

Subcommittee on National Assembly Budget

Appointed: Thabethe, E; Van der Merwe, S C (Alt).

Discharged: Moonsamy, K; Oliphant, G G; Smith, V.

Subcommittee on Parliamentary Oversight and Accountability

Appointed: Blaas A (Alt); Rabie, P J.

Discharged: Schutte D P A.

Subcommittee on Powers and Privileges of Parliament

Appointed: Bakker, D M; Gaum A (Alt); Goniwe, T M (Alt).

Discharged: Masutha, M T; Schutte, D P A.

Subcommittee on Review of Assembly Rules

Appointed: Bakker, D M; Gaum, A (Alt); Nel, A C (Alt).

Discharged: Mokaba, P R.

Subcommittee on Support for Assembly Members

Appointed: Chauke, P H; Njobe M A A (Alt); Sosibo J E (Alt).

Discharged: Gigaba, K M N; Mbulawa, B G.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 29 FEBRUARY 2000

ANNOUNCEMENTS:

National Assembly:

1. The Speaker:

Correspondence has been received from the President regarding communication between his Office and the World Association of Newspapers concerning the South African Human Rights Commission's hearing on racism in the media.

The correspondence has been made available to Members.

National Council of Provinces:

1. The Chairperson:

The following correspondence has been received from the President regarding communication between his Office and the the World Association of Newspapers concerning the South African Human Rights Commission's hearing on racism in the media:

(1) His Excellency Thabo Mvuyelwa Mbeki
President
Office of the President, Private Bag X1000
Union Buildings, Government Avenue
0001 Pretoria
South Africa

21 February 2000

Your Excellency,

We are writing on behalf of the World Association of Newspapers and the World Editors Forum, which represent more than 17,000 publications in 93 countries, to express our serious concern that at least six editors and an unknown number of other journalists have been subpoenaed by the South African Human Rights Commission (SAHRC) to appear at its hearings into "racism in the media" early next month.

[Tuesday, 29 February 2000

The editors of the *Sunday Times*, *The Mail and Guardian*, *Die Burger*, *Cape Times*, *Cape Argus*, the magazine *You* and representatives of 24 other news organisations have been ordered to appear at Braamfontein counsel chambers in Johannesburg in order to "testify on (their) product's policies and guidelines on the reporting of and commenting on national and international events which impact on racism response", under threat of a fine or jail sentence of six months if they refuse.

WAN has from the outