate in a manner that strives to reach consensus.

(5) In the absence of consensus, the Speaker and Chairperson of the National Council of Provinces may perform all the functions and exercise all the powers conferred on the Parliamentary Oversight Authority.

5.6 Delegation of functions and powers

The Parliamentary Oversight Authority may, subject to such conditions as it may determine, assign or delegate in writing any function or power to a member.

5.7 Special assistance

The Parliamentary Oversight Authority may from time to time appoint a competent person or persons to advise it on such matters within the scope of its functions and powers, as it deems necessary.

5.8 Annual report

The Parliamentary Oversight Authority shall prepare a report of its operations during a financial year and table it in Parliament within the timeframes prescribed by the appropriate financial management legislation.

5.9 Administrative support

Adequate capacity for administrative and content support should be provided and budgeted for.

6. OPERATIONALISATION OF THE GOVERNANCE MODEL

The required changes to the rules need to be identified and such changes tabled in the appropriate Houses. The new governance model should be adopted by both Houses once it has been agreed to.[3]

[3] Approved by the Joint Rules Committee on 18 November 2004.

The implementation should be phased in over the 2004-05 and 2005-06 financial years, starting in January 2005. The process of implementation should provide for reviews in both financial years.

The Presiding Officers should set a timetable for all meetings of the Parliamentary Oversight Authority and ensure that structures such as the Joint Whips' Forum, the Parliamentary Budget Forum and the Quarterly Consultative Forum meet and set up their relationships with the Parliamentary Oversight Authority.

Each of these forums should have well-defined terms of reference that set out the scope and nature of its functions and should be provided with the requisite support and resources.

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2. **The Minister in The Presidency**

   (a) The Convention on the Rights of Persons with Disabilities and its Optional Protocol, tabled in terms of section 231(2) of the Constitution, 1996 (Act No 108 of 1996).

   (b) Explanatory memorandum to the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

Referred to the **Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons** for consideration and report.

National Assembly

1. **The Minister of Social Development**

   (a) Revised Strategic Plan of the Department of Social Development for 2007 to 2010 [RP 23-2007].

   Please note: This tabling above replaces item 1(a) under **"Tablings"** on page 264 of the Announcements, Tablings and Committee Reports of 5 March 2007.

2. **The Minister for Public Enterprises**

   (a) Strategic Plan of the Department of Public Enterprises for 2007 to 2010.

COMMITTEE REPORTS

National Assembly

1. Report of the Portfolio Committee on Public Works on the Department of Public Works Strategic Plan and Budget Vote 6

The Portfolio Committee on Public Works, having considered the Strategic Plan and Budget Vote 2007/2008 of the Department of Public Works, tables an interim report as adopted by the Committee on 27 March 2007.

1. Department of Public Works

On 14 March 2007 the Department of Public Works (DPW) presented its Strategic Plan for 2007 to 2009 before the Committee in compliance with Chapter 3, Section 56 (a) (b) (c) and (d) of the Constitution of the Republic of South Africa, 1996, (Act 108 of 1996).

The delegation from the Department was constituted as follows:

1. Ms A T Didiza – Minister of Public Works.
2. Mr. Z Ntsaluba - Acting Director General
3. Mr. M Moroka - Director General
4. Mr. A Mtombeni – DPW Parliamentary liaison Officer
5. Mr. S Mathobela - Deputy Director General – Asset Management.
6. Miss L Bici - Deputy Director General – Policy
7. Mr. D Dlamini - Deputy Director General – Re Kgabisa Tshwane Program
8. Mr. B Gxilishe - Deputy Director General EPWP
9. Mr. M Mabuza - Chief of Staff – Ministry
10. Ms M Fatyela - Chief Director – Strategic Management
11. Mr. L Mochalibane -Chief Director - Communications
12. Mr. B. Zulu - Acting CEO - CBE
13. Mr. S Hodgson - Advisor to Minister DPW.
14. Ms M Mbina - Chief Director – Public Finance – Treasury.
15. Mr. G Tembo - Director –DPW, DPLG –Treasury
16. Mr. M Kubuzie - Acting Chief Director.

2. Public entities

As required by the Act of Parliament the under-mentioned public entities reported before the Committee on 15 March 2007:-

- ***Council for Built Environment (CBE)*** – is a Schedule 3 public entity established in terms of the Council for Built Environment Act, 2000 (Act 43 of 2000).

  Representation:-
  1. Mr. S. Madonsela – Chairperson
  2. Mr. Mr. B. Zulu - Acting CEO

- ***Construction Industry Development Board (CIDB)*** – is a Schedule 3 public entity established in terms of the Construction Industry Development Board Act, 2000 (Act 38 0f 2000).

Representation:-

1. Mr. R. Khoza	- CEO
2. Mr. R. Milford	- Programme Manager
3. Ms. M Aucamp	- CFO

- ***Independent Development Trust (IDT)*** – is a Schedule 2 Public Entity established by a Deeds of Trust.

Representation:-

1. Ms. T. Nedwamutswu	- CEO
2. Dr. S. Bhebhe	- Acting Chief Operations Officer

- ***Agrément South Africa*** – is an independent organization established by the Minister of Public Works in 1969 to evaluate the fitness of non-standardized construction products. A written report was received by the Committee from Agrément South Africa.

3. **Members of Parliament**

1. Mr. F. Bhengu – Chairperson
2. Mr. N. J. Gogotya
3. Mr. L. D. Maduma
4. Mr. H.P. Maluleke
5. Ms. N.P. Ngcengwane
6. Mr. S. N. Nxumalo
7. Mr. B.A. Radebe
8. Mr. J.P.I. Blanché
9. Mr. S. E. Opperman
10. Ms. C P M Ramotsamai
11. Dr. S. Huang

4. **Strategic Plan and Budget Vote 2007/2008**

- In terms of their budget proposals the DPW has met the PFMA requirements.
- The Strategic Plan of the Department was comprehensive and intend to address, amongst others :-
  - the high levels of unemployment,
  - infrastructure and maintenance backlogs,
  - poverty alleviation and eradication ,
  - empowerment of women and youth, and
  - skills development in terms of ASGISA and JIPSA.
- The DPW has tabled a Government Immovable Asset Management Bill which would be passed by the National Assembly before the end of March 2007.

- An amendment to the Expropriation Act would be tabled to Parliament during the cause of this financial year, 2007/2008.
- The presentations made by the Public Entities and their funded programmmes for 2007/2008 financial year comply with their respective mandates.

Due to the comprehensive nature of the reports, the Committee would table its full and final report, with findings and recommendations, before the end of the second term of 2007.

PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 14:02.

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

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS—see col 2456

NOTICE OF MOTION

Mrs C DUDLEY: Madam Deputy Speaker, I give notice that on the next sitting day of the House I shall move on behalf of the ACDP:

That the House—

(1) expresses its sadness and anger at the brutal killings of a 60-year-old woman and five girls in the township of Zwide, Port Elizabeth;

(2) extends heartfelt condolences to the family and friends of the unnamed victims, and prays that the Lord comfort and heal their broken hearts; and

(3) calls for speedy investigations in order to bring the perpetrators of this heinous crime to book.

THE DETERIORATING SITUATION IN ZIMBABWE AND ITS POLITICAL, ECONOMIC AND SOCIAL CONSEQUENCES FOR ZIMBABWE, SOUTH AFRICA AND THE SOUTHERN AFRICAN REGION

(Debate on Matter of Public Importance)

The DEPUTY SPEAKER: I now call the hon Deputy Minister of Foreign Affairs, Ms Sue van der Merwe.

Mr M J ELLIS: Madam Deputy Speaker, this is a snap debate called for by a particular party. Shouldn't the party that called for the debate therefore have the first opportunity to speak in this debate?

The DEPUTY SPEAKER: The party that has called for the debate has made arrangements, as the person who was supposed to be the first speaker has not yet arrived. I can't wait—we don't know when the person is going to be here. So I have to move on to the second available speaker.

Mr M J ELLIS: You are quite right, Madam Deputy Speaker. But could the DA take their place perhaps, Madam Deputy Speaker? [Interjections.]

The DEPUTY SPEAKER: You are taking a chance now. I now call the hon Deputy Minister.

The DEPUTY MINISTER OF FOREIGN AFFAIRS (Ms S C van der Merwe): Madam Deputy Speaker, hon Ministers, hon members, this is a very important subject that has been placed on the agenda this afternoon. I think it will provide us with the opportunity to state our views on the matter, and to state for the record also the South African government's position with regard to Zimbabwe and the crisis that that country is facing.

Having said that, it is a pity that this debate is taking place today. The reason I say this is that there are two very important meetings taking place in the next few days, and decisions from these meetings will have a material bearing on this debate. The first is the extraordinary summit of SADC leaders in Tanzania tomorrow. This will be preceded by a meeting of the SADC Organ on Politics, Defence and Security. President Mbeki is, as we speak, travelling to attend both meetings, accompanied by my colleague, Deputy Minister Pahad.

The items for discussion at these meetings will be the conflicts in both the Democratic Republic of the Congo and Zimbabwe. Developments in Lesotho are also going to be discussed. The meetings, I am informed, will also be attended by President Mugabe.

The second meeting of importance to this

debate is the central committee meeting of the ruling party of Zimbabwe, which is due to take place on Friday. At this meeting, Zanu-PF are due to discuss the important issue of the convergence of the parliamentary elections with the presidential elections. A decision is expected to be taken on whether to hold the elections simultaneously rather than two years apart, as is the case currently. We will therefore have to await the outcomes of these important meetings.

Nevertheless, in the context of the current situation in Zimbabwe, which is one of the reasons for the extraordinary SADC meeting, it is important that we state South Africa's established policy with regard to Zimbabwe. We believe that it is first and foremost the responsibility of the Zimbabweans to resolve the problems that they are facing. We further believe that, as neighbours, we have a responsibility to encourage and assist them to find solutions.

Today, as in the past, our President and many of our Ministers and officials have had—and continue to have—contact with political leaders in Zimbabwe, from the ruling party as well as with opposition leaders from both factions of the MDC. In all our discussions, the Zimbabweans themselves have encouraged us to continue to engage with them. The principal demand that all elements of the political leadership in Zimbabwe have made of us is to encourage all sides to engage in dialogue. This is what the Zimbabweans have asked us to do.

We further believe that anyone genuinely interested in the resolution of the problems of Zimbabwe must listen to what the Zimbabwe leadership is saying. Furthermore, we are convinced that violence will not solve the problems of the country.

Last week my colleague, Deputy Minister Pahad, issued a statement on behalf of Foreign Affairs, in which he condemned the recent violence in that country and called for the respect of the rule of law and for the human rights of all citizens to be upheld. This is not a new position of South Africa; it is the position we have always taken. This has been reiterated by our President and our Ministers on numerous occasions.

We are constantly made aware of messages regarding Zimbabwe that come from regional groups such as the European Union, as well as from individual countries. The difference between their position and ours relates to geography. The only thing that separates us in South Africa from Zimbabwe is the Limpopo River, whereas many of the messages we hear come from far further afield. We in South Africa, as neighbours, will carry the consequences of anything that happens in Zimbabwe, and this fact is fundamental to our approach.

It is in the interests of South African citizens that we do not abandon our responsibility to Zimbabwe and that we act responsibly in working towards a resolution to the crisis across our borders. This responsibility includes encouraging them to resolve the crisis and not to intensify the conflict. In this, we are guided by our own national considerations of what is best for our interests as a country and a region. The solution needs, ultimately, after all, to be owned by the people of that country so that it is sustainable and long-term. This, hon members, is our position.

The title of the debate today refers to the current deteriorating situation in Zimbabwe and its consequences for us and the region. I will therefore speak to some of the factors that are influencing that situation and its effect on us in the region. We have spoken before about the complex nature and the origins of the crisis, gripping our neighbouring sister country of Zimbabwe. We have spoken also of our common wish that Zimbabwe gets out of this crisis, both for the sake primarily of the people of Zimbabwe and also in the interests of our shared neighbourhood. We acknowledge that our efforts at implementing the pro-

gramme of the renewal of our continent are made poorer when Zimbabwe cannot make her full contribution.

We have always approached the situation in Zimbabwe with no sense of arrogance. We have equally avoided the temptation of focusing on competing with others outside Zimbabwe on who will shout the loudest or trade the worst insults against the leadership of Zimbabwe. What has guided us all along, as I have said, is a genuine interest in the advancement of a truly durable peace and a vibrant political and economic activity, which we continue to believe is essentially what the people of Zimbabwe desire and deserve. The latest political developments in Zimbabwe, including the arrests, detention and assaults of senior opposition leaders, are a major cause for concern.

The South African government wishes to stress its concern, its disappointment and its disapproval of the measures undertaken by the security forces in dealing with the political protests. The current Zimbabwean situation is a manifestation of the absence of open political dialogue, which is regrettably sinking the country into a deeper political and economic crisis from which only Zimbabweans can extricate themselves.

As other experiences have demonstrated, punitive measures or any other action that would constitute the erosion of the independence and sovereignty of Zimbabwe, such as those contemplated by certain countries, will continue to exacerbate the problem, further deepening the political and economic situation faced by Zimbabweans.

Indeed, we have noted the collateral damage that some of these measures have caused, namely the sharpening of political contradictions and the economic hardship that has been visited upon the Zimbabwean people.

The South African government has insisted, and always will insist that the only viable and sustainable solution to political and socioeconomic challenges facing Zimbabwe lies in all-inclusive dialogue by Zimbabweans. The correctness of this thesis has been confirmed by recent statements . . . [Interjections.]

The DEPUTY SPEAKER: Order, hon members! Hon Deputy Minister, please continue.

The MINISTER OF FOREIGN AFFAIRS (Ms S C van der Merwe): Thank you, Deputy Speaker.

The South African government has insisted, and always will insist that the only viable and sustainable solution to political and socioeconomic challenges faced by Zimbabwe lies in all-inclusive dialogue by Zimbabweans. The correctness of this thesis has been confirmed by recent statements by the Secretary-General of the United Nations, Mr Ban Ki Moon, and the Chair of the African Union Commission, Mr Alpha Oumar Konaré, which have underscored the importance of political dialogue as a means through which Zimbabwean problems should be solved.

In our discussions with the Zimbabweans, we have always implored them to institute an all-inclusive political dialogue. We have done so, informed by our own experience and by our understanding of the complex political problems faced by our sister country. Our advice was given with due regard to the sovereignty and independence of Zimbabwe and also in recognition of the right of its people to determine its future. We will continue to avail ourselves to assist in any manner that the Zimbabweans deem appropriate in order to help them out of the crisis.

The South African government, guided by the SADC Social Charter, the African Union Constitutive Act and the African Charter on Human and Peoples' Rights, urges the Zimbabwean government to ensure that the rule of law and the human rights of Zimbabwean citizens are respected. The South African government calls on the Zimbabwean government to create a climate conducive to political dialogue. We also call upon the

opposition to participate unreservedly in efforts aimed at finding a lasting solution to the current situation faced by the people of Zimbabwe.

In the run-up to the presidential elections, it is important . . . [Interjections.]

The DEPUTY SPEAKER: Order! Hon Deputy Minister, please take your seat. I want to appeal to the Whips to help us maintain order. We cannot allow a subject of national importance to be interrupted in this fashion. I'm very sorry, but this is not going to be allowed. All parties were given an opportunity to speak to the process and whoever is representing you will make known to the nation your views. Let us respect each other. Even if we disagree on something, this is not how we show how we disagree. There is a podium here at which all the parties are given an opportunity to air their views. We are not going to allow a situation in which a member is not even allowed to be heard because you differ with her. I don't think that is in order. And, if this continues, I will certainly ask certain members to leave the House. This is because we really want this debate; we want all parties to participate and we want everybody to be heard. [Applause.]

I'm very sorry about that, hon Deputy Minister. Please continue.

The DEPUTY MINISTER OF FOREIGN AFFAIRS (Ms S C van der Merwe): Thank you, Deputy Speaker. Now where was I?

In the run-up to the presidential elections, it is important that the main political protagonists agree on a framework that will guarantee the credibility of these elections. This is important in view of the fact that the outcomes of the last two presidential elections were contested. We firmly believe that respect for human rights and the rule of law and an initiation of an enduring political process will pave the way for the resolution of Zimbabwean problems. This will lay a solid foundation for political stability, economic revival and social cohesion, as well as enabling Zimbabwe to occupy its rightful place in the community of nations.

Without pre-empting the outcome of the SADC summit that is currently under way in Dar es Salaam, we can expect SADC to support the process of bringing about the political stability and amelioration of the economic hardships which, if not attended to, could have dire consequences not just for Zimbabwe but for the entire region. At the same time, we call upon the international community to join and support the efforts of SADC in bringing about a lasting solution to the Zimbabwean problem. I thank you, Madam Deputy Speaker. [Applause.]

Mr M A MNCWANGO: Madam Deputy Speaker, today we tell the tyrannical regime of Zimbabwe: Time's up! In God's name, go! [Interjections.] Modern history already judges us harshly for allowing the kleptocracy of Zimbabwe to terrorise and pillage this great country.

If the South African government is to live up to its often-declared respect for civil liberties and human rights at home and its noble ambition for an African Renaissance elsewhere on the continent, we must denounce the Zimbabwean regime immediately, decisively and irrevocably for what it is: a hideous and destructive dictatorship which must go. [Applause.]

As we enter the 13th year of South African democracy, we have much to be proud of. Some of us who are lucky enough to have jobs and homes are enjoying the relative stability of a growing economy and a peaceful society. Service delivery and development are under way. If we have not yet made a tangible dent in structural unemployment, abject poverty and the HIV/Aids pandemic, we are slowly getting there.

This period has roughly coincided with the systematic destruction of the Zimbabwean economy, beginning with the expropriation of productive farms and culminating in

hyperinflation, forced internal migration, growing dependence on food aid, a reduction in average life expectancy to 30 years and, most recently, a violent backlash against the domestic political opposition.

Let us not forget that the entire world remained silent when over 20 000 Ndebele people were massacred in the 1980s, which is when the rot of appeasement set in. Close to the heart of the crisis in Zimbabwe has been the perceived refusal of President Mbeki to use his considerable political leverage and prestige to try to halt the political and economic catastrophe.

Whilst not wishing to impugn our President, the harsh reality is that perceptions matter in the conduct of foreign policy, an area in which he has always excelled. We feel that President Mbeki has consistently played down the scale of the economic and humanitarian disaster. Let us be frank: his policy of silent diplomacy has failed dismally. [Interjections.] If anything, it has been misconstrued by the Zimbabwean kleptocracy as another expression of appeasement.

The overwhelming majority of those suffering in Zimbabwe are, of course, black—the very same people for whom Mr Robert Mugabe fought, and rightly so. Zimbabwe's economic ruin, inflation running at 1 800% and unemployment at 80% hit black people the hardest. The crisis in the health and education services also bears down heaviest on the black population. Yet, we must not allow Zimbabwe to become a failed state.

We believe that it is not too late for the President to live up to the unique anti-apartheid heritage that brought him to power, and to mirror its inherent morality in South Africa's approach to Zimbabwe. Let us stand up for human rights everywhere and every time, be it Zimbabwe or Darfur.

It is time to banish the old-boys'-club mentality and stop sheltering dictators because of their liberation credentials. [Applause.] The president of the IFP, Prince Mangosuthu Buthelezi, has always been the first to praise President Mbeki's diplomatic engagement, which has given South Africa political clout far exceeding our lower-middle-ranking status in the international community.

South Africa has already helped to shape aid for Africa, conflict resolution in the Great Lakes region and the North-South debate. President Mbeki, working with the international community, could still play the role of honest broker in Zimbabwe by bringing all the parties to the table. South Africa is ideally placed to host these negotiations, as it has done with other African conflicts.

Looking ahead, none of us has actually given enough attention to what will happen when there is a change of government in Zimbabwe. We must plan for the reconstruction of Zimbabwe, a new constitution, a government of national unity, the re-establishment of the rule of law, the stabilisation of the economy, the repatriation of the millions of exiles; and, most urgently, bringing relief to the starving should be planned now.

It is only then, after we have turned to these tasks, that we can help our Zimbabwean brothers and sisters to rebuild their proud and fair nation, and with God's help Zimbabwe will rise up again. [Time expired.] [Applause.]

The CHIEF WHIP OF THE OPPOSITION: Madam Deputy Speaker, I will not indulge in a shouting match with the ANC today. The humanitarian crisis affecting millions of our brothers and sisters in Zimbabwe is too serious for that. We need to discuss with each other what steps can be taken by us to help to resolve this terrible situation.

I do understand why the hon Deputy Minister Pahad appealed to me through the media to make some constructive, concrete, well-thought-out and positive suggestions. I know that he does not know what to do. That has been obvious for years, and I am going to try to help him today.

I have noticed a new realism on the part of some members of the ANC. Despite the stout and rather disappointing defence by their hon Deputy Minister Van der Merwe today, the ANC now realises that with millions of people going hungry, 80% unemployment, breathtaking inflation figures and the opposition being persecuted and its leader arrested today, the mess is starting to impact heavily on our own country and people and on many others in our region.

Some people counsel despair and disengagement. They feel that South Africa should simply let the Zimbabweans fight it out and sort out their own problems. The question that they ask is the following: What exactly must South Africa do? They say that if we were to stop the fuel or turn off the lights, this would impact drastically on the poor suffering masses. They immediately dismiss those steps, and then say that since it is not possible for South Africa to invade the country, we can therefore do nothing. I must say that I find this attitude wholly unacceptable.

When a human rights tragedy unfolds before our eyes we cannot simply stand aside and let things develop. I suggest to you that it is worse for us to aid and abet the Mugabe government by sending out subtle messages that we support him in his endeavours, or at least that we don't oppose him. That subtle message is simply that he deserves respect because he is one of the elders who did a huge amount to free Zimbabweans and that this means that he should not be opposed openly or even criticised, either by us or by other African countries.

The truth is that the goodwill which he earned and deserved has been dissipated by the cruelty, the vindictiveness and the inhumanity that he has shown. This man is no longer a democrat.

What South Africa needs to do is to focus on bringing the two sides to the negotiating table. It is correct, as the government says, that Zimbabweans will in the final event have to solve their own problems, but, we say, they cannot do it alone.

If we had adopted the same attitude to the DRC or to Côte d'Ivoire, they would not have had the slightest chance of resolving matters on their own. Why do we have a different attitude towards Zimbabwe; or, are we waiting for a complete meltdown and for even greater human suffering?

Washing our hands of responsibility and expecting the Zanu-PF to go to the negotiating table with a little encouragement from us in fact gives them a longer lease on life. They will not go to the negotiating table unless they feel that they are forced to do so.

We need to apply pressure and to encourage all other players within the region, who are able to do so, to apply pressure. We must make it clear publicly that South Africa is appalled at the mess that is Zimbabwe today and wants it resolved, and will not rest until it is resolved.

We need to apply smart sanctions to President Mugabe, his wife, and his cabinet ministers, so that South Africa is no longer their place for luxury shopping. The SADC countries must also be encouraged by us to apply smart sanctions. These target the guilty and not the poor.

We must use our conversations with President Mugabe to inform him that, if we are forced by him to do so, we will use our position on the Security Council to persuade it to refer President Mugabe's conduct and actions over these years to the International Criminal Court for investigation for possible indictment for crimes against humanity.

The director of the International Bar Association, Mark Ellis, last week recommended this action, and I agree with him. He further suggests that international law provides for prosecutions by neighbouring countries for such crimes. We and our neighbours should begin considering this. If President Mugabe wishes to escape all of this, he should be offered an option: either action by us, by the

international community, by the International Criminal Court, and the inevitable ruin of his life and his company, or, on the other hand, a comfortable retirement and political asylum.

You see, Deputy Minister Pahad—and I hope this will be conveyed to him—there is a lot you can do. Why don't you do it? Mugabe must go, and he must go now. [Applause.]

Mr J BICI: Madam Deputy Speaker, hon members, the scenes of Zimbabwean opposition supporters and leaders being brutally beaten have disturbed many of us. The economic woes of Zimbabwe are amply demonstrated by an official inflation rate that is over 1 000%. The social problems are compounded when necessities such as food and fuel are not available, even for those people who are prepared to pay the exorbitant prices.

It gives us no joy to see how our brothers and sisters across the Limpopo River are suffering. We can only do our moral duty and support the people of Zimbabwe. At the same time, President Mugabe should do his turn by abdicating, or, if he does not abdicate, he should be removed forcibly. Thank you. [Applause.]

Mr V C GORE: Madam Deputy Speaker, the ID is an organisation that aligns itself with and promotes the interests of the marginalised, the downtrodden and the oppressed. There can be no doubt that the people of Zimbabwe—the ordinary people of Zimbabwe—are the people who are the victims in this current situation.

The ID feels extremely strongly that the SADC countries and their leaders, with the exception of Zambia, have not come out strongly enough against the atrocities and human rights violations within Zimbabwe in condemning the actions perpetrated against the ordinary people of Zimbabwe.

Whether it is a perception or a reality, it appears that these states, which have the potential to have a material and positive impact on change within Zimbabwe, are protecting a select and privileged old boys' club. Part of the solution to the dilemma within Zimbabwe is to continually remind ourselves that the people of South Africa need to show solidarity with the people of Zimbabwe, just as the people of Zimbabwe showed solidarity with the people of South Africa in the darkest days of apartheid.

In conclusion, it is a tragedy that the people who fought for human rights and freedom within Zimbabwe are exactly the people today who are trying to take those rights and privileges away. I thank you.

Rev K R J MESHOE: Deputy Speaker, the ACDP hopes that the Southern African leaders' meeting taking place today in Tanzania will decide on what concrete steps to take to halt the abuses and atrocities taking place in Zimbabwe.

It is a shame that most African leaders chose to remain silent when old women were brutalised by the Zimbabwean police and their agents. Fracturing and breaking the ribs of a 64-year-old grandmother, breaking her leg and arm, and then fracturing her knee, is demonic, deplorable, barbaric and totally unacceptable and must be condemned in the strongest possible terms.

The ACDP questions why the South African government has, until today, chosen to pursue an ineffective quiet diplomacy policy, even when the Zimbabwean police were beating protesters and leaders of the opposition with steel pipes and iron bars, breaking their bones and cracking their skulls in the process.

Why will they not publicly voice their disapproval of the brutality of the autocratic Zimbabwean government? Their silence is tantamount to condoning the heinous acts of a draconian government that does not care for its people. [Time expired.]

Dr C P MULDER: Madam Deputy Speaker, the problem is not Zimbabwe and the prob-

lem is not the Zimbabweans either; the problem is the president of Zimbabwe, Mr Robert Mugabe, himself.

In Afrikaans is daar 'n gesegde wat lui, "'n Vis vrot van sy kop af ondertoe." [There is an Afrikaans expression which goes, "A fish rots from the head down."]

And that is exactly what has happened in this country. Mr Mugabe was 56 years old in 1980 when he became president. It is now 27 years later. He's 83 years old and he's still clinging to power. Mr Mugabe's actions have nothing to do with land or the colonial period, but everything to do with a dictator hanging on to power.

Feit van die saak is, as 'n mens kyk na die SA Grondwet, bepaal artikel 88(2): "No person may hold office as President for more than two terms . . ." [The fact of the matter is that, when one looks at the Constitution of the RSA, one sees that section 88(2) states: "No person may hold office as President for more than two terms . . ."]

That's the lesson that Zimbabwe did not learn; that's why they have had a president for 27 years and he doesn't know how to go home. It's time the people told him to go home. We cannot solve the problem. South Africa and the rest of the world now have to deal with this problem. The problem is, Mr Mugabe: Go home! [Applause.]

Mr I S MFUNDISI: Deputy Speaker and hon members, there is no question that Zimbabwe is in a state of economic and political chaos. The annual inflation rate there is above 1 700%. Shops in that country change their prices almost hourly, while unemployment is well over 80%. This does not bode well for citizens and that is why the Zambian president, Levy Mwanawasa, has turned like the proverbial worm. Inroads into that country have put a strain on the resources.

The saying, "Those whom the gods want to destroy, they first make mad" aptly describes President Mugabe. No leader of government worth his salt can delight in the suffering of the people like he does. President Mugabe struts like a colossus and hurls insults at other leaders, while lesser people cheer him on when he says those leaders should mind their own business while he keeps his Zimbabwe. He keeps Zimbabwe with hungry, lean and maimed people.

One thing that he excels in is insolence. The fact that teachers, nurses and municipal workers have joined the trade unions in protest against his regime is proof that "Mene, Mene, Tekel, Upharsin" does not only apply Belshazzar in the biblical days. It is an open secret that most analysts, even in Zimbabwe, feel that the removal from office of the man with the heart of a lion is the only solution left. I thank you. [Time expired.]

Dr S E M PHEKO: Madam Deputy Speaker, those who talk of regime change in Zimbabwe that suits their colonial interests must be told in very clear language that Africa is not for sale. [Interjections.] There will never be a repeat of the Berlin Conference through which Africans were dehumanised and Africa's riches used to develop countries steeped in imperialism.

The Zimbabwean situation can be resolved only by those who genuinely want to see this great country prosper, and by those who can persuade the Zimbabwean leaders to meet and find a solution to their country's problems. But encouraging violence at night, keeping silent about the bombing of trains from Harare to Bulawayo, insulting President Robert Mugabe and projecting him as reckless is simply putting petrol on the fire. [Interjections.]

Why was Mugabe a good man when he allowed 4 000 white farmers to keep 12 million hectares to themselves? Why is the British government left out of this picture after breaching the Lancaster House Agreement? [Applause.] Are Tony Blair and George Bush the kind of people who can bring peace to Zimbabwe after what they have done in Iraq, and when they are now

threatening Iran? [Interjections.] Blair is a man who cannot even apologise for the involvement of his own country in the slave trade.

Zimbabwe needs mediators with credibility and integrity, not those who have blood on their hands and practise selective morality. [Interjections.] [Applause.]

Ms S RAJBALLY: Madam Deputy Speaker, in view of the South African commitment and duty to Africa, the MF feels that we have far too long avoided the Zimbabwe dilemma. While it is true that democratically we need to respect the ruler of Zimbabwe and the order chosen by the people, concern is expressed as to whether the current government of Zimbabwe is truly and justly the vote of the people.

We hear of an impoverished nation that has been raped of its assets and in which an affluent lifestyle is only enjoyed by the lords of the land. South Africa, currently holding a seat on the UN Security Council, the AU, Nepad and SADC, has a duty incumbent on it to involve itself in attaining stability and democracy in Zimbabwe.

Robert Mugabe is not only answerable to the Zimbabwean people, but also for the conduct of his cabinet. He is answerable to the world when it comes to human rights violations. It is time we united to address the Zimbabwean challenge and rescue a country driven by extremism. Thank you very much.

Mr S SIMMONS: Madam Speaker, it has been reported in the media today that the Gauteng health department is experiencing an increased number of patients from Zimbabwe. If this is the case, then it is proof that the social infrastructure in Zimbabwe is on its knees as a result of the political situation in that country.

Statements by the Zimbabwean president give a clear indication that our government's claim that its silent diplomacy—or constructive diplomacy, as it's now relabelled—will bear fruit is wishful thinking.

After President Mugabe took over from Mr Ian Smith a few decades ago, Zimbabwe adopted a new democratic constitution which also resulted in economic prosperity. However, since then, repeated amendments over the years to the Zimbabwean constitution eroded provisions for checks and balances that should have promoted true democracy and human rights. This fact explains why the Zimbabwean government forces have the audacity to think they have an inherent right to abuse the human rights of ordinary Zimbabweans.

It appears that government conveniently ignores the fact that Zimbabwe, prior to 1994, publicly denounced apartheid and, in doing so, contributed to the constitutional victory of South Africa. The UPSA believes that our government has a moral responsibility towards the people of Zimbabwe in their second fight for social and political liberation. I thank you.

Mr L M GREEN: Madam Speaker, the FD strongly condemns the human rights abuses and atrocities perpetrated by the present Zimbabwean regime. The apparent lack in achieving a quick breakthrough in the crisis in Zimbabwe is because African leaders have not come out in unison on how to tackle the crisis.

President Mbeki spoke about quiet diplomacy, but we do not get the impression that other African leaders have collectively embraced this position. What needs to be achieved over the next two days at the Southern African leaders' summit on Zimbabwe is collective action agreed upon by all leaders so as to speed up a solution to the Zimbabwean crisis.

Mr Mugabe needs to be persuaded, not by quiet diplomacy—because Zimbabweans are voting with their feet: they are crossing our border in their thousands—but by the fact that his policies have done Zimbabwe no good and that it is time for him to leave and hand over the reins to others who will build on the successes achieved and who

will review those policies that have caused socioeconomic collapse. I thank you. [Interjections.]

Mr M U KALAKO: Madam Speaker, Ministers and hon members, I must say, it is important that as parliamentarians we should sometimes dispel some of the illusions that we as South Africans have in that we think we can go anywhere in the world and solve any situation. [Interjections.]

I want to say that all the members of the opposition who have been debating here, the least of whom the DA, should really understand that the South African government will always, in its actions with regard to the situation in Zimbabwe, work within the parameters of the African Union, the Southern African Development Community and all other international conventions to which it is a signatory.

Therefore, I want to say that the South African government has expressed throughout the week that it is concerned about the situation in Zimbabwe—this, of course, follows the detention and beatings of the leadership of the opposition and its supporters—and has made a call on all stakeholders involved in the conflict to cease hostilities and engage in talks in order to find a lasting solution to the problem, precisely because we believe that it is through engaging in dialogue that a lasting peace can be achieved.

Our government has reiterated its position thus:

> South Africa will continue to monitor the situation closely and work with all parties in Zimbabwe in political, economic, trade and social sectors to ensure the objective of dialogue among all political parties is realised. Pursuant to this objective, South Africa urges the Zimbabwean government to ensure that the rule of law, including respect for rights of all Zimbabweans and leaders of various political parties, is respected. Similarly, we appeal to leaders of opposition political parties to work towards a climate that is conducive to finding a lasting solution to the current challenges faced by the people of Zimbabwe.

The ANC expressed similar sentiments in support of our government. The ANC said, and I quote:

> The ANC is concerned about the current situation in Zimbabwe, including reports of the alleged assault of opposition leaders while in police custody. The ANC trusts that a thorough investigation will be conducted into these allegations and that any necessary action be taken in accordance with the law. The ANC reiterates its call on all stakeholders in Zimbabwe to respect and uphold the Constitution and the law of the land, and to work to safeguard the rights of all citizens. We further reiterate our call to all stakeholders in Zimbabwe to continue to seek peaceful and inclusive solutions. For its part, the ANC will continue to engage all parties in Zimbabwe in an effort to achieve an outcome that serves the interests of the Zimbabwean people. It will continue to do so in a spirit of respect, friendship and solidarity.

[Interjections.]

I have quoted both the government's and the ANC's statements on the recent developments in Zimbabwe in order to demonstrate that as the ruling party we have been seized with the situation of Zimbabwe. Unfortunately, the ANC is not the ruling party of Zimbabwe and President Mbeki is not the president of that country, and there isn't the slightest chance that he will ever be the president, or that the ANC of South Africa will ever be the ruling party of Zimbabwe. [Interjections.] [Applause.]

The South African government is signatory to many international conventions on state-to-state relations, and is guided by those

conventions in its approach to solving international, continental and regional conflicts.

Those who think that the South African government will be policing the Southern African states will be disappointed. Gone are the days when the white racist regime of South Africa conducted military invasions in Southern African states. The nonracial, nonsexist and democratic state of South Africa respects the independence and sovereignty of its neighbours. Those who criticise our government for not being strong enough in our statements on Zimbabwe must tell us what they mean. What is strong enough? [Interjections.]

There is no way that the South African government will send a military force to Zimbabwe. Indeed, as the current chair of the African Union, President Kufuor, said, if there are any illusions that we can send an expedition force to Zimbabwe, such stupid suggestions will be rethought.

The SPEAKER: Hon member, is that a point of order?

Dr C P MULDER: No, Madam Speaker. I would like to know if the hon member is prepared to take a very easy question. [Interjections.]

The SPEAKER: Do you want to take a question, hon member?

Mr M U KALAKO: No, Madam Speaker.

The SPEAKER: He doesn't want to. [Interjections.]

Dr C P MULDER: I thought so. [Interjections.]

Mr M U KALAKO: I repeat: the current chair of the AU, President Kufuor, said that if there were any illusions that we could send an expedition force to Zimbabwe, such stupid suggestions should be rethought.

The South African government will work closely with SADC, the AU and those in the international community who are committed to peace, stability and the economic recovery of Zimbabwe. As we speak, SADC is dealing with the situation in Zimbabwe. In fact, our President has postponed all his engagements to attend a meeting of SADC in discussing the situation of Zimbabwe. [Interjections.]

As Parliament, we should assist efforts of our government, SADC and the AU in trying to find a lasting solution to the situation of Zimbabwe. Therefore, our Parliament should consider the following recommendations: One, all efforts must be made to engage parliamentarians of Zimbabwe from all parties to persuade them to support peace efforts and lead in engaging in dialogue about their situation; two, our Parliament should make clear our discomfort with violence and violations of human rights; and, three, our Parliament should initiate a meeting with both the ruling and opposition party members of parliament with the aim of persuading both to realise the urgency of dialogue.

We should, of course, do this, not in an isolated manner, but within a regional framework, guided only by our understanding that the situation in Zimbabwe cannot be resolved by sending armed formations marching through the streets of Zimbabwe. I thank you. [Applause.]

Mr J H VAN DER MERWE: Madam Speaker, if ever I have listened to 13 minutes of balderdash, I have just heard it now. [Interjections.]

I have in my hand a notice which says that today Mr Morgan Tsvangirai and his head office staff were all arrested at their head office in Zimbabwe. I've listened to the hon Deputy Minister, who has the distinction of bearing my surname. She told us nothing new. It was words, words, and words. But she couldn't produce an effective plan, and she gave me the impression that South Africa is playing the violin while Zimbabwe is on fire, as I've proved now. [Interjections.]

Enough, however, has been said about how

bad the situation is. What we need are plans. We wish to make some suggestions. While waiting for the departure of the Mugabe regime, we must devise a constructive plan for Zimbabweans to start talking to one another, and an honest broker is needed to facilitate talks, to make available his good offices to organise all factions . . . There is a point of order.

The SPEAKER: What is the point of order?

Mrs S A SEATON: Madam Speaker, earlier on, when the Deputy Minister was speaking, the House was asked to be quiet to listen to this important debate. Could the other side of the House now be quiet and listen to the debate? [Interjections.]

The SPEAKER: Hon members, please do listen to the hon Van der Merwe.

Mr J H VAN DER MERWE: Yes, they should listen, because I've got a very good speech, Madam Speaker. I wrote it myself. [Laughter.] [Interjections.] There must be an honest broker who must make available his good offices to organise all relevant factions of Zimbabwe to talk to one another, and, if necessary, fly them into South Africa to arrange meetings here on neutral ground.

Humanitarian assistance should be urgently organised for the impoverished Zimbabweans, but under international control. Zimbabwean leaders who now reside in South Africa should be assisted to form a proper opposition to the regime in Zimbabwe, thereby assisting in restoring democracy.

In the name of humanity, we have to call for an end to the gross violations of human rights in Zimbabwe, and restore respect for the rule of law. This should be done by all African and international organisations, because enough is enough.

In conclusion, we in the IFP are certain that the current Zimbabwean regime is on its way out, and may that be soon. We look forward to the restoration of democracy in Zimbabwe; once again, respect for human rights and respect for the rule of law. We look forward to the day that Zimbabwe will once again become prosperous, peaceful and one of the real diamonds of Africa. Our Zimbabwean neighbours should know that South Africa cares for them, and that we wish to give them hope for the future. [Applause.]

Debate concluded.

The SPEAKER: I wish to remind hon members that the Extended Public Committees are scheduled to start at 15:00 in the Old Assembly Chamber and in Committee Room E249.

The House adjourned at 14:56.

PROCEEDINGS OF EXTENDED PUBLIC COMMITTEE—OLD ASSEMBLY CHAMBER

Members of the Extended Public Committee met in the Old Assembly Chamber at 15:03.

House Chairperson Ms C-S Botha, as Chairperson, took the Chair.

APPROPRIATION BILL

Debate on Vote No 6—Public Works:

The MINISTER OF PUBLIC WORKS: Madam Chairperson . . . [Applause.] I think the applause is for both of us, Madam Chair.

Madam Chairperson; hon members—my colleagues, the provincial MECs responsible for Public Works, have specially asked me to acknowledge them first, otherwise they said they won't come to the budget vote debate next time—acting director-general and our director-general designate, Manye Moroka; our senior officials; our deputy directors-general; our heads of entities who are here; our stakeholders; our partners in the family of Public Works; chairpersons of our entities who are also here; ladies and gentlemen, on 27 April 2007 our country will be celebrating its 13th birthday of democratic rule. These celebrations, whatever fanfare accompanies them, will also mark the journey of transformation in our society.

Our political freedom, as envisaged in 1994, was not an end in itself but rather a beginning of the process of change. South Africa is a country in transition and therefore, in some way, the challenges it faces have been faced by others before. However, the difference is in the format each of these takes. We chose a reconstruction and development trajectory that places people at the centre of our development as an approach to social transformation.

Today, through this budget, we are acknowledging our achievements of the past 12 years as the infrastructure delivery arm of the South African government. Congratulations, therefore, to those who have been pioneers before me such as my comrade Minister Radebe, comrade the late Minister Stella Sigcau and those that they led at the time. I say so because they laid a foundation from which we are now constructing a new phase of South Africa's infrastructure and property industry.

At this moment I would like us to remember the family of Dr Ian Phillips, who passed away on Sunday, 25 March 2007. He was one of our cadres in Public Service who, through his advisory role to Minister Radebe at the time when he was Minister of Public Works, contributed in shaping Public Works policies and legislation. It is these members of our society who make us remember that ours is to serve our people to the best of our abilities.

As the department whose responsibility is akin to the property developer of public infrastructure, we are proud that, through our development efforts within the public sector, we have not only laid the basis for shared growth but we have created assets that will contribute towards improving the physical environment for our clients, thereby improving their functional spaces. It is in this context that we commit ourselves once again to make South Africa work, because we would have created an enabling environment for all those who utilise our assets.

This year's budget represents a principal resource in the creation of the infrastructure necessary for South Africa's accelerated and shared growth. Not only is the department responsible for the delivery and maintenance of state infrastructure, but it is also required to lead, regulate, develop and transform the infrastructure sector, which is central to the goal of Asgisa to grow the economy and halve poverty and unemployment by 2014.

This is a budget for growth, development and transformation of South Africa's construction and property sectors. Most importantly, it is a budget for job creation, underpinning the commitment of the department, its leadership and management to the understanding expressed by President Mbeki in his state of the nation address that, and I quote:

> None of the great social problems we have to solve is capable of resolution outside the context of the creation of jobs and the alleviation and eradication of poverty.

Therefore, the struggle to eradicate poverty has been and will continue to be a central part of the national effort to build the new South Africa.

Together with the public entities reporting to it, Public Works is fully committed to this national effort and the economic growth that underpins sustained employment. To achieve economic growth of 6% by 2014, the Minister of Finance, Trevor Manuel, has continuously emphasised that the gross fixed capital formation, GFCF, must rise from 16%, as it has been in 2004, to about 25% of our gross domestic product. This means that construction investment must rise to about 8% of the GDP. Government, as we know, has reaffirmed its commitment to a massive infrastructure programme to address economic growth, social development and transformation of the built environment. With GFCF currently at 18,4% and construction at 6%, we can safely say that we are on track to achieve these objectives.

However, there are many challenges that need to be tackled by Public Works in a range of public and private sector partnerships to further unlock infrastructure bottlenecks, to create capacity and skills, and to promote the small and medium enterprise business sector as well as the broad-based black economic empowerment. I would also say that one of the challenges that we face is indeed to continue with job creation as well as ensuring the role of women and youth in all government programmes for delivery and management of public infrastructure.

If one looks at the infrastructure delivery mandate of this department, we can say that, over the past five years, we have directed a major effort towards the critical goal of developing and transforming the construction industry and implementing the White Paper. I would like to quote what it said:

> . . . creating an enabling environment for reconstruction, growth and development of the construction industry.

We have worked closely with the industry to establish a regulatory platform for accelerated growth and empowerment. To this end, I would like to thank the members of our stakeholders who are here in the gallery with us because without them we wouldn't have created this regulatory regime. [Applause.]

The construction industry emerges from decades of declining investment as a result of the failure of the apartheid economy. During this process of decline, it lost significant capacity and emerges from a low-capacity base into a period of sustained growth and increasing opportunity. Construction output is currently growing at a rate of 10% per annum. South Africa will need to double its effort of construction output in less than 10 years, with the public sector construction delivery doubling over a five-year Medium-Term Expenditure Framework period, namely between 2003-04 and 2008-09.

The delivery challenge is immense and includes capacity challenges affecting both the public and private sectors. As hon members would know, if one were to look at our economy today, there is a lot of movement, particularly of skills, between the public sector and the private sector in our economy, but also externally.

The role of Public Works is therefore critical to overcome a range of potential capacity constraints, including the planning, procuring and maintaining of infrastructure. In this

context, I am pleased to report that significant results have been achieved. Notably, the provincial public infrastructure spend improved last year by 29% under the impact of the multi-faceted interventions and partnerships promoted by the Department of Public Works at national level as well as provincially. And for that, I would like to thank my colleagues, the MECs.

These interventions include the partnership between Public Works, National Treasury, the Construction Industry Development Board as well as the Development Bank of Southern Africa in support of the government's Infrastructure Delivery Improvement Programme known as IDIP. This is a direct outcome of the Growth and Development Summit, as we would remember that this was one of the concerns that were raised about our delivery cycle. We are therefore proud that the Cabinet has approved the implementation of this strategy.

The IDIP has built the co-ordination and capacity of provincial departments of education and Public Works to ensure that South Africa's children are no longer schooling under trees. We are mindful, however, that the challenges of schools infrastructure still continue to be a problem, particularly in our rural areas where some of the communities have, on their own, built some of the schools. Some of those schools have been built with mud and need rehabilitation. It is for this reason that, together with the Independent Development Trust, IDT, we will be working with our MECs of education and public works to see to what extent can we actually rehabilitate some of those schools that require better infrastructure today.

Public Works and CIDB support has included the development of the toolkit for infrastructure delivery management system that forms the foundation for IDIP, covering the full delivery cycle from needs identification through to procurement, project delivery as well as maintenance.

Our strategic intervention further includes the introduction of the register of contractors and register of projects, together with streamlined procurement regulation. In the roll-out of these interventions, over 2 000 officials and built environment officials were trained over the last year. The CIDB procurement training programme has been accelerated by the Engineering Council of South Africa and the SA Institution of Civil Engineers.

The resulting procurement improvements have also reduced the time to award contracts by all organs of state from as much as six months in some cases to 60 days and less, meaning that we are effectively beginning to unlock public sector delivery. We will continue to expand the expert support provided to organs of state, particularly in municipalities and the procurement and delivery of critical infrastructure, including the 2010 World Cup.

I would like to say that, at this moment, one appreciates the work that we have been doing with our partners to ensure that there is no delay in the delivery of one of the important elements of infrastructure for the 2010 World Cup, the FNB Stadium. You would appreciate, hon members, that there were glitches in the beginning because of the ownership challenge where Safa Trust had not met its obligation in paying the state for the acquisition of land where FNB Stadium is. As part of the penalty clause, we had to ensure that the state took over that infrastructure and met the obligations that Safa had with Grinaker-LTA and FNB so that, indeed, this flagship stadium can be built. It is our view that that process has made it possible for the Johannesburg Metro to ensure that they can award the contracts necessary for the development of this infrastructure within record time.

I know it has been difficult, particularly regarding the negotiations among Safa Trust, government, together with FNB and Grinaker-LTA. One would like to thank

Mr Michael Katz for the work that he has done working with us in this regard as well as the National Treasury.

Introduction of the national register of contractors has not been a smooth and easy process, and I know a number of hon members here have been approached by a number of contractors, particularly those who are at lower grades, complaining either about the bulkiness of our forms or sometimes about the need for clarity on why they are graded at the level that they have been. But I must say that we have remained firm in our resolve to regulate the sector for improved equity and quality and to create a firm foundation for the development and transformation of the industry.

Currently in our register we have over 25 000 contractors who are now registered in all provinces. Through the National Construction Register Services they receive cellphone and e-mail notifications about all public sector tenders. These members today can compete effectively in the market without being disturbed by the fly-by-night operators.

It is worth noting that over 1 000 contractors improved their grading status over the past year and that 80% of these are black-owned small and medium-sized enterprises. This is because these contractors are now tendering in a regulated and enabling environment. I must say, however, that the majority of registered contractors are actually at grade one. The majority of them have just registered companies, but they really don't have the capacity to deliver any infrastructure.

What we have looked at is that these are the people who are expressing an interest in getting into the construction industry, but they will need to do a lot of work to actually become fully fledged contractors. We will be considering a process where these contractors, particularly those at grade one, can actually commit to training of at least a year in a particular trade where they want to participate.

This will require us to train and work with these contractors so that at the end of the day they can have the skills necessary to participate in the industry. Therefore, grade one, while it may be a grade, would actually be regarded as an entry point. We will make the necessary announcement once all the details have been finished in this regard.

We want to say, therefore, that one of the responsibilities of the Construction Industry Development Board, CIDB, is that of the development of contractors. The CS budget provides for the establishment of the National Contractor Development Programme that will be led in a partnership between the national and provincial Public Works departments, together with the CIDB.

Our focus is on sustainable enterprises that perform better, which will ensure that they can be better employers, as well as people who can contribute to the skills development of our country.

I must say that we do have an experience through the Expanded Public Works Programme, of the Vukuphile Learnership Programme, where we have taken people, particularly young people who have never seen any construction site before, through a two-year programme which includes theory, as well as practice out of which, at the end of a two-year programme, they are able to create any infrastructure that is required.

We therefore want to say that those who are in grade one should not feel frustrated because we understand their interest in participating in this industry, but it is important that we empower them to become better contractors.

This programme will therefore build on the stakeholder commitments that have been made in the Construction Charter and the commitment of other stakeholders, particularly the financial services sector. To facilitate our programme in its implementation and an improved registration service, the

Public Works department and the CIDB will establish construction contact centres at provincial level.

I would like to thank the Department of Public Works in Gauteng for having been the pioneer in this regard. We can now provide a service to contractors ranging from helping them register with the CIDB, as well as showing them how to apply for tenders when necessary and also training them in financial management so that they can manage their resources very well.

We want to say that the next phase of these centres will be in eThekwini by May this year. We are working with other provincial departments in all other provinces to enable us to have a space where we can operate and have these centres functioning and assisting in the construction industry.

It is important to note, however, that contractor development is already well under way in most provinces. Through the Expanded Public Works Programme, EPWP, 720 small contractors have qualified through accredited learnerships to exit at grade three, four or five.

In this context, the EPWP will scale up to achieve about 1 500 learnerships over the next two years, and the Independent Development Trust, IDT, will intensify its focus on women in construction, promoting their employment, skills and development as constructors. We would like to thank Isigodlo Trust through Sawid and Sawic for working with us in this regard.

Our focus on the construction sector takes full cognisance of the immense potential of the industry as an employer. Under the impact of growing investment and the EPWP, employment in the construction sector has risen from 645 000 in 2004 to 926 000 by September 2005. With construction output set to double, the industry has the potential to generate several hundred thousand further jobs by 2014, contributing significantly to the goals of shared growth. Many of these people employed will need to be skilled. The department will work with all other stakeholders such as the construction industry sector education and training authority, as well as our further education and training colleges and our industry players to ensure that we overcome bottlenecks in the development of critical skills. The Deputy Minister will elaborate on this.

You would know that the public sector is one of the largest landowners in our land. Its property portfolio remains one of our largest in our society in the form of land and buildings. Some of these are and will continue to be used for the accommodation needs of government departments and public entities. The property portfolio therefore requires that we do not only pride ourselves as being a dominant player, but rather that we should also concern ourselves about the return on investment for the state as it relates to these assets.

It is for this reason that we have developed the maintenance strategy so that each one of us budgets for maintenance of our existing infrastructure as well as that which will be newly constructed. Our National Youth Service on building maintenance will also enable us to undertake this task in a manner that creates jobs and imparts skills to those young people who are currently unemployed. I am happy that we have four of our new recruits in the gallery who will form part of our National Youth Service in this current year. [Applause.]

The young people in our Vukuphile Learnership Programme have given us confidence that it is possible to create a contractor and a contractor supervisor programme in a period of two years. I wish to commend the municipalities who have used their municipal infrastructure grant as part of the Vukuphile Learnership Programme. Congratulations go to the Enkangala Municipality for being pioneers in this regard.

In our department's budget last year, our late Minister Stella Sigcau indicated that the

department would be setting up a trading entity to help us manage, in the first instance, the accommodation rental from government departments following the devolution of budgets to them. Processes have been undertaken to create this entity. However, the institutional capacity of the trading entity has not yet been finalised. We will endeavour during this current year to bring this matter to finality.

During this year we will work on enhancing our asset register. It is clear that during the transition period, there may have been assets of state that were not correctly captured, or they were missed.

We would therefore make a call to those who know of any state assets to come forward with the relevant information. In order to accelerate this work, we will endeavour to give amnesty to those who may currently be using our assets to come forward within a period of six months, starting from 1 April until October 2007.

We do hope that members of our society will realise the importance of these state assets and therefore be able to bring those assets back to the state because they themselves, as the public, will benefit from whatever use the state might have considered to realise their value and, therefore, the revenue for development.

I indicated that we are expanding our focus to ensure that the goals of shared growth and broad-based black economic empowerment are also ingrained in our maintenance and management of state assets. In the year ahead, we will begin to leverage these assets to transform the property sector.

Collectively, government remains the single biggest landlord and tenant of the property industry in South Africa. [Interjections.]

The HOUSE CHAIRPERSON (Ms C-S Botha): Your time has expired. I don't know if you want to take some time from your reply.

The MINISTER OF PUBLIC WORKS: I will take some time from my reply. I thank you.

We want to say this position of being a landlord and a tenant inevitably thrusts government into the forefront of the transformation of this sector. The reality, however, is that apartheid social planning denuded the majority of the people of the right to access and own property, thereby creating a massive class of the landless and, by implication, people with no property.

Consequently, property ownership has been historically skewed against the poor and the Public Works department is called upon to lead the process of restorative justice to promote access to a meaningful and universal participation in the property sector.

Every year government, through the national Department of Public Works and our provinces, invests billions of rands of its budget to lease property from industry, in which only less than 10% of players are from the historically disadvantaged groups. We will now begin to use this investment muscle to drive increasing participation by black- and women-owned businesses so that they are rapidly able to gain experience in leasing and facilities management—a critical entry point to the property industry and one that does not require major capital investment. Working with the SA Property Owners Association, Sapoa, together with CIDB, we would like to look at the feasibility of a property academy to ensure that indeed we can train people who can be good property managers.

Central to the management of public infrastructure is their ongoing maintenance. I would like to say in this regard that the work we have been doing, in part, in Bryntirion Estate in rehabilitating the security fence falls squarely within the maintenance strategy. I know hon members have been concerned about the amount that it has cost, but as we all know, the more we do not maintain our infrastructure the more the costs. It is

therefore prudent that we do so whilst the costs and the prices are right.

The maintenance sector forms an integral part of South Africa's total construction delivery capability. As the Deputy President has indicated, its activities are ongoing and substantially local in nature. Rapid growth of the maintenance sector, with its inherent labour intensity, will stimulate sustained job creation, skills development and broad-based black economic empowerment.

The IDT has been particularly successful in supporting the national and provincial public works, particularly the education and health departments, in addressing the backlog in social infrastructure delivery. The IDT has developed and refined a service delivery model which is rooted in labour-intensive methodology.

I would like to say again, this year we will continue working with the IDT to facilitate the creation of sustainable livelihoods and cohesive communities in poverty pockets and underdeveloped areas by focusing on women as our targeted beneficiaries.

On the EPWP, even though I have mentioned it in my speech, I think it is important for me to say we have moved with our target of creating one million jobs by 2009. As of September 2006, the programme has delivered almost 459 840 net job opportunities, ahead of the target of 425 000 for the same period, exceeding targets for women and youth—women being 54% against 40% the last time and youth 60% against 30%.

In an ongoing effort to upscale the scope and the impact of the EPWP, government has announced the launch of the National Youth Service—a joint initiative with the Umsobomvu Youth Fund, Department of Labour and the provincial departments of public works. We will, as part of our contribution, recruit 10 000 unemployed persons and graduates. Amongst us today, as I have said, are others who will be part of this new initiative.

The DEPUTY SPEAKER: You have got four minutes in total left.

The MINISTER OF PUBLIC WORKS: So far, the Department of Public Works has identified . . . [Interjections.]

Mr W P DOMAN: Madam Chair, just on a point of order: I think we have an agreement between the Whips that there should be a debate where a Minister replies at the end to the members. So, we would just plead with the hon Minister to leave some time so that we can have a proper debate.

The MINISTER OF PUBLIC WORKS: Certainly, I will do that, hon Madam Chair.

So far, the national Department of Public Works has identified 64 building projects with a total value of R3 billion to kick-start this important programme.

As I close, hon members, I would like to thank the chairperson and members of the portfolio committee for the work that they have been doing to ensure that indeed they give the necessary oversight to the department to undertake its task. To the senior management of the department, I would have loved to mention all of them by name because indeed the past 10 months have not been easy with the change of guard. I must say, they have coped very well and, together, we have been able to do the work that I have just highlighted to members.

I would like to welcome into the ranks of the department our new Director-General, Mr Manye Moroka, who will be starting on 1 April. Thank you very much, Minister of Housing, for allowing Manye Moroka to join us.

Again, I would like to welcome Mr Ronnie Khoza, who is now our new Chief Executive Officer on the Construction Industry Development Board. I would also like to thank Spencer, who is now the advisor to the Minister of Public Works, for the work that he has done.

Madam Chairperson and hon members, once

again thank you in advance for supporting the department's budget. [Applause.]

Mr F BHENGU: Yes indeed, it has not been an easy 10 months for you, Minister.

Chairperson, hon Minister, Deputy Minister, hon MECs present, departmental officials, leaders of the various public entities, chairpersons and captains of industries present, hon guests and hon members, in support of the Budget Vote I must say, Minister, that if it works, make it work better and it is public works indeed. This is the image portrayed by yourselves and the department, Minister, in your strategic plan of 2007-09. I hear that you talk about infrastructure for the Accelerated and Shared Growth Initiative for South Africa. This then says that this is the year for accelerated shared growth and responsibilities to make it happen in the advancement of the policy priorities of the government. I will address myself within those confines.

With your indulgence, let me first address myself to the in-house matters. Last year on the same date and on the same Budget Vote, I raised my concern, Chairperson, regarding the frustrations experienced by the committee regarding callow administrative support rendered by the Committees Section. To date, there has been no improvement. This handicaps the performance of the committee. Worse still, it tarnishes the image of Parliament.

Amongst other matters needing immediate attention are the following: One, just the simple task of securing venues for committee meetings is a nightmare. Two, the post of a personal assistant to the Chairperson of the Public Works Portfolio Committee has been vacant for the last seven months, and must be addressed. And three, for your information, the last two committee reports tabled in this House by the portfolio committee were literally produced by the committee without any input from the committee section, and this is not acceptable. I hope Parliament will address this.

Minister, I will just touch on specific issues. Some of the members are going to touch on the programmes of the department, and they will also be reflecting on some recommendations that they will be coming up with.

Infrastructure for the Accelerated and Shared Growth Initiative for South Africa is to translate the budget of R3,6 billion before us from purpose to action. Do we have the right plan of action and appropriate resources? As the commander-in-chief, Minister, you have defined the mission, and also explained the required human and material resources, and tactical manoeuvres derived from your strategic objectives.

The question remains: Do we have sufficient, right and competent human resources? What retention strategy do we have to circumvent migration of scarce resources from the department? I do commend the intake of interns that you alluded to. The operative word, Minister, is "accelerate." What remains is for the chief of staff in the department. Chief, you have a task before you, to charge and lead the attack. This then demands that the performance indicators of each and every unit must be captured in the annual report of the department. This will allow us to measure the outputs and outcomes. In parliamentary language, this is called oversight. If it works, make it work even better.

Minister, from your speech, I was pleased to hear about the tactical performance strategies in motion that you have employed in advancing the cause of your department and various public entities. I want to mention two, namely government's National Infrastructure Delivery Improvement Programme and the National Infrastructure Maintenance Strategy.

Chairperson, one thing that tends to cause us to regurgitate time and again when we are in this House is when you begin to hear people outside there speculating, and beginning to tell us what to do, passive as they are. NgesiXhosa siye sithi ke, umntu yinkosi

ukuzazi. [In isiXhosa we usually say, a person knows himself/herself best.]

Minister, I wish all those who are listening, and who have been criticising the department for not performing, to think and think again.

When we get into co-operative governance, we know that it is promoting unity in purpose and it is a vehicle for acceleration of service delivery. It is heartening to learn that your department is continuously breaking the barriers of territorial tendencies, both laterally and horizontally, in your quest to co-ordinate and drive the Expanded Public Works Programme, EPWP, in all spheres of government.

It is still a concern to hear negative and contrasting views regarding preliminary reports of Project Consolidate, if I may touch on the municipalities. From our oversight experience, some municipalities need urgent attention and capacitating. Our findings suggest that the EPWP is not integrated in their programmes, and in others it's the principles and objectives within.

At the same time, you begin to realise that some councillors, when we engage them, Minister, do not even know the objectives and the principles of the EPWP. This is then impacting negatively on our infrastructure for shared growth initiatives. We believe, though, that the Siyenza Manje Programme will complement the efforts. I would want to also say that the efforts by the Independent Development Trust, as you alluded, to Minister, are also commendable.

I hear you on the National Public Works Programme when you enumerate progress thus far regarding learnerships.

Uma sengivala, ngifuna ukusho Ngqongqoshe ukuthi, impela nje, kunikeza ithemba nokholo ukuzimisela nokuzikhandla kukahulumeni ekusizeni ukuqeda ububha kulabo abasadla imbuya ngothi, ekulweni nesitha sokuhlukumezeka ngokweswela imisebenzi nasekwakheni nokusebenzisa imigomo ezokhiqiza izingcweti ezweni lethu. Ngisho phela nale migomo esiyisebenzisayo ye-Asgisa, EPWP ne-Jipsa, Joint Initiative on Priority Skills Acquisition. Lokhu kudingeka kushayelwe ihlombe ngoba kukhululeka abasemsamo, ngisho omame phela. Kuyathokozisa impela, ngani ngoba nabo bandla bazohlafuna kusale.

Ngiyafuna ukuthi kumajaha ezwe lethu: Inselelo ikunina, ukuzama ukubuyisela umnotho ebantwini bakithi akuyona into encane. *(Translation of isiZulu paragraphs follows.)*

[In conclusion, Minister I want to say that it really gives hope and faith to see the way the government is committing itself in eradicating poverty amongst the poorest of the poor, fighting the harassing enemy of joblessness and also developing policies and structures aimed at producing skilled people in our country. I am referring to government initiatives like Asgisa, EPWP and Jipsa. These need to be applauded because they free even those who were in a tight corner before—I am referring to women. All these initiatives bring joy indeed, because women will now have something to cheer about too.

I want to say to the male youth of our country: The challenge is upon you. Taking the economy back to our people is not child's play.

NgesiXhosa Mphathiswa, kuye kuthiwe mathole anyonga kukwabelana. [In isiXhosa Minister, it is said one hand washes the other.] NgesiZulu siye sithi: Siyabonga, siyanconcoza. [In isiZulu we say thank you very much.]

The few minutes left, Mr Mike Ellis, I am donating to the Minister so that she can reply to you. I thank you. [Applause.]

Mr M J ELLIS: On a point of order, may I just say that the hon Bhengu made a point of saying, throughout his speech, that the Minister had pre-empted him. If the other members of the ANC feel that the Minister

pre-empted them as well, we'd love to have their speaking time! Thank you very much. [Laughter.]

Mnr S E OPPERMAN: Agb Voorsitter, agb Minister, agb Adjunkminister, agb lede, verteenwoordigers van entiteite, byna geen departement sal onaangetas gelaat word deur die geleenthede en uitdagings wat 2010 meebring nie. Oor die breë spektrum sal die kapasiteit, waarna die Minister ook verwys het, professionaliteit, kwaliteit, deursettingsvermoë en wysheid deeglik op die proef gestel word.

Die toernooi in 2010 kan egter nooit die begin en einde van ons leefwêreld word nie, maar dit bied 'n wonderlike geleentheid vir almal in die land om dieper te delf, om hoër te reik en spore te trap waar niemand dit nog vroeër gewaag het nie. Om die lewenskwaliteit van ons gemeenskappe te verbeter, sal daar dringend 'n klimaat geskep moet word waarin ons 'n ontploffing van werkgeleenthede sal hê. Sonder meer werkgeleenthede en sterker ekonomiese groei sal ons nie die groot uitdagings wat voor ons staan soos armoede, vigs en misdaad kan hanteer nie. Suid-Afrika se nommer een-ekonomiese probleem bly die werkloosheidsyfer wat te hoog is. *(Translation of Afrikaans paragraphs follows.)*

[Mr S E OPPERMAN: Hon Chairperson, hon Minister, hon Deputy Minister, hon members, representatives of entities, very few of the departments will remain unaffected by the opportunities and challenges brought about by 2010. Across a broad spectrum, the capacity, which the Minister also referred to, and the professionalism, quality, perseverance and wisdom will be truly put to the test.

However, the tournament in 2010 can never become the be-all and end-all of our lives, but it does present a wonderful opportunity to all of us in the country to dig deeper, reach higher and dare to go where nobody has ever ventured before. In order to improve the quality of life of our communities, we will have to create a climate in which there will be an enormous upsurge of job opportunities without delay. Without more job opportunities and stronger economic growth we will not be able to deal with the big challenges, such as poverty, Aids and crime, which are facing us. The unemployment figure that is too high remains South Africa's number one economic problem.]

In the fight against unemployment we need courage, vision and a single-minded dedication to job creation. Public entities like IDT, CBE, CIDB and Agrément must play their role to add value to the commitment for the alleviation, and if possible, the ultimate eradication of poverty.

Regdeur die wêreld word openbarewerkeprogramme gebruik vir werkskepping en armoedeverligting. Oor of die Uitgebreide Openbare Werke-program in ons land die impak het wat dit behoort te hê sal my kollega kommentaar lewer. *(Translation of Afrikaans paragraph follows.)*

[Public works programmes are being used for job creation and poverty alleviation across the world. My colleague will comment on whether the Expanded Public Works Programme in our country has the impact that it should have.]

The new maintenance drive will assist in the creation of sustainable jobs, but with a backlog of over R12 billion for maintenance, we will, with the present allocation, only scratch the surface. About 34% of state-owned buildings—more that 35 000 in total—are in a serious state of disrepair and are posing occupational health and safety challenges and are in non-compliance with the National Health and Safety Act.

Besoeke aan provinsies bly 'n wonderlike ervaring en geleenthede om lede van provinsiale wetgewers, amptenare en lede van die publiek te ontmoet en ook om jou eie kollegas beter te leer ken. Dit bly deel van ons baie belangrike toesighoudende funksie, waarvoor ons nie moet terugdeins om

iemand ter wille te wees nie. En as ons die vrae moet vra oor die muur, Minister, dan moet ons dit maar doen. Dit is 'n verantwoordelikheid wat elkeen wat sy sout werd is, sal moet nakom.

In die meeste gevalle is tekortkominge wat uitgewys is en aanbevelings wat gedoen is gretig aanvaar. Die afwesigheid van sommige belangrike rolspelers by sekere samesprekings en toeligtingsessies is onverskoonbaar.

Vandalisering van staatseiendom bly 'n ernstige probleem en sal hopelik sterk aangespreek word by die implementering van die wetsontwerp op regeringswye vastebatebestuur. Toekenning van tenders moet so geskied dat bemagtiging oor 'n breë front kan plaasvind. *(Translation of Afrikaans paragraphs follows.)*

[Visits to provinces remain a wonderful experience and an opportunity to meet members of provincial legislatures, officials and members of the public, and to become more acquainted with your colleagues. This remains part of our very important oversight function from which we should not flinch in order to oblige someone. And if we have to direct the questions beyond our borders, Minister, we will then just have to do that. This is a responsibility that everybody worth his salt will have to carry out.

In most cases, shortcomings which were identified and recommendations that were made were eagerly accepted. The absence of some important role-players at certain discussions and briefing sessions is inexcusable.

Vandalisation of state property remains a serious problem and will hopefully be addressed firmly with the implementation of the Government Immovable Asset Management Bill. The awarding of tenders should occur in such a way that empowerment takes place over a wide spectrum.]

I believe that the five core business areas of the Independent Development Trust will be fully utilised in order to realise the IDT's purpose and vision. The shift in the IDT's strategic approach will assist this entity to apply its resources in pursuit of measurable and sustainable development outcomes.

The fact that the Construction Industry Development Board is becoming a household name in even the remote parts of my constituency, is an indication of their efforts to fulfil its mandate, namely to provide strategic leadership, to promote sustainable growth, to promote performance and best practice, to promote procurement and delivery management and to develop the registration of projects and contracts.

It is important that the board ensures that the construction industry delivers quality infrastructure and that all participants benefit from the impact of economic growth and sustainable opportunities. The important role of the Council for the Built Environment cannot be overemphasised. They regulate and govern the six built environment professions, namely architects, engineers, landscape architects, quantity surveyors, project and construction managers, and property valuers.

In al hierdie professies is daar 'n nypende tekort wat 'n groot impak kan hê op die voorsiening van die kwaliteit infrastruktuur wat vir 2010 en ten minste 'n verdere 40, 50 jaar 'n positiewe impak moet hê op ons samelewing.

Die Jipsa inisiatief kan net slaag as ons huidige onderwysstelsel krities onder oë geneem word en fundamentele, ongekontamineerde opvoedingsbeginsels in plek geplaas word. *(Translation of Afrikaans paragraphs follows.)*

[There is an acute shortage in all these professions that could have a great impact on the provision of quality infrastructure which should have a positive impact on our society, not only for 2010, but for at least another 40 to 50 years.

The Jipsa initiative can only succeed if we

examine our current education system critically and put fundamental, uncontaminated education principles in place.]

The strategic role of Agrément in the assessment and certification of nonstandardised construction products will further enhance our leap into the future.

Voorsitter, ek was al bevoorreg om 'n besoek te bring aan Outa Lappies, die groot filosoof van die Groot Karoo, in sy eenvoudige spoorweghuisie op Prins Albertweg. Sy leuse is: "Ek maak iets uit niets." Hy sê ook hande wat opwys vra aalmoese, terwyl hande wat afwys, besig is met 'n taak.

Aan al die entiteite wat aan die komitee rapporteer, saam met die departement wat gereeld verslag doen, kom ons ons hou ons hande af sodat die take wat aan ons opgedra is suksesvol afgehandel kan word. Aan ons Minister en komiteevoorsitter, dankie vir die leiding. Aan die komiteelede, die besondere band wat tussen ons is en ons vermoë om meningsverskille konstruktief te hanteer, gee my hoop vir die toekoms. Ek dank u. [Applous.] *(Translation of Afrikaans paragraphs follows.)*

[Chairperson, I was fortunate enough to visit Outa Lappies, the great philosopher of the Great Karoo, in his simple railway house on Prince Albert Road. His motto is: "I create something from nothing." He also says that upturned hands are begging for hand-outs, while down-turned hands are busy working.

To all entities that report to the committee, together with the department that reports regularly, let us continue to turn our hands down in order to successfully complete the tasks that were entrusted to us. To our Minister and committee chairperson, thank you for your leadership. To the committee members, the special bond that exists between us and our capacity to handle disagreements constructively gives me hope for the future. I thank you. [Applause.]]

Rev K M ZONDI: Madam Chairperson, the IFP once more welcomes the opportunity to participate in this year's Budget Vote on the Department of Public Works.

We want to begin by expressing our words of welcome to the hon Minister, under whose leadership the department now falls after the tragic demise of the late Minister Sigcau. It is our hope that Minister Didiza will proceed where the previous Minister left off and infuse new energy and vision which will enable the department to scale new heights in the discharge of its mandate. We have confidence in the capabilities of the hon Minister Didiza to provide the necessary vision, leadership and energy which are sorely needed in the crucial portfolio of Public Works.

As we do not have enough time to express our views and concerns on all the aspects of the department, we want to limit ourselves to three areas: firstly, the need to address skills shortages; secondly, the Expanded Public Works Programme; and thirdly, some aspects of the National Public Works Programme such as the transformation processes affecting the construction and property sectors.

Under skills shortages, given the fact that the department operates within a highly competitive economic environment, one of the crippling factors which actually hinders the ability of the department to perform optimally is its inability to attract and retain suitably qualified people. This renders the department incapable of rendering the satisfactory professional and technical service that is expected of it by client departments and the broader government service in general.

We know that the department cannot fully address this problem in isolation, as this is the general crippling factor affecting most areas of the Public Service. We would nevertheless be delighted to see special attention being paid to this recurring problem. It would be interesting to know if the leadership of the department has taken innovative initiatives to turn this situation

around, rather than continually bemoaning it as a somewhat insurmountable problem.

Unless both proposals are forthcoming from the side of the department, it cannot be expected that this problem will disappear on its own. We hope that the Minister, the Deputy Minister and the newly appointed director-general will do everything in their power to ensure that this problem of skills shortage is decisively addressed.

On the Expanded Public Works Programme, we all remember that one of the flagship programmes which was aimed at addressing the problem of poverty was the Community-Based Public Works Programme. This programme gave the department a new face, especially after the democratic transformation of our country. Through this programme, the department was able to make effective and decisive interventions to alleviate chronic poverty.

We all understood that the programme could not go on forever in its original format and we are therefore not criticising the decision which led to a policy shift in this regard. It was to be expected that new forms of interventions would become necessary to combat poverty at different stages of the democratic and economic transformation of our country.

It was in this context that a new initiative known as the Expanded Public Works Programme was introduced to combat poverty by generating accelerated job creation opportunities via the delivery of government's capital works projects. We supported the establishment of this programme as another crucial strategic intervention to alleviate and combat poverty, and we still do, even though we understand that the Expanded Public Works Programme could not and was not meant to establish sustainable, long-term job opportunities. We understood that the Expanded Public Works Programme was an interventionist programme, aimed at addressing a problem derived from elsewhere in our political economic environment.

We note in the strategic overview of the period from 2003-04 over to 2009-10, one of the department's plans is to intensify leadership co-ordination and monitoring efforts and to mainstream the Expanded Public Works Programme to result in large-scale job creation, especially for the youth. It would be interesting to know what concrete plans there are to ensure that this becomes a reality. It would also be interesting to know what impediments there are that prevent an accelerated pace towards the realisation of these plausible intentions.

We would support every effort that the department would make to provide effective leadership and co-ordination, especially to ensure that provinces and municipalities also work hand in hand with the department towards the realisation of this goal and the implementation of the Expanded Public Works Programme.

On the transformation of the construction and property sectors, we realise that the department has done commendable work towards the transformation of the construction and property industries. The existence of the charters is a tangible testimony to the department's efforts in this regard. However, the daunting task and challenge is that of monitoring adherence to and implementation of these charters to the benefit of those they were intended for.

We therefore call upon the hon Minister and the Deputy Minister to intensify efforts to remove all barriers that continue to militate against the effective participation of our people in the mainstream of both the construction and property industries.

We also commend the department on the improvement that we see being effected in the parliamentary villages, because the hon members sitting here also need to see and experience the delivery side of the Department of Public Works, especially because they spend more time in the parliamentary villages and they should be in a conducive

condition to assist members to perform optimally as they do their work here in Parliament.

With those remarks and those few concerns, Madam Minister, we in the IFP would like to support this Budget Vote and we support the department in the hope that it will continue to deliver upon its mandate to the client departments and to enhance its business for which it was established. I thank you. [Applause.]

Ms S N SIGCAU: Chairperson and hon members, during last year's Budget Debate, we raised the question of how many millions the department is spending on consultants and constructors. In some programmes the department spent more on outside skills than it spent on its own employees' compensation.

It is therefore significant that this year the department acknowledges that the main challenges facing it relate to skills shortages. The skills shortages and connected issues are not new, nor unforeseen. We would have expected a more consistent effort last year already, to address a rather obvious challenge.

Again this year we see that nearly R140 000 000 is being appropriated for the item constructors, consultants and outside service. This does not bode well for the department. It is ironic that the department that is driving the Expanded Public Works Programme in order to create jobs and skills in the economy, cannot deal with its own skills shortages and vacancies.

One need only examine the department's six medium-term objectives to realise how skills shortages undermine the core business of public works. It is time for the department to prioritise its skills issues. The department must find the best and the brightest individuals in the country to fill the vacancies and bring their talents to take the critical work of public works to new heights.

The continuing successes of the Expanded Public Works Programme deserve praise and recognition. The creation of more than 435 000 cross-work opportunities to date is cause for celebration. This is what the UDM means when it says government must do more. It is an excellent example of how government can positively intervene in the economy to stimulate economic growth, create jobs and transfer skills.

The next challenge, in our view, for Public Works is to increase the percentage of short-term and temporary jobs, which become or lead to long-term and more permanent jobs.

In conclusion, we would like to see greater synergy between the department's budget and the major infrastructure projects undertaken by other departments, especially in the run-up to the 2010 Fifa World Cup. There must be various ways in which these projects can be co-ordinated to enhance the multiple effects for job creation, skills development and economic growth. Such a synergy can only be achieved if the department's strategic objectives and budget explicitly acknowledge the reality of the 2010 World Cup.

The UDM supports Budget Vote 6. I thank you, Chairperson. [Applause.]

Mr H B CUPIDO: Chairperson, hon Minister, Deputy Minister and hon colleagues, personally I think I should congratulate the hon Minister on a speech that she rendered here today and, like the hon Bhengu, complain a little bit about how you have taken the wind from his wings. I am sure that you have touched on a lot of what all of us would have liked to speak about here today.

Chairperson, the Department of Public Works has a huge responsibility to render a high-quality service to all departments in government as well as the public externally. Making suitable accommodation available to the departments on a national basis is a great challenge. It is therefore a concern to know that most of the building stock that the

department is managing is older than 25 years. This means that the maintenance components of the budget will have to increase in order to prevent it from being legally in breach of the Occupational Health and Safety Act. It is unfortunately so, and the Minister mentioned this. It is a fact that the longer maintenance is put off, the higher the cost of repair will be.

The ACDP welcomes the plans that are being put in place and the increase in the maintenance budget which will address this challenge for the department.

The condition of buildings and the maintenance plan must be used as a means to create long-term opportunities for the unemployed and the unskilled. In conjunction with Asgisa, which does place maintenance very high on its development agenda, and the department's strategy on national infrastructure maintenance, the South African economy should get a well-deserved boost, especially in the second economy where it is needed the most.

Opportunities to develop skills among the unskilled citizens will also benefit the economy in the long term. I agree with the hon Minister that in this budget and in our future budgets as well, the Department of Public Works will play an important role in continuing the transformation and reconstruction of our society.

Chairperson, I am sure that the broader public welcomes the extensive improvements that are taking place at our national airports and the upgrading at our border posts. It is an inconvenience for a short while, but the standard that is being set is welcomed.

A question that comes to mind, hon Minister, is about the facilities that are available at our harbours and ports and the facilities that are available where passengers disembark from ocean liners. Personally, I am not sure which facilities are available at these ports, but I have not heard about any upgrading or improvements taking place in that field. [Interjections.]

The HOUSE CHAIRPERSON (Ms C-S Botha): Order! Hon Cupido, your time has expired.

Mr H B CUPIDO: Won't you add three more minutes, hon Chairperson?

The HOUSE CHAIRPERSON (Ms C-S Botha): One last sentence.

Mr H B CUPIDO: The ACDP realises the importance of the work that Public Works has done, and therefore we will support the Budget Vote.

Mr N J GOGOTYA: Hon Chairperson, hon Minister and Deputy Minister of Public Works, Ministers and senior officials of the Department of Public Works, board members and officials of the public entities, distinguished guests, comrades, ladies and gentlemen, it was heart-warming to hear the Minister, in her budget speech today, say that the department is prepared not only to lead but also to transform.

Leadership takes courage and bravery; only the brave lead. Not only does it take courage, but also resourcefulness and, obviously, confidence. To the Minister we say, as she leads, we will follow to ensure that this department is transformed.

As South Africans continue to enjoy economic stability and growth, government, especially the Department of Public Works, has recognised that despite this sustained and, may I add, unparalleled economic growth, this has not percolated down to the majority of our citizens who continue to be trapped in the second economy and are still poor.

This budget of the department attempts to redress such inequalities. This budget allocation of the department, which is 3,6 billion in total, as the Minister has indicated, she unpacked according to the various programmes within her department.

The levels of inequality continue to deepen and government has recognised that this inequality continues to pose a threat to political stability, growth, economic and social stability. It is for this reason, then, that government has introduced Asgisa, which is a transformative mechanism and an intervention that is primarily aimed at integrating economic growth and social development in order to grow the economy to higher levels, while at the same time halving poverty and unemployment.

The Minister has obviously unpacked the budget in our presence. The allocation for 2007-08 is 3,6 billion, as I mentioned earlier, the bulk of which is devoted to Public Works' core function as the handyman of the state, which is programmed to land and buildings. "South Africa works because of Public Works", as their slogan says.

The budget will include, among other things, transfers to the Construction Industry Development Board of SA, CIDB, which is said to be R50 million, and to the Council for the Built Environment, CBE, which is R20 million, to regulate and develop the role of the built environment profession. Over and above the allocation from the fiscus, the IDT budget will be R226 million, which derives from the interest on the amount capitalised by the government to kick-start the organisation in its other roles.

Together with the entities reporting to it, Public Works' role includes the key goals of Asgisa, namely to grow the economy, as I have said, and to halve poverty by 2010. The construction industry, which has been decimated in the past, emerges from decades of declining investment and faces some challenges, which in turn means that it will need funding in order for it to prosper.

The delivery of infrastructure necessary for South Africa's growth has been identified as central to the goals of Asgisa. In this context, Public Work's role is critical to overcoming a range of potential constraints, including the planning, procuring and maintaining of infrastructure. In this context, significant results have already been achieved by the department and the Construction Industry Development Board.

Government, through this Budget Vote, demonstrates a determination that seeks to influence the direction and pace of economic development by directly intervening in the development process rather than relying on the unco-ordinated influences and the vagaries of the market forces to reallocate resources. This budget, therefore, is a clear demonstration that government takes upon itself responsibility to establish social and economic goals with which to guide the process of development.

I think the President said, and I quote:

> Despite this, and despite the advances we have made in our 12 years of freedom, we must also recognise the reality that we still have a long way to go before we can say we have eradicated the embedded impulses that militate against social cohesion, human solidarity and national reconciliation.

Mere reliance on the market forces would never help us to achieve these outcomes.

I think it was Rousseau, in his thesis, who argued the discourse of the origins of inequality, who said that the issue of property, amongst other things, will continue to remain an aggressive mechanism to be used by those who fight against the state. Therefore the challenge of overcoming poverty and underdevelopment remain at the forefront of government's agenda.

The hon President referred to the two worlds, one rich and developed, and the other poor and underdeveloped in which many millions of South African citizens remain trapped in a web of poverty.

To this end, again, the Public Works department prepared this budget and further provided financial resources to ensure that the goals of the eradication of poverty, the

creation of permanent productive employment and the social integration and cohesion of the marginalised is achieved.

This Budget Vote, therefore, is a clear demonstration that government takes upon itself the responsibility to establish the social and economic objectives aimed at guiding the process of development, social mobilisation, removal of the tyranny of poverty and expanding economic opportunities for all its citizens.

It is also worth noting that over a thousand contractors have improved their grading status over the past year, and 80% of these are black-owned small and medium-sized enterprises. This is because they are now tendering in a regulated and enabling environment, and not competing with fly-by-night contractors whose failure rate has undermined delivery and some of our development objectives such as quality, safety and accessible finance for real industry players.

Poverty and underdevelopment, coupled with insecurity, produce little incentive and stimuli to those who are victims, and also contribute to discontent and social dislocation within communities.

The objectives of this Bill are necessary in order that change may continue. There are those among us who continue to say that there must be a moratorium and limited state intervention in the transformation of our society. History proves otherwise.

Our forefathers were expelled from areas they occupied for generations. They had been dispossessed of land, livestock and other fruits of their toil. Driven into areas of harsh climatic conditions, they could not eke out an existence. They were humiliated, abused and in other instances tortured, mocked and killed.

This freedom was achieved through the revolutionary struggle of the masses, imprisonment and death of its leaders and cadres. We will be in imminent danger of losing it if we are to accept the spurious and false notion that we must not change the status quo; we must not upset the applecart of reconciliation; and we must forever resort to reside in the domicile of the second economy.

It is my contention that in our second decade of democracy, we need to maximise our efforts in the eradication of poverty and unemployment. Of course, those who fear change, fear it because change rattles their comfort with the past and current status quo.

Government has surfaced the social alienation dimension of its social development agenda and has called for social interventions to achieve social cohesion.

Change also means the empowerment of the previously disadvantaged and dispossessed. Empowerment is liberation taken to the next level. It is expanding people's horizons and opportunities. Thank you very much, and we support this budget. [Applause.]

The DEPUTY MINISTER OF PUBLIC WORKS: Madam Chairperson, the Minister of Public Works, MECs for Public Works, senior officials of the Department of Public Works and hon members, infrastructure development and its prioritisation by government is one of the key interventions for the improvement of people's access to services essential to social development and economic growth.

Realising the importance and responsibility placed on it, the Department of Public Works has continuously worked hard to improve its financial and project management, as demonstrated by the ability to spend entirely their capital works and maintenance budgets, ensuring that public funds are properly invested in the areas where they will help increase output, improve service delivery, reduce infrastructure backlogs while promoting economic growth, particularly among the sections of our population which still experience problems.

In recognition of the Department of Public Works, I think all of us will agree that, for

two successive years, we have been accorded unqualified audit reports. Indications are that the department will once again fully spend its allocation in the year ending in 3 days' time without any problem.

Strengthened by this experience, the Department of Public Works welcomes the Vote allocation of R3 693 120 000 for the new financial year 2007-08. The increased budget will be used in the main to add to the capital works budget, including prestige accommodation, as well as to fund the additional human resource capacity necessary to drive the programmes of the department, including the Expanded Public Works Programme.

Our construction/building programme, which is comprehensive and extensive in scope, is driven by the necessity to provide public infrastructure designed to create a better life for all. In the previous year, the department successfully delivered significant public assets such as the Nerina One Stop Place of Safety for the youth at Port Elizabeth and the magistrates' court at Madadeni near Newcastle. Meanwhile, the contract for the construction of the new medium security correctional centre at Kimberley was awarded in October 2006.

Currently, major work—the new acquisitions and mega maintenance projects—is under way. Notably, we have the construction of the National Library and the new head offices for the national Department of Education, as well as the upgrading of both the Civitas and the CGO Buildings in the Tshwane City Centre.

We have prepared master plans for the refurbishment of both the Union Buildings and the Brynterion Estate. Besides their day-to-day importance in government and governance, the two properties are part of our heritage, and like many of the state's immovable assets, they have been affected by the erratic maintenance patterns in the past. Once approved, the master plans will implement the recommendations contained in the status quo report which, among others, put emphasis on the security upgrades, water reticulation and upgrades of all electrical requirements.

In Cape Town, several ministerial residences and parliamentary villages were upgraded in the past few years, and many more will be identified for renovations in line with the National Infrastructure Maintenance Strategy approved by Cabinet, which encourages increased investment into the maintenance of our infrastructure to augment their appreciative value and enhance their looks while preserving their heritage status. To meet the accommodation needs of the expanded Cabinet, we have begun to procure additional ministerial dwellings, and this project will proceed even into the new financial year.

To promote regional economic growth, the department completed construction refurbishment projects at some key border posts. Overall, 34 of the 55 land border posts were placed under the programme for repairs and maintenance to ensure that occupational health and safety requirements are met, meanwhile enabling the user departments to deliver better services. The 2007-08 financial year will see the department further developing, maintaining and doing upgradings at the ports of entry at the Namibian, Botswanan, Swazi and Mozambican borders.

The building of the three African embassies is at different stages of construction in Ethiopia, Lesotho and Nigeria, and their completion is scheduled for the new calendar year. In the meantime, the department has commenced with the design and construction of further four embassies, this time in Tanzania, Rwanda, Malawi and Swaziland.

Both the Departments of Public Works and Defence are jointly involved in a presidential project to renovate the O.R. Tambo School of Leadership situated at Kaweweta in Uganda. This is a military camp where the

ANC MK cadres stayed during the liberation struggle. We will continue to expand our commitment to honour and respect those fallen heroes on foreign soil, such as those under the United Nations Commonwealth Graves. We believe that particular consideration should also be given to mark and remember those that died in the cause of South Africa's liberation.

All these symbols of the African Renaissance coincide with the inception of the construction of the Pan-African Parliament building at a site owned by the government of South Africa in Midrand, Gauteng. We hope to go out on tender in the second half of this year.

Given the booming construction industry, the department and its entities continuously engage in strategies to further increase the contribution of the sector to growth and development. However, the skills deficit and erratic skills supply in the built environment hampers growth. In fact, some people referred to this earlier on.

There is an overriding imperative to create, retain and replenish critical skills necessary for growth within the dictates of the Joint Initiative for Priority Skills Acquisition, Jipsa. Hence our distress call to the Council for the Built Environment, the CBE, to develop a comprehensive human resource development strategy for the sector, also prioritising the training of unemployed youth and graduates in artisan skills, to meet the 2010 Jipsa target of 50 000 for such skills. The Minister referred to this earlier on.

The proposed launch of the labour-intensive National Youth Service in the built environment, targeting 10 000 recruits in its first year of operation, is one part of the solution. The other part will see the department intensify its 2014 National Youth Foundation programmes in conjunction with the military skills development initiative of the Department of Defence to train youth in both military discipline and built environment professional services. Graduates from the scheme are already pursuing built environment disciplines at tertiary level after completing high school with financial assistance from the department. It obviously means that we do offer bursaries to people who want to pursue studies in this area. [Applause.]

Artisan and professional skills are a critical challenge facing the construction industry, and the department has contributed to Jipsa, notably through a study on skills requirements and bottlenecks in the skills pipeline. A number of interventions are planned to support the industry in this challenge.

One of the interventions we are exploring with industry is support to establish an industry-led Employment Skills Development Agency that would create a pool of learners, thus assisting small and medium-sized enterprises to take on and provide experiential learning to artisans in training. We know our serious problem is that we train young people in colleges of further education and training, but when they leave there, the biggest problem is experience. We want to place them in certain areas so that they can gain experience. It doesn't help to train a person to define a chair if he can't make a chair. I think that is the bottom line. He must define a chair and make a chair. That is the bottom line. [Applause.]

We are committed to co-operating with industry, the FET colleges and the sector education and training authority on these and other initiatives. We have also called upon the Council for the Built Environment to prioritise a comprehensive human resource development strategy for the sector. [Interjections.] I hope you are not going to stop me.

In the interim, the intergovernmental forum of the Public Works Ministers has decided to explore the possibility of bringing a range of built environment professionals from countries with whom we have bilateral relations, such as Cuba, to assist with ramping up the capacity and delivery skills of the public sector.

In anticipation of the frantic developments in the industry and the economy, the Public Works sector is re-capacitating itself, particularly at management and other professional levels. Our HR section has developed innovative initiatives to eradicate the vacancy rate currently existing in the department.

The strategy will continue to emphasise aggressive proactive recruitment, including internship programmes, through induction & orientation systems, effective retention strategy and other career-enriching proposals that will make the department a competitive employer of choice. The many workshops standing unused in the country will be targeted so that the department will be able to revisit them with the aim of converting them into apprentice training campuses for the artisans. One other problem, as I indicated earlier on, is experiential training.

We owe it to our youth to imbue them with a work ethic to make them proud patriots. Many of our unemployed youth come from disadvantaged backgrounds and communities where the need for service delivery is very, very critical.

It is in these situations that the labour intensity of the EPWP is beginning to make a difference. Recently, I returned from the official opening of the Makwane Rural Access Road in Qwa-Qwa. Once a dusty piece of road, the paved road now snakes through the village, leaving a lasting legacy of a durable, aesthetic asset in service of the general community. The good thing is that the community built it with their own hands. Perhaps, unsurprisingly, the project is the best in its category of the Kamoso EPWP Awards, inaugurated in February this year in recognition of excellence. [Applause.]

The Sakha Abakhi Contractor Development Programme under the Mpumalanga EPWP recently showcased the work done by the contractors, both current and those graduated under the programme, who are given opportunities, not only to grow but to improve and develop their communities, particularly in rural and semiurban areas. Additional school classrooms are built to absorb overcrowding, thereby promoting the culture of learning and reducing the number of learners under trees, while creating business and job opportunities for the locals, complete with portable skills for future references.

To protect the gains we have made thus far, the department has resolved to focus on the intensification of its Service Delivery Improvement Programme, commonly referred to as Zimisele—Give It Your Best. Now, service is something that is noticed by many people as we move around. The implementation of a decision to devolve accommodation-related budgets to the clients and introduce user charges in 2006-07, although still at an incipient stage, has had a profound influence on the creation of an effective value chain with client departments.

In line with the Public Finance Management legislation and its precepts . . . [Time expired.] [Applause.] It has been a pleasure addressing you.

The HOUSE CHAIRPERSON (Ms C-S Botha): It has been quite a pleasure listening to you.

Mr L D MADUMA: Chairperson, hon members, distinguished guests, I rise on a mandate from the ANC to debate the Budget Vote on Public Works as presented by the Minister, hon Thoko Didiza. The ANC supports this Budget Vote as the one that provides the hope that tomorrow will be better than today.

This budget marks another commitment by the ANC to improving the quality of life for our people, as promised during the election campaign in 2004.

The department is entrusted with the responsibility to create jobs and assist the ANC-led government to fight poverty. This is a commitment that was made by the people of this country in Kliptown in 1955. In that

Congress of the People they said: "The people shall share in the country's wealth."

After 51 years, this clause is still relevant as even today our people continue to endure the difficulties of unemployment and poverty, which were inflicted by the apartheid system.

The widening gap between the rich and the poor has created the two economies, which continue to place our people in the periphery of the mainstream economy. It is against this background that the President of this country, President Thabo Mbeki, made a call in his state of the nation address in 2003 for the Department of Public Works to co-ordinate the intervention programme called the Extended Public Works Programme, with a view to creating 1 million jobs within five years.

What was exciting about this call was that responsibility was bestowed upon all government departments, and not only the Department of Public Works, to conduct their business in accordance with the principles and guidelines of the EPWP.

I'm raising this issue against the backdrop of the experience that I had last weekend. I was addressing councillors, and they asked me: "Where is this money from the EPWP?" Let us, as MPs and MPLs, come down to the councillors and tell them where they can find this money from the EPWP, and that is a mammoth task for you to deal with, hon Minister.

The President, in his state of the nation address this year, acknowledged this when he mentioned, and I quote: "expanding access to Early Childhood Development both as part of the programme to improve the general education system and as part of the Expanded Public Works Programme" as part of government programmes for this year.

This task is not easy to carry out as there are no funds dedicated to co-ordinating this programme. The Department of Public Works was, however, able to seize the moment and deliver more than was expected of it to date.

The President this year also highlighted the fact that out of 1,5 million jobs created by the economy, EPWP was able to contribute a small proportion of permanent jobs. I'm also raising this point because the focus of EPWP is on learnerships.

One wouldn't expect EPWP to account for permanent jobs, and to us that is an achievement. This achievement is critical in assessing the impact of this programme. If we are able to create permanent jobs, what is stopping us from continuing in that trend so that we make sure that the economy continues to absorb people on a permanent basis? I think that is the challenge facing the department.

Hon Minister, as your department focuses on the infrastructure in implementing this programme, the portfolio committee appreciates your efforts to upscale this programme as suggested by the President in his state of the nation address this year. In your strategic plan this year, you indicated that out of one million job opportunities over five years your department is expected to deliver 900 000 through the infrastructure sector. This is a challenge, and we hope that your department will never fail the ANC-led government.

We are also pleased to note that the training provided will be another key performance indicator for the programme. In our observation, this is an area that has not convincingly provided statistics that would assist us in measuring the benefits once beneficiaries exit the programme.

We are also raising this issue with the understanding that not everybody is able to assess the gains made by the public out there, that is the people who have been engaged in the Expanded Public Works Programme, once they exit the programme. If the emphasis is on skills acquisition, then

some of those people will be able to market themselves so that they are able to find jobs. I think that is one area in which the Expanded Public Works Programme really assists the country.

Kodwa ke, Mphathiswa, kuninzi ekufuneka kwenziwe ukufundisa abantu abaselula-wulweni ngeNkqubo yeMisebenzi yoLuntu eNatyisiweyo, ngakumbi ooceba kooma-sipala.

Xa sithe satyelela amaphondo siqaphela ukuba ayaziwa ukuba mayivele phi na imali yeNkqubo yeMisebenzi yoLuntu eNatyisi-weyo, njengoko sendikhankanyile ngapha-mbili. Bambi oosodolophu bathi le mali bayisebenzise njengengxowa yabo, oko kukuthi i-mayor's fund, and that is a chal-lenge [kwaye lowo ngumceli-mngeni.].

Kwenye intlanganiso ooceba bade bacela ukuba aMalungu ePalamente makhe abizwe aze kucacisa ngale ngxowa yeNkqubo yeMisebenzi yoLuntu eNatyisiweyo, ayeke ukuhlala phaya phezulu balugcine kubo ulwazi. Umba wokuba inxalenye yale mali ingafumaneka kwi-Provincial Infrastructure Grant, okanye i-PIG ngamafutshane, nakwi-Municipal Infrastructure Grant, okanye i-MIG ngamafuphi, ayikacaci kakuhle. Lo mba, Mphathiswa, ufuna ingqwalasela, . . . *(Translation of isiXhosa paragraphs fol-lows.)*

[Chairperson, a lot needs to be done to educate people about the Expanded Public Works Programme, especially municipal councillors. When we visited provinces we noticed that they do not know where the funding for Expanded Public Works Programme should come from, as I have said previously. Some mayors utilise this money as their own funds, i e mayor's fund, and that is a problem.

In another meeting councillors requested that Members of Parliament be asked to give clarity about the Expanded Public Works Programme funds, and not keep this infor-mation to themselves. The issue of getting some of this money from the Provincial Infrastructure Grant, or PIG for short, and the Municipal Infrastructure Grant, or MIG for short, is not clear enough. This issue, Minister, needs consideration . . .]

The HOUSE CHAIRPERSON (Ms C-S Botha): Order, hon member! I'd just like to alert you to the fact that there is no interpret-ing, so perhaps you can carry out self-interpreting for us, please.

Mr L D MADUNA: Eh, andiva, bawo? [Eh, I cannot hear, hon Chairperson?]

I think this is unfair, but anyway, Mphathi-swa [Minister] . . . [Interjections.]

The DEPUTY MINISTER OF PROVIN-CIAL AND LOCAL GOVERNMENT: Khawume, mhlekazi. [Just a minute, hon member.]

Chairperson, I would like to bring to your attention that I think the hon member should be given the liberty to continue in whatever language he wants to address the House and that there being no interpreting is not his problem but that of Parliament, and Parlia-ment knew that two Houses were going to be sitting at the same time. So I urge the member to continue in whatever language he wishes to address the House.

The HOUSE CHAIRPERSON (Ms C-S Botha): Thank you very much for that advice but I also think that there are a lot of people here who would like to understand what the member is saying and therefore I would like to suggest that if we cannot get the interpret-ing organised, we would be missing out if we do not have what the member is saying translated into English.

So if you can do both, hon member, we will give you extra time for that. If you cannot, then I regret we won't be able to follow what you are saying. I certainly won't, and I think quite a number of other people in the House won't either.

Mnu L D MADUMA: Mphathiswa, lo mba

uyayifuna ingqwalasela, kwaye oko kungathetha ukomelezwa kwawo onke amanqanaba karhulumente, ngakumbi oomasipala basemakhaya. Kaloku abanye babo kunzima nokuba kubekho iikontilaka zokwakha, andisathethi ngezoomama.

Loo nto ithetha ukuba akukho bantu baxhamlayo kwabanye oomasipala, phantsi kwale nkqubo yophuhliso lweziseko zoluntu. Lowo ngumba ekufuneka siwunike ingqwalasela, xa sithetha ngamandla oomasipala. *(Translation of isiXhosa paragraphs follows.)*

[Mr L D MADUMA: Minister, this issue needs consideration that will mean further strengthening of all government spheres, more especially local municipalities. In others it is difficult to have building contractors, to say nothing about ones owned by women.

That means people from some municipalities do not benefit from this programme of the development of basic human needs. That is an issue we need to consider, when we talk of municipal powers.]

The portfolio committee also applauds the commitment made at the Minmec by provincial MECs to deliver 500 youths, and the Eastern Cape an additional 500 to be trained to carry out maintenance on government buildings. This is going to result in the employment, on a permanent basis, of 5 000 youths across the country as artisans in the built environment.

This will go a long way towards changing the image of the department as uMasitandi, to use your concept, Minister.

Utsho rhoqo, Mphathiswa, ukuba ufuna ukuba isebe lakho libonakale ukuba lingumasitandi, ngoba lilo elakhayo, kwaye lilo elilungisa izakhiwo zikarhulumente. Ngoko liza kusiguqula esi simo ukuze bubonakale ubunyani baloo nto. *(Translation of isiXhosa paragraph follows.)*

[Minister, you repeatedly say that you want your department to be like a landlord because it builds and refurbishes government infrastructure. It will apply a turn-around strategy to show testimony to this.]

This is an intervention that will provide entrepreneurial skills to the youth, which continues to be at the coalface of unemployment. Furthermore the committee appreciates the allocation of R3 billion for the building projects, which will also involve provincial input.

The portfolio committee is also inspired by the sterling work done by the Minister to realign all the entities in line with the department's strategic plan and objectives.

The Construction Industry Development Board, CIDB, as one of the entities, is progressing in registering contractors for the purpose of providing the necessary information about the industry.

Furthermore, their grading system is able to develop a scorecard that will be used to monitor the growth of emerging contractors.

As a committee we are also pleased to note that the CIDB will be opening provincial offices so that services are brought closer to the clients. We hope that the principle of Batho Pele will continue to characterise their daily interaction with the people so that they understand what the ANC-led government is doing to assist emerging contractors.

The CIDB has to continue to be the catalyst in the levelling of playing fields between the emerging and established contractors. The transformation of the construction industry is a daunting task that we cannot compromise on.

Minister, your department has a responsibility in terms of infrastructure development in preparation for the 2010 Fifa World Cup in our country. Interventions such as Asgisa and Jipsa, under the stewardship of the Deputy President, are most welcome by the portfolio committee.

As a country, it is inevitable that we should

embark on this route if we want to meet the challenge of scarce skills and deliver the infrastructure for the World Cup tournament.

However, our main concern is about the material supply sector, which might not be able to assist the emerging contractors. We know that the challenge of collateral continues to be an impediment to emerging contractors, who would be doing subcontracting, when approaching banks for loans. We hope that your department will work out a strategy to assist them to access funding.

We are also informed that owing to the challenge of "supply and demand", companies that manufacture cement would not be able to meet that demand. This situation has caused the country to look for cement abroad. It is therefore inevitable to see prices of cement skyrocketing in the country as the market will be influenced by imports. After the World Cup, such prices might not come down as the market would have stabilised with regard to the first economy, with negative consequences on emerging contractors.

These are some of the issues that the portfolio committee would like to raise in this Budget Vote so that our government could be able to look at them in a manner that would help sustain emerging contractors' businesses even after the 2010 World Cup.

The portfolio committee has also recommended the tripling of the budget of the Council for the Built Environment this year so that it is able to discharge its responsibilities. However, when we met this entity, they raised the issue of the need to have an amendment so that all the councils under its jurisdiction could have one Act to facilitate their co-ordination.

They suggested that registration be compulsory so that even those who come from previously disadvantaged backgrounds would register. The challenge for some of its members, who are not able to pay the levies, remains unresolved.

These are some of the challenges that the committee trusts you will be able to be seized with. Once more, as the ANC we support this Budget Vote. I thank you. [Applause.]

Mr M T LIKOTSI: Chairperson, the PAC of Azania supports this Budget Vote. The Budget Vote comes at a time when there are increasing expectations on the part of millions of able and physically challenged persons in our country who are unemployed.

The PAC believes that if the government starts being serious about job creation and starts crafting well-planned strategies for sustainable job creation, things may turn around for the better. The PAC has thoroughly analysed the Expanded Public Works Programme and come to realise that it was not the right vehicle to create permanent jobs. The programme on paper depicts thousands of jobs created, but these jobs no longer exist as they were of a short-term nature. This programme must be revisited to be fine-tuned for improvement.

The Ministry has to take the issue of maintenance as a priority in whatever project is crafted. Without a maintenance budget, it would be like moving 10 steps forward and eight steps backwards.

The department must improve on its capacity, especially to fill vacant posts. The Minister has already beaten me to this point by announcing the appointment of the Director-General. The issue of acting positions, especially in senior posts, is a cause of concern, and it must not be tolerated.

The department must go on a spree of building bridges across the country, especially in rural areas. In some of these areas, a person has to travel more than 25 km to meet their neighbours who are situated a kilometre away across a river. The supply and distribution of educational material, the

attendance of learners and educators, and health practitioners are at times hampered by flooding rivers when there is a heavy downpour.

Government buildings must have a corporate image and fully adhere to a policy of having buildings that are suitable for use by physically challenged persons.

The incubator programme for contractors should be reviewed and readjusted. The issue of fronting, especially with women contractors, is a concern. The department must assist contractors to get loans from financial institutions to prevent the trap of fronting.

The PAC approves of the programme for young graduates as it helps to give the necessary experience to the incumbents. I thank you. [Applause.]

Ms N D NGCENGWANE: Madam Chairperson, hon Ministers, hon members, distinguished guests, ladies and gentlemen, in May 1998, during a reconciliation and nation-building debate, the then Deputy President of South Africa said:

> This Constitution provides a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy and peaceful coexistence and development opportunities for all South Africans, irrespective of colour, race, class, belief or sex.

He went on to say:

> The wellbeing of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society.

Today as we debate the Budget Vote on Public Works, I find that statement very relevant. Its relevance is supported by the fact that South Africa, as expressed by the President of the country, is one country with two nations living in it. One nation is made up of a few extremely rich, whilst the other is living in underdeveloped economic conditions.

In 1994, when the ANC came into power, we inherited an economy shaped by colonial dispossession and apartheid, which resulted in huge inequalities and increasing poverty, rising unemployment and unsustainable government debt.

It is not by choice that this country is how it is today. It is going to take time before things get back to normal, but because of the ANC-led government that is committed to bettering the lives of the people of this country, nothing is impossible.

The Expanded Public Works Programme was launched by the President of South Africa at Giyani in Limpopo in May 2004. The main objective of launching this programme was to facilitate and create employment opportunities for the poor and vulnerable through integrated and co-ordinated labour-intensive approaches to government infrastructure delivery and service provision.

The President of South Africa in the state of the nation address in 2006 placed an emphasis on the crucial role of the Expanded Public Works Programme as an important bridge between the first and the second economy and a very significant part of the poverty alleviation programme. The main targets of the Expanded Public Works Programme are job creation for the poorest of the poor, who are mainly in the rural areas, single and female-headed households, women, youth, people who have never worked before, households coping with HIV/Aids, people with disabilities, and people who have been unemployed for an extended period of time.

The Expanded Public Works Programme is expected to create at least a million work opportunities over the next five years. As part of poverty alleviation, this programme involves creating temporary work opportunities for the unemployed while ensuring

that workers gain skills and training on the job. In that way, their capacity to earn an income in the future will be increased and thus their dignity will be restored. Under the Accelerated and Shared Growth Initiative for South Africa, Asgisa, the EPWP is the one of the key drivers for the second economy intentions from the R370 billion infrastructure investments.

Under Asgisa, the EPWP will benefit immensely by using labour-intensive methods, and hopefully that will assist in curbing the Gini coefficient by bridging the gap between the haves and have-nots. This can be achieved through skills training opportunities which can enable the effective and efficient transformation of the disadvantaged and emerging contractors from the second to the first economy. These are some of the Expanded Public Works Programmes.

When coming to home-based and community-based care and early childhood development, ECD, let me say that these are some of the EPWPs under the social sector, which includes three departments, namely the Social Development, Health and Education departments. The social sector plan aims to create 231 000 work opportunities, with 124 000 in the home community-based care programme and 106 000 in the early childhood development arena. An amount of R42 billion has been allocated to the provinces to expand the ECD and home community-based care from 2006-07 to 2008-09 as part of the provincial equitable share.

Regarding the environmental sector, I want to say that these programmes involve the Departments of Environmental Affairs and Tourism; Arts and Culture; Agriculture; Water Affairs and Forestry; and Science and Technology. This sector brings together the powerful combination of building South Africa's natural and cultural heritage. Working with the communities in a particular way and utilising this heritage to create both medium and long-term jobs can result in social benefits.

These are some of the planned outputs over the next three years: the clearing of 200 000 hectares of alien vegetation; the rehabilitation of 40 wetlands; the cleaving of 7 000 km of coast and upgrading of facilities along the coastline; the rehabilitation of 100 000 hectares of land; the establishment of 32 waste management programmes; the support of 20 fire protection associations, and the establishment of 150 historical and community tourism projects.

I want to say concerning the extension of the Expanded Public Works Programme to the economic sector that this programme is linked to the National Skills Development Strategy and, through the new venture creation learnership, is expected to develop 10 000 small businesses by March 2010. The sector focuses on developing and supporting 3 000 emerging enterprises over the period of the 2004-05 to 2008-09 financial years. Each one of these businesses is expected to employ at least three persons.

These are some of the achievements of the EPWP. At least 459 000 jobs have been created under the EPWP as at 30 September 2006, which is ahead of the target of 425 000 opportunities that were to be created during this period. This shows clearly that the EPWP will surpass the target of one million work opportunities by 2009.

The Expanded Public Works Programme is also extended to the youth by generating opportunities for them to develop skills through the National Youth Service, which was established in 2005. The EPWP projects aligned to the National Youth Service include the maintenance of buildings. The main focus of this service in the first phase of the roll-out was unemployed young people. Furthermore, the roll-out focus is to align existing government programmes with the objectives of the National Youth Service. These programmes include the EPWP, Working for Water, learnerships, and the SA National Defence Force. The state-owned enterprises, SOEs, are also expected to

contribute to the EPWP and to join the party by allowing their maintenance and services to be done through EPWP.

Concerning some of the challenges or constraints, the EPWP is just a short-term intervention for temporary job creation. Most of its interventions are more focused on poverty alleviation and slower development, rather than long-term economic development and investments for a more sustainable future. The majority of the poorest women and youth are in the rural areas, where access to information sometimes becomes difficult as some rural municipalities lack the capacity for effective implementation of infrastructure programmes.

Regarding some of the achievements, as the portfolio committee, we are encouraged to learn that a technical support programme to assist municipalities to implement EPWP initiatives in the infrastructure sector will be rolled out together with the Business Trust Expanded Public Works Support Programme. A total of 130 municipalities with the largest capital budgets will be targeted by this initiative.

Increased synergies between the Department of Public Works and its public entities are also encouraging. The Independent Development Trust, IDT, as one of these entities, had its mandate redefined by the Minister in November 2006 to facilitate the creation of sustainable livelihoods and cohesive communities in poverty pockets and underdeveloped areas by focusing on women as targeted beneficiaries as well as partnering women as participants in the development process.

As we all know, construction is a male-dominated industry and that is where most women-owned contracting firms are on the lowest ranks of the grading system, and they will not automatically migrate to the highest grades, the latter being an indicator of their moving from survivalist mode to being viable business enterprises. But, with the assistance of the IDT, this has become possible.

Poverty alleviation and the empowerment of women have always been on top of the agenda of the ANC-led government. As you all know, women as workers bear the greatest burden of superexploitation and poverty. At their workplaces, they are always striving for the best results under trying conditions of male-dominated professions and environments.

Emzini onomama akusoze kulalwe kungatyiwanga, ngoba uyakwazi ukwenza icebo. Nokuba sele kumnyama entla, ikati ngekhe ide ilale eziko xa ekho umama. Kungoko ke, Mphathiswa, isizwe sisitsho ngazwinye ukuba isizwe esikhululekileyo, saqeqesha oomama, sisizwe esinekamva eliqaqambileyo. *(Translation of isiXhosa paragraph follows.)*

[In a household where there is a woman you will never go to bed hungry because she knows how to make a plan. Even in difficult situations, we will never go to bed hungry if a mother is present. It is for this reason, Minister, that the nation unanimously says a liberated nation, that empowered women, is a nation with a bright future.]

Educate a man, and you have educated a person, but educate a woman and you have educated the whole nation.

It is pleasing to note that the IDT, with the support of the Council for Scientific and Industrial Research, has designed and will implement a contractor development programme, which will be piloted in two provinces. That is quite exciting.

It is true that the ANC knew the truth about women empowerment a long time ago and had this dream and vision when it said:

> The battle for democracy and liberation can only be won when women, mothers of the nation, half of the whole population, can take their rightful place as free and equal partners with men.

The ANC supports the budget. I thank you. [Time expired.] [Applause.]

Ms S RAJBALLY: Chairperson, for the 2006-07 financial year, it appears that the Department of Public Works should be commended for its performance in all portfolios.

In view of the budget for the department and the four programmes it shall be divided between, I turn my concern to the programme of administration.

The decrease in allocation to this programme has been substantiated by the once-off payment to expenditure on software and other intangible assets. It was reported in the 2006 annual report that only 10% of the work of the assets registered has been completed. The MF would like to know what progress has been made to date.

With reference to programme two—Provision of Land and Accommodation—we accept the expenditure growth of 16,6%, attributed to the cost of allocation for ports of entry, asset management projects, improving access to buildings by the disabled, and augmentation of the property management trading entity.

In view of the department's strategic plan for 2007-09, it was indicated that the asset register enhancement project was to improve data integrity of the asset register service delivery of the department and to facilitate property management in the 11 regions, and that it be initiated in 2005-2006.

The project is expected to be complete in 2007-08 at an estimated budget of R30 million. The MF expresses its concern in that if the asset register's enhancement and verification process remains incomplete, how is it then possible to proceed with disposal?

The third programme—the National Public Works Programme—captures the MF's interest the most. Transformation charters for both construction and property industries appear promising. These charters promise opportunities that would transform the sector by creating opportunities for the previously disadvantaged women and the physically challenged. The benefits these yield in terms of poverty alleviation, socio-economic growth, job creation and development, are numerous.

To further accommodate progress, an Expropriation Amendment Bill is eagerly awaited.

The Expanded Public Works Programme has surpassed its employment target across four sectors, with more than 30 100 work opportunities created. That certainly deserves applause! It is reported that an average of 52% of beneficiaries were women and 38% youth.

We would, however, have appreciated it if the substantial amount of these statistics had been awarded to the people with physical disabilities. We would like to know how the department plans to give this more attention.

Concern is expressed regarding the sustainability of jobs and their quality. The MF enquires as to how the EPWP's sustainability of jobs will be re-evaluated and implemented. Does the department have the capacity to do this? The department has a vital role to play in government's assets in a number of departments and in poverty alleviation through job creation.

The MF believes that if the department finalises the Expropriation Amendment Bill . . . The MF supports the Budget Vote. [Time expired.] [Applause.]

Mr J P I BLANCHÉ: Chairperson, the hon Minister has painted a pretty picture of new construction plans for stadiums and embassies. Those are some of the things that the Deputy Minister has added to.

But I would like to say that South Africa won't work because of those constructions that are going to take place. We need to look at the present buildings and their maintenance if we want to make sure that South Africa is going to work properly.

We know, presently, that the backlog on maintenance is something like R12 billion—

increasing at the rate of R2 billion annually, as the Minister said last year. So, we need to address what is happening to our buildings and I would like to bring that to the attention of the House this afternoon.

Since I became a member of this committee, I have written several letters about the deteriorating properties countrywide. In order to curb the decay of the Cinderella Prison complex in Boksburg, I wrote a letter and said that there were 12 houses, offices, a recreation hall, a bowling green, a tennis court, a vegetable garden and everything else. I urged the Minister 10 years ago to donate that property to the Ekurhuleni Metropolitan Council. Last month, the metro council took possession of what could be described as the ruins of that facility, despite the fact that over a period of two years, this department paid a BEE security company R600 000 to guard the property against vandalism. There is nothing left there. They have taken the window frames, the doors, the floors, and everything—there is nothing left!

I wrote similar letters about the decay of Excelsior Court in Durban and Marievale Military Base in Nigel with its swimming pool, golf course and tennis courts. In Marievale, civilians and military personnel occupy the 30-odd houses. Some of the residents have lived there for seven years without paying one month's rent. I am told that the military personnel claim to be the rent collectors in that village from time to time. They kick down doors and threaten the civilians to move out so that they can occupy those houses. There is a golf course on the property, apparently maintained out of the Defence Force budget. It seems as if that is all that is kept in a good condition.

Let me turn to where the Cabinet intends to spend millions of rands to improve the security around their accommodation in Pretoria—Bryntirion, the village where Cabinet members live and play golf. Can the Minister tell us who in Cabinet insisted that a new wall be built around this village to improve the security? For close to a hundred years, the executive has lived in Bryntirion with the President's Guard protecting the property and the lives of those who live there. Now all of a sudden a new wall has to be built to protect the residents!

In the new ANC-governed South Africa, walls around suburbs and golf courses guarded by security companies have become a way of life, but with a difference. The taxpayers must fence their suburbs with their own earnings and the taxpayers must employ a security company with their own earnings. In Bryntirion, taxpayers pay for the cost of the Cabinet's security wall and the highly trained President's Guard. How many of these security walls and security guards at Ministers' and MECs' properties around the nation are in place and are still to be erected, and at what cost to the nation? Now that the Cabinet has admitted that crime is out of control, because they want a new, safer security wall around Bryntirion, will our Minister persuade the Cabinet to allow a tax rebate for civilians who build their own security walls and employ their own security companies?

In the case of Excelsior Court in Durban—a block of flats which are occupied by police families—I have passed on a petition wherein the surrounding residents complained about this eyesore in their suburb four years ago. The local estate agents have also sent in a petition and a local advocate has offered to purchase the property and upgrade it in order to improve the living conditions of the police and their families. To date, there is still no response from the Ministry or the department.

The Minister should take the matter up at Cabinet level to ensure that her colleagues accept their responsibility to attend to the maintenance of the nation's immovable assets. The monetary value of immovable assets runs into billions of rands. We expect Cabinet Ministers to manage them with

pride and not to allow them to deteriorate to a value below saleable value. This is exactly what has happened in Boksburg. The houses and buildings have been vandalised to such an extent that people have tried to take out the windows—steel window frames. When they couldn't take them out, they sawed them off and only took those parts that they could carry away and gave them to the scrap iron dealers. The floors have been burned out—there is nothing left.

This is not the only place. If you go into the detectives' offices in Boksburg, there are no ceilings in the passages and there are no gutters on the roofs. This is happening all around. I am not saying that it is this Minister. I am not saying that it is Public Works. But I am asking whether we can afford to let our properties decay and decay. Look at what happened to Koeberg. If we are going to have to spend additional money in the amounts of billions, then somebody needs to be taken to task. The DA and I will stand behind that Minister if she takes it up at Cabinet level to ensure that when the Minister takes charge of our properties, she manages them properly so that they don't fall into decay and we don't hear in five years' time that even the Metro Council of Ekurhuleni is now considering whether they should take this property which has been given to them—because it is in such a state that they cannot repair it. It will cost them so much to just remove the buildings that they dare not take the local taxpayers' money to make that choice. They have a difficult choice to make.

I want to propose, Madam Minister, what I have been proposing at the portfolio committee a couple of times. Maintenance should be done at local level. It should not be done out of Tshwane, Durban, Cape Town, or wherever. At the local government level, there should be a unit of people do bricklaying; and to be the plumbers or to get hold of plumbers in that area and in that region to maintain the buildings. So, we can then generate an economy at local government level. That's where we need to create sustainable jobs.

The Extended Public Works Programme, we all know, has not created those sustainable jobs. But we can if we want to do a good job of looking after provincial properties, local government properties and state properties—in any town. Then there will be three entities that can survive, and one plumber can at least look after them all. But, then we will need a clerk of works who will look after what will be happening in that local government. Then we will be able to skill people and make sure that they are going into skilled jobs that can last for some time. [Time expired.]

Mr B A RADEBE: Chairperson, hon Ministers and hon Members of Parliament, the ANC supports the Budget Vote on Public Works. The ANC supports this Budget Vote because it is in line with its goal of intensifying the struggle against poverty. This is evidenced by the average annual increase in the expenditure of the MTEF period of 14,7%.

The budget will increase from R3,1 billion to R 3,6 billion in the following financial year. This translates into an increase of about R500 million. This increase will stand the department and the Ministry in better stead to fight poverty and provide better services to client departments, and optimise economic growth and transformation of the construction and property industries.

One of the strategic objectives of the department is to strengthen its leadership in transforming the property and construction industries. The department is the largest property owner in the country. It owns 30 477 land parcels, which translate to 6,4 million hectares. Out of this, 1 080 land parcels are unutilised, which translates into 20 500 hectares of unused land.

This gives the department leverage to help in the land reform of the country. That is why

we have to congratulate the Ministry for making the 43 hectares of land available for land reform. This will help in reaching the target of transferring 30% of agricultural land by 2014. But Comrade Minister, we still say it is not enough, we can do better than that.

The Department of Public Works provides land and accommodation to national government departments and institutions. It manages such land and accommodation in its capacity as the custodian of national government's immovable assets. The department manages 102 000 buildings, which have a total floor space of 25 million square metres. This makes the department the largest property manager in the country. That is why the Ministries and the department have formulated a government-wide immovable asset management framework.

This framework, Mr Blanché, will help to address the problem you are speaking about because this framework aims to outline the objectives, principles, roles and responsibilities in the management of the life cycle of immovable assets in the national and provincial spheres of government. The objectives of the government-wide immovable asset management framework include the following:

The first objective of the government-wide immovable asset management framework is to provide a uniform immovable asset management framework and to promote accountability and transparency concerning those precincts we are speaking about. The previous departments who were occupying them were irresponsible because they dumped them without informing the department. That is why this policy will address exactly that. That is why we must believe in the ANC government, because it provides solutions.

The second objective of the government-wide immovable asset management framework is to ensure effective immovable asset management within the departments.

The third objective is to ensure alignment of the use of immovable assets with the service delivery objectives of the departments to ensure the efficient utilisation of such assets.

The fourth objective of the government-wide immovable asset management framework is to ensure the submission of better quality information regarding immovable assets-related needs into the budgetary process, which will in turn result in improved budgeting for capital works, maintenance and operations costs.

So, the ANC has once again provided solutions for that.

All the national and provincial departments will be required to compile asset management plans, either as custodians or users.

This framework will ensure that there is transparency and realisation of the government's socioeconomic, functional and political objectives. From the custodian asset management plans and user asset management plans, the redundant properties will be identified on time so that when the disposal takes place the government will be able to influence skewed ownership patterns in the land property industry.

For example, 2 000 unused properties on the asset register have been identified for disposal in the following financial year, and the departments must ensure that the government's socioeconomic objectives, including land reform, land economic empowerment, alleviation of poverty, job creation and redistribution of wealth, are realised with this disposal. So, there will no longer be any situation in which the assets will just be dumped. If they are in excess, a plan has to be made to distribute them, either to government departments or to individuals who can use those assets.

The Freedom Charter states that: "The people shall share in the country's wealth."

The implementation of the government-wide immovable asset management frame-

work will demand that a large number of people must be trained in asset management. The department can help in the creation of the pool of asset managers. The department has the largest lease portfolio in the country. It manages 4 101 leases at a cost of R1,3 billion per annum. The landlords who are leasing properties to the government are the large financial and property institutions whose history shows that they were supported by the previous government to attain the status they have. This obligates the department and the Ministry to hold a property Indaba so that we can collectively put our heads together on how we are going to bring the historically disadvantaged individuals and enterprises into the property industry.

The January 8 statement of the ANC made a clarion call to all South Africans for a united front against poverty. People who do not own property will continue to be condemned on poverty levels. The Minister and the department must come up with a mechanism to ensure that the lease portfolio of 1,3 billion is shared amongst all racial groups of South Africa, and not the paltry 15% which is shared amongst the historically disadvantaged individuals at this point.

The condition survey undertaken by the department reveals that 35,6% of government buildings are in a fair state; 22,7% of the government buildings are in a poor state and 11,5% of government buildings are in a very poor state. This means that about 34,2% of the government buildings need urgent maintenance.

It is pleasing to see that the department has developed a national infrastructure maintenance strategy, which is a co-ordinated programme of actions that is an essential part of government's vision of delivering infrastructure services to all.

The strategy has four thrusts, that of strengthening the regulatory framework governing planning and budgeting for infrastructure maintenance; assisting institutions with non-financial resources; developing the maintenance industry; and strengthening, monitoring, evaluating and reporting and aligning this with the process of continuous improvement.

Since there is a maintenance backlog of more than 10 billion in the public sector alone, the maintenance of government buildings can create more than 500 000 sustainable jobs if it is done consistently. So, the ANC has again come up with a solution and not a complaint.

The President of the Republic said that South Africa would host the best soccer world cup ever. There were sceptics who thought that this was impossible, but if you look at what is being done in terms of our costs of entry, it is phenomenal.

The National Treasury has allocated a budget of R910 million to integrate, co-ordinate, plan and manage all physical infrastructure and information and communication technology development at the land, air, sea and rail ports of entry. This programme is managed by the Department of Public Works on behalf of the other departments. The funds are intended for capital works acquisition and maintenance of projects, and the expansion and renewal of the IT system at the ports of entry. The results of this programme were visible during the festive season last year. Whereas the border gate between Mozambique and South Africa were previously always crowded with long queues of people who were moving between the countries, this was a thing of the past because of the work which was done by this department. That is why we have to congratulate the department where it has done well,

The Native Land Act of 1913 led to the wide disposition of land of the indigenous people of South Africa by the Union of South Africa. The Act banished the African majority to 13% of the landmass of South Africa.

The right to deal in the property market by Africans was punishable. Those who wanted

to sell land to the Africans were fined up to a thousand pounds. This led to the Africans being foreigners in their own country. We appreciate the ANC-led government, which enshrined the right to hold property in the Bill of Rights.

Section 25 of the Constitution also obligates the state to make equitable redress to those people whose property rights were violated since 1913. Subsection 5 of the property clause gives the state the right to expropriate. This tool of expropriation must be used to ensure that there is equitable land redistribution in the country.

The Freedom Charter made a clarion call that the land shall be shared amongst those who work it. The ANC is pleased that during the financial year of 2007-08 the department will bring amendments to the Expropriation Act to Parliament so that it can be in line with the spirit of the Constitution of the country.

The amendments of the Expropriation Act will go a long way in fast-tracking the land reform so that the public interest in the Constitution can also cover the reform objective. The portfolio committee will be more than willing to deal with these amendments as quickly as possible.

The Freedom Charter says: "The doors of learning and culture shall be open." Again, higher education and technical training shall be open to all by means of state allowances and scholarships awarded on the basis of merit. This right to education is already being realised through the National Student Financial Aid Scheme.

The challenge is still the creation of skills in the building environment professions, for example, in architecture and civil engineering.

We are pleased that the budget of the Council for the Built Environment has been tripled so that it can focus on creating a stimulating environment for the profession. As indicated in the Jipsa programme, the country is running short of skills in the engineering field, and the department must engage higher education institutions to produce more engineers so that we will be able to meet the challenges of creating infrastructure.

Next week we will be commemorating the 28th anniversary of the hanging of Solomon Mahlangu. Comrade Mahlangu was one of the older generations of the youth who paid the ultimate price for us to be free. So, it is not correct that we have skills shortages when there are thousands of youths who are unemployed.

We call upon this department to leave no stone unturned to ensure that the historically disadvantaged youth is affirmed through training and the preferential procurement policy so that the sacrifices of comrades like Solomon Mahlangu must not be in vain, because this freedom was not free. Thank you, Comrade Chairperson.

The HOUSE CHAIRPERSON (Ms C-S Botha): Before I ask the hon Minister to reply, I want to explain to everybody who may be wondering that the four Ministers have stretched their time to 10 minutes. It is by agreement of the Whips.

The MINISTER OF PUBLIC WORKS: Madam Chairperson and hon members. I thank the Whips as I am sure they realise that this is my maiden speech in the National Assembly as the Minister of Public Works. [Applause.] I thank them for their generosity, and I am sure that they did so because they wanted me to respond to the issues that have been raised.

Firstly, I would like to thank members for their participation in this debate and I thank them for raising critical issues that the department has to undertake in this current financial year and also sensitising us about some of the challenges that still remain ahead.

What was also encouraging was not just the

raising of problems, but also proposals of what can be done. I would therefore not be able to respond to everything else within the 10 minutes, but because we have an opportunity to continue to engage with the portfolio committee, some of the issues may be dealt with in that forum.

It might be important to respond to some of the issues of concern that were raised by members, particularly on the upscaling of the Expanded Public Works Programme and the nature of the programme that might need review as it was raised by . . .

. . . ubaba uMfu Zondi. Bengifuna ukukuthopha, manje wasuke wangihambela phambili. [. . . the hon Rev Zondi. I wanted to speak praisefully of him but he surprised me by doing the same.]

And I was happy that he did so because clearly he has in the past been one of the political heads as a Deputy Minister in this department. I would like to say that the conceptualisation of the Expanded Public Works Programme was not in any way undermining what was the Community-based Public Works Programme.

The elements of that Community-based Public Works Programme are still central to the Expanded Public Works Programme. However, we acknowledge that by their very nature, public works programmes do not always offer sustainable jobs. That doesn't mean they don't.

There are many instances where some of the people who entered the Expanded Public Works Programme or even the Community-based Public Works Programme have remained employed within the construction industry in particular.

If one were to take into consideration the Vukuphile Learnership Programme which is the central element of the Expanded Public Works Programme, it has actually produced contractors, some of whom now have sustainable jobs through contracts at municipality level. But I agree with hon Zondi that indeed, as we come to the midterm of the programme, there is a need for review.

Our department is indeed undertaking that task. Within June, we will have an assessment of where we are, what the challenges faced by this programme are, and what we can do. But also to improve our management of information with regard to the Expanded Public Works Programme, we have been working with the Independent Development Trust to have the Beneficiary Information Management System, so that we can have a database of those who have gone through the programme, monitor them over time to see whether or not the skills that we have transferred have enabled them to become employable in the future and whether some of those people have been able to create their own businesses as a result of the skills that have been given.

If one takes the Zibambele Programme, particularly in KwaZulu-Natal on the rehabilitation of rural roads, it's one of the programmes which is a flagship of the Expanded Public Works Programme, where there has been sustainability of job creation, and not just job creation, but also improving the lives of communities where they are.

In February I visited the Zibambele Project in Ongoye, KwaZulu-Natal. What were encouraging for me were the words of one old man who said: "I actually started this road through the use of my own vehicle before there was even a grading by the municipality. Today I am happy because from where the municipality started then, there has been continuous improvement managed by our own local citizens."

I think the power of the Expanded Public Works Programme, by its very nature, is that it leaves residents skilled among the communities where the programme has been handled. I think the Mankwane Road is such an example, where the very local villagers have built that infrastructure with their own hands. Where government has come in is through the support, as well as financial resources.

There is an issue that has been raised about how we can actually better finance this programme, taking into consideration that some of the infrastructure spending will be in other departments.

I would like to indicate that if you look at the Transport budget for this year, R3 billion out of that budget will go specifically to rural roads, which has to be done in an Expanded Public Works Programme.

To this end, we are setting up a national committee which will include our department, the provincial departments of transport and public works, as well as National Treasury, to co-ordinate and implement that programme using the R3 billion that has been appropriated to the Department of Transport for the coming three financial years in the MTEF period.

It is also important for me to indicate, as other members have raised it, the concern about implementation at municipal level. Baba, you were correct when you said that some municipalities are still struggling regarding the nature of this programme and where the resources come from, which is a worry, because if municipalities looked at the conditional grants of their Municipal Infrastructure Grants, they would see that the condition is that the grant must be spent through the use of the Expanded Public Works Programme.

I am happy that the chairperson of the provincial and local government committee was here, because it means that as far as the oversight of Parliament, and particularly that portfolio committee, is concerned, we must examine whether or not the municipalities have expended the MI grant in the manner that the condition prescribes them to do through the Expanded Public Works Programme.

It is true that municipalities need support. The department, through Deputy Director-General Bongani Gxulise and his team, whom I have seen in the public gallery, has actually written to a number of municipalities, and we have received a positive response, whereby we have committed ourselves to go and sit down with municipalities and assist them in terms of planning for the programme, the procurement and what needs to be done for them to undertake this programme.

We will also give technical support, working with the Business Trust to ensure that these municipalities can deliver this programme, as is required.

I am sure that, over time, the labour-based intensive methods of construction will stop being an add-on but will become mainstream in the way in which we do things. I would like to say that as part of the incentives to municipalities, this year we have launched the Expanded Public Works Excellence Awards, which will now become an annual event known as the Kamoso Awards, where we will want to showcase what can be done through the use of labour-based methods.

It is our view that those awards will act as an incentive to show people that the Expanded Public Works Programme, as well as the assets that have been created as a result of that programme, are not of low quality but of good quality.

Coming to the issue of maintenance, I am very happy, hon Blanché, that I went to the Cabinet even before you told me. By September last year, the department went to the Cabinet to get its approval on the National Infrastructure Maintenance Strategy, which is known as Nims. I am sure that when you hear the Deputy Director-General, Siphiwe, and others coming to you, they will be talking about Nims and the asset management plan, which is part of the strategy.

The way we have designed that strategy is that no government department, either at a provincial level or at municipal level, or even our entities, will excuse itself for not putting an infrastructure maintenance bud-

get in its budget of the existing infrastructure, and even the new infrastructure, to be created.

Hon Blanché and members, I am happy that you have raised the issue, because if the truth be told, why are we where we are today in terms of the conditions of our infrastructure? It is not a problem of 10 or 12 years. I think it's a problem of many years' standing. I also think that as far as the bridge between the new and the old is concerned in terms of administration, meaning the old government and the new one, all of us equally forgot this important element.

So, we cannot shift the blame to the new government or the old one. I think what is important is that we should acknowledge that we have a problem, and in acknowledging that, what are we doing about it?

I think that what we did last year by working with the Treasury and the CIDB was to say that we have a problem and if we don't intervene in time, we will have crisis as a country. So, part of the strategy is to respond to precisely those issues that you have raised. Thank you. [Applause.]

Debate concluded.

The Committee rose at 17:43.

PROCEEDINGS OF THE EXTENDED PUBLIC COMMITTEE—COMMITTEE ROOM E249

Members of the Extended Public Committee met in Committee Room E249 at 15:08.

The Deputy Speaker, as Chairperson, took the Chair.

APPROPRIATION BILL

Debate on Vote No 17—Social Development:

The MINISTER OF SOCIAL DEVELOPMENT: Madam Deputy Speaker, hon Deputy Minister, MECs for Social Development, hon Members of Parliament, distinguished guests, representatives of civil society in the public gallery, ladies and gentlemen, a year ago today I stood before the House to deliver Budget Vote No 18 in what was characterised as an "Age of Hope".

In this year's state of the nation address, we are encouraged to guide the nation towards the greater good and towards the renewal of pledges and affinity that affirm our human dignity. Actions towards the greater good and solidarity are central to the debate and the vision of the department, which endeavours to contribute to the fostering of a caring society.

This year's Budget Vote No 17 therefore continues to build on the renewal of pledges with our people and national partnerships necessary to build a better life for all. As this government is halfway through its term of office, it is imperative that we mobilise partnerships within and across all sectors of society in order to continue implementing the 2004 mandate of the electorate.

The postapartheid democratic South Africa continues to make great strides in improving the quality of the life of all its citizens. The government strives towards the realisation of the country's vision as set out in the Constitution.

Since the advent of the democratic government, the South African economy shifted from a trend of declining growth rates in the last decade of the apartheid era to current levels of 4,9% growth in GDP. Government's investment in its people, including social spending, has grown significantly over the years.

Notwithstanding all these positive developments and progress towards improving the quality of the lives of South Africans, much still remains to be done. The impressive economic growth rates alone have not proved sufficient to eradicate the extent of poverty in our society. A large part of the poor and unemployed still remain outside the safety net. Poverty continues to persist at levels that are of great and immediate concern.

This Budget Vote affirms the programme activities set out in our strategic plan geared at meeting the expectations of those of our people who continue to live in abject poverty. Over the MTEF, government has set aside a total additional allocation of R683 million to meet these expectations through social grants transfers, integrated development programmes, comprehensive social protection and developmental welfare services. The total budget grows at an average rate of 8,3% per annum. The department's budget, excluding transfers to Sassa and the NDA, grows at an average rate of 27,5% per annum.

As a key element in government's overall objectives to eradicate poverty, to promote social inclusion and build social cohesion, the Department of Social Development continues to build and strengthen its strategic

interventions in social welfare services, community development, and comprehensive social security.

The social development sector is faced with enormous social changes and challenges resulting from systemic poverty, unemployment, inequality and other social ills associated with such phenomena. Our ability to deal effectively with these social ills is made difficult by the fact that community development and welfare services are, by their nature, labour intensive.

This is so in the face of significant shortages in the supply of social service professionals required to deliver these services. High workloads and inadequate working conditions of social workers, for example, lead to burnout and poor quality of services. Effectively, insufficient numbers of social workers impose a limitation on our ability to meet service delivery demands and, consequently, impact negatively on the ability to fulfil our statutory obligations.

Thus, Madam Speaker, the expansion of developmental welfare services requires a dedicated focus on human capital development. The need to significantly increase the numbers of social workers, social auxiliary workers and community development practitioners has become very crucial. The need to capacitate these categories of workers in order to enhance the quality of the services they render cannot be overemphasised.

In addition to these efforts, we have approved and are implementing the recruitment and retention strategy for social workers aimed at addressing the terms and working conditions of this professional category of workers in order to stem the tide of skills flight and the exodus from the profession and the country. The strategy will be regularly updated, and extended to include other categories of social services professionals.

I note with concern that some universities, such as Wits, are considering closing down their schools of social work at a time when there is a great need for such professionals. It is worth noting that many of these social work schools were established at a time when the past government of apartheid was concerned with providing social work services for poor whites. The new government now has to meet the needs of the entire population and invariably needs the support of all academic institutions to train social workers.

In this regard, the department will, over the Medium-Term Expenditure Framework, allocate R365 million to train new social workers and use additional resources to develop the capacity and skill of social workers already within the system. This will be done through the provision of scholarships and training opportunities throughout the MTEF period. The success of these interventions will largely depend on meaningful integration amongst all spheres of government, including tertiary and private sector-based institutions, including NGOs.

During the 2007-08 financial year, the department will allocate resources to improve social welfare service delivery by implementing the Older Persons Act of 2004, the Children's Act of 2005 and the Child Justice Bill. We will also work with both Houses of Parliament to finalise the procession of the Children's Amendment Bill. These pieces of legislation require the state to progressively extend services to older persons, improve the protection of children and set up systems for the management and care of children in conflict with the law.

Extra capacity for developmental social welfare services will be created to promote social integration and the protection of individuals, families and communities so that they can function optimally within society. Such extra capacity will also assist in the implementation of social crime prevention measures in order to create a conducive environment to address the challenges of management of children in conflict with the law.

In terms of contributing to government-wide social development initiatives, our responsibility in the social sector cluster, as part of the Expanded Public Works Programme, includes expanding access to early childhood development and home and community-based care, and the development of social partnerships with NGOs and faith-based organisations.

We will intensify our focus on early childhood development as part of a broader government initiative to expand the reach of our services. In addition, our overall involvement in the Expanded Public Works Programme will contribute to skills development and the creation of work opportunities. These services will be supported by social grants to children. The department's initiative will have as its theme, "Tackling child poverty through Early Childhood Development and Social Grants". Intensifying our efforts in these areas will lead to long-term benefits and improvements in the lives of future generations of South Africans.

The department will strengthen its efforts to contribute measures to combat HIV and Aids. Our programme will include a prevention programme and provide care and support services to people affected by HIV and Aids.

We have just completed a database of maternal orphans up to the age of 13. This will go a long way in assisting the department and its implementation partners to ensure that these children receive proper care. This service will be undertaken and implemented in partnership with nongovernmental organisations, including community-based organisations and faith-based organisations.

The Deputy Minister will elaborate further on our interventions pertaining to welfare services, particularly on the treatment and management of substance abuse and other programmes geared at supporting the most vulnerable members of our communities, especially women, people with disabilities and the aged.

The department strives to build and promote sustainable livelihoods within communities. Improving the livelihoods of people means ensuring that individuals and families have access to assets, income and basic services. This approach will necessitate partnership with other government departments, especially local government and civil-society organisations.

As part of the broader community development mandate, the National Development Agency contributes towards economic growth and poverty eradication. This is done by promoting social entrepreneurship in targeted communities. It mobilises communities, community-based organisations, non-governmental organisations, faith-based organisations and traditional leadership about the importance of leveraging opportunities created by government and other role-players.

During the 2007-08 financial year, the National Development Agency will receive a transfer of R129 million to its budget as a contribution towards the fulfilment of its mandate.

In response to poverty, inequality and destitution, government has focused its efforts on expanding the social assistance safety net over the past decade. The number of beneficiaries of social assistance has increased from about 3,5 million in 1999 to 12 million today. Over eight million children now have access to social assistance. This includes 7,8 million children benefiting from the child support grant, close to 395 000 benefiting from the foster care grant, and over 95 000 benefiting from the care dependency grant. More than 2,1 million elderly people receive the old age grant and 1,4 million receive the disability grant.

Expenditure on social security increased from R36,9 billion in the year 2003-04. That's an increase of 2,9% of the gross domestic product to a projected R73 billion in 2009-10, constituting 3,1% of the GDP.

Growth in the disability grant has tapered off to ensure its ongoing sustainability. In a related development, we will soon present the policy options to Cabinet, for people with chronic disease, to address this gap. Our new disability assessment tool was piloted recently with a view to standardising disability assessments. This tool will ensure uniformity in the assessment of disability, thereby contributing to more efficient management of disability benefits.

Last year, we completed a study on incentive structures in the social assistance programme. The preliminary outcomes of the study dispel assertions that our social assistance programme encourages teenage pregnancies, that children are fostered for the purpose of accessing grants, and that people with disability harm themselves in order to continue accessing social grants.

We should now focus on the benefits of social assistance and comprehensive social security programmes for the long-term growth and stability of our society. Over the past 10 years we, as government, have recognised the need for a comprehensive approach to poverty reduction, especially for our children. Last year, Cabinet discussed and agreed to improve the efficiency of social grants for children, and to link grants with access to basic service such as education and health.

This strategy will bring together the social-sector cluster departments of Education, Health and Social Development. For a start, in the medium term, it will further be consolidated to include housing and access to free basic services. These services require strategic partnership at all levels.

My department, the SA Social Security Agency and the United Nations Children's Fund, Unicef, have finalised a working agreement that spells out plans to work together to assess the efficiency and effectiveness of the child support grant and to link social grants with access to education, health and other services. This agreement will result in significant donor funding to ensure that we improve access to early childhood development and education by children.

During the course of the year, we initiated a standardisation of the provision of social relief of stress. These benefits provide welcome relief to those who suffer sudden loss or hardships.

In our ongoing endeavour to enhance social cohesion, social solidarity, wellbeing, equality and rights we will make real the following in the forthcoming year. The value of all social grants will increase above the level of inflation. The old age grant, disability and care dependency grants will increase by R50 to a value of R870; the foster care grant will increase to R620, and the child support grant to R200.

During the past year, we assessed the gaps in the comprehensive social security system. These gaps revealed a need for an expansion of social security provision. Going forward, we will continue to consolidate our programme of social assistance. We will, therefore, make every effort to register for the child support grant an estimated 750 000 eligible children believed to be still outside the system. In addition, Cabinet has approved that we investigate the desirability of in-cash and in-kind measures to support vulnerable children over the age of 14.

Last year, in this House, I made several commitments to working towards a comprehensive social security system. These commitments are in line with the decision made at the Mafikeng and Stellenbosch conferences of the ANC in the past 10 years.

These measures encompass dealing with outstanding issues of social health insurance, expansion of the quality and reach of unemployment benefits, reform of the Road Accident Fund provisions and a significant broadening of coverage of compensation for occupational injuries and diseases. We will work to ensure that these social insurance

matters are addressed and a comprehensive system of social security is in place by 2010.

To achieve the reform measures, Cabinet has approved the establishment of an Inter-Ministerial Committee on the reform of social security. The Department of Social Development will strive to provide expertise on the social policy aspects of social security reforms.

As part of our work related to a review of retirement provision, completed by the end of 2006, the review brought to the fore that over 6 million employed South Africans do not contribute towards retirement savings and will, over time, become dependent on the state-provided old-age pension. For those who do qualify, the quality of benefits accrued proves to be insufficient. There is a need to review the generous subsidies provided to middle and high-income groups, and investigate a more fair and equitable regime. The administration costs of retirement savings in South Africa are the highest in the world.

The recommendations we have made, which have been incorporated into the government's agenda, relate to the need to remove the means test for the old age pension, and the introduction of a mandatory system of retirement and portability of retirement benefits. The benefit design must truly reflect a system of solidarity, which is the South African cultural thrust in the spirit of ubuntu. In addition, there is a need to set up a government-sponsored retirement fund that will ensure integration of the delivery of all social security benefits. To this end, in pursuance of a standing decision of Cabinet, the SA Social Security Agency will be restructured accordingly to ensure appropriate governance and capacity to deliver social insurance benefits.

The social insurance reforms, which include the retirement system, will be the most significant social policy change since 2004. We will ensure that we engage with members of the Tripartite Alliance, the religious community, NGOs and community-based organisations and all South Africans in this important endeavour.

I am glad to announce that the agency establishment process is proceeding in accordance with our plan, as contemplated in the Social Cluster Programme of Action. The agency has taken over full responsibility and accountability of the administration and payment of social grants within all nine provinces. The current administration system for the payment of social assistance grants has been reviewed by the agency and reforms are being implemented to, first of all, create the possibility for agents to pay grants to beneficiaries on any day of the month and anywhere in the Republic of South Africa; secondly, enable the agency to pay social grants to beneficiaries in conditions that fully uphold their dignity; thirdly; enable the agency to protect the confidentiality of the grant beneficiary data; and, lastly, eradicate the fraud in the payment of the social grants that the agency has identified and assist the partnership between the State Information Technology Agency, Sita, the SA Police Service, the SAPS, the Special Investigating Unit, the SIU, and the Scorpions in arresting criminals and stamping out fraud in the system.

Furthermore, the agency is considering a new proposed strategy on payment services that considers the Cabinet decision of making the Post Office, through its Post Bank, the appropriate payment service mechanism for social grants. During 2006 the agency piloted a new management information system in the Eastern Cape, Free State, Northern Cape and Western Cape, which demonstrated beyond any reasonable doubt . . . [Interjections.]

The DEPUTY SPEAKER: Order! Hon Minister, your time has expired, but what I need to do now is to allow you to go on. We will deduct whatever extra time you take from the time that you are allocated for responding. Please, proceed.

The MINISTER OF SOCIAL DEVELOPMENT: ... a reduction in litigation by potential beneficiaries and reduction in the turnaround time for the processing of applications for social assistance from 90 days to one to three days in most instances, with applicants being issued with a letter within a few hours indicating the outcome of their application. The further roll-out of the system in all regions will take place during the 2007-08 financial year.

The review of the grants payment information system has been finalised and the following solutions are considered: The further enhancement of the social grants payment information system and the implementation of an integrated fraud prevention and risk management system. This is expected to commence during 2007.

The agency has procured 90 fully equipped mobile offices with appropriate technology to render services in remote rural areas, so as to bring services closer to the beneficiaries. The transfers to the SASSA for both administration and grant transfers will be R66,6 billion in 2007-08, growing to R78 billion in the year 2009-10.

Since the bulk of our services are implemented through our partnership model, there is a need for an effective monitoring and evaluation system. This will support service delivery at the implementation level and ensure effective oversight over the implementing agencies, including provinces and NGOs.

The department will, in the following year, initiate processes towards establishing an integrated information system on welfare services in order to support service delivery. This will ensure proper environmental and situational analyses that inform policy development and review.

As part and parcel of strengthening our interventions and making sure that our policies are effective, efficient and meet the department's objectives, we have adopted the evidence-based policy-making paradigm. As part of our efforts to improve the quality and rigour of our research and policy development, we have established partnerships and collaborations with universities both at home and abroad, including: KwaZulu-Natal, Fort Hare, Venda, Pretoria, Stellenbosch and Oxford.

International developments in the area of research, policy-making and policy implementation have highlighted the value and relevance of bringing in research evidence in the policy-making and implementation situation. We have established a programme to drive this effort in the department.

We have taken steps to share the advantages of this evidence-based social policy in the Southern African region. A draft SADC Regional Social Policy endorsed by 11 Ministers of social development is currently being further strengthened and will be tabled at the labour and social affairs commissions of the AU in Addis Ababa in April.

I conclude Budget Vote 14 by emphasising that the Department of Social Development will seek to put children at the centre of service delivery. I am disturbed by the rate of child abuse, neglect and exploitation in the country. My heartfelt sympathy goes out to all mothers and parents who have recently lost their children to horrendous acts of violence.

The department will contribute to efforts to mobilise communities to take a firm stand against violence and other crimes against children. While the justice system must deal with perpetrators, individuals, families and communities have to be able to protect their children. This includes the provision of safe houses for children in need of care and protection. The long-term prosperity of our democracy is dependent on the investment we make now in our people, especially our children and those that care for them. The basket of services, incentives and initiatives in this Budget Vote seeks to facilitate such investments.

Let me conclude by extending my heartfelt appreciation to our Deputy Minister, Dr Jean Benjamin, members of the portfolio committee, members of the executive committee for social development, the director-general, the chief executive officers of the public entities, and all staff in the department and agencies for their hard work and support. I thank you. [Applause.]

Mrs T J TSHIVHASE: Hon Chairperson, hon Minister Dr Zola Skweyiya, hon Deputy Minister Jean Benjamin, Director-General Mr Vusi Madonsela, distinguished guests, hon Members of Parliament, the Department of Social Development continues to give effect to its constitutional mandate and provide leadership in the development of social policy and related antipoverty strategies.

The policies and legislation formulated by the department aim to contribute to the eradication of poverty through an integrated social development package that includes social assistance grants in the form of integrated cash transfers and developmental welfare services, delivered mainly through provincial departments.

President Thabo Mbeki, in his state of the nation address, laid down a challenge to us to provide growth for the small and medium business sector and to implement detailed programmes as part of our response to fighting poverty and underdevelopment among people, such as rural people. Our commitment, therefore, is to intensify the struggle against poverty as we advance in unity towards 2010.

The Department of Social Development aims to ensure the provision of comprehensive, integrated, sustainable and quality social development services. It also aims to create an enabling environment for sustainable development against vulnerability and poverty.

The budget of the department is set within the premise of addressing the challenges facing the country, such as poverty, unemployment, inequality and the absence of essential services. In addition, the budget is set within the context that the development of welfare services is labour-intensive. Thus it requires skilled social workers and community development practitioners, which is a major challenge for the department.

Therefore the central priority of the department is to develop policies and programmes that aim to address the aforementioned socioeconomic needs of the rural poor, the vulnerable and marginalised groups.

Mulangadzulo, musi ri tshi itela vhusiwana khaedu yo livhanaho na u tupula na u ṱusa tshoṱhe vhusiwana, muvhuso wo rangwaho phanḓa nga ANC u ḓo isa phanḓa na u sedzesa kha u fhelisa nḓala, u nea mavu, dzinnḓu, netshedzo ya maḓi o kunaho, mabunga, muḓagasi wa tshifhinga tshoṱhe, u fhelisa u sa kona u vhala na u ṅwala, u thusa pfunzo na u pfumbudzwa ha maimo a nṱha ha vhana vhashu, tsireledzo ya mupo, kwinisedzo ya magavhelo na u kwinifhadza mutakalo wa vhathu vha hashu vha mahayani. *(Translation of Tshivenḓa paragraph follows.)*

[Madam Speaker, as we are faced with the challenge of uprooting and eradicating poverty, the ANC-led government will continue to look for ways to eradicate hunger, to provide land, houses, clean water, sanitation and electricity all the time. It will also try to eradicate illiteracy, to improve education and to provide the best training for our children. It will continue to protect the environment and improve the grants and the health of our people in rural areas.]

The comprehensive social security programme ensures and co-ordinates the development of policies, and legislates for a comprehensive system of social security. These include the development of norms and standards, and assessing the socioeconomic and physical impact of social security programmes.

This programme is also responsible for providing social assistance and has been key to the development of contributory social security, in line with the microeconomic goals and development objectives. The programme develops and monitors policies for provision of social assistance to children and families, people with disabilities and older persons.

Ndi zwavhukuma ANC i ḓi hudza nga u shumisa tshelede nnzhi ḵha magavhelo nṱhani ha zwiṱhavhane. Tsumbo; u bva ngaḽa 1 Lambamai 2007 nyengedzedzo dzi tevhelaho dzi ḓo vha dzi tshi khou netshedzwa: Mundende wa vhaaluwa u bva kha R820 u ḓo vha u R870 nga ṅwedzi, wa vhana u bva ḵha R190 u ya kha R200 nga ṅwedzi, wa vhaholefhali u bva kha R820 u ya kha R870 nga ṅwedzi, Forster Care Grant u bva kha R590 u ya kha R620 nga ṅwedzi. Ya vhaunḓi u bva kha R820 u ya kha R870 nga ṅwedzi. *(Translation of Tshivenḓa paragraph follows.)*

[It is true that the ANC is proud of spending more money on grants than on ammunition. For example, from 1 April 2007 the following increments will be given: The old age pension will increase from R820 to R870 per month; the child support grant from R190 to R200 per month; the disability grant from R820 to R870 per month; the foster care grant from R590 to R620 per month; and the care dependency grant from R820 to R870 per month.]

The right social grant will be paid to the right person, at the right time at the right place—njalo! [always!] by the SASSA. [Applause.]

Comrade President Thabo Mbeki, in his state of the nation address, again said that none of the great social problems we have to solve is capable of great resolution outside the context of jobs and the alleviation and eradication of poverty.

The social challenges we face as a country we are bound to facing and solving head-on, confirming our commitment to solving transformation and giving a deeper meaning to the process of democratisation that we must all resolve to value.

Our social security challenges are a very essential concern, with the emphasis on innovation, bringing about new ways of driving policy change in our own circumstances as we search for resolutions.

Fulo ḽashu ḽa u lwa na vhushai mahayani ḽi konaḓzea ḟhedzi arali roṱhe ri tshi nga farisana kha u ḟhaṱa lushaka lu londanaho na u vhuisa maitele a uri "Ṅwana wanga ndi wau, wau ndi wanga", ri kaidze roṱhe.

Zwikambi na zwidzidzivhadzi zwi ri vhuleaho vhana zwi a fhu-n-gudzea. Musi ro ya mahayani, ri gudise dzi civic dzashu na zwiṅwe zwi structures uri vha hane u ḟhaṱiwa ha dzi-Tavern tsini na zwikolo kana dzikereke. Hezwo a zwi bvi kha muvhuso, zwi bva rine vhane ra dovha ra lila ngeno hu rine ro ḟhaṱaho madzhavhelo a dzimbava.

Kha ri ḟhedze vhushai nga u lwa na zwi no vhu vhanga. Ri tupule zwone, ndi hone vhana vhashu vha tshi ḓo kona u ḓikumedza kha pfunzo ḟhedzi i songo ṱanganaho na izwo zwithithisaho. Dzi programme nga vhuḓalo dzi ḓo ḓa na vhaambi-vhahulisei vha no ḓo tevhela. *(Translation of Tshivenḓa paragraphs follows.)*

[Our campaign for eradicating poverty in the rural areas can only be possible if we work together in building the nation that is responsive and bring back the idea that: "My child is your child, your child is my child", Let us show them the right way.

Alcohol and drugs, which destroy our children, are being reduced. When we go to rural areas, we should educate our civics and other structures that they should challenge the building of taverns near schools or churches. It is not the government, but we who are responsible for constructing hiding places for criminals and then complain about crime.

Let us eradicate poverty by combating its causes. Let us uproot these causes, then our children will dedicate themselves to educa-

tion only, without any disturbances. Detailed programmes will be presented by other honourable Members who will come after me.]

Programme 1: Administration provides policy and strategic direction by the Ministry and top management, and for overall management and support service to the department.

Programme 2 focuses on comprehensive social security. This programme ensures the development of norms and standards that facilitate financial and economic planning and monitor compliance with social assistance policy prescripts for the provision of a comprehensive system for social security. It also facilitates the payment of social assistance grants to households.

Programme 3 focuses on policy development and review, and on implementation support for welfare services. Programme 4 focuses on community development. Programme 5 focuses on strategy and governance. In conclusion:

Mulangadzulo, ndingedzo dzashu dza mutanganelano ndi phindulo ya khaedu kha matshilele a vhathu. Ndi dzone dzi itaho uri mugaganyagwama uyu dzi u engedzedze i ndila ya u livha kha tshanduko na pholisi yashu zwo livhana na nyimele yashu ri tshi khou toda thandululo. *(Translation of Tshivenda paragraph follows.)*

[Madam Speaker, our combined efforts are a response to the challenges that our people are faced with. They are the reason we have this increased Budget as a way to foster change in our policy in line with our conditions as we seek solutions.]

Working together with our partners in civil society, we will be able to meet the goals outlined in the state of the nation address. For this to succeed, we need more consultation and co-operation with society, especially NGOs and faith-based organisations that need to be better resourced. Let us strengthen these partnerships and toil together to build our societies. Therefore, the ANC supports this Budget Vote. "Ndi a livhuwa." [Thank you.] [Applause.]

Mr M WATERS: Chair, hon Minister, hon members and guests, the Minister of Finance stated no less than seven times during his Budget Speech that, and I quote: "Human life has equal worth" and "a human being is a human being, there is no lesser human being." To that we all say "Amen".

However, when scrutinising the budget of the Department of Social Development, one has to question whether human life does in fact have equal worth. Why is it that despite a surplus in the national budget this year, welfare services, particularly for children, are grossly lacking?

The department has admitted that the Child Care Act, which is supposed to provide the framework for welfare services for all children, is underfunded by 75%. What that means is that for every R4 this government is supposed to spend on welfare services for children, the government is only spending R1. The reality is that hundreds of thousands of abused, neglected, disabled and orphaned children in our country fall through the safety nets in the Child Care Act and are forced to care for themselves because this government simply fails to honour its statutory obligations towards our children.

To add insult to injury, not all the money allocated to welfare services was even spent in the 2005-06 financial year. While roughly R2,4 billion was allocated, a staggering R800 million was returned to the department. That is about 30% of the total budget. So, not only do we underfund welfare services to children by 75%, we fail to spend 30% of the money that we allocated, resulting in the Child Care Act being funded, in real terms, to the dismal tune of 17,5%.

A total of 59 500 crimes against children were reported in 2002 to 2003, rising to 86 000 in 2003 to 2004. We cannot, we simply cannot, accept any underfunding of

the services for our children. I ask you, members: Does this funding reflect the priorities of a government that claims that all human life has equal worth? The answer is no.

One positive aspect of the budget is the allocation of the R365 million over the MTEF period for a bursary scheme for social workers. However, the capacity of universities across the country to train more social workers needs attention as currently there are only 3 000 positions available at all the universities. The Minister alluded to that. We need more places available, not fewer. But the University of the Witwatersrand is no longer accepting students who want to become social workers.

If we are to reach the number of social workers, the costing report of the Children's Act suggests that we need decisive action. For example, why can't we use unused colleges to train thousands of social workers?

Child and youth care workers also need to be better integrated into the system. We need to use all available skills in our country to assist social workers who are, quite frankly, overworked and overwhelmed. The average caseload for social workers in our country is around 300 while in the United Kingdom it's 22.

The costing report of the Children's Act gave four different scenarios. The first two only cover some children in need with varying standards of service, while the last two cover all children, also with varying standards of service.

To give hon members an idea of the costs involved, implementing the lowest level of service on 1 April—that's Sunday—this year would cost us R9,2 billion, escalating to R15 billion in 2010.

Implementing the best-case scenario, which provides good services to every vulnerable child that needs it, would cost us in this current year R61,7 billon, if we were to do it properly, escalating to R85 billion in 2010. What is more frightening is that 68%, or R57 billion of this scenario is directly due to the impact of HIV/Aids on our society—the price we pay for this government's disastrous response to the Aids pandemic.

The costing report also highlighted the chronic lack of social workers which the Minister has mentioned. If we were to implement the Children's Act properly, we would need by 2010, 66 329 social workers and 48 000 auxiliary social workers. We currently have 7,6% of that target. The reason we will need so many social workers is because next year alone 300 000 children will become maternal orphans in this country. That is a staggering 835 children per day becoming orphans.

Another product of children orphaned by Aids is child-headed households. The department has identified 41 child-headed households, which are receiving home-based community care. However, if one looks at the figures in the costing report, we currently have 1,6 million maternal orphans in our country. While we recognise that many orphaned children are being looked after by members of their extended families, thousands are simply not being looked after. It is quite obvious from the figures and the lack of children's homes in the country that we need more long-term measures that will create an enabling environment for orphaned children. I would like to support the Minister with his comments the other month when he asked whether as a country we could allow children to head households. Surely, they need parental guidance, and love and care.

As a country, what are we going to do about it and do we need more children's homes? I think the Minister was alluding to that as well, and this is something we also need to debate. This is the reality of Aids. We failed their parents and we dare not fail the orphans too, for if we did so, we would be creating another lost generation in our country.

If we choose to implement this Act on the

assumption that social services are for some children and not for others, we will be further entrenching inequalities that were created during apartheid. We will also be contravening the constitutional right of every single child to appropriate care, to social services and to protection from maltreatment, neglect, abuse and degradation.

Children deserve equal services no matter how rural, no matter how poor and no matter how black they are.

The SA Central Drug Authority has consistently been underfunded. We are therefore pleased with the increase in the CDA budget. However, the CDA as an institution needs to be strengthened. Currently, the chairperson of the CDA is part-time, he is also a diplomat, and he is often out of the country. This is not an ideal situation. Ideally, the CDA should be an independent authority headed by substance abuse experts with a budget allocated to it directly from Treasury and a full-time CEO with muscle.

A massive increase in substance abuse has received some media attention over the past year. However, whilst doing my research for this speech, I came across some alarming figures with regard to alcohol affecting children before they are even born. Research by the Foundation for Alcohol-Related Research into foetal alcohol syndrome in school-entry children in Wellington showed an increase from 48 affected children in every 1 000 children in 1997 to 88 per 1 000 in 2002. That is 8,8% of all children entering school in Wellington have foetal alcohol syndrome.

Recent research in De Aar shows more alarming figures of 100 affected children per 1 000. To put this into context, the closest reported incidence of foetal alcohol syndrome in the world to South Africa's figures—and I am not suggesting that every country in the world has actually conducted research into this—is in the United States where the figure is 0,8 children per 1 000.

The SA Social Security Agency—Sassa—has smoothly taken over the administration of all grants from provinces. During our oversight visit last year, I was impressed with the efficiency and professionalism of Sassa officials—many of them are here today. My only concern remains that officials were transferred from the provinces to Sassa without being vetted—and I think I raised this last year as well. This means that rotten apples could have been transferred into the new agency and thus contaminated the new system.

As the Constitution states that a child remains a child until 18, the DA renews its call on government to extend the child support grant from 14 to 18 years. Even the Minister of Finance in his recent Budget Speech stated, and I quote once more: "One of the clearest ways in which we are able to act against poverty is through our system of social grants." Why then does government drag its feet in extending this vital grant? If we truly believe that a human being is a human being ... [Time expired.] [Applause.]

Mrs S A SEATON: Chairperson, hon Minister, Members of Parliament, the IFP welcomes the fact that the total Social Development budget for 2007-08 amounts to R67 billion, which is R4,8 billion or 7% more than the 2006-07 financial year.

Our system of social development and social assistance to the poor is, to a large extent, dependent on available funding. Also, the fact that such a large percentage of our national resources is spent on services for the poor is laudable.

In this respect, it is then no surprise that the Social Development budget is dominated by spending on comprehensive social security, which amounts to R66,6 billion or almost 99% of the total budget. Cash transfers for social assistance grants remain the largest item of expenditure on the budget, with more than 11 million South Africans now receiving social assistance in the form of old age,

disability and child support grants. This figure is expected to grow to about 12 million by the end of March 2007.

The IFP, in particular, welcomes the fact that over the next three financial years, the department's budget expects to grow by another R4,9 billion to cater for the extension of the child support grant to children of 14 years of age.

If we were to look at the same comprehensive social security measures in more detail, it becomes clear that the budget provides for R22 billion for old age grants, R15 billion for disability grants, and R19 billion for child support grants. The latter grant has grown from just R7 million in 2003-04.

We certainly welcome government's commitment to increased social welfare spending, borne out by the fact that total social assistance spending increased from 2,9% of gross domestic product to 3,3% of gross domestic product in the past financial year. The main reason for this is the increase in the number of beneficiaries, with the figure almost doubling since 2003-04.

Of course, available funding is only part of the welfare equation, while delivery is paramount. The IFP therefore welcomes the fact that some of the biggest budget allocation increases for 2007-08 can be found in strengthening departmental capacity, overseeing and supporting key institutions, implementing the social assistance management information system by the SA Social Security Agency—Sassa—the creation of a departmental integrated management information system, and scholarships for social workers. These are all fundamental aspects that we hope will further improve delivery to poor South Africans.

Let me now turn to some vital policy and implementation issues. We certainly welcome increased funding for bursaries and increased pay for social workers. We have raised this issue consistently over the years, but by now we have to ask whether it isn't too little, too late.

The quality of welfare services provided depends absolutely on the quality and availability of experienced professionals. While we appreciate the additional R365 million allocation, we need to note the Deputy Minister's concern—which we share—that the implementation of the Children's Act alone will require an additional 16 000 social workers over the next three years.

According to recent reports, South African universities are only producing 500 new social workers per year at the moment and the target appears almost impossible.

The process of extending bursaries needs constant monitoring to ensure suitability of candidates and possibly an undertaking to serve a specific number of years in government service so that these newly qualified people are not lured into more profitable employment.

The IFP originally opposed the establishment of the SA Social Security Agency, but, since government ignored our concerns and went ahead anyhow, we now have to deal with the reality of its existence. We would, of course, insist on the closest oversight from the beginning of the full implementation of the Sassa service. We would also question how many of the previous service providers are still under contract to provide similar services to those provided before.

Considering the numerous problems experienced with service providers in the past under the old system, perhaps the Minister could enlighten us on this matter during his reply to this debate.

The IFP will support the comprehensive social security scheme that is on the cards. It is only reasonable that those who are employed should look towards providing for their own futures and thereby releasing funds for those who are truly destitute and need state support.

However, there are still many millions of people that on a daily basis fall between the cracks of the social assistance measures in

place. They are the ones that are truly in need of state support. Orphaned children, child-headed families in particular, as we have already heard, are still being short-changed, and it is here that we really need to rethink sustainable options to ensure that these children access schools, medical care and nutritious meals.

Research on the numbers of, especially, children affected in this way differs. For this reason, the IFP feels that we need to launch a dedicated programme to identify these households and the numbers of orphans, and to deal with them as a separate issue requiring special interventions. In this regard, church-based and other organs of civil society could be of immense assistance to the government and the community.

The IFP welcomes the strong actions of the authorities against grant fraud and that the Minister has initiated an ongoing process of weeding out fraudulent claims. In this way, more than 200 000 grants have either been cancelled or have lapsed because of noncollection.

It is encouraging to hear that already there are more than 10 000 cases in terms of prosecuting and civil-debt recovery. However, we need to ensure that the civil recovery process has a strong punitive element to discourage grant fraud.

The IFP welcomes the actions taken against public servants who were involved in grant fraud, and we understand that almost 6 000 have started paying back the millions they derived from their criminal actions.

At this point, about 2 000 civil servants are to face disciplinary action, and we hope that ongoing investigations into the others will be conducted swiftly so that they too may be charged if the facts support such action.

In conclusion, the IFP wants to reiterate its support for the increased funding allocated to Social Development this year, and will continue to support measures to properly deliver much-needed social services to millions of South Africans. Thank you, Chair. [Time expired.] [Applause.]

Mr J BICI: Madam Chair and hon members, the Budget Vote for Social Development totals over R67 billion, of which more than 80% is intended for comprehensive social security. This reflects the seriousness of the poverty challenge that faces our country. We must never lose sight of the fact that, irrespective of how large this Budget seems, millions of our fellow citizens live in poverty and dreadful need.

Two thirds of our children are living in poor households. When we remember this, we will not look at this budget as large or even sufficient. Just today, poverty researchers from the University of Cape Town are reported to have found—correctly, in our view—that current poverty alleviation programmes are not sustainable beyond the first generation. That means that today's poor children are bound to inherit poverty as adults. The children of democracy deserve better.

It is in this light that we have criticised the small annual increase in social grants that we have witnessed this year again, as well as the low age limit on the child support grant. These grants have not kept pace with the real cost of living for many years. What we have appealed for before are initiatives that speak directly to this problem of current policy, which only temporarily alleviates poverty but does not provide a long-term escape from poverty.

Indeed, there are many mechanisms that the government employs. What is required is an approach such as the one that has been successfully implemented in other countries like Mexico that would focus all poverty alleviation programmes as a package aimed at poor households.

This entails means testing and regular monitoring. It translates in practice into a system in terms of which the poverty assistance for each identified household is coupled with

monthly reporting to a social worker at a local primary health-care facility, where the children must also be presented and their school attendance and marks examined.

It is this sort of system that not only alleviates poverty but actually breaks the shackles of poverty for the next generation. This approach will require political will and a change in the attitude amongst some that poverty is a state that the poor choose and prefer. Nevertheless, the UDM supports the Budget Vote. Thank you. [Time expired.] [Applause.]

Ms F BATYI: Chairperson, the ID believes that the Ministry of Social Development has arguably the most critical role to play in ensuring that we live up to the social democratic ideals that are contained in our Constitution.

In many respects we have gone far over the past 13 years in providing a more substantial social security net, and credit must be given for that. Unfortunately, the persistent and widespread poverty of our people demands that we go even further.

The ID believes that we must extend the social security net in South Africa, as roughly 60% of those living in poverty in South Africa do not receive any form of social assistance from the state. It is not common to find entire families being forced to live off the old age pension of one family member. We cannot be satisfied with this, and we must find ways of providing immediate relief to people while they wait for this economy to start to provide enough jobs.

The ID is extremely concerned with the inadequate level of support given to our children. In the costing report of the Children's Bill last year, it was stated that current service delivery is not keeping pace with the demand for services. The underprovision of services in the 2006-07 period was estimated to be in the region of 79% to 97%. This is shocking.

Hon Minister, we have to find ways of addressing this. It is further stated that the reasons for this were lack of capacity to plan and manage service delivery, and lack of suitably qualified personnel to deliver the services. In particular, there are not enough social workers in the country. We have to give greater incentives to people to become social workers and we also need to consider innovative solutions, such as training people in communities to fulfil certain social work functions such as child and youth care.

The ID also believes that if the government is unable to spend its money on providing these services, it needs to channel it to those who can. There are numerous NGOs and society-based organisations providing security services which can increase their reach if they are simply given more funds.

The equitable share that is given to provinces to allocate to NGOs therefore needs to be substantially increased. The ID has consistently called for the child support grant to be extended to all children under the age of 18 in line with the Constitution's definition of children.

Poverty does not magically disappear at 14 and children's needs still need to be met. Extending the child support grant would reduce the poverty gap by 58% and ensure greater access to their constitutional rights such as education, nutrition and health care. The ID supports the Bill. I thank you. [Time expired.]

Mrs C DUDLEY: Madam Chair, hon Minister and Deputy Minister, the ACDP supports the proposed increase in the budget allocation and strategic plan. We again caution, however, that unless adequate funding is utilised to build the capacity of service providers, child protection will continue to be totally inadequate. As Joan van Niekerk of ChildLine has said, the reality is that "South Africa's child protection system has only a quarter of the resources it needs to function and is in a state of chaos."

The major issue is lack of funding for the

recovery process for abused children. Without resources there is a total lack of recovery from trauma. Abused children without this sort of intervention, especially boys, are vulnerable and tragically become perpetrators themselves. This, in turn, impacts on budgets far wider than just Social Development. Children are often targeted simply because they are the easiest targets and South African society is becoming more and more violent towards children as we experience greater and greater degrees of moral breakdown.

Those working with abused children point out that children are sexualised through sexual abuse and the more gentle the abuse the more thorough. Without psychosocial treatment, the result is irresponsible sexual and abusive behaviour. Again, this impacts on multiple budgets down the road including Health, Safety and Security, Justice, etc.

One suggestion regarding accessing finances to prevent abusive behaviour is that we begin by stopping the costly duplication of a sexual offences register as we see in Sexual Offences Bill. Another major concern is the failure to extend child support grants to the age of 18 years. This has had some bizarre repercussions: teen pregnancy, for example. Social workers are of the opinion that extending the grant to 18 would protect young women from these sorts of desperate irrational actions.

The ACDP agrees that the country's maintenance system is also important. If this was working properly, the grant budget would automatically be decreased and the extension of the grant could more easily be accommodated.

The expansion of developmental social services requires a dedicated focus on human capital development. An amount of R365 million has been allocated to train new social workers and develop the capacity and skills of social workers already within the system through the provision of scholarships and training opportunities.

The department awarded 190 scholarships to social work students in 2006-07. However, the social work system, they say, will need to employ at least 3 000 social workers a year to make a difference. So, attention must be given to easier access to bursaries, because on the ground and in our constituencies we are finding young people not being able to access these bursaries at the moment, even with our help.

On top of this, many professionals in the sector are not adequately trained, and improving this situation must be a priority. Thank you. [Time expired.]

Mr L P M NZIMANDE: Chairperson, hon Minister, hon Deputy Minister, hon members, ladies and gentlemen, as the ANC we are linked to our people. We did not promise our people service delivery that was based on cents, as the DA has spoken now of R1, R2, R4. Our service delivery to the people is based on recognising their worth. We are offering them mutual solidarity. We are banking on the power of the people to build sustainable livelihoods. We are banking on the power of the people to live together and amass the strength that they had before it was ravaged by the state that subjected them to welfarism.

We made a choice with our people that we would offer them a developmental state; a state that encourages the involvement of the people; a state that recognises that people have rights that will benefit from the service delivery that is based on knowing that human beings are human beings; that ubuntu is about taking care of people who are vulnerable and weak.

We are convinced that through this department we have now put in place a firm and concrete path to deliver services to the people, to fight poverty, to fight the scourges that are faced by a sector of the community that is vulnerable. That is what we said in our January 8 Statement, namely, that from now onwards we want to foster and consolidate our strength towards building the social

cohesion that will assist us to get everybody involved and empowered to deliver services and not to be dependent on the rands and cents that we cannot, at the tips of our fingers, just throw to the people and think that that is development.

For us, the ills that society is faced with are not only the sole responsibility of the state to deal with, but it must do so in partnership with the people; in partnership with the structures in society in creating and fostering these motive forces that will assist in resolving the problems of backwardness and underdevelopment of our people.

As the ANC we support this budget, not because we think it has enough rands and cents for the people, but because we believe that the officials in the department are providing the leadership. We have now finally put the department on a path of making and developing mechanisms that assist in making an impact on the people through strengthening the ability of institutions to deliver and through making sure that we set standards and regulate frameworks for our programmes to be efficient and effective.

We are seeing, through this budget, the growth that has never taken place before—the growth that is no less than 50% for the period of the MTEF to 2010.

Welfare services, with regard to substance abuse, are receiving attention and this work is going to be finalised in terms of norms and standards to ensure that efficient and effective delivery of services to the people is undertaken.

For us, it is not only the grants that we have effectively delivered to the people but also the benefits from the programmes under Programme 3 of Budget Vote 17, which focuses on the services and 11 other subprogrammes that have all received increments. The budget on substance abuse has increased, and work on the policy around disability will be finalised in this period. Those of us who will be monitoring the work and how effective we are, have seen improvements in the spending patterns of the department, which are beyond 90% of the budget. For us, that is the preoccupation in that the budget we have allocated as Parliament continues to be spent effectively and prudently to make sure that the commitments we have made through Parliament and through the executive are being met.

The Budget Vote we are deliberating on seeks to provide the government with a strategy for the retention of social workers and the entire workforce, which is necessary for service delivery to our people in the communities. With it, auxiliary social workers will be employed, and community development workers will be deployed to make sure that they become a cadre of development for our people.

With regard to the shortages of skills, there is a retention strategy for social workers and a development strategy for the recruitment of social workers through scholarships, as the Minister has highlighted. Through this Budget Vote, we are now going to be encouraging young people to take up social work as a profession. We are reviving the profession.

For us, as indicated earlier, it is not just a question of how many rands and cents we have thrown in there, but also a question of making sure that you take care of the staff, you revive the fire that you require for the people to deliver, and you make sure that there is a turnaround and a betterment of the lives of the people we are committed to. [Applause.]

My other colleague will talk on what this mass mobilisation of our people through community development is, which includes strengthening. Through this Budget Vote, we are also paying attention to the capacity of the NGOs to deliver, not just the NGOs that espouse Western standards of service provision, but the NGOs that take care of the needs of the community that built into the community those structures that kept us

going during the times of exclusion and discrimination. [Applause.]

Therefore, as we go forward with the department, we are sure that we are on a firm path, and as Parliament we are convinced that we have submitted a report and an annual budget report to Parliament in terms of which we are satisfied with the work the department has undertaken and is also going to undertake in the upcoming year, and that the budgets allocated for us will be able to meet somewhat the demands that are there, which our people made through the social contract we have undertaken with them. Thank you, Chairperson. [Applause.]

The DEPUTY MINISTER OF SOCIAL DEVELOPMENT: Hon Minister of Social Development, hon members, distinguished guests, members of the community present here today, ladies and gentlemen, as we enter the second half of our term of office, the major achievement of the department is the provision of social grants to almost 12 million of our people who are poor and vulnerable. These grants are now administered by the SA Social Security Agency, which is to be launched this coming weekend.

The President, in his state of the nation address, has called on us to renew our pledge to implement the programme of government to build a better life. Budget Vote No 17, in the 2007 financial year, aims to do this by implementing the other pillars of comprehensive social security and addressing the needs of those who continue to fall into the poverty trap, and it aims to strengthen services in order to improve social cohesion and eradicate poverty.

These developments are in keeping with ANC resolutions made in both the 1997 and 2002 conferences. Part of this is the development of a system of mandatory retirement savings to improve the quality of life of many elderly persons who retire from employment without medical and retirement cover.

Whenever our people ask what it is that the Department of Social Development does, the easiest explanation becomes: "It is the department of pensions and grants." However, the department's work includes social services to all vulnerable South Africans, including abandoned babies, orphans and vulnerable children, children in conflict with the law; support to victims of crime and violence; and support to persons with disabilities and elderly persons.

In addition to services to vulnerable persons, the department focuses on empowering, mobilising and developing the poor and marginalised. These include programmes which develop skills to enable sustainable livelihoods, build social cohesion through strengthening families and communities, and build a caring society.

The provision of developmental welfare services is, however, hampered by a shortage of social service professionals, some of whom were enticed by strong dollars and pounds, while others found the difficult working conditions and low salaries unbearable, and left the profession.

Whilst the allocation of grants positively affected the likelihood of recipients engaging in economic activity, the department, in conjunction with SA Social Security Agency, is looking into ways of linking grant recipients with economic activity and sustainable livelihoods, and integrating information systems to ensure that grant recipients also receive welfare and other basic services to remove them from the poverty trap.

The President called for the deepening of social transformation, social cohesion, the eradication of poverty, and a reduction in and the eradication of crime. Social grants must be supported by more effective social services if the social liabilities accumulated by those who have been disadvantaged by apartheid are to be addressed. Redressing the historical underfunding of developmental social services still remains the greatest challenge. The budget allocation of R25

million for integrated welfare services is a positive step in addressing this legacy.

The department's approach to social welfare services focuses on skills development and empowerment programmes. In order to give effect to this approach, our department, in collaboration with provincial departments of social development and with the support of the nonprofit organisations, has a broad range of programmes to deliver the basket of developmental social services. This requires, as many people have said, skilled and experienced professionals.

Moreover, this is what our partnerships in dealing with the effects of the poverty trap are all about. As a result, the strategy for recruitment and retention of social workers has been accelerated by the allocation of R50 million, this financial year, for scholarships for social work students to address the shortage of social work professionals needed to respond to the demand for service delivery and statutory obligations. Scholarships have already been awarded to 1 443 students and R105 million has been allocated for the 2008-09 financial year, while R210 million is allocated for the 2009-10 financial year.

The provincial departments will train social auxiliary workers to render support to social workers and relieve their workload. This category of workers provides paraprofessional services and receives on-the-job training through the learnership programme which is 30% theory and 70% practice. The capacity of social workers within the sector will be enhanced when supported by auxiliary social workers and community development practitioners.

Unfortunately, this labour of love and care has been given so much negative publicity. There are more than 11 000 hard-working and caring social workers in this country. Instead of acknowledging and praising the wonderful work that they do under difficult circumstances, one often only hears about bad conditions and the so-called brain drain. The good news is that the department has reached its targets for training, and I want to encourage students to visit the social work profession stalls at career fests held all over the country in order to learn about the merits of embarking on this caring profession.

The department works closely with the Council for Social Service Professions to create additional service professions such as child and youth care workers, auxiliary social workers, and community development workers.

In addressing the increasing levels of serious interpersonal violence, in particular domestic violence and the abuse of children, victim empowerment programmes provide integrated services to victims of crime and violence in order to strengthen families and communities for a better life for all. These services form part of the Department of Social Development's contribution to 365 days of activism against gender violence. Programmes and guidelines for children awaiting trial will be implemented through the roll-out of the department's secure-care centre management system to be completed by March 2008.

The Departments of Education, Health and Social Development drafted a national implementation plan, known as the Integrated Plan for Early Childhood Development, which was approved by Cabinet. This plan forms part of the Expanded Public Works Programme. The inclusion of early childhood development and home-based care services targeting children will improve their lives and deliver them from vulnerability, through the determination of minimum standards for service delivery in this field.

Other programmes under the Expanded Public Works Programme include youth development and skills development through the National Youth Service programmes. For those children who are older than 14 years of age and who fall outside the scope of the child support grant, the department is look-

ing into ways of providing support services to address their vulnerability.

The scourge of HIV and Aids, and other diseases, has left many children without parents. Together with our partners, the nongovernmental organisations, community-based organisations, faith-based organisations and the business sector, the department continues to make strides in improving the lives of orphans and vulnerable children to ensure that they have access to nutrition, social grants and are assisted by home-based carers.

Children should be protected and not hurt. Let me express my abhorrence for violent crimes of a sexual nature against children, which have dominated the front pages of newspapers. I cannot imagine the childhood experiences that could have caused the perpetrators to perform such cruel acts against the young victims, and my condolences go out to the families of these victims.

The Children's Amendment Bill provides for early intervention by organisations and state officials to ensure the safety of children. Such intervention will not be possible unless members of the public are vigilant and adopt the strategy that says "Your child is my child," and intervene wherever children may be in danger.

The strategy for foster care will be implemented by December 2007. The policy on child abuse, neglect and exploitation will be implemented and monitored by 75% of offices during the 2007-08 financial year. The regulations for the Children's Amendment Bill and programmes for children living and working on the streets will be in place by March 2008. All programmes for children are interlinked to ensure that the interests of the child come first and guide our service delivery in the protection and care of children.

Alcohol and substance abuse is on the increase, and the abuse of methamphetamine in the Western Cape has reached epidemic proportions. This toxic drug, to which children as young as eight years old have become addicted, has been raging in the Western Cape for more than five years. Addicted teenagers are engaging in risky sexual behaviour, increasing their vulnerability to HIV and Aids.

The recent murder of little Anastacia Wiese, which seems to have been drug-related, has caused tremendous agitation amongst the communities of Mitchells Plain. This incident has highlighted the role that needs to be played by members of the community in combating substance abuse. In partnership with government, vigilant members of the community can prevent such tragedies arising from the neglect and abuse of children.

It is my contention that a concerted, highly visible, protracted and integrated public awareness campaign must be initiated to inform our communities about the National Drug Master Plan. Provinces should intensify their efforts to provide early intervention services to divert our children, who may be at risk, to appropriate activities in the fields of arts and culture, sport, leadership camps, etc. To this end, R2,8 million has been budgeted for the Ke Moja campaign in the 2007-08 financial year, and we are gearing up to embark on a massive public education campaign. Two hundred service providers will be trained in substance abuse intervention and trends during this financial year.

The department held its first biennial substance abuse summit in February this year, which was very successful. The summit resolved, amongst other things, to strengthen Ke Moja as a national awareness programme together with other initiatives such as Sanca, LoveLife and Soul City; to strengthen the Central Drug Authority's support structures and consolidate the establishment of the local drug action committees; develop integrated intervention programmes for the prevention of substance abuse amongst children; and strengthen existing programmes.

All provinces are directed by the National Drug Master Plan to formulate plans to implement prevention, early intervention and treatment to reduce the scourge of alcohol and substance abuse. To facilitate this, the budget of the Central Drug Authority, which has the responsibility of overseeing the implementation of the National Drug Master Plan, has been increased substantially. Most provinces have launched substance abuse forums, and municipalities are establishing local drug action committees in which teachers, social workers, police, justice officials and members of the community will formulate plans to combat substance abuse in their areas.

The passing of the prevention of and treatment of substance abuse Bill, later this year, will make it incumbent on provinces to make prevention, early intervention services and treatment accessible. The Bill will also provide a framework to guide the implementation of the National Drug Master Plan to ensure that relevant departments comply with the provisions of the plan.

South Africa's two-year term as chairperson of the African Population Commission of the African Union ends later this year. During this term, we promoted the values and priorities that underpin our population policy. A definite highlight of our term was the recent Pan-African conference titled "Population and Development in Africa: Research and Policy Dialogue for Action", which we hosted in Mafikeng, in collaboration with local partners, the African Union, the United Nations Population Fund and Unesco's Management of Social Transformation Programme, of which Minister Skweyiya is the president. I thank you. [Time expired.] [Applause.]

Ms S RAJBALLY: Madam Chair, the department plays a vital role in the development and growth of our people and nation. The portfolio's impact on poverty alleviation and sustainable growth is immense—in view of the budget allocation to this department. I refer to Programme 2: Comprehensive social security, which received the bulk of the budget of R66,638 billion.

Focusing on the child care grants, disability grants and old age pensions, the MF is pleased with the progress made in extending the age of beneficiaries of the child care grant to 14. We would, however, appreciate this benefit to extend to the age of 18. At 14 years of age children still have requirements, and to secure their future and continued schooling, we seek the extension to 18 years. We applaud the increase made in the old age pension, but still find it too low for a livable income in terms of the cost of living.

Of greater concern are the fraudulent and corrupt beneficiaries that tap into the system, gaining access to grants. We hope that the department is doing something in terms of fishing out these culprits and minimising this risk. Enquiry is also extended as to the progress of the policy on retirement reform that was expected in June 2006.

The department further enhances the standard of living through Programme 3 that certainly may boost its people-oriented commitment to a better life and security.

Having a strong hand in the fight against HIV and Aids, we also see the department making way for more social workers. We are pleased at the 190 scholarships awarded to social work students in 2006-07. However, considering our shortage of 3 000 social workers, we want to know whether the department intends increasing the number of scholarships to address the shortage.

Concerns are also expressed as to the amount of probation officers trained over the past financial year and whether it will meet our needs in this regard. Overall, we are pleased with the allocations to the remaining programmes and have an expectation of the effective and efficient use of funds allocated to each portfolio.

The MF has great confidence in the department's commitment to securing social cohe-

sion, development, growth, poverty alleviation and opportunity. The MF supports Budget Vote 17. Thank you very much. [Applause.]

Mr B E PULE: Chairperson, the UCDP is imbued with great enthusiasm about Budget Vote 17, as presented to the House. The Budget shows real commitment on the part of government to fighting the poverty that has ravaged our societies.

It is encouraging to note that critical issues such as social security and welfare services have been given priority in terms of allocations. There are increases in old age pensions and child support grants, and there is the training of additional social workers with perks attached to that. All of this is welcome.

Year in and year out, departments complain of the lack of capacity and necessary skills to carry out their mandates. The Department of Social Development is, of course, no exception. It is of great concern to note that according to the Auditor-General's report of 2006-07, the amount of R63 million was underspent by this department, that is administration: R7,1 million; the grants system and service delivery assurance: R37 million; welfare services, transportation and children and families and youth development with R3,4 million and R3 million respectively. This underspending is prejudicial to the alleviation of poverty and cannot really be tolerated.

Large amounts of money are allocated to provinces and well-calculated strategic plans are presented but never implemented in terms of the planned budget. If the Auditor-General's report states that two of the poorest provinces spent only 48% and 44% of their grants, then the situation is unacceptable.

It is hoped that the newly established units to oversee policy co-ordination in order to provide strategic support to provinces and all institutions, including statutory boards and agencies, will improve service delivery. The UCDP supports the Budget Vote.

Mrs X C MAKASI: Chairperson, Minister, Deputy Ministers and distinguished guests ... siyanibulisa ngale minyaka, sibulisa kananjalo kwisebe elikhokelwa ngutata uMadonsela. Siyabulela tata. [Kwahlekwa.] [... during these times we would like to greet you and those from the department of Mr Madonsela. Thank you, Sir.] [Laughter.]]

Central to South Africa's democracy is the commitment to building a better life for all. Our government has, since 1994, placed social development high on its agenda. Today there is evidence that, as a result of our efforts in working together, this country has indeed become a better place for all.

As Members of Parliament, through our interaction with the people and women in particular, we are very conscious of the key challenges that we continue to face in improving the lives of our people. Most social indicators confirm that our people are firmly convinced that our country has entered its age of hope.

This debate complements our people's confidence in our government and the detailed action that will attempt to meet the expectations of those people in our society who continue to live in extreme poverty and are marginalised or face particular vulnerabilities.

It is appropriate that we remind ourselves that government's social development programmes are a response to the constitutional imperative to heal the divisions of the past, restore the dignity of our people, free their potential to participate in the economy and build a just society based on democratic values and fundamental human rights.

Our government has managed to provide direct social assistance transfers to over 11 million South Africans, including the elderly, people with disabilities and children

who are vulnerable. Four years ago we set a target of reaching 3,2 million children living in poverty through the child support grant. We have exceeded this target and currently provide assistance to more than seven million children through the child support grant. Research studies have consistently confirmed that these grants not only reduce the occurrence of hunger and extreme poverty, they facilitate household access to basic services, education and economic opportunities.

Mhlalingaphambili, eneneni eli Sebe leZophuhliso loLuntu lizimisele emsebenzini walo wokuphuhlisa abemi belizwe. Sithetha nje eli sebe lasungula iintlobo ezisixhenxe zezibonelelo ezibizwa ngolu hlobo lulandelayo: iFoster Care Grant ethi ifumaneke . . . [Inqaku lenzwi.] *(Translation of isiXhosa paragraph follows.)*

[Chairperson, indeed the Department of Social Development is committed to the development of the citizens of the country. As we speak, this department has launched seven different types of grants: the foster care grant attainable . . .]

Mrs S V KALYAN: Chairperson, on a point of order: I'm sorry to interrupt the hon member, but there are problems with the interpretation and it's difficult to follow the debate. Can we please attend to the matter?

The DEPUTY SPEAKER: Thank you, hon member. I've got the same problem here, so can we appeal to . . .

Mrs X C MAKASI: Uguqulelo lufumaneka kwinombolo yesibini. [The translation is at channel number two.]

The DEPUTY SPEAKER: Proceed, hon member. We're asking them to attend to the problem.

Nkskz X C MAKASI: Esi sibonelelo sifunyanwa ngabantu abangaphantsi kweliso lomnye umntu okanye abakhuliswa ngomnye umntu. Ngonyaka ka-2002 bangama-236 000 abantwana abafumana esi sibonelelo. Elo nani liye lenyuka kwaye eyona nto ithe yalinyusa ngabantwana abashiywe ngabazali babo ngenxa kagawulayo. Isibonelelo sabantwana esibizwa ngokuba yiChild Support Grant, sibe siluncedo kakhulu kumakhaya ahluphekileyo. Saqala sanikwa abantwana ukusukela kwiimveku eziseneenyanga ukuya kuma ngabantwana abaneminyaka esixhenxe ubudala. Ngoku inikwa abantwana ukuya kuma kwiminyaka eli-14. Kambe kukho ingxaki ngoba abazali babantwana abaminyaka isukela kwi-14 ukuya kwi-18 basasokola. Ngoko phaya emakhaya banqwenela ukuba kwesi sibonelelo kwandiswe iminyaka yabantwana abasifumanayo iye kutsho kwiminyaka eli-18.

Abantu abadala bafumana esabo isibonelelo esibizwa ngokuba yiOld Age Grant. Ukuze basifumane esi sibonelelo, ootata kufuneka babe neminyaka engama-65, oomama babe nengama-60. Siyavuya kakhulu ngesi sibonelelo kwaye nabantu abadala bonwabile bathi esi sibonelelo sabo sibanceda ukufundisa nokondla abazukulwana babo ngoba imisebenzi ayikho, abantwana babo abaphangeli.

Abantu abalimele emzimbeni kunye nasengqondweni nabathe baqinisekiswa ngoogqirha ukuba abasenakukwazi ukuzenzela nto bafumana isibonelelo esibizwa ngokuba yiDisability Grant, esibanceda ekugwebeni indlala. Ifunyanwa nangabantu abagula zezinye izifo kunye nabo banogawulayo. Noxa isisibonelelo esithatha ixeshana, kuthi kwakubonwa ukuba umntu ungcono, angakwazi ukuphangela sipheliswe, nto leyo ebachaphazela kakhulu abo bagulayo ngoba uthi umntu ukuze asifumane kufuneke ukuba amajoni akhe omzimba abe ngaphantsi kwama-200.

Bayabulela abantu kodwa banesicelo nomnqweno wokuba yanga ingabonelelwa le mali nokuba sele landile inani lala majoni omzimba njengokuba kusenzeka. Bathi abasebenzi esi sibonelelo senza ukuba bakwazi ukuthenga ukutya okuya egazini. Ukuthathwa kwaso kubashiya bebophene yindlala.

Abantu abajongene nabantwana abakhubazekileyo ekufuneka bejongwe ngamaxesha onke bafumana isibonelelo esibizwa ngokuba yiCare Dependency Grant. Siqala kunyaka ukuya kweli-18 iminyaka. Bayancoma kakhulu abantu ngoba sinceda ekuqinisekiseni ukuba nabo aba bantwana bajongekile kwaye bakhathalelekile.

Amagqala emfazwe eminyaka ka-1914, 1939 kunye noka-1950 afumana isibonelelo esibizwa ngokuba yiWar Veterans Grant. Kwesi, umntu kufuneka abe neminyaka engama-60 ukunyuka ukuze asifumane. Kukwakho nesibizwa ngokuba yiGrant in Aid sona esongezelelwa kubantu abadala abasifumanayo kakade isibonelelo, abantu abakhubazekileyo kunye namagqala emfazwe, abantu abangakwazi kuzijonga nabathi bajongwe ngabanye abantu. Ngoko yona isisongezelelo.

Imiceli-mngeni ethi ekhoyo iquka abantu basezilalini abasokola ukufikelela kwiindawo ekufakwa kuzo izicelo ngoba zikude kubo. Abantu basokola imali yokuqabela kodwa urhulumente uyazama ukuthumela iiofisi ezingoomahambanandela noxa zingekafikeleli kwiindawo ezininzi. Kufuneka belinde ixesha elide phambi kokuba bafumane iimali zabo, nto leyo u-SASSA azama ukuyilwa kangangokuba nangoku unelinge aliqalileyo kweleMpuma Koloni. Abantu baza kufaka izicelo zabo kwiziko eli khona ukuze ziphumelele.

Obunye ubunzima bobokufumana amaphepha ekufuneka ukuba uwaphathe xa usiya kwenza isicelo ngoba zikude iiofisi. Sinethemba nalapho ukuba urhulumente uwuphethe lo mba kwaye uwujongile. Siyazi ukuba useza kufikelela kuzo zonke iindawo ngoko abantu bethu mababe nomonde ngoba lo rhulumente ujonge ukuphuhlisa zonke iindawo. Omnye umba ngowokuba abantu bafola ithuba elide emigceni xa beze kulanda ezi mali kangangento yokuba abanye bade balale kuyo. Isengumceli-mngeni esinawo nalo kwindawo zethu. *(Translation of isiXhosa paragraphs follows.)*

[Mrs X C MAKASI: This grant is provided to people who are looked after or raised by other people. In 2002 there were about 236 000 children who received this grant. The number of children who have since lost their parents as a result of HIV/Aids has increased. The child support grant is a provision that is seen to be supportive of poor families. Initially, it was provided to infants up to children of seven years of age and it has now been extended to children up to 14 years of age. There is still a problem because parents with children of 14 to 18 years of age are struggling. There is an appeal that this grant should be extended to children of 18 years of age.

The aged receive an old age grant. In order for them to qualify for this grant, men should be over the age of 65 and women over the age of 60. We are very pleased about this grant, and so are the aged. They say this grant will assist to pay school fees and buy food for their grandchildren because the parents of these children are unemployed.

People who have physical and/or mental disabilities that prevent them from generating income or getting employment, and whose state of health has been confirmed by doctors, receive the disability grant. Even people suffering from HIV/Aids-related illnesses receive it. However, the grant takes time to be processed and if and when a person gets a clean bill of health and seems to be fit for work, that person's social grant is withdrawn. It is required that a person's CD4 count must be below 200 in order to qualify for a disability grant.

People express a word of gratitude, but they have a request that this grant should continue even if the CD4 cell count has increased as they are unable to support themselves due to them being unemployed. This grant enables them to buy healthy food. Should this grant be taken away, they will die from starvation.

The Care Dependency Grant is provided to the caregivers of children with severe disabilities and who require permanent care.

This starts from one-year-old children to those who are 18 years old. People speak well about this and we do our utmost to ensure that these children are cared for.

War veterans of 1914, 1939 and 1950 receive a war veterans grant. A war veteran must be 60 years and older to qualify for this grant. A grant-in-aid is an additional grant awarded to persons who are in receipt of an old age grant, disability grant, war veterans grant and those who are unable to care for themselves. Therefore, it is additional to what they already receive.

We are, however, faced with challenges that include the struggle by people from rural areas to reach offices where these application forms are submitted as these offices are a distance away from the public. They must have money for transport, which is a problem because they are unemployed. The government is trying hard to organise mobile offices but they are not accessible in many areas. People have to wait for some time in order to get their money. Sassa is working hard to fight that. In the Eastern Cape Sassa has launched an outreach programme that will enable people to apply where they live and their applications are processed there.

Accessing application forms poses another problem. These application forms are needed when they go to these offices, which are a distance away from their households. We hope even there that the government is handling this issue and is looking into it. Standing in long queues to receive grants to an extent that other people even fall asleep while queueing is another problem. We ask people to remain calm and be patient because the government will eventually reach out to all areas to develop them.]

I would like to commend the Department of Social Development for its great efforts in improving the lives of our people. The ANC-led government is working hard to deal with these challenges and is behind the department in its successes. The department should continue its work in eliminating all forms of corruption. As parliamentarians we need to mobilise communities in the fight against corruption, and work to strengthen partnerships between communities and law-enforcement agencies.

Masikwenze oku, ngoba ezi zibonelelo zidlala indima enkulu ekuqinisekiseni ukuba abemi abahlelekileyo ababhuqwa yindlala. [We must do this because these grants play a major role in ensuring that poor citizens do not become victims of starvation and poverty.]

The sizeable increase in grant uptakes has resulted in at least two general reactions: On the one hand, the people have applauded the government for the increase in grant uptakes, but have also indicated that people who should be benefiting from social assistance are still not benefiting.

Ezi zibonelelo ze-social assistance zinegalelo elikhulu ekulweni indlala emakhaya. Ndithetha nje abemi abazizigidi ezilishumi elinanye bafumana izibonelelo, apho ke abantu abangaphezulu kwezigidi ezisixhenxe ingabezibonelelo zokuxhasa abantwana ezidlala indima enkulu ekulweni nendlala apha kweli loMzantsi Afrika. Uphando olwenziwayo lwatsho ukuba isocial assistance sisibonelelo sokuphuhlisa ubomi babantu. Lo nto ithetha ukuthi . . . [Ixesha liphelile.] *(Translation of isiXhosa paragraph follows.)*

[These social assistance grants play a major role in the fight against poverty in families. As I speak, 11 million citizens receive grants, where more than seven million receive them to maintain their children, as this plays a major role in fighting poverty here in South Africa. Research that has been conducted indicates that social assistance does help to uplift the lives of people. That means . . .

The ANC supports the Budget Vote. [Time expired.] [Applause.]

Mna T M MASUTHA: Mohlomphegi Modulasetulo, maloko ao a hlomphegago a

Palamente, Tona ya Tšwetšopele ya tša Leago, lehono le tla ntshwarela ka ge ke se a swara sengwalwa seo ke tlago se šomiša polelong ya ka gobane motšhene wo re o dirišago, wa Braille, o robegile. Ka gorealo ke tla bolela seo se tšwago mafahleng.

Ke rata go leboga gagolo mošomo wo o dirilwego. Sa pele ke leboga Tona ya tša Matlotlo, Mna Trevor Manuel, ka tsela yeo a arotšego matlotlo ka gona go latišiša ponelopele ya ANC, e lego yona tokollo yeo e etilego setšhaba pele—ponelopele ye e lebišitšwego tabeng ya gore re lwe le tlala, re lwe le bohloki gomme re dire ka gohle gore batho bohle ba setšhaba sa gaborena ba fihlelle ditirelo tšeo di ba swanetšego tša maleba. *(Translation of Sepedi paragraphs follows.)*

[Mr T M MASUTHA: Hon Chairperson, hon Members of Parliament, Minister of Social Development, today you will pardon me, as I do not have my written speech because the braille machine is broken. I will then speak off the cuff.

I am very grateful for the work which has been done. I will first thank the Minister of Finance, Mr Trevor Manuel, for the manner in which he has appropriated the funds in accordance with the vision of the ANC, that is, the freedom that is leading the nation—the vision which is focused on the fight against hunger and poverty, ensuring that all the people of our nation have access to high quality services which they are entitled to.]

I want to first respond to some of the comments that the DA, in particular Mike Waters, raised. I think the hon Nzimande, who spoke before me, has in fact done justice in putting matters into proper perspective in that perhaps it may help not just to attack the government and be critical at all times, which is useful if it's constructive, but also to recognise the good work and the progress that is being made. That is only fair, and that's only being balanced because it does not give a proper . . . [Interjections.]

The DEPUTY SPEAKER: Order! Hon members, I'm not sure what exchanges are happening across the floor now. Can we allow the hon member to continue with his speech? And, can we also ask the hon Masutha not to provoke hon members? [Laughter.]

Mr T M MASUTHA: Well, I'm just trying to let them face the truth, hon Chair.

Let me say that in 1994, when the ANC took over government, it inherited a shambles. It inherited, in the context of social development, for example, approximately 13 different administrations, which were aimed at servicing different sections of our population based on ethnicity, racial division and all other considerations that were of no significance.

Inequalities were entrenched in our society. I recall, for example, that we inherited various legal arrangements and various administrations, which were responsible for administering social grants and all other welfare services. That had to be rationalised and integrated into a single, coherent framework of delivery for social services and all the other services that our government is currently providing. That has been quite a challenging task. It has been a challenging task in part because, for example, if you look at some of the laws that had to be rationalised and repealed from the TBVC states and the various homelands, some of them you couldn't even find.

I recall at the time when I was working in the department, back in 1996, that we had to identify some of these laws so that we could repeal them and substitute them with a single law that applied throughout the country. We found that no proper records were kept of some of these laws, or the system that was applicable to the keeping in custody of laws at the time was not reliable, and as a result this was quite a challenge.

One of the major areas of legislative reform that we had to deal with, for example, relates

to the three laws that were passed in 1978—two years after the 1976 Soweto uprising—namely the Social Work Act, the Fundraising Act and the National Welfare Act. If you look at those three laws as a collective, they were aimed not only at regulating the non-governmental sector but actually imposing draconian rules to suppress nongovernmental organisations and civil society in general by making sure that those organisations which were seen by the apartheid government as politically aligned to the progressive forces were suppressed and not allowed to function.

The Social Work Act at the time was widely known to be used as a tool to suppress those social workers who opened up and who spoke to the challenges that communities were faced with as a result of the apartheid policies, and those who made interventions to demonstrate to government that despite the many ways government attempted to socially exclude people, people could do it for themselves. Those social workers would be subjected to all forms of disciplinary action and be frustrated in practising social work. That is one of the reasons why today we have such a shortage of social workers, because over the years black social workers, especially those who were followers of organisations such as the SABSWA at the time, were suppressed and prevented from being able to practise the profession.

The other way in which government ensured that social workers were not able to function and do their work at the time, for example, was with laws that prevented them from unionising, from organising themselves, from being active as a collective to impart and ensure that their own conditions of service were improved. That was seen as a political threat. So, as a result, over a period of time, the conditions of service of social workers continued to be suppressed, and it is only after 1994, thanks to the current government, that the issue of the plight of working conditions of social workers is now being addressed in earnest.

Let me also mention, in relation to the Fundraising Act, which in large measure was repealed in 1997 with the introduction of the current Nonprofit Organisations Act, that in the past the Fundraising Act was a gate-keeping tool that determined who was allowed to fundraise from the public. If you fundraised without prior permission having been obtained under the Fundraising Act, you were simply committing a crime. [Interjections.]

Mrs S V KALYAN: On a point of order, Madam Chairperson: I just want to know whether this is a history lesson or a speech on the Budget Vote for Social Development. [Laughter.]

The DEPUTY SPEAKER: Order! That is not a point of order. Hon Masutha, please continue.

Mr T M MASUTHA: Thank you, Madam Chair.

I want to demonstrate through my presentation that post-1994, this government and this particular department and this Ministry . . . [Interjections.]

The DEPUTY SPEAKER: Order! Hon members, can we have some order, please! Hon Masutha, just give me an opportunity. It looks like the hon member requires either a glass of water or some tea, but we simply cannot hear the member speaking anymore. So, could we ask the member, for the last three minutes, to just apply his mind so that we can allow the hon member who is shouting to listen?

Why is everyone screaming while I am talking? I don't understand this.

Mrs S V KALYAN: Out of sympathy . . .

The DEPUTY SPEAKER: I have not recognised you, hon member. Hon Masutha, can you carry on as if nothing has happened?

Mr T M MASUTHA: Thank you, Chairperson. We are trying to demonstrate that it is the history of problems that is currently

restricting the ability of the department to deliver, and not problems that come from this government. These are problems that were inherited, and I'm trying to demonstrate that. [Applause.] It is because you have sympathy for the apartheid system that you are trying to interject when I'm trying to demonstrate . . . [Interjections.]

The DEPUTY SPEAKER: Order, hon members! Can I ask you to listen to the point of order?

Mr M WATERS: Chairperson, I wonder if you would ask the hon member if he would be kind enough to take a question.

Mr T M MASUTHA: Ask the question and let me take it.

Mr M WATERS: The hon member, Madam Chairperson, has just said that they've inherited a mess and that it will take them time to deal with that. I want to ask him: After 13 years in government, how much longer do you need to sort out this mess you have inherited?

The DEPUTY SPEAKER: Can you answer, hon Masutha?

Mr T M MASUTHA: Yes, Madam Chairperson. That's precisely what they are preventing me from addressing by constantly interrupting and interjecting. I am about to inform you that despite having inherited this mess since 1994, we have, first of all, begun rationalising the legal framework that governs the provision of welfare services into a coherent and comprehensive legal and policy framework to govern services. That is your answer.

The Minister here has demonstrated that a 27% growth is being realised in the budget of Social Development. [Interjections.]

The DEPUTY SPEAKER: Hon member, I regret your time has expired.

Mr T M MASUTHA: Madam Chair, my time has been taken by those people who kept on interrupting me. I am entitled to get a few minutes more because I was interrupted. [Applause.]

Mr S SIMMONS: Madam Chair, hon Minister, Deputy Minister, colleagues and distinguished guests, the Department of Social Development is central to the fight against vulnerability and poverty, and it is therefore imperative that it is adequately resourced.

The UPSA acknowledges the efforts in this regard by the department, but has to express its concern with the obvious lack of competence among professionals employed in the department. Given this capacity problem within the department, the UPSA calls on the hon Minister not to be misguided and overemphasise his department's employment equity plan at the expense of recruitment of much-needed competent vocational professionals. The department should be motivated only by the plight of the vulnerable and the poor, and not by ideology. I'm glad to hear from the hon Deputy Minister how the department is addressing this problem.

The UPSA believes that the fight against vulnerability and poverty should be made an even greater priority of government. This would allow government to allocate a greater portion of our budget to alleviating the plight of the very poor and vulnerable.

It is a known fact that drug and alcohol abuse are, in most instances, the result of the absence of a strong family support system, which lies at the centre of most of our social problems. The UPSA, therefore, calls on the hon Minister to play a leading role in creating an environment that restores the basic values of the family unit in our society, which we believe would, without doubt, contribute to the alleviation of many of our social problems. Perhaps the National Drug Master Plan, which the hon Deputy Minister referred to, will be the solution and will provide you with the window of opportunity.

Finally, the UPSA wishes to commend the

hon Minister and his department for being able to increase the budget for various programmes in respect of grants, social allowances and subsidies, and encourages the application of these programmes in the new financial year. The UPSA supports the Vote. [Applause.]

Mr L M GREEN: Chairperson, hon Minister, Deputy Minister and colleagues, the Minister stated, in response to the President's state of the nation address, that 2007 will be the year to intensify the struggle against poverty. The FD would like to support the Minister in motivating this statement.

The challenges we face require the collective will of all the citizens to pull our country out of the clutches of poverty. In order to do so, we need to ask ourselves how much collective will exists within our society to tackle the social ills experienced by our communities. A good example of collective will is the rising up of communities against rapists and child murderers in places such as Mitchells Plain, Hanover Park, Manenberg and elsewhere in our country.

Communities are learning that to stand up and fight back seems to be the only way to bring normality to their areas. For instance, the residents of Manenberg have recently launched the Proudly Manenberg campaign to fight issues of crime and unemployment. People have realised that communities have rights and that by creating partnerships with government and other stakeholders, their communities will be safe to live in. We must support these community initiatives, since fighting poverty and crime requires our collective will.

Furthermore, our people suffer because of the string of white-collar crimes committed in this country. We must condemn with deepest disdain the alleged fraudulent practices of the bosses of Fidentia. They have allegedly stolen from the impoverished, the poorest of the poor, to prop up their lifestyles of opulence. It is appalling to realise that our country's development is held to ransom by such unethical business practices.

Our society is also fraught with crime syndicates and drug merchants, who reduce the lives of our people to disposal fodder whilst maintaining a grip of poverty over our society.

We support the social insurance policy. We recommend this initiative. Our society is predominantly a poor society. A huge percentage of our people cannot look forward to a decent lifestyle on retirement. As we understand it, everyone in some form of employment will make a contribution of a certain percentage of their earnings to finance their savings towards retirement, and death and disability benefits. What we need to do is to ensure that proper mechanisms are put in place to avoid similar practices by companies such as Fidentia.

Finally, and in conclusion, as the FD we believe that what we need to do is to pool our resources and get our hands dirty to alleviate the plight of our people. The FD supports this Budget Vote. [Applause.]

Ms H WEBER: Madam Chair, hon Minister and hon Deputy Minister, I'd just like to address hon Masutha by saying that if we had more than 12 minutes, we would be able to spend more time on praise. So you'll have to endure a bit more criticism.

Each year it becomes more difficult to give proper consideration to the Social Development budget. This year the process was thwarted by cancelled meetings and too many meetings crammed into a short timeframe, resulting in insufficient time to ask questions and get replies. The worst instance was when Social Services professionals were sent back to Pretoria because there was no time to hear them speak. Time is something that cannot be returned when it is lost.

Given that 12 million South Africans receive social grants, this portfolio is one of the most important for the average South African and

it should be treated as such. Sufficient time must be made for briefings, or we are failing in our duty to the people by not knowing exactly what is going on in the various departments.

I would like to draw your attention to the fact that there are two very vulnerable groups in our society, namely the aged and the disabled. Last year we passed the Older Persons Act, but regulations and costings are still outstanding. We hope that this will be completed as speedily as possible so that the Act can be fully implemented.

Regarding the disabled, it is disheartening to see that even government departments are unable to fulfil the Employment Equity Act's 2% of positions having to be filled by disabled people.

Our older people need to be assisted with the utmost urgency. Many are responsible for grandchildren because there are no parents, due to the HIV/Aids crisis. They are unable to access child support grants or foster care grants because of red tape and unhelpful officials. This was alluded to by my colleague on the other side of the floor. Many are unable to care for children because they actually need caring for themselves.

We must start looking at care facilities and assistance for these vulnerable old people and the children they are responsible for. We know that living in the extended family is ideal, but we do not live in an ideal society. Old people are very often just kept as a source of income, namely their old age pension. That is not good enough. They must have food, love and protection. The hon Minister has said that we must start looking at institutions for these people, and I think we agree wholly with him.

As far as disabled people are concerned, I have looked at many public buildings. Even new buildings fail to meet the building regulations, but nothing is done about it. Many courts are not accessible. Not even police stations are accessible to the disabled. I have just read the report of the education oversight committee. In their recommendations, not once was it mentioned that accessibility for disabled children was even considered. These are the very children needing academic skills. I have not read in any budget that money is allocated for the disabled, not in Transport, Public Works or Justice and Constitutional Development.

The good news is that South Africa is about to sign the UN convention for the disabled. It will be signed on 30 March in New York. This should give much more publicity to the plight of the disabled as the United Nations envoy may come at any time to inspect the conditions of the disabled. We will also have an ombudsman, and the joint monitoring committee for children, youth and the disabled will be given the recognition it deserves. It will have a very important role to play, as is laid down by the UN.

Hon Nzimande really seems to have the illusion that we live in the ideal society. How lovely! When children are raped, two an hour? That is not an ideal society.

I would like to request that although social workers are appreciated, I ask that they acquaint themselves with the latest regulations for registration of children's homes. The hon Minister requested that children, our greatest asset, must be cared for and protected. As in the case of the elderly, we have to consider children's homes. I thank you. [Time expired.] [Interjections.]

Mr B M SOLO: Chairperson, hon Minister Dr Zola Skweyiya, hon Deputy Ministers Jean Benjamin and Ntombazana Botha, hon members of Parliament, in 2004 the people of South Africa once more mandated that the ANC-led government, through a democratic process, fight poverty. This was derived from the historic resolve by South Africans in 1955, when they were looking at ways of creating a better and just society for all.

The document that has been guiding us up until today has been none other than the

Freedom Charter, which says: "The people shall govern! ... There shall be houses, security and comfort! ... The aged, the orphans, the disabled and the sick shall be cared for by the state ... Rest, leisure and recreation shall be the right of all."

We are still committed to that. The need to build a caring society together cannot be overemphasised, for we know where we are coming from and what factors have contributed to the scourge of poverty that we are confronted with today. This is correctly captured in a book titled *Christianity in South Africa*, edited by Richard Elphick and Rodney Davenport.

"Gross inequalities; ugly depression; coercive factory work; periodic unemployment; declining purchasing power of worker's wage; undernourished and overworked women; disease-ridden children; a wedge of inequality that threatens to polarise society and undermine democracy". That's where we are coming from.

Accordingly, the budget we are debating today provides a tool that can be used to assist our communities towards building a caring society. This caring society can only be envisaged if, together in a people's contract, our resolve is to fight poverty, and create jobs and a better life for all.

For the purpose of this debate, I would like to focus on Programme 4 of the Budget, which specifically addresses the questions of community development, eradicating poverty and reducing inequality in order to move towards social cohesion and building a caring society.

This is captured well in the Minister's foreword to the department's strategic plan of 2007, and I quote:

> The department, therefore, has to provide strategies and services on two platforms: firstly, services that deal with assisting society to deal with what they are currently experiencing as a result of poverty and social dislocation; and, secondly, strategies to deal with factors that give rise to and sustain poverty, inequality and dislocation.

We have said, on many occasions, that it is unrealistic to think that government alone can deal with the problem of poverty. In this instance—from the previous dispensation—we have seen a number of NGOs, some funded by the state, dealing with social problems. I am told that there are more than 30 000 NGOs that are involved in social welfare activities.

We don't have to question their credibility, save to appreciate their contribution. What we have to do is exactly what the programme intends to do, that is, in summary, to: "Develop, monitor and facilitate the implementation of appropriate policies, strategies and programmes aimed at strengthening the potential of communities, including the youth, to sustain and improve their livelihoods, and further human development."

It is correct to say that development strategies are aimed at strengthening the potential of communities. I believe that that cannot succeed without those communities participating in such processes. It therefore becomes relevant to create partnerships with such communities so that, together, fighting poverty for a better life for all, we are able to create this caring society. For instance, we may find that some communities have some indigenous knowledge and systems to mitigate their situation and circumstances.

Phaya ntlandlolo kwakusithi xa umzi othile unengxaki zokuziphilisa, abantu belali babonisane, ze kukhutshwe inkomo yenqoma. Kwakusenzelwa ukuba loo mzi usebenze njengawo nawuphi na omnye umzi, ukwazi ukusenga, ulime. Yayingekho intó yokuba abantwana bangabi namakhaya ngoba oomalume, ootat' omkhulu, oomakazi nezihlobo zazikhona—umntwana wakho ngumntwana wam.

Yile mpucuko ikhoyo ethi masibe ngoovulazibhuqe, kwaye loo ngcingane iyendela

apha kuthi. Nathi, ngenxå yokuba sicinezelekile, siyavuma ukuba zilungile ezi zinto, ngelo xesha zibe zisisa eliweni.

Iimeko ngoku zijikile; siphila kwamanye amaxesha. Kodwa oko akutsho ukuba zonke iindlela ezazisetyenziswa kudala azisasebenzi ngoku. Abantu abaninzi basazisebenzisa. Yiyo loo nto sibona kukho oomasingcwabane, imigalelo nemilindo . . . *(Translation of isiXhosa paragraphs follows.)*

[In the olden days when a family experienced problems with making a living, people of the village would discuss the matter and release a cow as a loan to that family. The purpose thereof was to grant that family an opportunity to function like any other family, to be able to milk and plough. There were no such things as street kids because uncles, grandfathers, aunts and friends would consider themselves responsible for the children who were destitute.

Nowadays we just turn a blind eye to everything, even if there is something wrong, and that thought is increasing and deepening within us. Because of suppression we agree that these things are right although they are misleading us.

Things have changed now, we live in different times but, that does not mean that the way things used to be done in the olden days are no longer applicable. Many people are still practising them. That is why we see burial societies, stokvels and whole-night vigils . . .]

. . . you name it. Very soon somebody will tell us that they are not good.

Ukuba ulujonga kakuhle, olu hlahlo lwabiwo-mali luzama ukuba kube kho indlela ekusetyenziswana ngazo ukuze kuliwe nobuhlwempu. Silindele ke ukuba isebe liqinise intsebenziswano yalo nemibutho ekhoyo phaya ekuhlaleni efana nale sele ndiyikhankanyile . . . *(Translation of isiXhosa paragraph follows.)*

[If you look correctly, this Budget Vote is trying to promote ways of co-operation to alleviate poverty. We expect the department to intensify its co-operation with the existing community-based organisations like those I have already mentioned . . .]

. . . to provide capacity to these community-based organisations. We don't have to create others.

Ikhona le mibutho phaya ekuhlaleni. Le nkqubo mayisebenzele ukuphucula le mibutho abathe abantu, ngokubona iimeko zabo, bazakhela yona. Mayincedisane nabo. [Kwaqhwatywa.] Le nkqubo mayingapheli nje ngokumana ityisa—hayi, alifanelekanga elo gama—iimibutho engekho phantsi kukarhulumente eyayikho kwakudala esasebenzayo nangoku.

Siyacela ukuba noko makhe kujongwe abantu abathe ngemizamo yabo babona ukuba mababe nendlela yokulwa nobuhlwempu. Kunini safaka iimali kwimibutho engekho phantsi kukarhulumente, kodwa kuncinci kakhulu ekwenzayo ngayo. Asithi mayingaqhubeki nomsebenzi wayo, kodwa sonke siyavumelana ngokuba maxa wambi imibutho engekho phantsi kukarhulumente ayifikeleli ebantwini, ngakumbi phaya emaphandleni.

Sithi makhe siye phaya ebantwini sijonge ezinye zeendlela abathi bazisebenzise ukuhlangabezana neengxaki ezilolu hlobo. Masizame ukubona ukuba singancedisa njani na ekulweni nale ngxaki ngempumelelo. Loo nto ithetha ukuba masibambisane nemibutho ekhoyo, ngakumbi ekuhlaleni. *(Translation of isiXhosa paragraphs follows.)*

[These organisations exist in the communities. This programme should work towards improving the organisation that people formed after realising their plight. It must assist them. This programme should not only be used as a savings mechanism for bulk purchasing, especially groceries from time to time. They are non-governmental

organisations which were in existence long ago and are still operating. [Applause.]

We request that people who, through their efforts, played a role in alleviating poverty, should be considered. We have been giving money to the community-based organisations but little is being done about that fact. We do not mean they should not continue with their existence but we all agree that sometimes nongovernmental organisations do not reach all the people, especially those residents in rural areas.]

In the January 8 statement of the ANC President, President Thabo Mbeki states clearly that, and I quote—

> In addition to our continuing task to defend our revolutionary gains, our central task during this phase of national democratic revolution is to liberate our people from the scourge of poverty in all its manifestations and eliminate all its offshoots.

This is a challenge that this Budget Vote attempts to address when we talk of sustainable livelihoods, community development, service standards, registration and institutional capacity-building of NGOs and the youth. Therefore, this requires all South Africans to have unembeza/inimba [compassion].

Oongxowankulu noongqondongqondo abanobuchule, njalo njalo, mabancedisane nemizamo karhulumente ukuze siphucule umgangatho wempilo yabantu bethu, ukuze nabo bancinde kule jemu. Masibafundise abantu, ngokwemibutho yabo, indlela yokusebenzisana norhulumente kwaneendlela ezintsha zokulwa ubuhlwempu.

Ndiyakholwa ukuba le mibutho ikhoyo phaya ekuhlaleni ingaluncedo olukhulu ekulweni nobuhlwempu ukuba singenza indlela yokuba sisebenzisane nazo, siphucule nomgangatho wokusebenza kwawo.

Kananjalo, kufanele sibe nendlela yokusebenzisana neenkonzo zemveli ezinjengezamaziyoni, ezinye zazo ezibetha amagubu, amaPostile, cawe ezo ezithanda ukuzala ngabantu abahluphekayo, ukuze sikwazi ukwenza igalelo kulo mzamo wokulwa nentlupheko.

Uyabona ke, ngelinye ixesha akufunekanga sibulandele ubukrwada, ububhanxa nokungahloniphi. Ukuba uyayiqwalasela imbali yeli lizwe, uya kufumanisa ukuba kukho abantu abeza ngezikhephe, kodwa namhlanje ukuba uyajonga uya kufumanisa ukuba ngabona bantu banento yonke. [Kwahlekwa.] Aba balapha ngokwemveli abasenanto. Masijonge ke ukuba yenzeke njani na loo meko.

Kwalahleka iinkomo zabantu, kwathathwa umhlaba ngesinyalimani. Zezo zinto ke ezasibeka kule meko sikuyo. Nokuba bangasinyanya, bathethe ngale ndlela bathetha ngayo, siza kubheka phambili thina ngoba bafuna ukusophula umoya ngemithetho yabo abangakwazi nokuyiphendula. Into entle abayenzayo kukuba basifundisa izinto ezifana nee-constitution nee-opportunities [nemigaqo-siseko namathuba]. [Kwahlekwa.] Ngoku xa sizisebenzisa ezo zinto bayajika bacule ingoma enye le iculwa yilaa ndoda. Loo nto ayizi kusigrogrisa ngoba apha simele abantu bethu.

Ngekhe sijike kuba sisuka kobukhulu ubunzima. Asizi kothuswa zizinto ezincinci, zamantyontyela, ngathi ziingqeqe zikhonkotha ibhayisekile.

Siza kuqhubela phambili nalo msebenzi. [Uwele-wele.] Asiyothuki loo nto ngoba ngokwenene zazenzelwe abantu abamnyama. *(Translation of isiXhosa paragraphs follows.)*

[The capitalists and the elite and all who fall into that group, should assist the government in its efforts to improve the lives of our people because they are sure to benefit. Let us educate people in the ways of collaborating with the government and the new ways of alleviating poverty through their organisations. I believe the existing community-

based organisations can be of great assistance in alleviating poverty if we can create ways of collaborating with them and improving their standard of operation.

We also need to find ways to collaborate with traditional churches like the Zionists, who beat drums, and the Apostolics, churches that are always full of poor people, in order that we can combine our efforts and play a role in the programmes to alleviate poverty.

Sometimes we need to be civil about things, and not adopt cynicism and rudeness and be nonsensical and disrespectful. However, if you look into the history of this country, you will discover that there are people who arrived in this country by ship but today they are the people who have everything. [Laughter.] The indigenous people have nothing. Let us look, then, at how this could have happened.

People lost their cattle and their land was taken forcefully from them. Those were the activities that put us in this situation. Even if they despise us and speak the way they do, we will move forward because they just want to demoralise us with their laws that they cannot even interpret. The good thing they did was to teach us about things like constitutions and opportunities. Now that we apply that knowledge they sing a different tune, sung by the hon member over there. That will not intimidate us because we are representing our people. [Laughter.] We will never turn back because we are coming from very difficult times. We are not going to be shaken by petty issues such as those about informal settlements, and act like puppies barking at a bicycle. We will proceed with this work. [Interjections.] We are not shocked by that because indeed they were meant for black people.]

The DEPUTY SPEAKER: [Inaudible.]

Mr V B NDLOVU: And he doesn't make sense. [Laughter.]

Mr B M SOLO: Siza kuqhuba nalo msebenzi . . . [We shall continue with this work . . .]

The DEPUTY SPEAKER: [Inaudible.]

Mr B M SOLO: Ndiyalibulela kakhulu eli thuba. [I am very thankful for this opportunity.]

The ANC supports the Bill. [Applause.]

The MINISTER OF SOCIAL DEVELOPMENT: Madam Deputy Speaker, I would not waste the time of this audience, of this committee, by answering the many questions that there are.

Last year I did indicate that there was no difference, basically, among us on many issues, that we do agree that there is poverty and there are many other people who need assistance and that all of us have to sit down together. Leave your party position and come back somewhere and say, "Let us do the right thing for the benefit of the poorest of the poor" . . . [Applause.] . . . "and, more importantly, for the children of this country . . ."

The DEPUTY SPEAKER: Members of the public are not encouraged to participate in the debate. Clapping hands is participating, therefore just leave that function to the hon members. Hon Minister, please continue.

The MINISTER OF SOCIAL DEVELOPMENT: . . . with special emphasis on children and disabled people.

I think that in doing so we will be able to resolve some of the issues that always put us at loggerheads unnecessarily, because I think we do agree that these issues have to be discussed and we should better the lives of the majority of our people. In doing so we should not only concentrate among ourselves, we should try to ensure that the MECs in the provinces participate in that, including their portfolio committees to be represented, because some of the issues that have been raised here are not issues that necessarily concentrate on the issue of underspending. These issues, basically, are

more in the provinces. Also, as you know, there are these federal differences and approaches and the issue of the encroachment of powers by the national government which we are accused of doing.

So, if we could all sit down and say these are the issues and discuss how we can resolve them—just one day—it would help a lot; so that the provinces can see that they are being monitored as all of us are concerned that the money that is being sent—the budgets that are sent to the province—is not being used correctly, or just left like that.

Importantly, I think we have raised this issue, but it has not happened. I hope the relevant powers that be in Parliament and in the NCOP really look into that and find ways in which we would be able to work together and come up and resolve these issues and make sure that almost everybody understands that when money is voted by Parliament, or a certain portfolio committee, it is meant to be used for the benefit of the people concerned. This is so that we don't come here all the time and cry that the money is not enough or there had been some underspending.

Of course, one of the issues that we have raised more often is the question of the lack of social workers. That is a very big issue. The hon Weber also indicated that sometimes we could use some of the people—we have done that. What do you call them? [Interjections.] The auxiliaries! We have. We are trying to go through that, to extend them as much as possible, empowered.

We want to talk to the universities, even if it means that we use the time when they are closed, for instance in December, to train these auxiliary workers for those two or three months that the universities are closed. We should train them and ensure that they are at least trained when they go back to those people, where they should create a spirit of co-operation between the communities and government and generally with everybody in South Africa to resolve those issues. It is not an easy thing to do.

Quite obviously, Mr Masutha was trying to tell you why there are so few social workers in South Africa. It is only because this was not a very popular profession, especially among black people, because one way or the other, being a social worker, you would find yourself dabbling in politics, and under apartheid this meant you were being marked one way or the other for trying to politicise your profession. And, as such, parents didn't like their children to be arrested or something like that.

We have gone on a campaign to popularise that, and, at the same time, to put into the minds of the powers that be in the universities that it is a must that they train more social workers. We could have put more money forward—it's not a question of a shortage of money—and more scholarships, but actually, apparently, the universities are not ready for that. We don't want to come next year, give more money—double this money—and then you come and ask, "Why didn't you use this money?" So we have budgeted in such a way that all that money will be used and that the universities have the capacity to train.

We are trying to convince them in the same manner that they encourage students to get MBAs. That is to enable them to become some small little capitalist somewhere to help business, and I'm sure the DA supports that very, very much. [Laughter.] And the DA also should support this issue of training social workers so that they should be able to ensure better lives for all South Africans. That is the issue, and I have been surprised, hon Waters in the DA . . . [Interjections.] They have been very enthusiastic about the arrest. In fact, they thought that we'd make the arrest ourselves. We can't do that; it is done by the police.

There is a division of powers. We have asked these people: "Go; here are the people we have found who have been defrauding the

state, give them to the SIU." The SIU has been working with the police. They are the ones making all those arrests and trials and it has nothing to do with us. We have done our job.

In spite of that, they have been pushing so hard: "Arrest them, arrest them!" But when it came to Fidentia, they have been very quiet, as the hon Green has been. Nothing has been said about that. [Laughter.] Is it a class solidarity, or what? I'm not sure. [Laughter.] But, clearly, people ought to be treated equally, and we would expect the DA to have been shouting as much as Lowe that these people should be arrested, that they must not get that million. Find out where they got the million; they would have been asking that. [Interjections.]

Mr M J ELLIS: We asked . . . [Inaudible.]

The MINISTER OF SOCIAL DEVELOPMENT: They have not said that. Anyway, I think this issue should be treated as an issue that not only government, but all parties—not only the ANC, but all parties—should be part and parcel of.

On the question of the issue of the employment of staff from the provinces, we don't do that either. It is done by the NIA; it is done by the police. We've only made sure that the staff at a national level go through the necessary processes, but we can't do all of that alone. We need the police. They have the necessary authority, but at the same time we cannot allow that the recipients of grants don't get their grants in time.

All those issues are in the hands of the police, in the hands of the NIA and in the hands of the Scorpions. So, they are the ones that are doing that. We would like also to ensure that all of them go through the processes.

On the question of universities not capacitating social workers, we are working with them. I personally would like to go to talk to the heads of departments individually and ask them if they can't institute . . .

The DEPUTY SPEAKER: Order, hon Minister, your time has expired. If there are still answers that members seek, I'm sure they can always get them from the Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Oh, can I just say this? Regarding some of the questions that you were asking, I think I will refer you to the provincial indices of a multiple deprivation study for South Africa since 2001, done by the HSRC, the University of Oxford and Statistics SA. You will find all the most deprived areas of South Africa—where the 750 000 children live who are not getting the grants they should.

As Members of Parliament . . .

The DEPUTY SPEAKER: Hon Minister . . . [Laughter.] . . . I gave you extra time and at some stage I also allowed your officials to participate in the debate to remind the Minister of certain things.

Debate concluded.

The Committee rose at 17:45.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. **Bills passed by Houses—to be submitted to President for assent**

   (1) Bill passed by National Council of Provinces on 27 March 2007:

   (a) ***South African Airways Bill*** [B 35B—2006] (National Assembly sec—75).

   (b) ***Immigration Amendment Bill*** [B 28—2006] (National Assembly—sec 75).

   (c) ***South African Red Cross So-***

ciety and Legal Protection of Certain Emblems Bill [B 25—2006] (National Assembly—sec 75).

(d) *Foodstuffs, Cosmetics and Disinfectants Amendment Bill* [B 35F—2005] (National Assembly—sec 76).

TABLINGS

National Assembly and National Council of Provinces

1. **The Minister in The Presidency**

   (a) Memorandum by the Minister of Public Works setting out particulars of the Building Programme for 2007-2008 [RP 25-2007].

2. **The Minister of Safety and Security**

   (a) Report of the Independent Complaints Directorate (ICD) for January 2006 to June 2006, in terms of section 18(5)(c) of the Domestic Violence Act, 1998 (Act No 116 of 1998).

COMMITTEE REPORTS

National Assembly and National Council of Provinces

1. **Joint Monitoring Committee on Improvement of Quality of Life and Status of Women on Budget Vote 1: The Presidency, dated 28 March 2007:**

The number of programmes under Vote 1 for the Presidency has decreased from six for 2006-07 to three for 2007-08. This reorganisation may reflect efforts towards greater efficiency. It has, however, also resulted in less information than previously being made available to parliament and the public. The length of the vote has decreased from 16 to 13 pages.

The Office on the Status of Women was previously a separate sub-programme under Programme 5: Policy Coordination. It had an allocation of R3,77m for 2006-07 and R3,96m projected for 2007-08. The 2006 Vote stated that the role of the sub-programme was to facilitate the development of a national gender policy framework and co-ordinate activities in the areas of gender equity and equality. The Vote included one three-line sentence on recent outputs of the Office. It also included some definite outputs and measures/indicators relating to development of a manual on mainstreaming gender, a critical review of gender structures and focal points, and an agreed set of implementation indicators.

For 2007-08, the Office on the Status of Women falls under Programme 3: Executive Co-ordination. The Office does not have a separate budget line and is thus not seen as a distinct sub-programme. Instead it is included in the sub-programme Gender, Disability and Children (GDC). The Vote states that the role of this sub-programme is to work with focal points in the offices of premiers, mayors and departments "to bring certain issues into the mainstream, including bringing the rights of women, children and people with disabilities into governance processes, co-ordinating GDC activities, and overseeing GDC work in Government."

There is a lengthier paragraph than before in respect of recent service delivery outputs. This paragraph does not, however, distinguish between activities in the three areas, apart from listing the different days and campaigns (such as Women's Day and 16 days of Activism for No Violence Against Women and Children) which were celebrated. There is no mention of the gender manual, the review of gender structures and focal points, and the implementation indicators. The Committee is concerned about this as these

are the outputs that were committed to in last year's budget.

Under medium-term output targets for the coming period, there is only one measure/indicator for gender, disability and children, namely GDC-sensitive integrated development plans for district municipalities in selected nodes. This begs the question as to what this unit will be doing at the nonmunicipal level, and in districts which are not selected.

An over-riding concern in respect of this vote is the "lumping" together of women with children and people with disabilities. We are obviously in agreement that all three of these groups need attention. We feel, however, that their needs differ in important respects, and it is thus not helpful to plan for them as a single grouping of "vulnerable" subgroups. In addition, the problem in respect of women is not only, or even primarily, an issue of "vulnerability".

In addition, we are concerned about the types of activities listed under outputs. While days and campaigns can help in raising awareness, these offices could and should be achieving more in respect of systemic change in processes and government operations.

Report to be considered.

2. **Joint Monitoring Committee on Improvement of Quality of Life and Status of Women on *Appropriation Bill* [B 2—2007], dated 28 March 2007:**

Introduction

The Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women, having considered the Appropriation Bill and the associated budget votes, reports that it has concluded its deliberations thereon.

This year, as in previous years, the Joint Monitoring Committee has focused its attention on the three issues of poverty, gender-based violence, and HIV/AIDS. The Committee has done so because these are all issues that affect large numbers of South African women, and—in particular—tend to affect those who are most disadvantaged. We focus this year, in particular, on the role of Government's Expanded Public Works Programme (EPWP) in addressing poverty and HIV/AIDS-related care, and the role of the Department of Justice and Constitutional Development in dealing with gender-based violence. We touch, in addition, on some other Government activities and allocations.

This year the Committee's ongoing focus mirrors some of the main themes of the President's recent State of the Nation Address. In particular, the President emphasised the need to overcome poverty and all its "ugly and repulsive" manifestations and consequences. Similarly, he emphasised the importance of addressing crime, within which the Committee focuses on gender-based violence.

Some indicators of the ongoing nature of poverty and crime

The most recently released official statistics on crime highlight why the emphasis on gender-based violence is necessary. The website of the South African Police Service provides the figures for reported rape over the period April 2001 to March 2006. For the most recent year, 2005-06, a total of 54 926 rapes were reported. This gives an average of more than 150 reported rapes per day, with many more unreported.

The website states that this figure yields a crime rate of 117,1 rapes per 100 000 members of the population. Rape is, however, currently defined to apply only to women and girls, and only

about half of the population is female. The crime rate for rape is thus, in fact, almost twice as high as this if we consider only those who can be victims. The number of reported rapes decreased very slightly between 2004-05 and 2005-06, but the number in 2005-06 was higher than in any other year. The number of rapes in Eastern Cape increased by 32,6% between 2001-02 and 2005-06.

In terms of poverty, Minister Manuel's budget speech this year notes that the economy continued to grow at a "robust pace;' of 4,9% in 2006. Further, nonagricultural (formal) employment grew by over 3% in the first nine months of 2006. The Minister notes, however, that "more work needs to be done" in a number of areas if we are to improve the health and growth rate of the economy. The Committee suggests to the Minister that at least one important item—HIV and AIDS—is missing from his list. When significant numbers of the economically active population are ill, this affects productivity of those who are ill, as well as those (mostly women) who must care for them. The epidemic also requires additional spending by Government, families and individuals on health care, resulting in "wastage" of part of the benefits of economic growth.

Further, despite the growth rate achieved to date, Statistics South Africa's labour force survey of September 2006 found that the female unemployment rate was 31,7%, compared to 22,6% for men. The unemployment rate for African women was 37,1%.

The Expanded Public Works Programme (EPWP) is Government's flagship programme for South Africa in terms of directly addressing poverty. This programme was introduced in the knowledge that economic growth will not alone or immediately solve the problems of the large numbers of poor people in the country. From the Committee's perspective, we are particularly interested in the innovative social sector EPWP activity, in the areas of home and community based care (HCBC) and early childhood development (ECD).

Organisation of report

To facilitate engagement with the different departments, we have organised this year's report according to the different votes. We have looked, in particular, at the votes for Public Works, Health, Social Development, and Justice and Constitutional Development. We comment in a separate report on Vote 1: Presidency, which includes provision for the Office on the Status of Women.

We recognise that in many of the areas we are interested in, national Government's role is mainly policy, co-ordination and oversight. We are collaborating with our sister committees in the provincial legislatures to ensure that the questions we are asking are repeated at the provincial, "delivery" level.

Adequacy of information provided

Last year we commended the Treasury and individual departments on the amount of information provided in the budget books. We noted, however, that the potential of South Africa's budget formats was not being fully utilised. In particular, departments were not using targets and indicators as well as they could.

This year we must repeat this comment. We must also note that in respect of our particular topics of interest, we were often disappointed in the paucity of information provided. Our task was made more difficult by the fact that

some of the key departments had reorganised the programmes that make up their budget. In some cases, items that were previously separately specified are now "lumped" together with other items, so that we no longer can see what is happening in respect of our particular items of interest.

In order to find more information, we have sometimes turned to the annual reports of departments. These often provide more detail than the budget documents, especially on delivery. We are concerned, however, that these annual reports are not always as readily available as they should be. We also think that there could be a closer link between what is reported in the annual reports and budgets. We give some examples of these weaknesses below.

The Budget Votes

Budget Vote 6: Public Works

The Department of Public Works has overall responsibility for the Expanded Public Works Programme (EPWP). In addition, it bears specific responsibility for implementation of the EPWP in construction and related areas.

The budget vote is disappointingly reticent about this area of the Department's work. The strategic overview acknowledges that the EPWP is meant to become the "government leader in the creation of job opportunities", but states only that the department has established partnerships with state-owned enterprises and other spheres of government to scale up Expanded Public Works Programme (EPWP) interventions. It does not mention partnerships within its own sphere of government eg with the Departments of Social Development, Education and Health which bear responsibility for the social sector EPWPs.

Programme 3 is the National Public Works Programme. This includes a subprogramme for the Expanded Public Works Programme as well as a programme for Community-based Public Works. The latter was, however, given its last allocation in 2003-04, while the first allocation for the Expanded Public Works Programme (EPWP) was in 2004-05. In effect, then, it seems that the EPWP replaced the Community-based Public Works programme in the Public Works budget.

The narrative under service delivery is again disappointingly short. It states that the overall objective of the EPWP is to create additional work opportunities together with training for at least one million people over the five year period ending in 2009. It states that at least 40% of the beneficiaries must be women, 30% youth, and 2% disabled. It says that by the end of the second year, more than 435 300 "gross" work opportunities had been created, with an overall cost of R5,7 billion, of which R1,5 billion constituted wages.

There are several elements that worry the Committee here.

Firstly, we are concerned about the percentage targets quoted. These percentages differ from those in the Code of Good Practice for Special Public Works which was formally agreed to by the three social partners (Government, business and labour) in the National Economic, Development and Labour Council and published in January 2002. This code sets targets of 60% for women, 20% for youth (aged 18-24 years) and 2% for people with disabilities. The Department's view also seems to be at odds with that of Minister Manuel, who states in this year's budget speech that the Expanded Public Works Programme (EPWP) has created about 300 000 work opportunities since it began, "mainly in rural

areas and mainly for women". The "mainly for women" contradicts a 40% target.

Secondly, we need clarity as to what is meant by "gross" work opportunities? And how do we marry the 300 000 work opportunities reported by the Minister of Finance with the significantly higher 435 300 reported by the Department? What is the average length of these opportunities? Do these opportunities include or exclude the "learnerships" which are being counted as EPWP delivery in areas such as HCBC and ECD?

Thirdly, why is only R1,5 billion of the R5,7 billion (ie only just over a quarter) reaching beneficiaries in the form of wages? What is the rest of the money being used for? And how much of the R5,7 billion is "new" money that would not have been spent on these investments if there had not been an Expanded Public Works Programme (EPWP)?

Fourth, how can we term this programme "expanded" when the total amount allocated over the three year period 2007-08–2009-10 (R251,64m) is less than the amount allocated to the Community-based Public Works Programe for a single year, 2003-04?

The Committee understands that much of the EPWP is being achieved through existing areas of government activity. There are thus not necessarily new and separate budget allocations for most of the Expanded Public Works Programme (EPWP). For monitoring and reporting purposes, however, we feel that it is important that Government details what is included when it reports 300 000 or 435 300 (new?) work opportunities, whether this is funded through existing or new special allocations, and who (women or men, young or old, disabled or not) are benefiting.

The annual report for 2005-06 of the Department of Public Works provides useful additional information. But it also raises some further questions. In particular, on page 16, the report notes Cabinet's intention to increase the "scale and impact" of Expanded Public Works Programme (EPWP). It is evidence of this intention that we hoped to find in the 2007-08 budget.

The annual report records a total of 208 898 "net" jobs created over the twelve-month period. Only 18 308 of these jobs are recorded in the social sector, which is the Committee's area of special interest. The report states that 500 community ECD sites have been subsidised, allowing an additional 150 000 children aged 0-4 years to benefit from subsidies. It is not clear if the money for these subsidies is counted as part of Expanded Public Works Programme (EPWP) or separately, as the Department of Social Development was subsidising some early childhood development (ECD) provision before the EPWP was established.

In the area of home and community based care (HCBC), the report states that 62 445 caregivers were providing HCBC services nationally, and more than 15 000 received stipends and related training. These numbers are again confusing given that the same report records only 18 308 "jobs" in the social sector as a whole. It seems that the Department of Public Works may also here be reporting on some activities that are beyond the EPWP, and/or would have happened even had this programme not been in place.

The report states that an "additional" amount of R4,2bn was allocated to province as part of their equitable share to expand early childhood development (ECD) and home and community based

care (HCBC) programmes. It notes, however, that some provinces have not used the additional funding for this purpose. This is something we would have liked to see discussed in the budget review of performance, including a strategy to avoid recurrence of the problem in future.

Budget Vote 14: Education

This vote is of potential interest to the Committee because Education is responsible for the "reception" year of ECD. There is, however, very little mention of early childhood development (ECD) in the Education vote. The strategic overview states that the Department, together with Social Development, finalised an integrated plan on ECD at the end of 2005 and implemented this plan in 2006. No further detail is provided on actual delivery. Programme 2: System Planning and Monitoring has, as a target, that a funding policy for Grade R should be established by March 2008. We could find no further mention of ECD, let alone Expanded Public Works Programme (EPWP).

Budget Vote 15: Health

The Department of Health's vote reports a pleasing expansion in respect of public health facilities offering voluntary counselling and testing and prevention of mother to child transmission. We have also seen progress in provision of anti-retroviral therapy through the public health system. There is, however, very little written in the vote about home and community based care (HCBC).

Programme 2: Strategic Health Programmes contains the HIV and Aids subprogrammes of the Department of Health. The allocation to this subprogramme is significant, at R2,4bn in 2007-08, and is expected to increase at a rate far higher than inflation to R3,2bn in 2009-10.

The discussion of recent outputs for this programme has no mention of HCBC. Similarly, there are no measures/indicators in respect of HCBC. The economic classification of the budget allocations shows an amount of R55,37m going to nongovernmental organisations (NGOs) in respect of HIV and Aids in 2007-08. This amount increases by only 5% in each of the following two years. The amount is presumably intended to provide funding to NGOs providing home and community based care (HCBC) as well as other HIV/Aids-related services. Yet the total amount is only slightly above the R53,0m allocated to a single NGO, LoveLife, for 2007-08, while Soul City gets R12,0m. In 2009-10, LoveLife is expected to get R73,0m, which is more than the R61,44m for all the HIV and Aids service organisations combined.

HCBC is mentioned under Programme 4: Human Resources. Firstly, the Department reports that it has collaborated with the Department of Social Development in developing a new policy on community caregivers. The policy focuses on standardisation of training programmes, accreditation systems and career paths. The section on recent outputs also states that by September 2006, 60% of all health subdistricts had home and community based care (HCBC) programmes and that in 2005-06, 7 795 caregivers had been trained in HCBC. It does not state whether this was done as part of the Expanded Public Works Programme (EPWP). It also does not say if Government is assisting through provision of stipends for the caregivers. And it does not say when these services will be extended to the 40% of sub-districts that do not as yet have them. The latter question is of

particular importance as HIV and Aids has not spared any part of our country.

Budget Vote 17: Social Development

Within this vote, Programme 3: Policy Development, Review and Implementation Support for Welfare Services is the most important programme for the Committee's purposes. HIV and Aids is one of the twelve sub-programmes, and receives the second largest allocation, at R58,22m in 2007-08. This increases to R65,47m in 2009-10. The vote states that this subprogramme monitors and facilitates social welfare services for those affected by HIV and Aids.

Under recent outputs, the vote states that a draft community-based care and support services model has been developed and that consultations are taking place with provinces and other stakeholders. The document also reports research into costs and process indicators for home and community-based care (HCBC), finalisation of a draft report on norms and standards, an audit of caregivers, and a situational analysis and needs assessment of HCBC programmes. Finally, the document reports that the Department has embarked on a capacity building programme in four provinces (Limpopo, KwaZulu-Natal, Eastern and Northern Cape) in partnership with donors.

In terms of planned outputs, the Department seems to have very conservative targets. It hopes in the next year's that:

- (only) 25% of funded home and community based care (HCBC) projects will comply with norms and standards and be monitored
- (only) 40% of caregivers will be trained
- (only) 25% of institutions will be trained on residential care management of HIV

No statistics are provided as to the actual number of caregivers trained or provided with subsidies over the last year. We understand that the national Department is primarily responsible for policy and systems. This may partly explain the focus on these elements rather than delivery. We will work with our sister committees in the provincial legislatures to find out more about actual delivery. We would, however, also hope that in future years the national Department sees its co-ordination role as involving responsibility for reporting on overall delivery and not just systems.

Under Programme 5: Strategy and Governance the budget document reports the establishment of the Expanded Public Works Programme (EPWP) social sector cluster task team. We could, however, find no mention of early childhood development (ECD) in the Department's vote. Our search was complicated by the fact that the Department has reorganised its budget structure several times over recent years.

As for other Departments, the Social Development annual report provides some further information. Under the Children, Families and Youth Development programme (which no longer exists in the current structure), the report notes the development, together with other departments, of an integrated plan for ECD. It suggests that this will necessitate an increase in subsidy for needy young children in registered ECD sites together with an expansion of the number of young children in these sites. Both of these would require additional funds, which we would have liked to see recorded in the budget for 2007-08. From the report, it seems that only a small proportion of sites were receiving subsidies during 2005-06.

In respect of home and community

based care (HCBC), the report notes that 1 058 caregivers were trained on various aspects relating to care and support for people with HIV and Aids and 2 988 caregivers received stipends. This is a drop in the ocean when the number of infected people who have progressed to the stage of being Aids sick, and thus require intensive care, is estimated at around 70 000 in 2007.

The annual report also notes that the strategic framework for implementation of national development programmes, including Expanded Public Works Programme (EPWP), would only be finalised in March 2007 because of delay with appointment of service provider to conduct the socio-economic study. As in last year's report, we are concerned that with the 2009 five-year mark of the Expanded Public Works Programme (EPWP) fast approaching, the social sector EPWP is still busy developing frameworks and guidelines.

Budget Vote 22: Justice and Constitutional Development

This vote has five programmes, and the Committee has a particular interest in three of them, namely Court Services, National Prosecuting Authority, and Auxiliary and Associated Services. These three programmes are by far the largest in monetary terms in the Department's budget.

Court Services consists of 11 subprogrammes. The Committee is pleased to see ongoing significant increases in the amounts allocated to the Family Advocate, which ensures that children are provided for adequately in divorce and other related matters. The Family Advocate is of special interest to the Committee because it is usually women who bear the main responsibility for children's care and welfare after divorce, and—in the absence of adequate provision by former husbands—it is also women who bear the financial burden. The Family Advocate is thus also of interest from a poverty perspective.

This year's allocation for the Family Advocate, at R72,31m, constitutes a 27% increase on last year's. Further increases of 8% and 6% respectively are expected in the next two years. The narrative explains that the extra money will be used for appointing additional family advocates and family counsellors. During the apartheid years, family advocates were only used for divorces which related to civil marriages and which took place in the divorce courts, and excluded most black divorces. Today, with changes in the law, the family advocate deals with a much broader range and larger number of divorces.

Both past and planned delivery statistics of the Family Advocate are impressive. In 2005-06, the Family Advocate scrutinised 38 422 documents compared to the target of 36 000, and finalised 6 842 enquiries compared to a target of 6 000. For 2007-08 the Family Advocate has set itself a much higher target of 76 000 documents and 12 000 enquiries.

The National Prosecuting Authority (NPA) programme is of interest to the Committee because it contains the Public Prosecutions subprogramme. The latter is responsible for the specialised courts, including the sexual offences courts. These are, however, hardly mentioned beyond noting that they met the target of a conviction rate of 70%, with a similar target set for 2007-08.

There is more detail on the Sexual Offences & Community Affairs Unit (SOCA) of the NPA in the Authority's annual report. This report explains that SOCA was established through presidential proclamation in 1999 with the

specific purpose of dealing with victimisation of women and children. Its role includes co-ordinating the establishment of special courts for sexual offences. Its brief is also to focus on domestic violence, maintenance, and child offenders.

The annual report records the establishment of 14 sexual offences courts in 2005-06, bringing the total to 67. The service delivery performance table notes, however, that about 25 more such courts are required. Elsewhere the report suggests that there will be a total of 100 such courts in 2006.

Five Thutuzela Care Centres were established in 2005-06, bringing the total to ten. These Centres allow services of different departments to be brought together in one place, and so contribute to increased conviction rates as well as better service for victims/survivors. The report records that "blueprint" courts have an average conviction rate of 72% for sexual offences, compared to 68% for other courts. The annual report suggests that a further eight sexual offences courts will be established in 2006.

Given this past progress, together with the open acknowledgement of the need for further action, the Committee is concerned at the silence of the budget document.

Programme 5: Auxiliary and Associated Services of Vote 22 includes provision for the Commission on Gender Equality as well as for the Legal Aid Board. The vote notes the establishment by the Commission of provincial resource centres in Durban and Cape Town during 2005-06, records the number of people participating in workshops and campaigns, and notes the completion of two reports (a gender opinion survey and a report on women's political participation). It also records the Commission as having dealt with 19 complaints from the Advertising Standards Authority and made 21 submissions to Parliament. For 2007-08 it has set itself targets of dealing with 60% of complaints received, and completing 15 sectoral monitoring and research projects. No such sectoral projects are reported for 2005-06.

The section on the Legal Aid Board, as in previous years, lists "women" ... "particularly in divorce, maintenance and domestic violence cases" in a list of various priority groups. It does not state what assistance it has provided for each of these priority groups and issues. Its targets do not specify priority groups. The Committee places high importance on the work of the Board. It is therefore pleased that its budget is increasing at a rate well beyond inflation. The Committee would, however, be more comfortable if it knew to what extent these funds are being directed at those most in need and, in particular, at gender-relevant civil cases.

The Department's vote seems to say nothing about another area of particular interest to the Committee which we have highlighted in previous years, namely maintenance. The annual report, in contrast, elaborates on activities in this area at some length. It records the launch of Operation *Isondlo* in December 2005 and its "substantial successes" in awareness raising, tracing of maintenance defaulters, and payment of money in arrears. It records the establishment of positions for, and appointment of, 427 maintenance clerks, 86 qualified maintenance officers, 145 maintenance investigators, and 100 legal interns. It states that this new person power has contributed to decreasing the delay in finalising maintenance matters from up to a year to about three months. This should have been of

enormous benefit to the many women and children who depend on this system. The report also notes the establishment of a task team within Court Services to examine the systemic problems surrounding maintenance and to come up with solutions. It notes that the Chief Directorate: Vulnerable Groups was finalising guidelines for the development of user-friendly forms for maintenance. The Committee is obviously very pleased with these developments. Our concern is why they get no mention in this year's budget, which will determine whether the improved situation continues.

The Department's vote is also silent on the issue of domestic violence. Here, again, the annual report provides more information. The information on domestic violence is, however, not as concrete as that provided in respect of maintenance. Instead, it lists in general terms the allocation of funds for training, information dissemination, and so on. It states that uniform national guidelines for courts in addressing domestic violence have not yet been established. The Committee is concerned that this task has taken so long. It is also concerned that there is no mention of this in the 2007-08 budget documents.

During 2006, the Committee received a memorandum undersigned by a large number of organisations concerned about violence against women. The memorandum was directed at the Committee as well as the Departments of Justice and Constitutional Development and Safety and Security. The memorandum called on the two departments to make the Age of Hope mentioned in the President's 2006 State of the Nation Address a reality by taking a number of specified steps.

The list below reflects the required steps listed in the memorandum. The Committee was unable to see any real evidence of these steps having been undertaken in the budget document. Nor was it able to see clear plans for them to be done during 2007-08. The Committee will be monitoring the annual reports to be produced by Departments in September 2007 for evidence that these steps have been addressed. Members of the Committee will also ask about these steps in all meetings with the relevant departments.

- Releasing the draft Sexual Offences Bill to the public for discussion and consultation
- Finalising the contents of the Bill in accordance with the outcomes of the public consultation
- Maintaining and strengthening the specialist sexual offences courts
- Allocating resources to the Departments of Health and Social Development and to the many non-governmental organisations that provide for the care and management of rape survivors
- Costing the effective implementation of the Sexual Offences Bill and ensuring that adequate budget is allocated towards its implementation
- Translating the application forms for the protection order in terms of the Domestic Violence Act into at least three other official languages in addition to English and Afrikaans
- Employing more maintenance investigators
- Employing more clerks of the court to deal with applications for protection orders
- Training all relevant Government employees on the Domestic Violence Act

- Training all relevant Government employees on the Maintenance Act
- Ensuring that the Independent Complaints Directorate and South African Police Service fulfill their statutory obligations in terms of the Domestic Violence Act (DVA) to submit reports every six months to parliament around police (non) compliance with their obligations.

In respect of the last action, we note that there is no special mention of responsibilities in respect of the DVA under Programme 2: Investigation of Complaints in Vote 21: Independent Claims Directorate.

Report to be considered.

National Assembly

1. **Report of the Portfolio Committee on Social Development on Budget Vote no 17:**

The Portfolio Committee on Social Development, having considered budget vote 17 reports as follows:

1. INTRODUCTION

The Constitution of South Africa (Act No. 108 of 1996) recognises that Legislative Authority has an important role to play in the oversight function in overseeing the performance of departments and public entities.

In terms of Treasury Regulations published in Government Gazette in May 2002, strategic plans must be tabled in Parliament at least 7 days prior to the discussion of the budget Vote of the Department.

The Government Gazette Notice no. 29644 (dated 20 February 2007) calls on government departments and chapter 5 entities to table their strategic plans within a minimum of 10 days before the budget vote's discussion.

It is important for the Committee to ensure that strategic plans are tabled within the stipulated period because the plans provide information for the budget review process of the Portfolio Committee.

The budget and strategic plan form the basis of the annual report. The Public Service Commission in its report "Evaluation of the Department's Annual Reports as an Accountability Mechanisms" clearly states that the emphasis on measurable objectives, which should be part of the strategic plan, is to create a clear contract between Parliament and the relevant Minister regarding specific deliverables for which the Minister can be held accountable.

This explains the importance of the budget and strategic plan and their necessity for departments to table them on time to ensure that Parliament is provided with information required for its oversight work.

On the 28th February 2007, the Department of Social Development and entities namely, the National Development Agency (NDA), the South African Social Security Agency (SASSA), tabled their budgets and strategic plans for 2006-07 as required by regulations. The Central Drug Authority (CDA), South African Council for Social Services Professions (SACSSP), as statutory bodies of the department of Social Development, were also invited to table their strategic plans.

The committee extended an invitation to UNICEF and Black Sash to come and participate in the budget hearings and provide their expectations on the budget allocation.

Upon referral of these instruments by the National Assembly, the Committee scheduled extended briefing sessions

with Department and the entities to present their budgets and strategic plans for the ensuing financial year.

2. BUDGETS AND STRATEGIC PLANS FOR 2007-08

On 16 March, the Committee completed the budget hearings process of the Department of Social Development and all entities reporting to the committee.

3. DEPARTMENT SOCIAL DEPARTMENT

The Director-General, Mr Vusi Madonsela and programme managers presented 2007-08 budget priorities as related to the strategic plan of the Department.

The following are department's key delivery areas which pursue the broader strategic priorities outlined in the strategic plan for the period 2007-10 and targets for 2007-08:

***Comprehensive Social Security*:** The aim of the programme is to facilitate the integration and development of the country, social security system and eliminate existing gaps so as to achieve full access to social security for all South Africans. The immediate objective is to provide protection against poverty upon retirement. At the level of institutional reform, the Social Security Agency is now fully responsible for the social assistance function, and over the medium term the department will coordinate the processes, plans and legislation to integrate unemployment insurance, compensation for occupational injuries and diseases and retirement provisions into the Social Security Agency to consolidate government's administration of social security delivery.

***Development of Welfare Services*:** The expansion of developmental social services requires a dedicated focus on human capital development. The department will make significant allocations of R365 million to train new social workers, and develop the capacity and skills of social workers already within the system through the provision of scholarships and training opportunities, respectively. This also necessitates increased levels of integration amongst all spheres of government, including, tertiary and private sector based institutions, mostly NonGovernmental Organisation (NGOs), engaged in social development service delivery, to ensure equity, efficiency and effectiveness in the services by the sector.

***Strategic oversight and governance*:** The department has established new units to oversee policy co-ordination, provide strategic support to provinces and oversight over all institutions, including statutory boards and agencies that report to the Minister of Social development. This intervention will play a critical role in ensuring strategic alignment of priorities in each financial year between the department and the institutions implementing its policies in pursuance of the department's policy goals, objectives and legislative mandate, through efficient implementation.

The activities of the Department are organised into Five programmes:

The organisational structure of the Department has five programmes. The purpose is to strengthen the Department's capacity to provide oversight over implementation of national programmes and to focus on priorities.

Programme 1: Administration

The programme provides the department with political and strategic leadership and management, and also manages capital investments. The allocation for 2007-08 amounts to

R138 902 million as compared to R125 873 million for 2006-07. The allocation reflects an increase of 17,0%.

Programme 2: Comprehensive Social Security

The programme ensures the development of norms and standards, facilitate financial and economic planning, monitor compliance with social assistance policy prescripts for the provision of a comprehensives system of social security, and facilitate the payment of social assistance to eligible households. Programme allocation for 2007-08 is R66 638 839 million compared to R61 950 147 million for 2006-07. The allocation reflects an increase of 16,7%.

Programme 3: Policy Development, Review and Implementation Support for Welfare

The programme aims to develop, facilitate and monitor the implementation of policies, strategies and programmes on integrated social welfare services that meet the needs of all vulnerable groups. For 2007-08, allocation for the programme amounts to R198 976 million, an increase of 67,1% compared to R104 131 million for 2006-07.

Programme 4: Community Development

The programme's aim is to develop, monitor and facilitate the implementation of appropriate policies, strategies and programmes aimed at strengthening the potential of communities, including youth, to sustain and advance their livelihoods and further human development. Programme allocation for 2007-08 is R167 528 million compared to R156 689 million for 2005-06. The allocation indicates a decrease of 3,6%.

Programme 5: Strategy and Governance

The programme leads the strategic management component of the Department; foster operational efficiency through improved alignment between mandates, strategies and institutional capacity; provides strategic guidance on social policy development, co-ordination and evaluation; facilitate and develops the Department's strategic plan; oversee all entities, agencies and boards reporting to the Department; and co-ordinates monitoring and evaluation across the sector. The budget allocation to this programme amounts to R87 863 million for 2007-08 compared to R45 585 million during 2006-07 financial year. This allocation also reflects an increase of 40,5%.

Therefore, the total allocation to Department for 2007-08 amounts to R62 382 425 billion compared to R61 870 291 billion for 2006-07. The budget reflects an increase of 40,5%.

COMMITTEE RECOMMENDATIONS

The Committee welcomed both the proposed budget allocations and the strategic plan presented. The Committee further encouraged the Department to put more resources, human and financial on the following:

a) Stepping up the intervention strategy to help in building the capacity of service providers.

b) Provincial departments on social development should play a pivotal role in implementing the department's objectives

c) Work in consultation with the Department of Education to monitor developments around the training and development of social workers, auxiliary workers and community practitioners.

d) Work on fostering synergies with other departments such as Depart-

ment of Health, Department of Education, Justice, Provincial and Local Government with respect to policy alignment and coherence.

e) Ensuring that training and capacity building initiatives meet increasing demands for research capacity and advisory support services to service providers.

f) Consolidation of intergovernmental relations initiatives to ensure that the departments play its role of oversight and support to provincial and local spheres of government.

g) Roll out the implementation of norms and standards of extension services and ensure that it plays a significant role in monitoring and evaluation of performance of extension services.

h) Ensuring that there is a strategy alignment between national and provincial departments of Social Development.

i) The issue of fiscal arrangements for the co-operation between national and provincial spheres under the Constitution that allows the Provinces to enjoy full autonomy in pending their equitable share makes it difficult for the national government to ensure that provincial spending is in line with national priorities.

3.1 National Development Agency

The NDA was established under the National Development Act, 1998 (Act No. 108 of 1998), which replaced the Transitional National Development Trust (TNDT). The NDA is a formal institutional platform to facilitate systematic interaction and dialogue between the state and society to mobilise resources for poverty eradication and people centred development.

Initially established as an entity reporting to the Ministry of Finance, the NDA was transferred to the Ministry of Social Development by presidential proclamation in October 2001. A board of representatives from government and civil society organisations govern the NDA. The primary responsibility of the NDA is to grant funds to civil society organisations to strengthen their institutional capacity and to enable them to carry out development projects in poor communities. Other key NDA programmes are policy and research, policy dialogue, as well as impact assessment.

The budget allocation to this programme amounts to R85 862 000 million for 2007-08 compared to R78 594 million during 2006-07 financial year.

The primary source of income for the NDA is from Government. Over the MTEF period, the allocation amounts to R129,2 million for 2007-08, R136,3 million for 2008-09 and R148,8 million for 2009-10. The entity had a deficit in 2004-05, which was turned around in 2005-06, and it tables a balanced budget over the MTEF period.

COMMITTEE OBSERVATIONS

The committee welcomed the budget and the business plan for 2007-08 financial year and requested the NDA to consider the following issues:

a) The NDA needs to do more work on improving its monitoring strategies;

b) The committee was also concerned that there seems to be no progress in the projects funded by NDA, most of them were collapsing. NDA needs to review its implementation strategy;

c) In recent years, the NDA was plagued by fraud and approximately R8 million was misappropriated. There is a need for NDA to tightened the risk management strategy and commended the CEO for action on those who engaged themselves in corrupt activities

d) A need for NDA forensic reports to be released to the committee

IT WAS AGREED THAT the NDA must provide the committee with a breakdown of budget allocations—which was made available on Friday, 16 March 2007.

3.2 The South African Social Security Agency

Mr Plaatjies and Programme managers presented the budget and the strategic plan of the agency for 2007-08:

The South African Social Security Agency (SASSA) is a schedule 3A national public entity established in terms of the South African Security Agency Act (2004) to administer and pay social assistance grants. Although the SASSA Act establishes the agency and describes its governance, management and accountability structures, the Social Assistance Act (2004) regulates the agency's mandate.

In terms of the Social Assistance Act, SASSA has been mandated to address the needs of specific group of vulnerable people, including the aged, people with disabilities, children under the age of 14, foster children and care-dependent children, in addition to paying the grant in aid. Although the agency has been formally in operation since April 2005, the transfer of the social assistance administration and payment service functions from the national and provincial departments of social development only began in April 2006.

Transfers to the agency increase from R4,2 billion to R4,8 billion in 2009-10, amount to R386,6 million, R405,8 million, and R42,3 million for the 2006 MTEF period.

In terms of the way forward, through realigning the research and development business divisions and a country network of research institutes, the council has positioned itself strategically to address agricultural imperatives of the country.

COMMITTEE OBSERVATIONS

The committee considered the budget and the business plan for 2007-08 financial year, and requested the SASSA to consider the following matters:

a) To develop capacity for the Agency to do the work and reduce the utilisation of consultants;

b) More than 15 000 fraudulent public servants were identified defrauding the system, yet only 2 000 were successfully convicted of grant fraud;

c) There is a need for a turn around time in filling of vacant posts in the Agency;

d) The mechanisms to be put in place for ordinary people to bring knowledge to SASSA, in order to enhance public participation.

e) SASSA must explore a possibility to expand the Eastern Cape Province's model to other provinces (refer applicants to identified doctors to be examined in order to qualify for grants).

f) Huge amounts of money are paid to consultants for constancy work, and the agency must work towards changing the situation;

g) The committee encourage the Agency to ensure that employees

who occupy critical posts are going through the vetting of officials;

h) There should be a strategy alignment between SASSA and the Department of Home Affairs to ensure that issues of sharing one identity document by more than one person is dealt with;

i) The problematic districts in the provinces in terms of rendering the required service at the required levels must be identified and attended to by the Agency; and

j) The issue of litigation against the Department was raised as a concern by the committee and was also raised by the Black Sash—the Agency must provide the committee with the number of pending cases.

3.3 Central Drug Authority

The Central Drug Authority (CDA) was established under Section 2 of the Prevention and Treatment of the Drug Dependency Act, 1992 (Act No. 20 of 1992).

Its key functions is to give effect to the National Drug Master Plan; advise the Minister on any matter affecting the substance and drug abuse environment; and promote measures relating to the prevention and combating of the abuse of drugs.

The budget allocation to this programme amounts to R12 712 000 for 2007-08 compared to R5 180 million during 2006-07 financial year. The budget reflects an increase of 31,2%.

COMMITTEE OBSERVATIONS

The Committee accepted both the budget and the business plan, and requested the CDA to look into the following matters:

a) It is not clear to the committee how the Ke Moja campaign is working because of its invisibility.

b) The Committee was concerned about the use of drugs in the country.

c) To strengthen the prevention part of Substance abuse.

d) To emphasise on educating the people.

3.4 South African Council for Social Service Professions (SACSSP)

The Social Service Professions Act, 1978 (Act No. 110 of 1978), previously known as the Social Work Act, provides for the establishment of the South African Council for Social Service Professions (SACSSP) and defines its powers and functions.

In recent years the act was amended on three occasions. The 1995 amendment provided for the establishment of the South African Interim Council for Social Work and for the rationalisation of certain acts relating to social workers that remained in force in the various areas of the national territory of the Republic. The 1996 amendment made the Council more representative of the people of the country. The 1998 amendment established the South African Council for Social Service Professions and provided for the establishment of Professional boards for social service professions.

For the period ahead, the council will be more involved in addressing programmes through the following divisions: CEO's/Registrars office, Education and development, Professional Conduct Policy and Advocacy and Finance.

COMMENTS ON SACSSP

Ms I Smith by assisted by the Council members were prepared to present their

plans and strategies for 2007-08 financial year. Due to time constraints copies of their presentation were distributed to members of the committee.

The Committee did not have sufficient time to interrogate the presentation of the South African Council for Social Service Professions, and the committee is planning to engage with them at a later stage.

3.5 COMMENTS BY UNISEF AND BLACK SASH

Both NGOs were in practice prior 1994, and have a clear understanding of the history, the progress and the back log of the country.

3.5.1 UNICEF: Commenting on the budget UNICEF gave South Africa thumbs up recommendation for its achievements and also emphasised that South Africa is not doing enough. South Africa has got the capacity to do more than what is doing at present.

The committee having considered the presentation of UNICEF highlighted the following issues:

a) They agree with UNICEF that monitoring is lacking in most government institutions where services are being rendered.

b) The majority of service providers such as social workers are not dedicated in what they are doing.

c) UNICEF promised to do research on issues affecting the disabled child

d) UNICEF endorse that poverty line will be of assistance, and felt that the absence of an agreed poverty line will delay the progress.

e) UNICEF noted that the President pledged to identify ways for 2,6 million 15-17 year olds to access the child support grant, but the budget allocates no funds for them and Early Childhood Development allocations should be spelt out more clearly on the Millennium Development Goals.

f) Child protection: Allocations should be made more clearer and need to be compared with Children's Bill costings, which allocate R7,7 billion for Child protection in 2007-08 financial year.

3.5.2 BLACK SASH: Their proposal focuses more on training and development, where service providers are being empowered to render services in a productive manner. Social development to revisit legal procedures that stand as stumbling blocks that prevent the poorest of the poor to access grants.

In Black Sash's view, the budget remains a budget for employers and the employed and continues to exclude the same people, with no indication of a progressive move in their direction. Black Sash further proposed a grant to be supplied to those excluded from the social protection net needs to be reconsidered.

They also proposed that the Portfolio committee to set up a commission to find out how many child-headed households South Africa has in 2007 and how government can draw these families into the social security net.

Black Sash mentioned that the establishment of a poverty line would enable much more focused attempts at poverty alleviation programmes based on in-depth understanding of how poverty works.

The committee having considered the presentation of Black Sash highlighted the following issues:

a) The committee was concerned

whether the paralegal training was still in use, seeing that in some areas those who were trained, their services are not being utilised.

b) The Black sash's proposal to open more colleges to train auxiliary workers

c) Due to insufficient time the committee could not further interrogate the presentation of Black Sash.

4. CONCLUSION

Having considered the budgets and strategic business plans of the Department and entities, the committee concludes by reiterating its position that:

a) Social development plays a pivotal role in the fight for alleviation and eradication of poverty and the reduction of inequalities. It plays a critical role in providing assistance for the poor and the vulnerable, especially (Early Childhood Development, the older person and HIV and Aids). The challenge facing the Social development sector is that of providing sufficient social workers. Beside the work load of social workers the department needs to streamline their procedure and allow the auxiliary workers and the volunteers to perform other administration duties.

b) Ensure that the communities are informed in their own languages in order to understand the procedures and be able to access grants and get first hand information on the services provided by social development department.

c) Finalisation of the Child Act.

The committee extends special appreciation to the Director-General of the Department, programme managers and to all heads of associated entities for attending the budget hearings.

Report to be considered.

Report by the Portfolio Committee on Public Works

GOVERNMENT IMMOVABLE ASSET MANAGEMENT BILL [B 1—2006]

The Portfolio Committee on Public Works having considered the Government Immovable Asset Management Bill [B 1—2006] (S75) referred to it by the National Assembly, and after complying with the provisions of sections 55 and 56 of the Constitution of 1996, Act No. 108 of 1996 and rules of the National Assembly, reports as follows:

1. *Background*

a) On 6 February 2006 the National Assembly referred the Government Immovable Asset Management Bill [B 1—2006] (s 75) to the Portfolio Committee on Public Works;

b) The Committee was briefed by the Department of Public Works on 30 August 2006 and reported to the National Assembly recommending that the Bill be rejected as it excluded a clause on local government;

c) The National Assembly considered the report and referred the Bill back to the Committee;

d) The Committee called on the department to investigate any impeding limitations and report thereon during October 2006;

e) On 1 November 2006 the Department reported back to the Committee

2. *Process*

- The Bill was rescheduled on 8 November 2006 in the Committee programme.
- The Committee was briefed by the Department on 28 February 2007.
- The Committee re-advertised on 23 February 2007 inviting public submissions on the Bill.
- Submissions on the Bill were received and public hearings were held on 6 and 7 March 2007.
- The Committee considered the Bill on 13 and 20 March 2007 and adopted it with amendments.

3. *Introduction*

a) The Bill aims to:

- Provide for a uniform framework for the management of an immovable asset that is held or used by a national or provincial department
- Ensure the co-ordination of the use of an immovable asset with the service delivery objectives of a national or provincial department
- Provide for issuing of guidelines and minimum standards in respect of the management of immovable assets by a national or provincial department.

b) Objects of the Bill

The Bill seeks to—

(i) limit its scope of application to national and provincial government;

(ii) provide a uniform immovable asset management framework to promote accountability and transparency within government;

(iii) provide effective immovable asset management within government;

(iv) ensure alignment of use of immovable assets with service delivery objectives of a national or provincial department and the efficient utilisation thereof;

(v) optimise the cost of service delivery through prudent allocation of limited state resources;

(vi) clarify the role of custodians and users;

(vii) outline the principles of immovable asset management to be maintained by government;

(viii) impose a duty on the accounting officer of every user and custodian to submit immovable asset management plans in co-ordination with the Public Finance Management Act, 1999 (Act No. 1 of 1999), and the Public Service Act, 1994 (Act No. 104 of 1994);

(ix) determine the legal status of an immovable asset management plan; and

(x) enable the Minister to make regulations, and to regulate the matter in the transitional period.

4. ***Presentations made on 6 and 7 March 2007***

4.1. Submissions Received

1) Doyle/Rivett-Carnac Partnership

2) BuiltCare Immovable Asset and Management Consultation

3) Keith Ross (CA)

4) Lamacs Land Asset Management Solution

5) Development Bank of South Africa

6) Construction Training and Education Authority (CETA)

7) Council for Built Environment

8) Samuels Consulting

9) Congress for South African Trade Unions (COSATU)

10) Gauteng Department of Transport, Roads and Works

All the submissions received and presentations made to the Committee were in support of the Bill in principle.

4.2. Doyle/Rivett-Carnac Partnership

Mr M Doyle and Professor K Cattell made the following comments and recommendations on the Bill:

- That key public assets should be developed with a view to the State retaining ownership on a partnership or joint venture basis with the private sector. Thus the State could reap maximum benefit from cash flows by entering into long leases and retains the benefit of reversions and not merely sell its assets for one-off capital profit.
- That the term capital management be used instead of asset management.
- That there need to be medium- and long-term maintenance plans.
- That the State develops its own experts and avoids outsourcing.

4.3. BuiltCare Immovable Asset and Maintenance Management Consultation

Dr J McDuling made the following comments and recommendations on the Bill:

- That the International Council for Research and Innovation in Building and Construction (CIB), define life-cycle as "successive periods of a building component, starting with the design, the construction, the use, the maintenance, the demolition and re-use".
- That following the formulation of Agenda 21 for global sustainable development at the UN Conference on Environment and Development held in Brazil in 1992, the international focus on research in built environment shifted to durability and sustainability issues, particularly service life prediction (SLP).
- Constructing the two, ie CIB and Agenda 21, he recommended that the current definition of life-cycle be replaced with CIB definitions to bring the GIAM Bill in line with international standards and best practice.
- That while "maintenance" can be defined as all interventions intended to retain an asset in a good condition or state in which it can perform its required function. The emphasis is on prevention of degradation or deterioration in order to retain or maintain the asset in a desirable condition. "Preservation" can be defined as all actions intended to retain an asset in, or restore it to, a state in which it can perform its required func-

tion and comprises of the following actions, planned and unplanned maintenance, repairs and rehabilitation and replacements.

- Based on the above he recommended that the term "maintenance" be replaced with the term "preservation".
- That very little, if any, planned preventative maintenance is done.
- On condition assessment and performance evaluation concern was regarding a proposed five (5) years maintenance cycle and proposed three (3) years, quoting from and making reference to international best practices, such as Queensland, in Austria and also the PFMA, MTEF and JIPSA.

4.4. Keith Ross (CA)

Mr Keith Ross made the following comments and recommendations on the Bill:

- Whilst appreciating the introduction of the Bill, he raised concern regarding the Department's capacity and challenges to implement the objectives of the Bill.
- Based on annual reports of various departments, he noted that in each case the "Statement of Financial Position" does not reflect any "Fixed Assets" which would include immovable assets.
- That the accounting systems are flawed and need to be drastically improved.
- An exercise be undertaken to ensure that all state assets appear in the Asset Register, inclusive of those assets that were written off previously.

4.5. Lamacs Land Asset Management Solution

Mr A Croote made the following comments and recommendations on the Bill:

- That the term immovable property be expanded.
- That the Bill does not address the critical and fundamental areas of appropriate immovable asset administration.
- That government owned property portfolios lies in the fact that very little or no real administration takes place and GIAM Bill should enforce a single standard of administration much the same way that PFMA and MFMA enforce a single standard of accounting, i e Generally Recognised Accounting Principle (GRAP).
- Such an administration standard is mission critical to creating the accurate and integrated data bases required for the extensive information required for appropriate management of the portfolios.
- Was concerned about the Department's capacity to deliver the objective of the Bill.

4.6. Development Bank of Southern Africa

Mr B Jackson made the following comments and recommendations on the Bill:

- That a similar process is desirable to guide municipalities in

the management of their assets, including municipality infrastructure.

- That the Bill, when it becomes an Act, should be implemented in phases.
- In the formulation of the guidelines, the Minister should consult widely and inclusively.
- That the Bill should also be applied to public entities.
- Most of the technical comments by DBSA have been noted and taken into consideration.

4.7. Construction Education and Training Authority

Mr T Thejane made the following comments and recommendations on the Bill:

- Noted that the Bill covers the major important aspect in relation to responsible use and maintenance of state assets which reflect very good sustainability principle. Thus all state assets should be accounted for and all asset registers be completed.
- That the Bill should not be limited to national and provincial departments.

4.8. Council for Built Environment

A written submission was received from the Council for Built Environment. The following comments and recommendations on the Bill were raised:

- Concerns about the appropriate use of the term "immovable assets" in the Bill.
- That the term "performance" be defined as it is used frequent in the Bill.
- That the Bill excludes the local sphere of government in its application notwithstanding the fact that this sphere is charged with service delivery in the first instance.
- That both the user management plan and custodian management plan be reviewed to ensure correlation between the plans.

4.9. Gauteng Department of Public Transport, Road and Works

A written submission was received from the Gauteng Department of Public Transport, Road and Works. The following comments and recommendations on the Bill were raised:

- Concerns about the certification of vested assets, the process and conflict of intention of the Bill with the provincial interests.
- That guidelines be issued on the certification process to give powers to provincial government to issue a blanket certification in respect of asset registers that qualified the verification process.
- That the Bill, when it becomes an Act, should be implemented in transition and phases to circumvent any conflict regarding vesting of assets as provided for in the Constitution.
- Comprehensive and technical comments regarding, amongst others, the definition of "user" and "immovable asset".

4.10. Samuels Consulting

A written submission was received from Samuels Consulting. The following comment on the Bill was raised:

- Concern regarding the definition of the term "immovable asset".

4.11. COSATU

A written submission received from the Congress of South African Trade Union (COSATU) raised the following concerns:

- Lack of consultation by the Department on the proposed Bill.
- The limitation of the Bill to National and Provincial Governance, and the exclusion of Local Government from its provisions. This, despite the fact that extensive assets are held by local government.

5. RECOMMENDATIONS

The committee takes note of the oral and written submissions made and concerns raised about the lack of wide and inclusive consultation by the Department of Public Works during the process.

5.1. Consultation

Noting and believing that advertisements were issued, during the draft process by the Department, the Committee recommends that a wide and reasonable scope of consultation beyond those prescribed should be utilised in future.

5.2. Amendments

The Committee, having considered all the views presented during the public hearings, amended the Bill accordingly.

5.3. Capacity

The capacity concerns raised during the public hearings are noted and it is further noted that the Department has already put in place measures to address its capacity challenges through its recruitment strategy, the Committee, however, recommends that an innovative retention strategy also be developed.

5.4. Disposals

Noting that the Bill makes reference to:

- the disposal of state assets,
- the State Land Disposal Act of 1961 as amended (Act 48 of 1961), and
- the Provincial Land Administration Acts,

And further noting that these Acts are not informed by an established common policy, the Committee recommends that a uniform immovable assets disposal policy be developed during the current MTEF period.

5.5. Moratorium and amnesty on Disposal

As the Committee recommended in its report published in the ATC dated 28 March 2006 that a moratorium be placed on the disposal of state assets, the Committee still reaffirms in its report the position as was adopted by the National Assembly on 29 March 2006.

- Further compelled by the requirements of the PFMA, the Committee urges the Department to expedite the finalisation of the asset register.

5.6. Government-wide Immovable Asset Management Policy

5.6.1 Objective of the Policy

The Constitution mandates the national government to pass legislation for all spheres of government, if the

purpose is to establish uniformity and to set minimum norms and standards with regard to service delivery. The Minister of Public Works was mandated by Cabinet to formulate and implement a government-wide policy framework for immovable asset management and to implement the policy by means of legislation.

The aim of this Policy is to introduce a government-wide immovable asset management framework. It will be implemented through the promulgation of a Government-wide Immovable Asset Management Act (GIAMA).

The GIAMA will make it incumbent on organs of state to demonstrate that they are managing immovable assets efficiently and effectively and will provide a government-wide enabling framework for immovable asset management. The purpose of this framework is—

- to provide organs of state with guidance in respect of the management of immovable assets throughout their life-cycle;
- to establish uniformity and ensure the application of minimum requirements in managing immovable assets and the related delivery of services;
- to enable the whole of government to ensure demonstrable linkages between service delivery and immovable asset resource planning and co-ordination;
- to establish accountability for the effective, efficient and transparent management of immovable assets; and
- to ensure that decision-making by individual organs of state takes place within a government-wide common framework.

5.6.2 Applicability of the Policy

The principles of this policy will apply government-wide, without taking away existing mandates and roles and responsibilities, to all organs of state, including national and provincial government departments, municipalities, constitutional institutions, national and provincial trading entities, municipal entities and relevant public entities on which the PFMA and MFMA places an asset management responsibility .

"The Minister of Public Works intends to introduce legislation applicable to national and provincial government in Parliament in 2005. Due to the complexity of legislation governing local government and the varying levels of autonomy of public entities, the Department will embark on a more extensive consultation process before submitting equivalent legislation tailored to local government and public entities."

Therefore:

- Noting that Cabinet approved the Government-wide Immovable Asset Management Policy on 17 August 2005

and

- Noting that the Committee raised concerns about the exclusion of local government in the initial construction of the bill,

and

- Noting that the Minister was mandated by the policy as approved by Cabinet to apply the Bill to two spheres of government i.e. National and Provincial,

and

- Noting that a meeting was held between the Portfolio Committee and the Department of Public Works on 19 September 2006 with regard to the extension of the scope of application of the Government Immovable Asset Management Bill to the Local sphere of Government,

and

- Noting the constitutional, legislative and administrative heads of argument advanced by DPW and DPLG, inter alia, that:—

I. *Section 63 of the MFMA*:

Adequate legislative provision be made within section 63 of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003 to ensure that the Municipal assets are adequately planned for and managed.

II. *Accounting and Accounting Systems*:

The accounting officer of a municipality is responsible for management of—

a) The assets of the municipality, including the safeguarding and the maintenance of those assets and liabilities of the Municipality;

b) The accounting officer must for the purposes of subsection (1) take all reasonable steps to ensure—

1) That the municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the municipality

2) That the municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice; and

3) That the municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed.

III. *Section 154 (2) of the Constitution of the Republic of South,1996 Act No. 108 of 1996*

"Draft national or provisional legislation that affects the status,

institutions, and powers of functions of local government must be published for public comment before it is introduced in Parliament or a provincial legislature, in a manner that allows organised local government municipalities and other interested persons an opportunity to make representations with regard to the draft legislation."

IV. *Section 4 of the Municipal Finance Management Act*

"Draft national legislation directly or indirectly amending this Act, or providing for enactment of subordinate legislation that may conflict with this act, may be introduced in Parliament only after the Minister and the Financial and Fiscal Commission have been consulted in writing on the contents of the draft legislation and have responded in writing."

V. *Guidelines on Asset Management*:

The existing legislation can be strengthened with the introduction of guidelines on asset management;

VI. *Process*:

The two departments, DPW and DPLG, will embark on a process of consulting SALGA and the relevant sector departments where the Portfolio Committees on Public Works and Provincial and Local Government will be invited to deliberate on the extension of the scope of application of the Government Immovable Asset Management Bill to the local sphere of government.

The Committee further recommends that:—

1) The principles outlined in par 5.6 of this report be applied.

2) In order to achieve this challenge, whilst respecting the separation of powers and in the promotion of co-operative governance, a progress report on the extension of the Government—Wide Immovable Asset Management Policy to local sphere of government be tabled by the Department of Public Works to Parliament every year during the current MTEF period.

6. **CONCLUSION**

The Committee has noted and considered all submissions received and expresses its appreciation to all the presenters and contributions made to enhance the objectives of the Bill.

The Committee further appreciates the co-operation it received from the Department of Public Works during the entire process of considering the bill.

Report to be considered.

PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 14:05.

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

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS—see col 2584.

MOTION OF CONDOLENCE

(The late Dr I M Phillips)

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

That the House—

(1) notes with deep shock and sadness the passing on of Dr Ian Phillips on Monday, 26 March 2007;

(2) further notes that Dr Ian Phillips served the people of South Africa and humanity generally in various capacities as an academic, a researcher, and an activist for peace, freedom and democracy;

(3) recalls that Dr Phillips was amongst the first of our public representatives to serve in the first democratic Parliament from April 1994. He will be remembered, among others, for his incisive analyses, modesty, humility and the great contribution he made during the constitution-making process;

(4) believes that Dr Ian Phillips was a South African patriot who helped lay the foundation for the democratic society we enjoy today; and

(5) extends its condolences to his family, friends, the African National Congress and South African Communist Party.

Mr B A D MARTINS: Madam Deputy Speaker, hon members, comrade Dr Ian Phillips was born in Nairobi, Kenya, on 14 January 1959. He matriculated in 1976 at Grey High School in Port Elizabeth. He obtained a PhD in history in 1984 at Rhodes University. He lectured in history and politics at Rhodes University between 1981 and 1986. From 1986 to 1994 he lectured in history and politics at the Universities of Cape Town and Natal.

Dr Phillips was amongst the first of our public representatives to be elected and he served in the first democratic Parliament in April 1994. He played a key role in drafting the section on security in South Africa's Constitution. He served as special adviser to Minister Jeff Radebe at the Department of Public Works from September 1996 until June 1999, and the Department of Public Enterprises from June 1999 to 2004. Finally, he served in the Department of Transport from 2004 until he passed away on 26 March 2007.

He held political office from 1990 to 1996 in the ANC and the SA Communist Party's regional executive structures. In 1990 he was a founder member of the Idasa Military Research Group and later he served on its Security Research Forum. He frequently held seminars, conferences and workshops on defence, the defence industry and security-related topics organised by the Centre for Conflict Resolution of the University of Cape Town, as well as the Institute for Security Studies, the Mayibuye Centre and other formations.

In 1998, he was a non-executive director of Denel, serving on the board of audit committees and also the corporate and aerospace and ordinance committee.

Dr Ian Phillips authored a number of articles

and presented a number of formal papers at major conferences, seminars and workshops.

Comrade Ian also served the people of South Africa and humanity at large in various capacities as an academic researcher and an activist for freedom, peace and democracy. He was a revolutionary intellectual and a member of the ANC and SACP until the end of his life.

He was held in high esteem for his open-mindedness, consistency, critical mind, and enormous depth of knowledge. His humility and dedication to the struggle of our people and his principled approach to the many challenges facing our society and the African continent leaves a lasting legacy.

He made an immense contribution to the common understanding of defence and peace, both in South Africa and on the African continent.

He lived an incredibly full life, loved his country and its people, and the many diverse cultures and collective experiences that make up South Africa and the African continent. He enjoyed African music, good food, and had a very good sense of humour.

May his memory live long. Long live the memory of Comrade Ian Phillips. [Applause.]

Mr M J ELLIS: Madam Deputy Speaker, I was personally deeply saddened to hear of the sudden passing away of Dr Ian Phillips. Although I only met him for the first time in 1994 when he came here as a newly elected Member of Parliament, I actually knew about him several years earlier when he lectured my son in political science at the Durban campus at Natal University.

My son used to tell me about this somewhat radical lecturer, a proud Communist with a great sense of humour, who was extremely popular and highly competent in what and how he taught.

It was therefore very good to meet him personally in 1994. I soon realised that what my son had said about him and how he felt about him was indeed very accurate.

Although he only stayed at Parliament for a few years, during that time he certainly showed a deep interest in matters relating to defence, safety and security and intelligence. During the period of the Constitutional Assembly we can well remember that Dr Phillips contributed hugely to the chapter in our Constitution dealing with security services. He was very good indeed and we acknowledge the role that he played.

My colleague Stuart Farrow, Member of Parliament, who has worked with Dr Phillips more recently than I have, paid this particular tribute to him in the Transport budget debate earlier this week. He said:

> Ian was a professional in every sense of the word. His political background, coupled with his intimate knowledge of his subject matter, be it in public works, public enterprises or transport, will be sorely missed by all that dealt with him.

He went on to say:

> I know I can speak on behalf of many of those members of minority parties who, over the years, had dealings with him, of his passion and dedication to make things happen.

He said:

> He was an intellect of note, and no request for his advice and assistance, be it big or small, went unanswered.

Many of us in this House, and many of us outside of this House, probably had the pleasure of enjoying a drink with Ian at which time his dry sense of humour would become even more sardonic and drier than usual. He could be remarkably witty indeed, but he was always good company. I for one regret that the opportunity to talk and joke with him on such occasions has very sadly ended.

We will remember him in particular for his devotion to his work, his party, his colleagues and his friends. We may not all have agreed with him politically, but we certainly respected him, and he will live long in our memories.

The DA wishes that those he leaves behind receive this House's sincerest condolences. We all have lost a very good man. Thank you. [Applause.]

Mr P F SMITH: Madam Deputy Speaker, the IFP joins with the other political parties in expressing its condolences to the family and friends of Dr Ian Phillips as well as to the political parties of which he was a member.

Colleagues, those of us who have been here since 1994 will recall that he was a member for a couple of years. I think it was until 1996, whereafter he went to join Minister Radebe in, I think, three Ministries.

We may as individuals and as political parties not have seen eye to eye on everything political, but I must say that I can recall—to use an appropriate term—him being a fairly feisty character at times.

We do recognise that he served Parliament and his Minister with loyalty and dedication. We understand that his untimely and very sudden death is a great loss.

He had intellect and he used it for the betterment of the country. He was a patriot.

So, as ex-colleagues in this House, we therefore express our regrets at his passing. Thank you. [Applause.]

Mr H B CUPIDO: Madam Deputy Speaker, on behalf of some of the smaller parties, together with the rest of Parliament, we mourn the passing of Dr Ian Phillips.

Dr Phillips was a special adviser to the hon Minister of Transport over his three successive Ministries—Public Works, Public Enterprises and Transport.

Minister Radebe will surely miss his wise counsel tremendously, particularly with the challenges presented in the run-up to the 2010 Soccer World Cup. However, Dr Phillips' contribution to the Transport department and Parliament will remain as a legacy with us forever.

We also wish to extend our heartfelt condolences and sympathies to the family and friends of Dr Phillips. We pray that our heavenly Father will comfort you at this time, and give you His peace. May Dr Phillips rest in peace. Thank you. [Applause.]

Ms S RAJBALLY: Madam Speaker, it is with great regret that I come to the podium to extend our condolences on the death of the late Dr Ian Phillips.

The MF extends its deepest sympathy to the family and loved ones of the deceased. May God bring light into your home and be your strength in this difficult time.

To the ANC and the SA Communist Party, we extend our condolences on the death of an outstanding member.

To the late Dr Ian Phillips, may you rest in peace in the gardens of Heaven. Thank you. [Applause.]

The SPEAKER: Of course, I am sure there are no objections to the motion. Oh, sorry, the hon Green.

Mr L M GREEN: Madam Speaker, the FD wishes to join others in expressing its condolences to the family, the ANC, the SA Communist Party and the colleagues of the late Dr Ian Phillips.

When we assembled in Parliament for the first time in April 1994, Dr Phillips was among us, and we all remember the sterling contributions made by him during the constitution-making process. His exceptional skills as an academic and researcher will be well remembered.

He always gave of his time, and he used his broad insight and wit to assist anyone who sought his advice or recommendations re-

lated to his work. His keen mind will be a loss to the Ministry, to Parliament and to the nation, but his legacy as a gifted and humble servant of the people of South Africa will be remembered by all of us.

May his soul rest in peace. I thank you. [Applause.]

The SPEAKER: Hon members, the condolences of the House and those of the presiding officers will be conveyed to the Phillips family, the ANC and the SA Communist Party.

Debate concluded.

Motion agreed to.

REPRIMAND BY THE SPEAKER ABOUT ABUSE OF TRAVEL BENEFITS

(Announcement)

The SPEAKER: I now wish to turn to the issue of the reprimand to certain members of the National Assembly. Am I assured by the Whips that the hon members are in the House?

Hon members, on 3 November last year I requested the Deputy Speaker to convene the disciplinary committee to consider appropriate steps to be taken against eight members of the National Assembly in respect of whom judicial processes in regard to the fraudulent use of travel vouchers had been concluded.

During December 2006 judicial processes were concluded against four other members of the Assembly. Those cases were also referred to the disciplinary committee. The committee has now reported its recommendations to me in regard to the 12 members who entered into plea bargains with the state.

Hon members, travel benefits are made available to members at public expense to assist them in carrying out their duties and responsibility as public representatives.

In this report to me, the disciplinary committee raised the important point that our systems should be clear and unambiguous in their application so that Parliament is protected from future fraudulent actions. This has already been done, as you are aware.

I remind the House that in 2005 a task team was formed to advise the presiding officers in this regard. Following their recommendations, a new travel system was put in place, including a travel office to assist members with their travel arrangements and enquiries.

In considering the matter of the misuse of travel facilities, I have taken cognisance that the institution's administrative controls may in the past have been ineffective in detecting fraudulent transactions. I also took into consideration that hon members may not always have fully understood the policies relating to the use of travel vouchers.

Having pondered over these and other factors, including the deliberations and recommendations of the disciplinary committee, I have decided to issue a reprimand to the following members for their imprudent conduct. As I call their names, could the hon members please rise:

> Mr T J Louw, Mrs M S Maine, Mr P D N Maloyi, Mr L J Modisenyane, Mr C M Morkel, Ms E Ngaleka, Mr R Z Nogumla—I believe he is not in the precinct—Mr D A A Olifant, Mr R D Pieterse, Mr B M Solo, Ms J E Sosibo and Ms B Thomson.

The members standing, the Speaker administered a reprimand to them in the following terms:

Members, under your own signatures and while being assisted by legal counsel, you have each admitted to wilfully either defrauding or stealing from Parliament amounts ranging from R33 000 to R241 000. I view the actions to which you have confessed in an extremely serious light and as unbecoming of members of this honourable House.

When you first entered this Chamber, each one of you solemnly promised to perform

your functions as a member of this House to the best of your ability and to uphold the laws of the land. That promise places on you, as on all elected representatives, an extra responsibility also to espouse the highest social values. However through this case, you have abused the public's trust.

Not only have your actions reflected negatively on the integrity of all members of Parliament, but on the integrity of this esteemed institution generally. That is totally unacceptable, to say the least. You may now take your seats.

Hon members of the House, in applying any sanctions I act only within my legal authority. I shall therefore communicate, as advised by the disciplinary committee chaired by the Deputy Speaker, with the relevant political parties on any other steps that only they can consider in response to the transgressions of their members. The work of the disciplinary committee is not yet complete. It is now proceeding to consider the cases of 12 other members. On this, I shall return to the House in due course.

That concludes the matter of the disciplinary committee.

GOVERNMENT IMMOVABLE ASSET MANAGEMENT BILL

(Consideration of Report of Portfolio Committee thereon)

Order disposed of without debate.

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

That the Report be adopted.

Motion agreed to.

Report accordingly adopted.

GOVERNMENT IMMOVABLE ASSET MANAGEMENT BILL

(Second Reading debate)

The MINISTER OF PUBLIC WORKS: Madam Speaker, hon members, senior officials of the Department of Public Works, ladies and gentlemen, as public servants we occupy privileged positions in society. The country and its people have entrusted us with the ultimate responsibility to change the lives of South Africans for the better. We have at our disposal resources, not least our passion and patriotism to transform the social make-up of our country by eradicating both poverty and hopelessness inherited from apartheid.

One of these resources is land and property that the state holds on behalf of all the citizens of the country. These assets of state not only enable us to transform the property industry, but they also create an opportunity for changing the spatial development planning of the past. We have indeed, through the disposal of some of these assets, contributed to the land reform challenge. To date, about 43 621 hectares of land has been given to the Department of Land Affairs for restitution purposes and land redistribution.

Currently, discussions are underway with the Department of Housing to look at how some of the state assets can be used to support our housing backlog in a manner that contributes towards integrated human settlement.

As a result of the discussions during the development of the property charter, which is awaiting gazetting by the Minister of Trade and Industry, we are discussing possible elaboration of our disposal policies which can guide us on utilising this instrument in creating opportunities for empowerment in the property sector. As the largest lessee in the property market on behalf of government departments' accommodation needs, we are also looking at how we can utilise our procurement muscle to influence broad-based black economic empowerment.

The immovable assets of the state, namely the land and buildings, are literally the concrete foundations upon which service delivery rests. Government, its departments and agents require these resources to function effectively and efficiently, and as custodians we are therefore tasked with management of these assets for the realisation of government's socioeconomic goals, not least the delivery of essential services.

The fact that the South African government is the owner of such a large portfolio attests to the investment both in terms of time, planning and money that has gone into acquisition, operation and maintenance of these assets for the creation of a better life for all.

Their optimum management is consequently an obligation that as general government we cannot escape. It is well known that historically, immovable assets management practices in government resulted in assets slipping into disrepair, largely due to poor planning for the acquisition and use thereof as well as inadequate funding for maintenance of such assets. Hon Blanché and other members yesterday attested to this fact and somewhat asked us to go to Cabinet and come to Parliament with appropriate measures. I'm sure Mr Blanché will be very happy that we went before him to Cabinet, and that's why we are here today.

Government land and other structures would stand vacant because proper planning failed to inform the essence of their acquisition and the extent of their usage. In general, the prevailing culture of replacement rather than ongoing and diligent maintenance eventually costs government significantly more than what ongoing preventative maintenance would have—at the same time creating an eyesore due to the way such abandoned and unused buildings or unkempt properties look.

To overcome these challenges and ensure continued improvement in exceeding the expectations of our people, government required a uniform immovable asset management framework. Yesterday, in my budget speech, I alluded to the National Infrastructure Maintenance Strategy that was developed by my department and approved by Cabinet in July 2006. Flowing from this strategy is the government-wide implementation plan that my department, together with other infrastructure departments, will soon be rolling out to rehabilitate public assets, most of which are currently in a dilapidated state requiring major investment to restore them to their former glory. That's why, working with the Umsobomvu Youth Fund, we have also agreed that 10 000 young people should join the national youth service on building maintenance so that they can be the core of our people who can rehabilitate our buildings to their former glory. This is one of the solutions to the historical problem characterised by the minimalist approach to the management of the state's immovable assets, which spans decades. As the hon Radebe said, yes, when we as the ANC government see a problem, we offer a solution.

Since 1994, government has prioritised fixed asset management and government-wide immovable asset management legislation. Against this background, my predecessor uNkosazana Stella Sicgau approached Cabinet and obtained approval in 2003 to develop a comprehensive policy framework to govern immovable asset management throughout government and to implement this policy by means of legislation.

As Members of Parliament would know, the objectives of the Bill that we are presenting here today are to provide a uniform immovable asset management framework to promote accountability and transparency, ensure effective immovable asset management within departments, ensure alignment of the use of immovable assets with service delivery of departments and to optimise the value to be derived from immovable assets allocated to departments.

Madam Speaker, the legislation and the regulations to be promulgated will require all national and provincial departments to adopt a uniform approach to the management of immovable assets, irrespective of whether such assets are government-owned or leased, and will set minimum norms and standards for the planning, acquisition, operation and maintenance and reuse or commercialisation of immovable assets.

All departments, whether they are custodians or users of immovable assets, will be required to annually comply with asset management plans that will form part of government's strategic planning and budgeting process.

And I dare say, Madam Speaker, even Parliament will be expected to do so. Whether assets no longer meet service delivery requirements, custodians must consider the re-use or commercialisation of such assets to the best advantage of the state—taking into account socioeconomic expectations of the state.

However, it is important to emphasise that immovable assets which are of strategic importance to government should not be disposed of. I must say, hon members, that in considering the commercialisation of assets, custodians should also take into account the preservation of heritage, cultural and environmental values. It is important for me to indicate that when we allocate space to you as government departments, you are actually a user and not a custodian. Custodial responsibility remains with the landlady—and that is me in this instance. [Laughter.] So, don't attempt to enter negotiations to sell the space that we have given to you. You are a tenant; we will take care of you. When you don't need it, bring it back to us. That applies to all government departments and all public entities that actually utilise state buildings. I'm saying this because I don't want you to misinterpret the paragraph that says that if you don't need the building, then think about its commercialisation and reuse—that is not your responsibility.

The Bill also provides for immovable asset performance criteria that will highlight the impact of underfunding on maintenance and overuse of immovable assets. By making such impacts visible, custodians should be in a position to respond in a more structured manner to the service delivery needs of users.

This Bill further addresses the dual accountability that has been created between users of immovable assets and the custodians thereof. By providing a consultative strategic plan framework for custodians and users, and in the spirit of co-operative governance, the continuous interaction between users and custodians should contribute to the optimal use of the state's immovable assets.

Madam Speaker and hon members, the Department of Public Works consulted with all national and provincial departments on this policy. In particular, we consulted with National Treasury to ensure consistency and alignment with the Public Finance Management Act and its regulations, as well as National Treasury's strategic planning and asset management initiative.

We also consulted with local government to ensure that local government itself aligns its asset management plan as well as its responsibility for managing local government assets with the objectives of our legislation. We have agreed with the Portfolio Committee that we will continuously work with local government and Salga to ensure that, within their current legislation, we can work on regulation that will clearly articulate their responsibility in the management of government immovable assets.

Maintenance, hon members, is therefore the key if we want to keep our assets in shape. I want to assure hon members that with our current budget we will do what is possible to bring those buildings into shape. For those that we cannot attend to in the current year, we will make the necessary allocations in the coming year.

Hon Fezile Bhengu, chairperson of the portfolio committee and members, I would like to thank you for the manner in which you have worked with the department to bring this legislation to this Assembly today. To all the members in the committee who through their active involvement have engaged us as a department, we would like to say thank you for your oversight role. We thank the department, led by the acting

Director-General, Zingisile Ntsaluba, with his team, particularly Siphiwe and Lydia who were the pioneers in this process, as well as Bax Annandale, our lawyer. Our brand-new Director-General, who starts his work on Monday, has also been invited to this House so that he can clearly be part of this process and so that, as he leads and marshalls his forces, he knows exactly what mandate this Parliament has given him. Thank you very much, hon members. [Applause.]

Mr F BHENGU: Speaker, Minister, hon members present, this has been a tedious process. I just want to thank the Minister for spearheading this Bill through trying circumstances. At times, in considering the Bill, it was as if we were the archenemies of your departmental officials, Minister. Instead it was a mere battle of ideologies, born of cross-purposes and nothing acrimonious or personal.

In supporting the Bill, and not taking away what the Minister has said, I wish to highlight the fundamentals of the policy which will clear the so-called battle lines that were drawn. The policy, as adopted by Cabinet on 17 August 2005, took cognisance to include the provisions of the Bill to apply in the local sphere of government.

In paragraph 5.6.1 of the policy, which is about its objectives, it reads:

> The Constitution mandates the national government to pass legislation for all spheres of government, if the purpose is to establish uniformity and to set minimum norms and standards with regard to service delivery. The Minister of Public Works was mandated by Cabinet to formulate and implement a government-wide policy framework for immovable asset management and to implement the policy by means of legislation.
>
> The aim of this policy is to introduce a government-wide immovable asset management framework. It will be implemented through the promulgation of the Government-wide Immovable Asset Management Act (GIAMA).
>
> The GIAMA will make it incumbent on organs of state to demonstrate that they are managing immovable assets efficiently and effectively and will provide a government-wide enabling framework for immovable asset management. The purpose of this framework is—
>
> - to provide the organs of state with guidance in respect of the management of immovable assets throughout their life cycle;
> - to establish uniformity and ensure the application of minimum requirements in managing immovable assets and their related delivery of services;
> - to enable the whole of government to ensure the demonstrable linkages between service delivery and immovable asset resource planning and co-ordination;
> - to establish accountability for the effective, efficient and transparent management of immovable assets; and
> - to ensure that decision-making by individual organs of state takes place within a government-wide common framework.

The last point that I want to talk to is 5.6.2, which is about the applicability of the policy.

> The principles of this policy will apply government-wide, without taking away existing mandates, roles and responsibilities, to all organs of state, including national and provincial government departments, municipalities, constitutional institutions, national and provincial trading entities, municipal entities and relevant public entities on which both the Public Finance Management Act and the Local Government: Municipal Finance Management Act have placed an asset management responsibility.

The Minister talked much about that.

> The Minister of Public Works intends to introduce legislation applicable to national and provincial government in Parliament in 2005. Due to the complexity of legislation governing local government and varying levels of autonomy regarding public entities, the department will embark on a more extensive consultation process before submitting equivalent legislation tailored to local government and public entities.

Ngqongqoshe, kuyajabulisa ukuzwa ukuthi cha usayibambile nokuthi usuze wakhuluma nozakwenu ngale ndaba. Iyona ebikade idala inkinga kakhulu ngesikhathi sishukashukana nawo uMthethosivivinywa lo. Kodwa kuthe uma sithola ubambiswano kubasebenzi bo-Mnyango wakho, sakwazi ukubona ngendlela efanayo. Sifuna ukubonga kakhulu maqondana nalokho. *(Translation of isiZulu paragraph follows.)*

[Minister, it is exciting to hear that you are still working and you have finally managed to talk to your colleagues about this issue. It is the one that was creating a big problem when we were discussing this Bill. But when we got help from the workers from your department, we were then able to see this issue the same way. We wish to say thank you very much in that regard.]

It therefore explains that at no stage was the local sphere excluded when the policy was formulated. The policy mandates the Minister to initiate an extensive consultation process before submitting equivalent legislation tailored to local government and public entities. I think I have explained this and the Minister has also alluded to it.

Members, you will appreciate if I may then turn to some of the issues that were a bit of a concern to the committee, that there was no legislation informed by a policy that talks to asset management, which includes asset management plans for the custodian and users.

Ubukhuluma ngomasitandi nomqashi, emqashweni. Ubukhuluma ngalokho impela kanye nokuthengiswa kwempahla kahulumeni. Ngikuzwile-ke Ngqongqoshe ukuthi uthe seniphinde nahlangana nozakwenu ukuze nihlanganise lokho. Sijabula kakhulu, ngani ngoba sekuyabonakala ukuthi senijombile naya phambili. Sithi sikhuluma nibe niyenza into. Siyafuna futhi ukuphinde sibonge nalapho. *(Translation of isiZulu paragraph follows.)*

[You were talking about the lessor and the tenant. You were really talking about that and the selling of government assets. I heard, Minister, that you said that you have again met with your colleagues to address that issue. We are very happy because it's clear that you have made progress. And when we tell you to do something, you do not waste time, but you act there and then. We again wish to thank you with regard to that.]

The Bill, as the Minister said, introduces measures that will address the legacy of the past where several of the state assets up until 1994 were not defined and could not be accounted for. That resulted in some would-be immovable state assets deliberately being donated and surreptitiously claimed and transferred to private ownership. Some properties were left dilapidated, in a state of disrepair and loss of value, which resulted in enormous repair and maintenance costs to government. This also contributed to a backlog in maintenance.

You now find, Minister, property speculators who are privy to information esingayazi thina [which we are not aware of] regarding unaccounted-for state properties, disclosing this because they want to make trade-offs with the state. There are also those who speculate and buy state properties at a low price and resell at exorbitant prices. The call made by the Minister in her Budget Vote yesterday, members, regarding a moratorium and six months amnesty from 1 April 2007, on voluntary disclosure of information

to those who know and occupy state property is relevant, appropriate and very much welcome, Minister.

By the way, let me congratulate you, Minister, for the resounding support the Vote received from all political parties yesterday.

This brings to mind what you also said yesterday, about the implementation of a property academy, and your commitment in establishing concrete interventions that support empowerment and increased participation by the previously disadvantaged groups and by black- and women-owned businesses in the property market. This is worth noting.

Bengithi mangithi jwaphu, noma singasakhulumanga ngayo kakhulu. [I was just mentioning that in passing, even though we did not discuss it in depth.]

Coming back to my speech, there are grey areas that concern the committee regarding assets that are utilised by state-owned entities. I think the policy talks to that and you are also looking into that matter. Unverified research by the committee suggests that no processes were followed in the acquisition of these assets by these entities. In their financial books the properties are listed as their assets. They benefit millions in profit when they dispose of these assets. As earlier said, the legacy of the past is still with us. You will agree with me, Minister, that this concern needs your attention. Sizomane sihlangane, sibuye siyixoxe le ndaba kabanzi. [We are going to meet regularly, to discuss this issue extensively.]

Having said that, I want to conclude by highlighting a few issues that are also contained in our recommendations, that a uniform immovable asset disposal policy be developed. Ubusuyishilo ngane yakwethu. Uyayibona-ke le nto ebengiyisho izolo? [You also referred to this one, my colleague. Do you now see what I was saying yesterday?] You normally take away the wind from under my wings.

Ubusuyishilo futhi nale, wathi usuyibambile . . . [You also alluded to this, that you have addressed it . . .] . . . that the department expedite the finalisation of the Asset Register.

Besikukhulumile-ke ngalokho, njengoba sibonisana . . . [We spoke about that, as we were deliberating . . .] . . . that the department embarks on extensive consultation. Yile indlela yokwenza izinto. Empeleni, ubukade usuyishilo nalapha. [This is the way of doing things. In fact, you have already alluded to it here.]

Now, let me take this opportunity to thank once more . . . [Interjections.] I just want . . .

Mr W P DOMAN: You must prepare two speeches!

Mr F BHENGU: We must prepare two speeches—great minds think alike! [Laughter.] . . . to once more thank the department and all public entities, institutions and individuals who came to present their views. It is worth noting that they all supported the introduction of this Bill—not one dissented. Most of their invaluable comments are also captured in the committee report in today's ATCs, tabled for consideration.

Ngizocela-ke bandla ukuthi sivumelane ngayo. Ngalawo amafushane nje, sengizoyekela abakithi be-ANC ukuthi baphinde bazoshayana nabo. Ngiyabonga, Somlomo. [Ihlombe.]. [I would humbly like us to agree about it. With those few words, I will leave the podium for my fellow ANC colleagues to come and make their inputs. Thank you, Madam Speaker. [Applause.]]

Mr S E OPPERMAN: Hon Speaker, hon landlady, for many years the lack of the proper management of our immovable assets reflected badly on our role and responsibility as custodians of immovable state property.

Huidiglik is die bestuur van hierdie vaste eiendom van die staat gefragmenteer en is die gebruik daarvan ver van optimaal. [The management of the state's immovable assets

is currently fragmented and the utilisation thereof is far from optimal.]

Because of this lack, the extensive and diversified immovable asset portfolio of government is not having the impact it is supposed to have on the macroeconomic, social, political and physical landscape of South Africa.

Without a uniform governance framework and through a lack of monitoring and evaluation systems many immovable assets slipped into disrepair. Just over 30% of our buildings are in a good or very good condition and 35% of them are in a serious state of disrepair, while the rest are in a condition that is described as fair.

Dit was veral die ou weermagbasisse soos Jozini en andere waar die infrastruktuur in so 'n mate toegelaat is om te verval dat daar in baie gevalle van rommelhope gepraat kan word.

Pragtige infrastruktuur wat plaaslike owerhede en plaaslike inwoners met groot vrug kon benut, is skandelik verwaarloos. Hierdie situasie kan nie langer toegelaat word om voort te duur nie. *(Translation of Afrikaans paragraphs follows.)*

[In particular, the infrastructure of the old defence force bases such as Jozini has been allowed to deteriorate to such an extent that in many cases we can speak of it them as rubbish dumps.

Splendid infrastructure, which local authorities and local residents could have utilised fruitfully, has been shamefully neglected. This situation cannot be allowed to continue any longer.]

An intervention was needed regarding strategic planning, acquisition, maintenance, management and disposal. This intervention will increase the economic growth, which in turn will optimise the contribution to the gross domestic product.

Indien hierdie wetgewing streng toegepas gaan word, tesame met die dringende uitbreiding na die plaaslike owerheid, sal dit 'n einde bring aan die onverantwoordelike wyse waarop bestuur en instandhouding van hierdie portefeulje tot dusver hanteer is. Die DA ondersteun die wetgewing. Dankie. *(Translation of Afrikaans paragraph follows.)*

[If this legislation is going to be applied stringently in conjunction with its immediate extension to local authorities, it will terminate the irresponsible manner in which the management and maintenance of this portfolio has been handled thus far. The DA supports the legislation. Thank you.]

Mnu S N NXUMALO: Somlomo, Ngqongqoshe woMnyango nePhini lakho, naMalungu ale Ndlu ehloniphekile. Egameni likaKhongolose, siweseka ngokugcwele lo Mthethosivivinywa obizwa nge-Government Immovable Asset Management Bill. Kodwa, ngaphambi kokuthi ngenabe ngalo Mthethosivivinywa, ake ngithi ukuyichaza kahle le eke yachazwa usihlalo ngenkathi eyiveteza ngesiLungu yokuthi kungathi kukhona obekungathi akuhambi kahle phakathi koMnyango nekomidi.

Uma uhlezi eceleni nje laphayana, ubungafunga uthi kuxabene ubendle phakathi koMnyango nekomidi kanti akunjalo. Empeleni kuyangcwekiswana nje, izimpunga nezimpandla zivivinyana ukhakhayi. Bekungekho lutho olubi.

Udaba olukhulu nolusindayo lolu, olukhuluma ngamafa kahulumeni. Lolu daba lungenza kube sengathi kukhona ukuphambana kwemibono. Obe nengozi-ke endleleni noma iphuphusi nje, noma-ke kwavuvukala umlomo, sithi kuye: Yobe, besithabela nje, akonakele lutho!

Lo Mthethosivivinywa ufike kahle impela. Lo hulumeni akaxhamazelanga kodwa kuthathe iminyaka engaphezu kweli-10 kubhekwa umonakalo nokuthi kungaqalwaphi uma izinto sezinje. I-Government Immovable Asset Management Bill phela, uma siyihumusha, isho ukubalwa nokugcinwa

kwamafa noma kwempahla kahulumeni. Phela bakwethu siyazi ukuthi lapha sikhuluma ngezakhiwo, amabhilidi kanye nomhlaba. Konke lokho kugcwele iNingizimu Afrika yonke nakuzo zonke izifundazwe, ngisho nakwamanye amazwe angaphandle.

Siyazi futhi ukuthi kwathi ngesikhathi kuphela ohulumeni bezabelo, kwakhona abagweva nezindlu zikahulumeni, mhlawumbe babenziwa ukungazi noma-ke bayazi. Kodwa-ke kubo bonke labo abahlala bengenawo amaphepha aqondene nalezo zindlu: Kwasha! Iyangena manje i-Government Immovable Asset Management Bill.

Inhloso yalo Mthethosivivinywa ukuthi uMthethosisekelo wezwe ugunyaze uhulumeni omkhulu ukuba ashaye umthetho ozolawula zonke izigaba zohulumeni ukuba zibe nendlela eyodwa yokubala, kugcinwe amafa noma impahla kahulumeni ukuze kulethwe izidingo zentuthuko emphakathini. IKhabhinethi yagunyaza uNgqongqoshe walo Mnyango Wezemisebenzi Yomphakathi ukuba akhe inqubomgomo yalo msebenzi. Inhloso yayo-ke ukunika zonke izinhla zikahulumeni umkhombandlela ekuphathweni kwempahla; ukwakha inqubo eyodwa yokusebenzisa impahla ukuze kufezeke ukulethwa kwezidingo emphakathini; ukuqikelelisa nokukhombisa ukuthi uhulumeni ekuletheni izidingo, uhlele kahle maqondana nempahla namafa akhe uhulumeni; ukuqinisekisa ukuthi ukuphathwa kwempahla kube ngendlela ecace bha, hhayi umhoshosho; ukubonakalisa kwizinhla zikahulumeni ukuthi izinqumo bazithatha becabangile ngale mpahla kahulumeni.

Lo Mthethosivivinywa uyabaphoqa abasebenzisi bawo ukuba benze konke okusemandleni ukuphatha nokugcina impahla kahulumeni ngendlela eyiyo, ukuze kunciphe izindleko zokuletha intuthuko emphakathini, kuhlume nomnotho. Uma lokhu singakuhumusha nje ngolukaJoji, singathi . . . *(Translation of isiZulu paragraphs follows.)*

[Mr S N NXUMALO: Madam Speaker, Minister of the department and your deputy, members of this House. On behalf of the ANC we fully support this Bill, the Government Immovable Asset Management Bill. Before elaborating on this Bill, let me first explain what was said by the chairperson when he was speaking in English indicating that there seems to be something that is not right between the department and the committee.

If you were sitting on the sidelines, you would swear that there is a fierce fight between the department and the committee, but that was not the case. In fact it was just a mock fight whereby the grey-headed and the bald-headed were just testing each others' crania. There was nothing serious.

This matter, which is about the state's assets, is both serious and weighty. It sometimes can even look as if there are differences of opinion. If there is anyone who inadvertently got a gash, a punch, or even swollen lips, we are saying to him or her: we are very sorry, it's just because we were in a joyous mood, and there is absolutely no offence meant!

This Bill came at a right time. This government did not do things hastily but it took it over 10 years to assess the damage and see where to start off if things were the way they were. The Government Immovable Asset Management Bill, when defined, means the counting and keeping of state assets. I am sure we are all good people who know that here we are talking about properties, buildings, and land. These are scattered all over South Africa, in all the provinces and even in other countries.

We also know that after the abolishment of the self-governing territories, there are people who refused to hand over the state houses, maybe it was because of either ignorance or intelligence. But to all those who stay in those houses without their title deeds: Woe unto them! The Government Immovable Asset Management Bill has come.

The objective of this Bill is to make sure that the Constitution gives power to the national government to introduce measures that will control all spheres of government to have a uniform framework for the counting and keeping of government immovable assets in order to bring development to the communities. The Cabinet authorised the Minister of Public Works to develop a policy for this process.

Its objectives are to give all spheres of government a uniform framework for the management of immovable assets; to develop one policy of using the assets in order to fulfil the delivery of services to the communities; to ensure and highlight that the government has a good plan concerning it's immovable assets in service delivery; to ensure that the management of assets is done accountably and transparently to show other government structures that the decisions that are taken about these assets are taken after careful consideration.

This Bill forces government officials to do everything in their power to manage the immovable state assets effectively so that it will be cheaper to bring development to the communities and grow the economy. Translated into English this simply means . . .]

. . . promoting effective, efficient and economic use of immovable assets; reducing the overall cost of service delivery through better allocation of limited government resources and immovable assets, reduced demand for immovable assets through better integration of service delivery, supporting government in socioeconomic objectives, including land reform, economic empowerment, poverty alleviation, job creation and the distribution of wealth, realising the best value for money from the disposal of immovable assets.

The challenge of removable assets in government is the ultimate challenge to ensure best value to government and the citizens of South Africa are to be effectively managing government's immovable assets by merging government service delivery objectives with efficient and effective use of immovable assets. In the context of immovable asset management the object of the PFMA and MFMA is to enforce transparent and effective management in respect of revenue expenditure, asset and liability of government.

In giving effect to this objective, custodians and users of immovable assets should apply the following principles to management of such immovable assets under their control: Ensure effective, efficient and transparent systems and financial risk management and internal control; maintain an appropriate procurement and provisioning system which is fair, equitable, transparent and competitive and cost effective; ensure that a system is implemented and maintained through which all major capital projects should be properly evaluated prior to the final decision in the project; ensure the effective, efficient economical and transparent use of resources of government; and be responsible for management, including the safeguarding and maintenance of assets.

Lo Mthethosivivinywa uzosebenza kuzo zonke izigaba zikahulumeni, ngaphandle kokuziphuca amalungelo ebezinawo phambilini. Usihlalo okhulume ngaphambilini uke wayichaza-ke ngesiLungu le ndaba.

Ngqongqoshe, phuthuma nalo Mthethosivivinywa ozobandakanya izifundazwe nomasipala nezinye izinhlangano eziphethe umnotho nempahla kahulumeni. Ikakhulukazi komasipala, kukhona kwezinye izindawo—njengasendaweni engiyimele—lapho umasipala edayise umhlaba ongamahekthare ngamahekthare wawudayisa nje ngo-2,2 w ezigidi zamarandi. Kuthi-ke labo abáthenga umhlaba ukuze bakhe izindlu ezizodayiswa, bawuqephule bawuqephule bese bewubiza ngama-golf estates, umphakathi bese uwuthola ngemali engaphezu kwesigidi samarandi isiqephu ngasinye.

Noma uthi ubuka i-Waterfront, uzothola

ukuthi isihambile. Mâlingahambi izwe Ngqongqoshe; phuthuma nalo mthetho!

Sengiphetha, siye saba nemihlangano yokulalelwa kwemibono eyehlukene. Bonke abakade belapho bakhulume kahle futhi basho nokusho ukuthi bazimisele ukusizana nohulumeni ekugcinweni kwalawa mafa. Baye bathi sebemkantsha ubomvu ekwenzeni lo msebenzi, futhi im ibono yabo mihle. Kodwa-ke, Ngqongqoshe, asazi noma bazingela bephethe usawoti yini. Ngiyabonga, Somlomo. [Ihlombe.] *(Translation of isiZulu paragraphs follows.)*

[This Bill will be effective in all spheres of government without taking away the rights they had before. The chairperson who spoke earlier on explained this issue in English.

Minister, please speed up this Bill that will include provinces, municipalities and other structures that hold the economy and state assets; more especially municipalities. In my constituency a municipality has sold many hectares of land for a mere R2,2 million. And those who buy that land to build houses will then in turn divide it into pieces and call it a golf estate, and it will then be sold to communities at exorbitant prices where you find that a single plot costs over R1 million.

If one looks at the question of the Waterfront, as an example, one will note that it is gone. Let us not lose the country Minister; speed up this Bill!

In conclusion, we held public hearings and we got different opinions. Everyone that was there spoke positively about this Bill and even confirmed that they were willing to help the state about the keeping of the assets. Some of the people claimed to be very experienced in this field, and their opinions were of course invaluable. But hon Minister, these people may be poachers carrying salt in their pockets—we may not know their true intentions. Thank you, Madam Speaker. [Applause.]]

Mr B W DHLAMINI: Madam Speaker, hon Minister and hon members, one of the challenges that our government departments are faced with is service delivery. By striving to achieve its objectives and fulfil its mission, the Department of Public Works plays an important role in facilitating the delivery of other departments, and in so doing assist them to reach their respective goals and provide a better service for all. The Bill before us today will play an important role in this regard and assist the Department of Public Works in reaching its objectives more efficiently in the fight against poverty.

The state of immovable assets has a direct bearing on the ability of government departments to fulfil their mandates and perform their functions optimally. If they are in a state of disrepair and are dilapidated then that would impair the ability of the departments to deliver an adequate service. It is for this reason that the management of government's immovable assets is so important.

The Bill provides for the efficient use of immovable assets. It also states that they be kept to function optimally in a manner that supports efficient service delivery. In order to use the immovable assets efficiently so as to achieve a high level of service delivery, there must be some sort of uniformity in procedure when dealing with issues regarding these assets as well as knowledge about the current state of affairs. Regular maintenance of immovable assets and their ability to support efficient service delivery must also be constantly monitored and evaluated. We are therefore pleased that this Bill provides for this.

A central aspect of this Bill is the immovable asset management plan which includes, among other things, a performance assessment of the immovable asset as well as the maintenance activities required. These plans are central to the asset's efficient functioning and, ultimately, to a higher level of service delivery. They will also lead to a more efficient allocation of the department's funds.

Madam Speaker and hon Minister, during

the public hearings, concern was raised regarding the department's capacity to deliver the objectives of the Bill. We in the IFP believe that this is a valid point that should be closely monitored, especially during the implementation of certain aspects of the Bill as this will ultimately determine whether the objectives are reached or not. The IFP supports the Bill. I thank you. [Applause.]

Mr H B CUPIDO: Hon Speaker, the ACDP supports the Bill on government immovable assets management. For too long, the government did not know where some of its immovable assets were located. For too long, we did not know who was occupying them and, for too long, people occupying them did not pay rent, and in many cases, illegal occupants were making clear profits by letting government-owned properties to their own benefit.

This will soon stop, as regulations will come into operation to identify and manage all government immovable assets. Custodians and users will have to prepare an immovable asset management plan with reference to all the immovable in its custody. Reports on the status and condition of assets will be done on a regular basis in order to prevent such assets from slipping into disrepair and causing an increase in maintenance costs.

One of the objects of this Bill is to put in place a uniform management framework to promote accountability and transparency within government. The ACDP supports the Bill. Thank you.

Mr S HUANG: Madam Speaker, hon Minister and Deputy Minister, hon members and colleagues, distinguished guests, ladies and gentlemen, we welcome the introduction of this Bill, which seeks to provide a uniform guideline to the department, and will assist it in managing the large and diverse number of state-owned assets of which it is a custodian, whereby the regional, provincial and national offices of the Department of Public Works can co-operate and work together. It is pleasing to note that such endeavours are currently being made, as is evidenced by the report after Parliament's implementation plan as a result of its lekgotla held in November last year.

New financial reporting is required of departmental officials in respect of immovable assets. Section 5(1)(e) and (f) (i), (ii) and (iii) of the Bill stipulate that:

> (e) when an immovable asset is acquired or disposed of best value for money must be realised;
>
> (f) in relation to a disposal, the custodian must consider whether the immovable asset concerned can be used—
>
> (i) by another user or jointly by different users;
>
> (ii) in relation to social development initiatives of government; and
>
> (iii) in relation to government's socioeconomic objectives, including land reform, black economic empowerment, alleviation of poverty, job creation and the redistribution of wealth.

We know that, as a policy of this government, black economic empowerment is not a panacea for all the social ills confronting our society. Centuries of exploitation cannot be reversed by just 13 years of empowerment initiatives. We must accept the consequence of the policy choices we have made to reconstruct and develop our postapartheid economy and devise innovative means to deal with the unintended consequences generated by our policy choices.

Thus this clause in the Bill ensures that job creation occurs and thus leads to the alleviation of poverty, and that all the principles as espoused in the Broad-Based Black Economic Empowerment Act are complied with, without fear or favour.

The Bill seeks to assist our government in implementing methodologies for effective and efficient asset management systems as it will, firstly, enable the property portfolios to comprise optimally deployed buildings that are deployed in ways that they were designed for, and nonuseful properties will be identified and redeployed or disposed of, while, secondly, wasteful expenditure will be curbed, because a maintenance budget will be planned for each individual building.

The adoption of this Bill is going to mark a turning point in the efforts of our government to ensure that state assets are in line with best practice prevailing, and comply and conform to international standards. Thus now I say, with this Bill, we have readopted the Mintiro Ya Vula Vula syndrome.

Be that as it may, local government remains an effective and efficient means of delivering high quality services to the people of our country. And it does so, on a large scale, meeting a diverse range of community needs, day in and day out. The country marches on in the national and provincial spheres of government, in line with provisions of this Bill whose main objectives, amongst others, are: Firstly, the provision of the uniform immovable asset management framework to promote accountability and transparency within the government; secondly, the optimisation of the cost of service delivery by ensuring accountability for capital and recurrent works; the acquisition, reuse and disposal of immovable assets; the maintenance of existing immovable assets; and the protection of the environment and the cultural and historic heritage; and thirdly, improving health and safety in the environment.

The scope of application of the Bill was not extended to the local sphere of government, a matter, which we have extensively dealt with as the committee in our report on the Bill.

The Bill provides good housekeeping as far as asset control on land and buildings is concerned, and it also recognises the need to co-ordinate financial control in both spheres of government that it is currently applicable to, and so there is strict compliance with the Public Finance Management Act.

In conclusion, I would like to state that the introduction of this Bill is a wise step by our government as, among other things, it seeks to ensure that asset registers in both spheres of government, national and provincial, are complete. The ANC supports this Bill. I thank you. [Applause.]

Mngd M T LIKOTSI: Sephadi le Letona le kgabane la Mesebetsi ya Setjhaba, mokgahlo wa PAC o amohela Bili ena e behilweng ka pele ho rona ya ho tsamaisa dithoto tsa mmuso. *(Translation of Sesotho paragraph follows.)*

[Mr M T LIKOTSI: Chief Whip and the hon Minister of Public Works, the PAC accepts this Bill that which has been tabled before us to control government assets.]

I-PAC iyayiqonda into yokuba kunyanzelekile ukuba urhulumente abe nelizwi kwaye ahlahle indlela malunga nendlela izinto zakhe ekufuneka zihanjiswe ngayo. Singumbutho siyayazi into yokuba kukwanyanzelekile ukuba kubekho aba bantu baziwa ngokuba bazi-accounting officers ukwenzela ukuba xa kukho indlela emazihanjiswe ngayo ezi zinto, babe nelizwi, bakwazi nokuziphendulela.

Enye into esonwabisa kakhulu singumbutho kaPoqo kukupasiswa kwalo Mthetho uYilwayo ekuthiwa ngesidlagusha yi-transparency kunye ne- accountability. Siyavuya kakhulu kwaye utsho kuthi bakaPoqo xa uthetha ngala magama esilungu ndiwabizileyo. Kuyafuneka ke ukuba sibambelele kwelo lizwi ukuze amaphondo kunye noomasipala bazi ukuba ekusebenziseni kwabo ezi zinto zikarhulumente baza kuziphendulela. Sivumelana kakhulu noMphathiswa kuba asizozabo, bona bazisebenzisa

egameni likarhulumente. Xa sele bebona ukuba bagqibile ngazo, mabazibuyisele kumnikazi wazo.

Mandigqibele ngelithi, singuPoqo, sicebisa ukuba uMphathiswa ayibeke esweni into yokuthengiswa komhlaba xa kuhlengahlengiswa izinto zesizwe. Mphathiswa nawe Sihlalo, i-PAC iyawuxhasa lo Mthetho uYilwayo. [Kwaqhwatywa.] *(Translation of isiXhosa paragraphs follows.)*

[The PAC acknowledges the fact that it is imperative for the government to have a say and provide guidance on how government property should be controlled. We are also aware that there is a need for accounting officers in order that when things go wrong, they could redirect the processes and be accountable.

The other things that this Bill touches on and which make us happy as the PAC are transparency and accountability. We are very happy especially when you make mention of these two words. We shall have to stick to these processes to ensure that provinces and municipalities are accountable. We support the Minister when he says that they should be aware that those are not their assets. When they finish with them, they should return them to their rightful owner.

In conclusion, the PAC would like to suggest that the Minister takes note the issue of the selling of the land when restructuring national assets. Minister and Chairperson, the PAC fully supports the Bill. [Applause.]]

Ms S RAJBALLY: Chairperson, the MF acknowledges that this Bill plays a vital role in the effective and efficient maintenance of state-owned immovable properties. In view of the financial implications, the Government Immovable Asset Management Bill attempts to improve the state's investments in property and is set to have a positive impact on the Department of Public Works' expenditure patterns.

The MF feels that in order for the Bill to be able to realise its full potential, the Minister's inquiries should be prioritised to avoid delays to service delivery programmes.

We further seek clarity on the content of the immovable assets management plan, the balance and expenditure patterns. The MF recommends transparency and co-ordination of intergovernmental relations, which shall award the Government Immovable Asset Management Bill its full potential.

The MF supports the Government Immovable Assets Management Bill. Thank you very much. [Applause.]

Ms C M P RAMOTSAMAI: Mme Spikara, le rona re le mokgathlo wa ANC, pele ke bua, re amohela Bili ena ka botlalo. Ebile ke ya thaba ha ke utlwa Ntate Likotsi wa PAC, a re le bona ba amohela Bili ena hobane ha ba buwe ka hore ho nkwe lefatshe feela. Ba tsamaisana le molao wa Afrika Borwa ho latela Molaotheo. *(Translation of Sesotho paragraph follows.)*

[Madam Speaker, before I make my speech, we as the ANC party fully accept this Bill. I am also pleased to hear Mr Likotsi, from the PAC, saying that they accept this Bill as well. They are not only talking about claiming the land but they abide by the law of South Africa to recognise the Constitution.]

Today Parliament is debating a Bill that is one of the important landmarks in our country, a Bill that shapes the management and maintenance of the state's assets and properties.

The Government Immovable Asset Management Bill is a critical component that will anchor and determine the definition of all solutions associated with our property portfolio. This includes all applicable legislation and policies that pertain directly or indirectly to the administration and management of government-owned property.

The Government Immovable Asset Management Bill makes it incumbent on custodians and users, as is appropriate to their functions, to demonstrate that they are managing

immovable assets efficiently and in such a way as to promote government objectives as set out in the government-wide immovable asset management policy document.

Previous speakers have stated clearly and in detail the objectives of the Bill, which I'm not going to repeat. The Bill, when in force, will work hand in hand with the completed asset register, which at this stage we cannot really say exists.

Government is the custodian of public assets in South Africa. Yet at the moment there is much to be desired in how we manage and maintain these properties. The committee, while on oversight visits to different provinces, has seen how a number of precious properties are being misused and abused. A number of people, and in some cases government officials, Madam landlady, are letting out and using precious properties for their own financial benefit.

Many government properties are vandalised, without anyone intervening. During interaction between the portfolio committee and the department we have learnt how some properties have up to 30 years maintenance backlog. [Interjections.]

Don't say: Hayi! Hayi! The backlog dates back to your time in government. The Bill aims to provide a uniform immovable asset management framework to promote accountability and transparency within government.

During public hearings on the very same Bill, all the stakeholders congratulated government on this much-awaited Bill. One presenter from Landmark told us how it would cost government a reasonable amount if there was regular maintenance of properties, done promptly.

It is a fact that when budgets are voted for capital investment, no maintenance budgets are allocated. Hence the state is experiencing problems in satisfying its own clients that occupy its properties. Many of our government departments would prefer to rent space from the private sector because our own is in an unacceptable state.

How many of us in this House have been in public buildings with windows broken, lifts not working or ceilings hanging over our heads?

What about service delivery? This Bill, Madam landlady, will address all that. In years to come public buildings will be in demand because they will be of a standard that is appealing to everyone.

The Tygerberg Hospital was built in 1975. It was one of the best hospitals of the time, with good doctors, good nurses and other staff members. I happen to know this, because my first-born child was born there in 1976.

And because of the poor maintenance programme, if any, the hospital today, after an assessment done by one of the assigned companies, poses a danger to users. That beautiful hospital, that looked like a five-star hotel 30 years ago, is a shame today and is adding to the low morale of staff members there. Let us not allow our precious assets to be in the state they are in.

Recently I visited the hospital and I was shocked at the condition of dilapidation there. What a shame! The majority of the people of this country are served by those public institutions, not by choice, but because they cannot afford to go to private hospitals as some of us can. What about the people working in those conditions? This Bill, Madam Speaker, is indeed a milestone.

I'd also like to bring to the attention of the House that the assets and properties of the state need to be looked at. I'm happy that the Minister has announced a moratorium. That is greatly welcome.

I think that after 1994 people started looting government properties, because there was no register. You look at the situation, closer to home, in Stellenbosch. You hear stories

that some officials used the old Black Local Authorities Act to sell properties in 1994, pretending that the properties were sold 10 or 15 years ago. Those properties belong to government, and I'm sure that if we can carry out some investigations, we can reclaim those properties and turn them back to the ownership of the people, because they rightfully belong to them.

In the former homelands you have another example of the looting of government properties and assets when, as a country, you don't have a register, to the detriment of the public. We all know that these precious assets belong to generations of the people of this country.

I agree fully with the previous speaker, that we must retain these properties for future generations of the people of this country. This Bill only caters for provincial and national government. The committee, as the previous speaker indicated, rejected the Bill as it excluded the clause on local government. After many interactions with the Department of Public Works, the committee reconsidered its initial position.

The Department of Local Government has since addressed the matter of bringing local government in line with this Bill, and the Bill will be tabled along these lines. The committee felt very strongly that it is at this level of government where there is a dire need for this Bill.

During public hearings it came to our attention that some local governments had appointed a company to carry out an assessment for them. For some reason, they thought that they had 1 000 properties. After a proper analysis, it was discovered that they own 7 000 properties. How important it is for us to know what we own as a country so that we are able to control and use it effectively!

In the future I would like us also to look at state-owned enterprises. Even though state-owned enterprises were once publicly owned, they still belong to us. Even though they are commercialised and perhaps making good profit for the country, we need to know where they are so that we don't only take care of those that are publicly owned. That would make us realise that we are in control of the assets.

We have also learnt that even in other countries, such as Australia for instance, it has taken them 20 years to get to grips with this process. The good thing about this Bill is that we have started out on this road, which is going to sort out all problems related to our properties and assets in this country.

Madam Chair, I would also want to thank our hon chair, Fezile Bhengu, for his diligent leadership in this regard, as well as the officials of the department, who were available at all times when we as a committee needed them. We can see how much this Bill is needed. All of us, including the opposition, agree with every word on this Bill. Therefore, we as the ANC support the Bill. [Applause.]

The MINISTER OF PUBLIC WORKS: Madam Speaker and hon members, before I start to respond to the issues raised by hon members, I would like to invite all members to have a look at the strategic plan of the department. Some of the information that we are concerned about can be found in this document.

Firstly, I would like to respond to the issues that have been raised with regard to the register. I agree with the hon members with regard to the importance that we all have to put in keeping the register of state. As for now, what we know is that we have almost 102 552 buildings that are owned by government.

If we talk about the number of land parcels, we have about 30 000 or more which translates into 6 million hectares under Public Works, but out of those the ones that can be utilised for either land reform or other purposes, are only about 1,6 million.

I think it is important for me to clarify to members that while state land may be available, it is encumbered. You will know that a majority of tribal land still falls under the state as a trustee. So, those parts of land have communities on them and you cannot necessarily talk about them being available for any land reform purposes. I think it is very important for us to acknowledge that reality when we do the counting of what we own.

But I agree with hon Mampi that indeed we need to enhance our register. It is for that reason that we have called for the public to come forward to indicate to us what they own. We are giving them a period of six months, after which those who do not come forward will face penalties. We think it is important to do so, because during the period of transition you will recall that other records belonged to self-governing territories and independent states, so therefore the alignment of those registers did have certain weaknesses. But from my predecessor in Land Affairs at the time, Deputy Minister Hanekom, followed by myself and many others, and Jeff and Mama Stella, we tried to compile what could be said: This is what the government owns.

We will continue to enhance that register and it is important for me to explain to hon members that a register is a continuous process because as you dispose of a land parcel you will have to do an adjustment of your register. So, figures would time and again change, but that doesn't mean that we do not have to do our job. I agree with you that we need to.

I am also happy that all members understand the reality of what we are trying to do, because unless we can have a legislative framework that gives guidance to all relevant users and owners of state assets, we would not be able to enforce and to have uniformity regarding what we own. So, this Bill and your support is very welcome.

Members have raised the issue of capacity. Indeed we have, in the department, already started to look at how we could better manage these assets in terms of the human resource capacity that we have. Similarly, we will be working with the provinces to ensure that those assets under their custodianship are managed in a particular way which will require either additional human resource capacity, which is the issue that we might have to discuss with the Minister for the Public Service and Administration, as well as financial resources, which we will have to discuss with the Minister of Finance.

If you look at the enormity of what we have, particularly regarding maintenance, to bring those state assets into optimal use will require resources to actually improve them to an acceptable standard. I know Comrade Mampi has raised the issue of Tygerberg. Comrade Nozizwe, who is sitting next to me as the Deputy Minister of Health, was saying: "Awu, siyabetwa?" [And, what about us?] But I am saying one of the important things this government has done was to create a grant specifically to deal with hospital revitalisation.

At the moment the programme might not have reached Tygerberg, but indeed it is intended to deal with all those hospitals that today may be in a state that is not acceptable for their use. I am sure that at a particular time the Minister of Health as well as her Deputy will take Parliament through on the progress that has been made.

Those of us who stay in Pretoria will know what the Pretoria Academic Hospital used to look like, and its rehabilitation has now made all of us proud of that public hospital. I am sure a number of public hospitals will also change their appearance.

With regard to the disposal of state assets, it is important for us to realise that we do have legislation, namely the State Land Disposal Act of 1961, which actually determines the three forms of disposal that the state can undertake; the first being disposal through donation, the second disposal through long-term lease and the last through outright sale.

What we say as a department is that it is important to enhance that legislation so that we as various state custodians, can know exactly how to use these assets in a manner that brings revenue to the state. Thank you. [Time expired.] [Applause.]

Debate concluded.

Bill read a second time.

TOBACCO PRODUCTS CONTROL AMENDMENT BILL

(Second Reading debate)

The DEPUTY MINISTER OF HEALTH: Madam Deputy Speaker, hon members, the Tobacco Products Control Amendment Bill seeks to further deepen this government's commitment to protect our people from the effects of tobacco smoke.

I wish to acknowledge the leadership role that our government has played, which goes back to the tenure of the former Minister of Health, Dr Nkosazana Dlamini-Zuma, who drove the original legislation through Parliament. Now, we take our place among the forerunners in limiting the public consumption of cigarettes. This bold action by our government has led to a drastic reduction in the number of people smoking, of young people taking up smoking and of innocent passive smokers being adversely affected.

As Dr Dlamini-Zuma has said, cigarette smoking is often the entry point for the abuse of other recreational drugs such as dagga, heroin and tik.

The Bill we are proposing today seeks to improve the operation of the Tobacco Products Control Act and also to deal with new practices designed to circumvent the provisions of the Act. The Act is also being amended to bring it into compliance with the World Health Organisation's Framework Convention on Tobacco Control, which South Africa has ratified.

The Bill further proposes a number of amendments to the Act, which are designed to promote health and prevent diseases.

The main provisions of the Bill are the following: To amend the current Act so as to strengthen the sections which prohibit advertising, promotion and sponsorship; to remove misleading package descriptions like "light" and "mild"; to control the ingredients in and emissions from tobacco products; and to increase penalties for breaking the law.

The Bill comes on the back of a widespread consultation process. Over 2 000 submissions on the Bill were received from individual members of the public, the tobacco industry, its associates and health organisations. The majority supported the proposed amendments to the Bill. However, some submissions—mainly from the tobacco and associated industries—made alternative proposals that were not necessarily in line with the objectives of the Bill. The Bill has therefore been amended, taking into consideration the comments we received.

The clause-by-clause analysis of the Bill reflects the following: Clauses 1 and 2 amend the preamble in order to insert a reference to the World Health Organisation's Framework Convention on Tobacco Control and add new definitions to close loopholes in the current legislation.

Clause 3 provides for the Minister to restrict or prohibit smoking in certain outdoor places such as schools and sport stadiums. It protects the rights of employees and prevents intimidation. It protects children by prohibiting the entry of anyone younger than 18 years into a designated smoking area.

Clause 4 prohibits advertising, promoting and sponsoring of any kind by the tobacco industry except under conditions of anonymity. It prohibits the sale of tobacco products in health and education institutions. It restricts the display of cigarettes and adverts and empowers the Minister to regulate the format of information on the packaging.

These could include pictorial information, package inserts and quantities a package may contain. Misleading and deceptive labelling that creates a false impression about the safety of tobacco products is prohibited.

Clause 5 seeks to empower the Minister to regulate the contents of tobacco products and their emissions to meet health and safety standards, to prescribe test methods for chemical analysis and to require manufacturers, importers and retailers to provide information.

Clause 6 seeks to increase the age for the legal sale of tobacco products to children from 16 to 18 years of age and brings the legislation in line with our Constitution and the World Health Organisation's Framework Convention of Tobacco Control.

Clause 7 restricts free distribution of tobacco products by manufacturers, importers and their agents. Clause 8 seeks to restrict the sale of tobacco products through vending machines and the placement of such machines.

Madam Deputy Speaker, as key policy makers we have an obligation to prohibit the misleading terms related to labelling on tobacco packaging such as low tar, chocolate flavour, fruity flavour and any other flavourant that may entice our people to start smoking or discourage those who want to quit.

Worldwide studies reveal that there are an estimated 1,3 billion smokers in the world. Many of these people will live long enough to cause harm to themselves and others and to become a burden on their national public health services.

South Africa has been successful in enforcing the legislation on tobacco products control and this has contributed immensely to a reduction in the prevalence of smoking among youths and adults.

The 2002 Global Youth Tobacco Survey showed that the prevalence of smoking among adults decreased from 23% in 1999 to 18,3% in 2002. The 2004 South African Demographic Health Survey recorded that 31% of males and 11% of women were smokers.

Our government will play its part in supporting the international frameworks on tobacco control and in providing leadership with regard to public policy. Government will take the lead in empowering communities with knowledge that will enable them to make informed decisions about their health and to raise general awareness about the harmful effects of tobacco products, and by these we include pipes, snuffs, cigars and many other forms of tobacco smoking. Government will take the lead in protecting our people who by no action of their own are exposed to the negative effects of tobacco products.

Millions of people, including half of the world's children, are exposed to second-hand tobacco smoke, known also as passive smoking. There is conclusive evidence linking passive smoking to an increased risk of cardiovascular diseases, lung cancer and other respiratory diseases in adults and respiratory diseases, ear infection and sudden infant death syndrome in children. Passive smoking is a health problem that requires the active involvement of all in our society.

Tobacco consumption has a major negative impact on health, including the depletion of scarce resources available to improve the health of our people. According to the Medical Research Council, the cost of maintaining the tobacco survivors in terms of healthcare cost and disability grants is about R2 billion per year. Therefore, a logical response is to keep our focus on prevention.

As I close, I would like to thank our government for taking this leadership role. I would also like to thank our acting Minister of Health, hon Jeff Radebe, for the leadership he has provided to the department in the absence of our Minister. I would also like to

thank the Portfolio Committee on Health, particularly, its chairperson, hon James Ngculu, for his guidance in ensuring that this Bill is finalised and presented to this House.

The ANC fully supports this Bill and we hope that this House will also unanimously, word-for-word, support it. It is the right thing to do! Thank you, Madam Speaker. [Applause.]

Mr L V J NGCULU: Deputy Speaker, today once again we give meaning to the vision and mission of the Department of Health, which states that its main aim is to promote the health of all the people of South Africa through a caring and effective national health system. In this regard all of us have come to realise that one of the potent killers of our people is tobacco. It doesn't just kill, but adversely affects productivity at work and also puts strain on our health services.

The aim of this legislation in front of us is to amend the principal Act of 1993 so as to bring it in line with the World Health Organisation Framework Convention on Tobacco Control. As we are all aware, South Africa is of the 147 countries that are signatories to the framework convention, and therefore has a legal obligation in terms of this framework.

It is always a matter of pride to us members of the ANC to be committed to ensuring that the health of our people and our commitment to international conventions in our striving towards better health and a better society is enshrined in the statutes of the Republic of South Africa.

This Bill in front of us therefore actually seeks to ensure that we live up to the obligations and challenges that are facing us. It also seeks to ensure that a number of shortcomings that have been observed in the current legislation, the principal Act, are addressed, especially those aspects that are exploited by the tobacco industry, thus making prosecution of the contraventions very difficult.

I must also hasten to add here, notwithstanding the problems we face, that the tobacco industry in general has actually embraced the spirit and thrust of this legislation. They've all come to realise, whatever their subjective problems are, that tobacco is harmful and detrimental to the health of people.

The following situation with regard to tobacco use therefore necessitates the promulgation of the legislation that effectively addresses some of the shortcomings of the principal Act. Firstly, tobacco is a leading preventable cause of death globally; secondly, tobacco use results in the death of 4,9 million people annually, and projections indicate that this will increase; thirdly, indications are—and this is fact—that tobacco companies are targeting developing countries in particular as their own emerging markets; fourthly, tobacco affects and slows down economic growth, empowerment and development, because it places a huge strain on the economy and reduces productivity; fifthly, in South Africa, 60% of hospital admissions to Groote Schuur Hospital occur because of tobacco-related illnesses; sixthly, in South Africa, one person dies of a tobacco-related illness every 20 minutes, on average.

However, the tobacco industry has argued that the tightly controlled environment in South Africa has resulted in the growth of the illegal trade. My colleagues from the ANC will speak further on this particular aspect. May I just say that we know that the tobacco industry is guilty of trying to circumvent regulation by, amongst others, engaging itself in illegal or other measures that are actually trying to bypass the legal route and resort to tax evasion mechanisms. There are a number of cases that have come to the fore just recently.

The main provisions of this Bill are the following: To regulate smoking in public places; to establish manufacturing and export standards for tobacco products, and

where those standards don't exist in the importing countries South Africa will ensure that its own laws apply; and to increase the fines for contravention of this legislation.

The Bill contains a number of transitional arrangements necessary for its application. It also proposes amendments to the preamble, including inserting the words "World Health Organisation Framework Convention on Tobacco Control".

The Bill furthermore seeks, firstly, to prohibit smoking near air inlets, windows, doorways and entrances to public places; secondly, to protect children through, one, not allowing minors into public places set aside for smoking; two, prohibiting smoking in private homes used for commercial childcare or educational purposes, and, three, discouraging smoking in vehicles in which a child or children under the age of 12 are a passenger; thirdly, to protect employees through the provisions in clause 5 that, one, they may object to being exposed to smoking in the workplace, without fear of retaliation of any kind; two, they are not exposed to tobacco smoke in the workplace, should they wish so; three, prohibit the use of a conditions of employment for employees to work in areas of the workplace where smoking is permitted, and, four, grant employees the right not to sign any indemnity for working in areas of the workplace where smoking is permitted; fourthly, to empower the Minister of Health with the right to prohibit smoking in certain outdoor areas, or a portion thereof, where people may be in close proximity of one another or where it may pose a fire hazard or any other risk.

The Bill has been criticised for not specifically addressing the situation regarding domestic workers who work in private dwellings and their right to a clean and safe environment. It is a matter we as a portfolio committee grappled with and which we have all recognised as being difficult to implement in practice. However, we are certain that in particular those clauses that protect employees in the workplace without fear of retaliation may to an extent go some way in addressing this particular criticism, which, in our view, is fair criticism.

There are also aspects in the Bill which provide standards for the manufacturing and exporting of tobacco products, especially prohibiting the export of tobacco to countries outside the Republic, unless they comply with the product and testing standards of the destination country, providing that if those standards do not exist, our standards will apply.

There is also provision for the fact that over 4 000 chemicals are found in tobacco smoke. Manufacturers add up to 600 chemicals to tobacco. These chemicals are added for a number of reasons, including the need to increase nicotine delivery to smokers and to reduce the harsh taste of tobacco, thereby making cigarettes more appealing to the youth.

This Bill will seek to reduce the harmful chemicals used in tobacco products and requires that manufacturers produce the least harmful products possible. The Bill also requires the disclosure of additives and ingredients used in making tobacco. It also makes provision for setting standards to reduce the risk of fire from discarded cigarettes through the use of self-extinguishing or lower-ignition-propensity cigarettes.

These are some of the provisions that the Bill is actually seeking to implement. There will be other areas my colleagues will be speaking on with regard to the regulations on the composition of tobacco products, the emissions as well as the methods of testing tobacco products.

All these, hon members, as we can see, go a long way towards actually meeting the vision of the Department of Health, whose aim it is to promote the health of all the people of South Africa. This government is obliged to take this responsibility. The fines have also been exponentially increased and

the hon Mashile will be speaking on this particular topic as well.

It is therefore with pride that we members of the portfolio committee, and in particular the members of the ANC, take this opportunity to thank in particular the officials of the Department of Health for their diligence and patience when we were dealing with the intricacies of this Bill. The same applies to the parliamentary legal advisers and state law advisers who have been sterling in their work, and we thank them for their invaluable inputs and advice.

We must also thank all those who took it upon themselves to make submissions and interacted with us positively in our deliberations. This goes to the industry, to a number of the people in the campaign against smoking and the adverse health hazards of smoking, and a number of other professionals and people from a wide range of societies who made claim to make these submissions.

The Deputy Minister of Health has just been indicating that the genesis of this legislation came from our former Minister of Health, Dr Nkosazana Zuma. We the people of South Africa all know that the masses are the makers of history, but as the masses are the makers of history, from time to time they produce individuals who are outstanding in that making of history. They distinguish themselves in particular by their commitment to the people of South Africa.

Some of them may not be able to stand with us at this podium today to actually table once again their invaluable contribution to this work. Among those makers of history is Dr Manto Tshabalala-Msimang, whose zeal and energy is actually something that comforted us in her readiness to ensure that every amendment to this legislation is something all of us will take pride in. We must once again salute her, as well as the former Director-General Dr Ayanda Ntsaluba and the current Director-General Thami Mseleku, for the sterling work they are doing, especially around this legislation.

We have just passed clause 75 of this Bill. We are going to come back again to another clause of this Bill, clause 76, and as we do so, we take pride in the fact that this legislation will contribute significantly to a better life and a better health for the people of South Africa. Thank you very much. [Applause.]

Mr G R MORGAN: Good afternoon, Madam Deputy Speaker, hon members and the hon Deputy Minister of Health. Regulation of smoking is one of those issues that tends to elicit strong opinions from both opponents and proponents. In the nine months that I have been a member of the Portfolio Committee on Health, I have received more correspondence on this issue than any other health-related issue.

Regulation of smoking, or to be more broad, tobacco products, involves a complex balancing of rights. On the one hand, we as legislators are required to balance the rights of individuals to do what they want with their own bodies, and on the other hand we need to protect the rights of others who demand a clean and a healthy environment. None of this is easy.

At all times, though, we as legislators need to attempt to produce legislation that is reasonable, enforceable and that seeks to do the greatest good. There are two opinions that are often shared with me by people who oppose the regulation of smoking. The first is that this legislation is not entirely enforceable. That is technically true.

Such legislation requires a significant amount of self-regulation. The enforcers are in most cases not the police or municipal officials, but ordinary citizens including smokers themselves. Yes, there are transgressions all the time, but compliance is improving daily. So it is not necessarily the case that such legislation burdens law-enforcers, although the threat of prosecution of transgressors does need to exist.

Secondly, people often tell me that legisla-

tors have it wrong. We should be going after the abuse of alcohol rather than smoking. We can debate this, but in my view when it comes to matters of public health, it is not a case of "either or". It is a case of "and". By that I mean we should in time regulate alcohol better, but it should not be at the expense of other targeted interventions. We must build the arsenal that deals with health matters.

South Africa has played a significant role in developing the Framework Convention on Tobacco Control, which was adopted at the 54th World Health Assembly in 2003. The disease control parity's project of the World Bank and the WHO estimates that tobacco control programmes are a highly cost-effective way to prevent death and disability.

In South Africa, it is appropriate that we respond to tobacco use in a sensible manner. We are a country that has over 250 000 cases of TB, and instances of the number of smokers make it difficult to improve the cure rate, although there are indeed a number of other, admittedly more important reasons why we have such a low cure rate. In South Africa tobacco use is the fourth highest cause of disease and trauma in the population, after unsafe sex, violence and alcohol, according to the Medical Research Council's risk assessment study. It is a bigger contributor to disease than obesity, unsafe water and diabetes, and hence we must respond to the problem.

The more fanatical antismoking lobbyists tend to say that tobacco companies should be banned. That is just absurd—tobacco use is legal. There are billions of smokers in the world today and the WHO estimates that there will be an equivalent amount in the world in 2050. Further banning just serves to fuel an elicit trade in cigarettes that cannot be controlled and certainly does not contribute to the revenue base of countries. And so we regulate it instead.

Interestingly, the Bill has massive support. To my knowledge, following the amendments that the portfolio committee made, there are no stakeholders, whether in the industry or in the health sector, who oppose this piece of legislation, at least to any great extent. It is my view that regulation of smoking is widely supported by the South African population, including a large portion of smokers. The existing legislation has, according to research, also proved successful in reducing the percentage of smokers in South Africa from approximately 25% in 1998 to around 22% in 2004.

I'm now turning to issues in this Bill, and I regret that the hon Deputy Minister of Health may indeed have had the wrong version of this Bill. We have dealt with section 75 and section 76 is coming up, and it looks like the Deputy Minister referred to the previous Bill. We are not, at this stage, outlawing the sale of cigarettes to under 18's and we are not further regulating advertising. Indeed those things will happen, but they are not in this Bill.

The Bill, among other things, increases the penalties for non-compliance, thus improving its self-regulatory mechanisms. It further empowers workers to object to smoking in the workplace and prevent employers from forcing employees to work in areas where smoking occurs.

The Bill, most certainly still allows for designated smoking areas in restaurants, buildings and public places. It does not prevent smoking in private homes. A key part of this Bill is to protect children. A 2002 MRC survey showed that 21% of learners in South Africa smoked.

The addictive nature of cigarettes was shown by the fact that 47% of these learners who smoked reported having tried unsuccessfully to stop smoking. Hence this Bill has three mechanisms to reduce the number of children exposed to tobacco smoke. It prevents smoking in private dwellings that are used for commercial child care or schooling. It prevents children under 18 from being in designated smoking areas and

it prohibits smoking in cars where there are children under 12 present.

I believe that the first two of these provisions are good, and while the spirit of the third provision, that is smoking in cars where there are children present, is admirable in spirit, I fear that it might be a step too far. I do not believe that it is enforceable. It is a matter that was rushed to the committee at the eleventh hour. We will need to monitor its success closely and should be prepared to amend it in the future if necessary, or risk this provision being ridiculed. But we will wait and see.

I was happy that the committee supported my amendment to allow the Minister to exempt tobacco products from certain regulations where it may be in the public interest. As far as I know, we will be the first country to have such a provision.

It will, I believe, allow for further innovation in tobacco products that could be less harmful than smoking-type tobacco. In particular, I urge the Minister to look at regulating the new smokeless tobacco product called "snus" under this exemption clause. If the research on this product is to be believed, it could be 90% less harmful than traditional cigarettes. However, the burden of proof is now with the manufacturer, and so it should be. It's up to the manufacturer to prove whether what it claims with regard to harm reduction is in fact true.

In conclusion, I would like to thank my colleagues on the health committee for the spirit in which we deliberated on this piece of legislation, including the chair, hon James Ngculu. Secondly, I would like to urge the department to do much more work and provide more money for programmes that help smokers to quit.

You can go into any clinic in South Africa and pick up chronic medicine for a number of ailments. With the exception of pamphlets and posters, there is almost no help given to people who go into our clinics and hospitals who want to quit smoking. Only R400 000 is allocated to smoking cessation at national level. The DA supports this Bill. [Applause.]

Mr M W SIBUYANA: Deputy Speaker, hon members, the IFP is not generally in favour of overregulating the private sector. We support the setting of minimum standards by government and good policing of the standards so that the public does not suffer harm through exploitation, fraud and corruption. However, in the case of the tobacco legislation, the IFP supported the original Bill and we support the amendment, although not in total agreement with all aspects of either.

Those who smoke in public places and spaces unequivocally infringe upon the rights of others to a fresh and healthy environment. Therefore persons should rightly be prevented from doing so.

Since sponsorships and branding creates role models for the youth, advertising control is also justified. However, this puts a question mark over the entire advertising industry, which is manipulative and dishonest by its very nature. We have never supported the ban on tobacco companies sponsoring arts initiatives, because at that level of sophistication people are usually sufficiently well-informed and educated to make up their own minds.

Where industry is concerned, it would be far preferable not to have to be so draconian in respect of advertising and product information. However, the tobacco industry comes with a long history of deception and must unfortunately pay the price for that.

The invisible hand of Adam Smith has already come into play with the introduction of smokeless tobacco products. These do not have anything like the same level of harm as smoke tobacco products, although their use can also lead to narcotic addiction, excessive use and gum complications.

Ironically, some work has emerged to suggest that a chewed nonsmoke tobacco may have beneficial effects on helicobacter

pylori, the bacterium that causes peptic ulcers. Hence the IFP proposed that the Bill be amended to make it possible to differentiate between the regulation of the smoked tobacco and smokeless tobacco products. Transparent research in this area of tobacco use . . . [Time expired.]

Mr S N SWART: Madam Deputy Speaker, the ACDP supports this Bill, which will increase the protection of children who are more vulnerable than adults to second-hand smoke. Scientific evidence shows that for children passive smoking causes or worsens asthma, bronchitis, pneumonia, cordites and lung development, and inhibits growth.

It is easy to think of the health hazards of tobacco smoke as a lesser evil, especially in today's world where our children are suffering abuse and face great dangers at every turn. Our failure, however, to protect our children in other areas should not be a licence to neglect our responsibility to protect them in these instances.

The ACDP's proposal prohibiting smoking in motor vehicles when any child under 12 years is in the vehicle was accepted by the committee, which acknowledged reports that, and I quote: "Smoking in a car produces high concentrations of smoke in the vehicle and poses a risk to all children."

The ACDP recognises the widespread public support for the special protection of children from passive smoking and therefore welcomes and supports this piece of legislation. Thank you.

Mrs M M MADUMISE: Madam Deputy Speaker, please allow me to dedicate my speech today to the hon Minister of Health, Dr Manto Tshabalala-Msimang, and I hope that listening to our debating this Bill will make her feel better.

Worldwide deaths from smoking are currently 5 million per annum and unless action is taken, they will increase to 10 million by the year 2025. The amendments to Act 83 of 1993 seek to provide anew for the control over the smoking of tobacco products. To put this into perspective, I quote from Aristotle, who says in his work *Politics*:

> The wellbeing of all men depends on two things: one is the right choice of target, of the end to which actions should tend, and the other lies in finding the actions that lead to that end.

In supporting the Tobacco Products Control Amendment Bill, our target, as with the original Act of 1993, is to achieve a healthy nation that enjoys a better quality of life. The amending Bill we pass today contains further measures to strengthen the Act and further actions towards achieving our targets.

During the public hearings we were informed of many risks that smoking poses to our health. Many of these are well-known, but what is interesting is that the tobacco industry acknowledges that there is no such thing as a healthy tobacco product. The major concern to me, and I am sure to others, is the impact that secondary smoking has on the youth and very young children. They are most impressionable and vulnerable and this requires parents and adults in general to act responsibly around children.

We are proud that so many South Africans have embraced the Act so favourably and have indeed given life and meaning to it; proof that many South Africans are heeding the call for a healthy style. We are also grateful for the positive response that the Act received from business whilst there were those who feared a loss of business.

I believe that they have been proven wrong and statistics shows that some businesses have in fact benefited. I believe that this is an indication that we are finding the right actions to achieve our targets with this Act. Paulo Freire, in his book *Pedagogy of the Oppressed*, says, "Human activity is theory and practice, it is reflection and action".

We have reflected and found a need to amend this Act in order to strengthen it to

achieve our target and undoubtedly we may find the need for more reflection and further actions in the future.

There were many emotive pleas from presenters at the public hearings to protect the young and vulnerable from the dangers of smoking, such as the Seventh Day Adventist Church and Soul City, to name a few.

Whilst the Bill does not deal with public education on the dangers of smoking, it is clear that this is a critical issue that we need to engage with as government, civil society and even the tobacco industry must take some of the responsibilities.

This public education campaign should target the youth in particular. We salute the efforts of Cansa, who are doing excellent work in educating learners through the programmes they conduct at schools, and all other organisations and individuals who are working tirelessly to promote a healthy lifestyle among South Africans.

It is acknowledged that the tobacco industry is a legitimate industry under the law, but one of the issues raised during the public hearings by the tobacco industry is the illegal trade. There is a possibility that this illegal trade will go unregulated or that it may prove to be difficult to regulate. I am aware that Sars is looking at ways of dealing with the problem of what is known as round-tripping.

Of some concern are the allegations and court cases that imply that the legal tobacco industry is involved in this illegal activity. The question that often came up during hours of deliberation is: How do you enforce this Act?

We may be ambitious with these amendments, but South Africans have surprised us with the way they have responded and complied in the past. There is every expectation that these amendments will be met with the same enthusiasm. A study done by the World Bank in 1999 states that action to reduce smoking saves lives and that there are obvious benefits for public health.

I am not sure that taxes collected from the tobacco industry offset the strain on the resources that smoking places on the public health system. We were also shown evidence by a study done by the University of Cape Town that raising the tariffs on tobacco products does not necessarily have a negative effect on the profits of the industry, in spite of claims to the contrary.

The tobacco industry is tackling poor and developing countries for new markets, as their sales decline, and in developed countries due to antismoking campaigns and people adopting healthier lifestyles. This indicates that our actions through these amendments are timely.

Soul City said in its submission during the public hearings that these amendments are a natural extension to the existing legislation, and I agree.

We are extremely proud and grateful for the fantastic work being done by Soul City, who consistently deglamorise smoking through their programmes which target young children. South Africa is at the forefront of tobacco control worldwide in terms of legislation and research and is a signatory to the World Health Organisation Framework Convention on Tobacco Control.

South Africa also played a hugely significant role in the development of the framework convention. These amendments are therefore aimed at bringing South Africa in line with the World Health Organisation Framework Convention on Tobacco Control. Some of the statistics we were given during the hearings were rather frightening.''

According to the Medical Research Council's submissions, 15 billion cigarettes are sold per annum and 10 million a day. Between 80 000 and 100 000 children worldwide start smoking every day. These are frightening statistics indeed. The MRC submissions also related how studies in the

USA have shown the positive effect that smoke-free workplaces can have on the incidence of strokes and heart attacks.

Their submissions also reflected on smokeless tobacco products such as snus and snuff and concluded that due to their high nicotine content they were therefore addictive. Smoking also has tragic consequences for people with HIV and Aids and TB sufferers due to its negative impact on the immune system and the reduced quality of life and chances of survival.

The most frightening statistic is that smoking is the second leading cause of death globally. It is once again the poor who are the hardest hit where the probabilities of dying at age 35 to 69 by smoking is 5% for those in the highest social strata and 17% for those in the lowest. This indicates that tobacco control should be a priority in achieving our target of halving poverty by 2015.

Another area that is a cause for concern is the devastation of our natural vegetation, largely caused by careless and reckless behaviour of smokers tossing away burning cigarettes and causing fires. The Fire Protection Association of Southern Africa is advocating the introduction of a reduced ignition potential cigarette to reduce the number of fires and deaths caused by discarded cigarettes that continue to burn for a long time.

The technology is available and we would therefore urge the tobacco industry to take measures to introduce RIP cigarettes in the near future. An issue that came up in a number of submissions is a lack of smoking secession clinics and the lack of investment by government in this type of clinic, but also the fact that medical aids do not cover conditions caused by smoking, thereby impacting on the public health system's resources.

Mrs Sandra van Biljon, a professional nurse, raised the issue that nurses are not trained to deal with patients who smoke and what she refers to as the tobacco epidemic. She also raised an issue of the misleading advertising related to light cigarettes which is creating the false impression that they are healthier and safer.

A key element of the Bill is to empower the Minister to develop regulations for control over tobacco products and for the industry to disclose the chemical composition and the emissions of their products. The Bill restricts or prohibits smoking in certain outdoor and public places and it increases the fines for noncompliance.

During the portfolio committee's deliberations it entered into a long discussion about the private home being used as a workplace and the fact that many private homes are the workplace of domestic workers. The committee felt that since it was not imposing a complete ban on smoking, it could not legislate around a private dwelling, but I wish to make a special appeal to private homeowners to respect the rights of their domestic workers to work in a smoke-free environment.

An important clause unanimously agreed to and added to the Bill is the one that bans smoking in private vehicles while there are children under the age of 12 present. We are relying on the understanding and caring nature of parents and adults to achieve a high level of compliance.

The importance of this legislation cannot be overstated as it impacts on so many things relevant to our transformation process. Thank you very much. [Time expired.] [Applause.]

Mr R B BHOOLA: Madam Deputy Speaker, according to the Department of Health on 23 January 2007, tobacco is a leading cause of death globally, claiming 4,9 million lives annually with an expected increase to 10 million by 2030. The Groote Schuur Hospital reports that 60% of all its admissions involve tobacco-related illnesses and it is

estimated that in South Africa one person dies every 20 minutes of a tobacco-related illness.

If this does not scare you, then we might have to label smokers as suicidal. The MF is in full support on the restrictions on smoking in public areas and the establishment of manufacturing and exports standards for tobacco products. This Bill brings us in line with our agreement with the World Health Organisation's Framework Convention on Tobacco Control.

The MF calls on all smokers in this House to set an example of personal wellbeing to the nation and our atmosphere by giving up smoking. The MF will support the Tobacco Products Control Amendment Bill. Thank you. [Applause.]

Mr L M GREEN: Deputy Speaker, the Bill before us today will add to the protection of consumer rights, and contribute to ensure a healthy working and living environment for all. Though the use of tobacco products is difficult to control, the restrictions placed on smoking in public and certain private spaces could well serve to educate the smoking population regarding their role in respecting laws to improve the basic health of the broader public.

In this respect, the smoking public largely adheres to the tobacco laws. With respect to private dwellings in section 2, subsection 2(1) and clause 4 of the Bill, especially assets that relate to children, it serves to protect the rights of children to a healthy environment. Children are the most vulnerable when it comes to being adversely affected by adult addiction to substances such as tobacco products.

We have found in our experience that adults go to restaurants and though they sit in the designated smoking area, they will smoke whilst having a toddler either on their lap or seated around the table. It may be necessary to enforce regulations that prohibit children to enter areas designated for smoking.

According to research in 2005, although the average allocation of household expenditure on tobacco products is around 5%, the use of these products can contribute to some of the highest rates of household or personal inflation of up to 10%. Although we cannot legislate restraint from smoking in the privacy of one's home, many nonsmoking occupants of such homes are exposed to costs that not only relate to their health, but also to their earnings.

The FD supports the provision that employees who object to smoking in contravention of the Act now have recourse to protection. It becomes the onus of the employer to ensure that all employees are protected and that the working environment subscribes to health regulations.

We hope that the department will despatch the appropriate resources to ensure that it employs and enforces these laws. The FD supports this Bill. I thank you. [Applause.]

Mr B L MASHILE: Hon Deputy Speaker, hon Deputy Minister of Health, hon chairperson of the Portfolio Committee on Health and the hon fellow members of the portfolio committee, for a change to take place, there should be a contradiction. Some part of our society should be uncomfortable with the status quo for them to have a desire to change that status quo. Karl Marx's words on revolutionary change say: "The philosophers have only interpreted the world; the point is to change it."

Taking our cue from these famous words, we have listened to numerous organisations outlining the implications of using tobacco products and respective recommendations to be considered by this Parliament. The hearings were held necessarily to afford all interested parties an opportunity to present their argument on the use of tobacco products. Listening to all parties, there was consensus that the use of tobacco products is extremely injurious or harmful to the health of tobacco product users.

The provisions of Chapter 2, section 24 of the Constitution state:

Everyone has the right—

(a) to an environment that is not harmful to their health or wellbeing; and

(b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that—

(i) prevent pollution and ecological degradation;

(ii) promote conservation; and

(iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

As a direct consequence of this constitutional right, the use of tobacco products is in serious contradiction with the Constitution. It is, therefore, necessary that legislation should unapologetically be promulgated to bring positive change to this social ill. The current debate seeks to give effect to this necessary change.

Given the frequency with which restrictive legislative amendments are brought to this House and given the concern about noncompliance with section 24 of the Constitution and the behaviour of the Minister of Finance by forever raising sin taxes, users of tobacco products and the industry should be able to see the writing on the wall, as is distinctly contained in the Preamble.

This Tobacco Products Control Amendment Bill under debate provides for the control over smoking of tobacco products. Section 2 of the Bill says—

2. (1) *(a)* No person may smoke any tobacco product in—

(i) a public place;

(ii) any area within a prescribed distance from a window of, ventilation inlet of, doorway to or entrance into a public place; or

(iii) any place contemplated in subsection (3).

(b) Notwithstanding paragraph *(a)*, the Minister may permit smoking in the prescribed portion of a public place, subject to any prescribed condition.

Smoking is also not permitted in any motor vehicle in which a child under the age of 12 years is present, or in any place where the Minister may be convinced that persons are likely to "congregate within close proximity of one another or where smoking may pose a fire or other hazard".

These control measures call for the Minister to promulgate regulations to define the prescribed distance in clear terms. It is not possible to legislate the distance, given the varying density of our amenities. This provision creates an enabling environment for municipalities to promulgate appropriate distance in their respective by-laws.

Section 3A of this amendment Bill says—

No person shall manufacture a tobacco product unless it complies with such standards as may be prescribed.

(2) Every manufacturer of a tobacco product shall provide such information about the product and its emissions to the Minister and the public as may be prescribed, in the prescribed manner and within the prescribed time.

(3) *(a)* No person shall export a tobacco product from the Republic unless the tobacco product meets the product and testing standards of the country of final destination.

(b) If no such standards exist in the country of final destination, the provisions of this section apply.

These provisions call upon the Minister to promulgate regulations to set standards that tobacco products should comply with for consumption within the Republic. This is necessary to avoid the dumping of foreign substandard tobacco products in our country.

Furthermore, regulations will be promulgated to stipulate the manner in which information about the product and its emissions will be provided to the Minister and the public. The regulations will spell out the time for the provision of the above-mentioned information. This information is required for the public to exercise or protect their rights in terms of section 32 of the Constitution.

Section 6(a) of this amending Bill seeks to empower the Minister to exempt any tobacco product from a provision or provisions of this Bill on the basis of a certain condition or conditions that may be determined in the notice. This exemption will be made solely in the best interest of the public and nothing else.

This amending Bill stipulates penalties for those who choose not to comply with any provision of this Bill. The penalties are designed for individual users of tobacco products, employers and the tobacco industry. The meagre penalties that are currently in force are no deterrent to this lucrative business. Some businesses have contravened the current Act without giving a damn about current fines.

Of course, the fines to be paid under this amending Bill by those unpatriotic, arrogant, naughty and noncompliant persons who choose to contravene the provisions of this Bill are as follows: Any individual who thinks he/she can smoke anywhere, including in his/her private vehicle whilst there is a child younger than 12 years present, must think twice as she/he will face a fine of not more than R500. Any owner of a public place or workplace who chooses to allow people to smoke or ignorantly allow smoking to take place in these places will learn the hard way as he/she will face a fine of not more than R50 000. Any unscrupulous manufacturer who ignores the manufacturing standards laid down by exporting noncompliant tobacco products will be made bankrupt with a fine not exceeding one million rand. Any employer who ignores objections to smoking in their workplace by employees or allows employees to be exposed to smoking, or who makes it a condition of employment to work where smoking is permitted, will be contravening this Act and will be fined to a maximum of R100 000.

The ANC-led government is not in the business of collecting fines from the users of tobacco products, employers or corporations in the tobacco industry. We urge adherence and compliance to the provisions of this Bill without undue law enforcement. The ANC supports the Tobacco Products Control Amendment Bill, 2007. I thank you. [Applause.]

The DEPUTY MINISTER OF HEALTH: Madam Chairperson, hon members, I want to thank all the members who have participated in this debate and contributed immensely to the issues that we were discussing today and the passing of this Bill.

I also want to thank the public who, because of greater awareness around the harm caused by tobacco smoking, are self-regulating. This is a point that was made by the hon Morgan, which I support entirely, that in the case of this particular Bill—the Tobacco Products Control Amendment Bill—it was found that it is the people out there who are helping us with enforcement of this Bill, that they are complying and that they are beginning to reduce tobacco smoking. But of course what this Bill is doing as well is

protecting children because, as other members have stated so strongly, it is our responsibility as the state and as the public to protect children who are victims of passive smoking.

I just want to say briefly in conclusion that with regard to the issue raised by hon Sibuyana about the possible medical benefits of chewing tobacco, what we need to do is to look at the science. We must see what science says about this. But what I would emphasise is that if indeed there are medical benefits, this particular product would then need to be registered by our Medicines Control Council. As you know, we regulate the use and distribution of medicines and anything that is not registered with the MCC cannot be said to be a medicine and cannot be said to cure anything. But I would like to say also that while there may be some benefits, as he has indicated, we must be aware that it would be a matter of balancing issues. For example, if somebody is really terminally ill and might receive benefit from such a product, you weigh what is better to do.

I want to thank members, especially those who in their wonderful contributions to this debate have thanked our previous Minister, our present Minister, our Acting Minister and government for their leadership in this legislation and also those who have reminded us of philosophers such as Aristotle, Karl Marx and Paulo Freire. As we end our discussion and our debate today it is proper that we are reminded of the founding parents who have shown us some of the things that today we are aware of and clear about.

I finally take the correction, hon Morgan. Indeed, the issue of the age of 18 years as the cut-off is in clause 76 of the Bill. Anyway, I very much appreciate your contribution and all of you who have contributed. [Applause.]

Debate concluded.

Bill read a second time.

GOVERNANCE MODEL FOR PARLIAMENT

(Consideration of First Report of Joint Rules Committee 2007)

Order disposed of without debate.

The ACTING CHIEF WHIP OF THE MAJORITY PARTY: Chairperson, I hereby move:

That the Report be adopted.

Motion agreed to.

Report accordingly adopted.

INTERNATIONAL LABOUR CONFERENCE

(Consideration of Report of Portfolio Committee)

Mr T G ANTHONY: Madam Deputy Chairperson, hon members, distinguished guests, the International Labour Organisation's conference is held in Geneva, Switzerland every year. Member states are represented by delegations consisting of two government delegates, an employer delegate and a worker delegate, and their respective advisors. Employer and worker delegates are nominated in agreement with the most representative national organisations of employers and workers.

The conference's tasks include, among others, the crafting of adoption of international labour standards in the form of conventions and recommendations, as well as supervising the application of conventions and recommendations at national level.

Since the adoption of the Declaration of the Fundamental Principles and Rights at Work in 1998, another important function of the conference is to examine a global report prepared by the office under the follow-up procedures required by the declaration. This conference serves as a forum where social and labour questions of importance to the entire world are discussed, but the central theme is centred in the report presented each

year by the ILO's director-general. In recent years these reports have addressed questions of decent work and of reducing decent work deficit, a global challenge and fair globalisation, creating opportunities for all. It also passes resolutions that provide guidelines for the International Labour Organisation's general policy and future activities. Every two years the conference adopts the ILO's biennial work programme and budget, which is financed by the member states.

Last year the portfolio committee sent a multiparty delegation to attend the annual International Labour Conference in Geneva from 12 to 16 June 2006. The delegation participated in the African Group, the Tripartite Alliance proceedings, committees and plenaries.

We would like, as the portfolio committee, to urge Parliament to consider the issue of sending a bigger delegation to this conference and that the committee also be allocated more funding to participate in the conference.

Throughout the world South Africa has been admired for its peaceful transition to a democratic dispensation, but most importantly by our ability to establish institutions that promote democracy and equity, such as Nedlac. Last year our Minister of Labour was elected as chairperson of the governing body of the ILO, which is an expression of the confidence of the world in South Africa.

Although not active participants during the ILO's proceedings, the ANC, through the study groups on labour and through the Minister of Labour, can use this platform to raise contentious issues which require international perspectives. Such a platform can help to shape the global agenda.

I propose the adoption of the report of the International Labour Organisation's conference. I thank you, Madam Chairperson. [Applause.]

Order disposed of without debate.

The ACTING CHIEF WHIP OF THE MAJORITY PARTY: Chairperson, I hereby move:

That the Report be adopted.

Motion agreed to.

Report accordingly adopted.

SECOND QUARTER NATIONAL EXPENDITURE 2006-07 FINANCIAL YEAR

(Consideration of Report of Joint Budget Committee)

Ms J L FUBBS: Madam Chairperson, hon members of the House, normally, this sort of thing is really a formality and yet it should not be. I think that the Joint Budget Committee would certainly like to express a couple of salient points in the hope that the executive and their departments would take the section 32 reports, which deal with expenditure, more seriously and link them to their strategic planning process more effectively, so that we achieve what we intend to achieve, and that is stated outcomes to transform the country and deliver to the people of South Africa.

In short, Chairperson, what one would like to avoid . . . what the quarterly reports should be used for is as an early warning sign, an early warning instrument to enable the department to track its expenditure. This is not, the Joint Budget Committee believes, effectively used by all departments. There is far too much underexpenditure or rather expenditure not even related to strategic plans. And the question arises: What purpose are strategic plans serving if they are not informing the expenditure?

Another area to which we would certainly like to raise the attention of the departments, the executive arms, this Parliament and portfolio committees to focus more seriously on is the area of capital expenditure, especially as we move in a more focused manner

towards increased expenditure on infrastructure. This is a very serious area when we are using this as tool to advance and expand employment and eliminate poverty.

Chairperson, some of the points that were referred to as recommendations in the report are really the concern of Capex. I have already mentioned slow expenditure. Departments need to look at the truncheons in the transfers and interact more closely with the provinces and the local government sphere, as well as with the other agencies to whom these transfers are being made.

On that note, and with an appeal that more corrective action and measures are taken, the Joint Budget Committee adopts the report and certainly endorses what we have said here today. Thank you, Chairperson. [Applause.]

Order disposed of without debate.

The ACTING CHIEF WHIP OF THE MAJORITY PARTY: Chairperson, I hereby move:

That the Report be adopted.

Motion agreed to.

Report accordingly adopted.

CONSIDERATION OF REQUEST FOR APPROVAL BY PARLIAMENT OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION (ILO)

Mr B M MKONGI: Madam Chair, the Portfolio Committee on Labour would like to request the Parliament of the Republic to approve the instrument for the amendment of the constitution of the ILO. This instrument provides for a new paragraph to article 19 of the constitution. It gives the governing body and the conference powers to remove obsolete conventions and eliminate all legal effects that arise out of the convention between the organisation and its members. Member states that have ratified the convention would no longer be obliged to submit reports under article 22 of the constitution. These member states would no longer be subject to the representatives and complaints of nonobservance of the convention.

Out of 197 member states, only 81 have accepted the amendment that conventions will be accepted once ratified by the two thirds of the members of the organisation. Changes throughout the world have resulted in some conventions becoming irrelevant.

The ILO has thus had to evolve accordingly. The introduction of the abrogation amendment was tabled. Abrogation refers to the obsolete conventions that would no longer apply in the ILO. The constitutional amendment is part of a series of initiatives taken by the organisation to reinforce the relevance, impact and coherence of its normative system. The abrogation of obsolete conventions involves their removal from ILO's body of standards.

In terms of South Africa's observance of this constitution, the Department of Labour has presented before Parliament and even the Select Committee on Labour instruments for the amendment of the constitution of the ILO, proposing that redundant recommendations and conventions be removed from the ILO body of standards. Throughout labour legislation, South Africa has automatically ratified some of the instruments of the ILO. There are no major political implications other than to say that for any organisation to grow and remain relevant, it is important to evaluate policies to check their relevance in that particular period.

I therefore propose the approval of this amendment by Parliament. Thank you, Madam Chairperson. [Applause.]

Order disposed of without debate.

Instrument for the Amendment of the Constitution of the International Labour Organisation (ILO) approved.

CONSIDERATION OF REQUEST FOR APPROVAL BY PARLIAMENT OF THE CONVENTION ON PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Mnu E N MTHETHWA: naMalungu ahloniphekile ePhalamende, ngizwe nje malungu nginidabukela ukuthi kade nihlezi phansi. Asizukuchitha sikhathi ngoba kuleli komiti lethu nizoyithemba into esiyivumile. Lesi sivumelwano esingaso namhlanje siyisivumelwano sokuzibophezela esivumelwaneni sokuvikela izinto eziphathelene nenuzi.

Lesi sivumelwano siqale esikhathini esedlule, sithinta oHulumeni boMhlaba wonke jikelele. Mhla zingama-31 enyangeni kaMfumfu ngo-1977, emhlanganweni woHulumeni boMhlaba, kwavulelwa ithuba lokusayinda kusukela enyangeni kaNdasa ngonyaka ka-1980 kuya ku-1987. Amazwe amaningi asebenzisa inuzi asayinda, ngisho neNingizimu Afrika imbala. Kepha lapho yasala khona iNingizimu Afrika, kuthe uma livulwa ithuba ngonyaka ka-1988 lokuzibophezela, uhulumeni obukhona mandulo wangakwenza lokho.

Muva nje ngonyaka ka-2005 isivumelwano lesi siye sachitshiyelwa, nalapho oHulumeni boMhlaba basamukela kodwa hhayi owethu. Isizathu salokho ke ukuthi kumele siqale senze lokhu uhulumeni wobandlululo angakwazanga ukukwenza ngonyaka ka-1988 njengoba sesibikile ngenhla. Kusukela kuthathe uhulumeni wentando yeningi oholwa uKhongolose kwaguquka ukusetshenziswa nokuphathwa kwezinto ezithintene nenuzi, kwaphela ukusetshenziswa kwazo njengento yembubhiso nokugedla kwamazinyo kodwa yasetshenziselwa ukuthula, ucwaningo nentuthuko. Yingalesi sizathu-ke senze ukuthi uhulumeni wentando yeningi azibophezele ezivumelwaneni eziyi-13 ezilwisana nobushokobezi nodlambedlu emkhakheni wenuzi, waphinde wahlakaza uhlelo lwezikhali zayo inuzi.

Ngokwesinqumo esingunombolo 1317 soMkhandlu Wezokuvikela eNhlanganweni Yezizwe, iNingizimu Afrika ifanele ukuzibophezela kulesi sivumelwano sokuvikeleka ezintweni eziphathelene nenuzi. Ngisho isigaba 231 kuMthethosisekelo waleli zwe lethu, uMthetho 108 wonyaka ka-1996, siyakubeka ukuthi isiShayamthetho kumele sihambisane nalesi sivumelwano.

IKomiti-ke Lezokumbiwa phansi Namandla lizibukile zonke lezi zinto, lavumelana nazo, yingakho sinxusa le Ndlu ukuthi ihambisane nalesi Sivumelwano. Ngiyabonga. *(Translation of isiZulu speech follows.)*

[Mr E N MTHETHWA: Deputy Chairperson, hon Members of Parliament, I feel very sorry for you members because you have been sitting down for too long. We are not going to waste your time though, because we know that you are going to endorse what we as a committee have agreed upon. The convention that we are talking about today is the legally binding undertaking on the Physical Protection of Nuclear Material.

This convention came into force long time ago, and it affects member states in the whole world. On 31 October 1977 in the meeting of members states, the opportunity for signature was opened between March 1980 and 1987. Most of the countries using nuclear material signed, including South Africa. But South Africa was left outside in 1988 when the opportunity to sign a binding undertaking was opened; the then government did not sign.

Recently, in 2005, the convention was amended and the member states approved it, but not South Africa. The reason for that was that we still wanted to do what the apartheid government had failed to do in 1988, as we have mentioned above. Since the democratic government led by ANC took power, there have been changes with regard to the use of nuclear material, the use of it as a weapon of destruction, and sorrow has ended; now it will be used for peaceful purposes, research and development. It is for this reason that our democratic government now ratifies the convention on the 13 major conventions against nuclear terrorism.

According to resolution 1317 of the United Nations Security Council, South Africa must commit itself to this Convention on the Physical Protection of Nuclear Material. In terms of section 231 of the Constitution of

our country, Act 108 of 1996, the National Assembly is bound by this convention.

The Portfolio Committee on Minerals and Energy looked at all these issues, and agreed on them and that is why we now urge this House to approve this convention. Thank you.]

Order disposed of without debate.

Convention on the Physical Protection of Nuclear Material approved.

CONVENTION ON THE RIGHTS OF PEOPLE WITH DISABILITIES AND ITS OPTIONAL PROTOCOL

(Draft Resolution)

The ACTING CHIEF WHIP OF THE MAJORITY PARTY: Chairperson, I move, with leave, the following motion without notice:

That the House—

(1) notes that Cabinet at its meeting of 20 March 2007 agreed that the Convention on the Rights of Persons with Disabilities and its Optional Protocol be submitted to Parliament for approval and ratification in terms of section 231(2) of the Constitution;

(2) further notes that the Convention and the Optional Protocol have been tabled and referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons for consideration and report;

(3) also notes that the Executive will sign the Convention and the Optional Protocol during an official function at UN Headquarters on 30 March 2007, the day on which the Convention and Optional Protocol is opened for signature by member States;

(4) recognises the importance of the rights of persons with disabilities; and

(5) congratulates the Executive in taking this initiative.

Agreed to.

The House adjourned at 16:48.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. **Draft Bill submitted in terms of Joint Rule 159**

   (a) ***Astronomy Geographic Advantage Bill***, 2007, submitted by the Minister of Science and Technology. Referred to the **Portfolio Committee on Science and Technology** and the **Select Committee on Education and Recreation.**

   (b) ***Co-operative Banks Bill***, 2007, submitted by the Minister of Finance. Referred to the **Portfolio Committee on Finance** and the **Select Committee on Finance.**

   (c) ***Municipal Fiscal Powers and Functions Bill***, 2007, submitted by the Minister of Finance. Referred to the **Portfolio Committee on Finance** and the **Select Committee on Finance**

2. **Bills passed by Houses—to be submitted to President for assent**

   (1) Bills passed by National Council of Provinces on 29 March 2007:

      (a) ***Division of Revenue Bill*** [B 3—2007] (National Assembly—sec76).

(b) ***Finance Bill*** [B 5—2007] (National Assembly—sec 77).

National Assembly

The Speaker

1. I have received a copy of an Executive Summary of the Recommendations on the Remuneration of Public Office Bearers from the Independent Commission for the Remuneration of Public Office Bearers, under the chairpersonship of Justice Dikgang Moseneke, addressed to Mr T M Mbeki, the President of the Republic of South Africa.

   Copies will be made available to Members.

TABLINGS

National Assembly and National Council of Provinces

1. **The Minister of Safety and Security**

   (a) Proclamation No R.24 published in Government Gazette No 28885 dated 29 May 2006: Notification by President in respect of entities identified by the United Nations Security Council in terms of section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004).

   (b) Proclamation No R.38 published in Government Gazette No 29222 dated 19 September 2006: Notification by President in respect of entities identified by the United Nations Security Council in terms of section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004).

   (c) Proclamation No R.44 published in Government Gazette No 29284 dated 11 October 2006: Notification by President in respect of entities identified by the United Nations Security Council in terms of section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004).

   (d) Proclamation No R.51 published in Government Gazette No 29500 dated 22 December 2006: Notification by President in respect of entities identified by the United Nations Security Council in terms of section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004).

   (e) Proclamation No R.2 published in Government Gazette No 29598 dated 7 February 2007: Notification by President in respect of entities identified by the United Nations Security Council in terms of section 25 of the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No 33 of 2004).

COMMITTEE REPORTS

National Assembly and National Council of Provinces

1. Report of the Joint Budget Committee on Third Quarter National Expenditure 2006/07 Financial Year

1. INTRODUCTION

Quarterly reports serve as an early warning instrument on actual expenditure in relation to estimated expenditure. Having studied the Third Quarter National Expenditure 2006/07 The Joint Budget Committee is of the opinion that inadequate corrective measures have been taken by departments to address under expenditure of their capital expenditure.

Departments often have a keen appreciation of the budgetary constraints that will impact negatively on the effective expenditure for targeted delivery to address social deficits and expand the economy. Lack of capacity to achieve the strategic expenditure objectives has been identified as significant delivery impediment, by several departments.

The Committee believes that a risk analysis linked to the strategic plan and the identification of critical success factors should be urgently developed and practiced by departments. This should be linked to the implementation of an effective monitoring system to identify problems before they lead to under or over expenditure.

The Committee report focuses on departments and expenditure issues that give cause for concern in the achievements of outputs and outcomes, and compliance with financial management principles and practices. Patterns in capital and current expenditure and transfers are examined and finally assessing these patterns against budget projections. The Committee is disappointed to learn that many of the departments, which were called upon to develop corrective measures to bring expenditure back on track have not taken account of the comments and recommendations made in the first and second quarter expenditure reports.

2. TOTAL EXPENDITURE

By the end of the third quarter of the 2006/2007 financial year, departments spent an average of 70.46% of their total budgets. During the first quarter departments spent 21.44%, during the second quarter they spent 24.80% and during the third quarter they spent 25.31% of their total budgets. They spent R55.7 billion during the first quarter, R64.5 billion during the second quarter and R67.3 billion during the third quarter. To date departments spent R187.6 billion. Table 1 represents departments' total expenditure as at the end of the third quarter.

The cash flow projections provided by National Treasury indicates that departments plan to spend R75.38 billion or 28.32% of the total national budget during the final quarter of the financial year. It also predicts under expenditure for the 2006/07 financial year to be R3.193 billion or 1.2% of the total national budget.

Table 1: Departmental Expenditure to date

R'000	Total Budget	Total Expenditure to date	% Total Expenditure to date	Projected Expenditure in final quarter	Projected % Expenditure in final quarter	Projected Over/ Under Expenditure	Projected % Under/ Over Expenditure
Voted Amounts	**266,163,164**	**187,595,513**	**70.48%**	**75,383,831**	**28.32%**	**3,193,609**	**1.20%**
Central Government Administration	**35,372,602**	**20,754,244**	**58.67%**	**14,110,170**	**39.89%**	**544,472**	**1.54%**
The Presidency	238,865	156,078	65.34%	74,787	31.31%	8,000	3.35%
Parliament	782,133	505,683	64.65%	156,570	20.02%	135741	17.36%
Foreign Affairs	3,042,149	1,849,944	60.81%	1,172,209	38.53%	20,000	0.66%
Home Affairs	2,800,405	1,709,002	61.03%	741,972	26.50%	349,430	12.48%
Provincial and Local Government	25,392,288	14,441,154	56.87%	10,948,820	43.12%	2,313	0.01%
Public Works	3,116,762	2,092,383	67.13%	1,015,812	32.59%	8,564	0.27%
Financial and Administrative Services	**21,654,212**	**14,434,407**	**66.66%**	**6,879,791**	**31.77%**	**340,014**	**1.57%**
Gov. Communications and Info. Services	294,580	209,498	71.12%	85,081	28.88%	0	0.00%
National Treasury	16,729,581	11,578,659	69.21%	4,869,976	29.11%	280,946	1.68%
Public Enterprises	2,869,923	1,579,769	55.05%	1,290,153	44.95%	0	0.00%
Public Service and Administration	442,426	297,138	67.16%	145,290	32.84%	0	0.00%
Public Service Commission	97,003	70,482	72.66%	25,901	26.70%	620	0.64%
S A Management Development Institute	58,918	40,260	68.33%	18,659	31.67%	0	0.00%
Statistics South Africa	1,161,781	658,601	56.69%	444,731	38.28%	58,448	5.03%
Social Services	**91,919,174**	**73,719,567**	**80.20%**	**17,543,417**	**19.09%**	**651,935**	**0.71%**
Arts and Culture	1,330,139	1,005,783	75.61%	320,073	24.06%	0	0.00%
Education	14,299,176	13,024,956	91.09%	1,274,219	8.91%	0	0.00%
Health	11,453,993	8,326,993	72.70%	3,029,648	26.45%	97,350	0.85%
Labour	1,493,495	1,052,858	70.50%	398,187	26.66%	42,451	2.84%
Social Development	62,382,425	49,910,022	80.01%	11,960,300	19.17%	512,134	0.82%
Sport and Recreation South	959,946	398,955	41.56%	560,990	58.44%	0	0.00%

R'000	Total Budget	Total Expenditure to date	% Total Expenditure to date	Projected Expenditure in final quarter	Projected % Expenditure in final quarter	Projected Over/ Under Expenditure	Projected % Under/ Over Expenditure
Africa							
Justice and Protection Services	**72,800,200**	**48,873,138**	**67.13%**	**23,237,026**	**31.92%**	**651,813**	**0.90%**
Correctional Services	9,831,512	6,293,616	64.01%	3,380,900	34.39%	157,000	1.60%
Defence	23,902,904	15,328,624	64.13%	8,633,680	36.12%	-59,400	-0.25%
Independent Complaints Directorate	65,906	45,484	69.01%	20,420	30.98%	0	0.00%
Justice and Constitutional Dev.	6,478,647	4,062,194	62.70%	1,824,015	28.15%	592896	9.15%
Safety and Security	32,521,231	23,143,220	71.16%	9,378,011	28.84%	0	0.00%
Econ. Services & Infrastructure Dev.	**44,416,976**	**29,814,157**	**67.12%**	**13,613,427**	**30.65%**	**1,005,375**	**2.26%**
Agriculture	2,367,630	1,532,883	64.74%	834,748	35.26%	0	0.00%
Communications	1,322,306	944,920	71.46%	372,107	28.14%	5,280	0.40%
Environmental Affairs and Tourism	2,061,804	1,700,511	82.48%	361,291	17.52%	0	0.00%
Housing	7,333,726	5,482,497	74.76%	1,433,229	19.54%	418,000	5.70%
Land Affairs	3,730,196	2,298,958	61.63%	1,431,237	38.37%	0	0.00%
Minerals and Energy	2,635,100	1,840,648	69.85%	794,452	30.15%	0	0.00%
Science and Technology	2,617,093	1,958,562	74.84%	658,530	25.16%	0	0.00%
Trade and Industry	3,942,028	2,449,373	62.13%	1,452,223	36.84%	40,433	1.03%
Transport	13,746,790	8,782,992	63.89%	4,759,137	34.62%	204,662	1.49%
Water Affairs and Forestry	4,660,303	2,822,813	60.57%	1,516,473	32.54%	337,000	7.23%

Department of Education

The priority of education as a transformation driver is reflected in its significant R14 billion departments allocation. At the end of the third financial quarter Education had spent R13 billion or 91.09%, which together with cash flow projections, indicates they are on track. This pattern also reflects the previous financial year's expenditure trends. However the bulk

of the funds are transfers of R12.7 billion. Universities and Technikons get R10.36 billion and R1.4 billion goes to provinces and municipalities.

Current expenditure of R273 million or 46.97% continues to pose cost driver challenges linked to projects such as reading books for schools, bursaries to and the payment for examiners and moderators of the grade 12 teachers examination in 2006. Expenditure on the last two items, given their defined calendar year cycle, is usually in January and February that is the fourth financial quarter. However delivery of IT equipment and expenditure related to improvements in the examination marking systems run the risk of roll-overs with further delivery delays.

Department of Social Development

The bulk that is 99% of the Department of Social Development allocation of R61.5 billion is allocated to Programme 3 Social Security Transfers and Administration, which aims at improving and sustaining the integrity of the social grant administration and ensuring that SASSA becomes fully operational. At the end of the third quarter the department has spent R49.9 billion or 80.01% of its budget and plans to spend a further R11.96 billion or 19.17% of its budget in the final quarter. This projection is likely to lead to under expenditure of about R512 million or 0.8% of the total budget. However the department has indicated that R496 million of this projected under expenditure was earmarked for transfers to households.

Department of Arts and Culture

The renewed emphasis this financial year on development of social cohesion and nation building has put particular emphasis on the expenditure of the Department of Arts and Culture.

At the end of the third quarter this stood at 1.005 billion or 75.61% of the adjusted appropriation compared to 62.26% during the first nine months of the 2005/06 financial year. The Department plans to spend R320 million or 24.06% of its budget during the final quarter. Of this final expenditure R267 million will be transferred to departmental agencies and accounts as well as households. However the Committee has identified an under expenditure risk in Programme 5 for Heritage, which has committed R10 million in each of the three MTEF years to the construction of the national Archives.

Department of Science and Technology

One of the main pillars of the government's growth and development is their realisation of science and technology in social and economic development through research and development of human resources. This underpins the significant increase in the Departments budget. At the end of the third quarter R1.96 billion or 74.84% of the adjusted appropriation of R2.61 billion had been spent.

A projected expenditure of R6.25 million or 25.6% has been confirmed by the department during the final quarter. Transfers of R588 million for departmental agencies and non-profit institutions have been committed, A possible delay in the completion of the information systems programme 5 has been noted as a possible risk of under expenditure which the Committee is unlikely to impact negatively on the Department's critical outputs.

Department of Sport and Recreation South Africa
The focus of the Joint Budget Committee is on the 2010 commitments of the Department, which at the end of the third quarter had spent 41.56% or R339 million of its budget, making the lowest spender at the end of the third quarter. At the end of the third quarter of the 2005/06 financial year the department spent less of its total budget, i.e. 25,92%. The current pattern of expenditure if not addressed may lead to the same problem as reflected in the previous financial year where the Department spent 65% of its total budget during the last month of the financial year.

Based on the cash flow projections the department plans transferring R424 million to provinces and municipalities during the last quarter of the financial year. It is important to note that the department received and additional R600 million via the adjusted estimates for the construction of stadiums for the 2010 FIFA world cup. The Department also plans spending 42% of its compensation of employees budget during the final quarter of the year. Reasons for the slow rate of expenditure are given in sections two, three and four.

Department of Public Enterprises
The Department of Public Enterprises spent R1.58 billion or 55.05% of its total budget by the end of the third quarter. It is important to note that the department received and additional R2.186 billion through the adjusted estimates. The Department plans spending R1.29 billion or 44.95% of its budget during the final quarter. Of this amount R1.255 billion is transfer expenditure. The Chief Financial officer of the department explained that receipt of the additional funding specifically in respect of the transfer payments did affect the percentage spent up to the end of the third quarter.

Other factors that influence expenditure are issues around VAT in respect of transfer payments made to State Owned Enterprises (SOE) provided in the adjusted estimates. The question that arises is whether capital payments should be "vatable". National Treasury advised the Department to "hold back" on this payment pending their consultation with SARS on the matter. At the time of concluding Committee deliberations on the third quarterly report the Department were still liaising with SARS in this regard. The Department has also not yet transferred the funds to INFRACO at the "express instruction from National Treasury", pending various matters, which they have raised. Other reasons given for the slow spending is that payment will only be made when the projects are finalized in the last quarter of the financial year. However operational funding during this period is within the required percentage. The Committee would like to engage SARS directly to obtain a clarification on issues around vat.

Statistics South Africa
Statistics South Africa spent R659 million or R56.69% of its budget by the end of the third quarter. Expenditure is lagging behind the allocated budget due to the slow level of expenditure related to current expenditure, which includes compensation for employees as well as goods and services. Only 641 million of the R1.11 billion current budget has been spent. According to the cash flow projections StatsSA plans spending R444.7 million or 38.28% of its total budget during the final quarter of the financial year. This will result in under expenditure of R58 million or 5.03%. The major reason for this under expenditure is because StatsSA will only be able to spend R439 million of its R489 million budget for compensation of employees. According to Stats SA this is due to savings on vacancies and

	First Quarter Cur. Exp	% Cur. Exp for 1st Quarter	Second Quarter Cur. Exp	% Cur. Exp for 2nd Quarter	Third Quarter Cur. Exp	% Cur. Exp for 3rd Quarter	Total Current Budget	Current Expenditure to date	% Current Expenditure to date
	20,238	21.66%	24,869	26.62%	25,868	27.69%	93,429	70,975	75.97%
	6,911	20.64%	8,268	24.70%	6,194	18.50%	33,460	21,373	63.88%
	167,355	16.22%	231,761	22.47%	242,187	23.48%	1,112,586	641,303	57.64%
	555,031	**12.40%**	**701,628**	**22.00%**	**596,541**	**19.14%**	**3,116,775**	**1,853,200**	**59.46%**
	105,877	45.31%	72,331	31.05%	77,504	32.29%	230,928	255,413	110.42%
	70,024	12.16%	113,651	19.74%	89,498	15.48%	581,775	273,170	46.95%
	107,795	13.33%	155,734	19.25%	130,598	16.76%	778,896	394,097	50.60%
	202,037	18.99%	259,613	23.24%	217,332	20.24%	1,073,731	679,022	63.24%
	52,456	19.16%	78,139	28.18%	59,109	22.26%	265,913	190,194	71.52%
	16,703	9.42%	22,155	12.50%	22,446	12.72%	176,463	61,304	34.74%
	12,143,545	**20.31%**	**14,421,959**	**24.11%**	**14,096,246**	**23.80%**	**59,225,284**	**40,661,750**	**68.66%**
	1,770,857	19.24%	2,044,134	22.14%	1,992,843	23.09%	8,630,038	5,813,834	67.37%
	2,845,356	19.10%	3,705,361	24.88%	3,476,169	23.31%	14,912,947	10,026,886	67.24%
	13,838	21.01%	15,436	24.11%	15,146	23.68%	63,970	44,420	69.44%
	833,783	16.65%	1,089,312	21.95%	1,110,434	21.96%	5,055,825	3,043,529	60.20%
	6,673,711	21.81%	7,557,716	24.70%	7,501,654	24.55%	30,562,504	21,733,081	71.11%
	1,335,715	**17.07%**	**1,798,085**	**22.97%**	**1,890,577**	**23.44%**	**8,065,112**	**5,024,377**	**62.30%**
	127,615	14.47%	175,630	19.90%	203,272	21.58%	941,914	506,517	53.78%
	62,031	20.38%	69,831	22.95%	71,658	23.14%	309,628	203,520	65.73%
	117,131	19.04%	142,948	23.24%	137,713	24.59%	560,093	397,792	71.02%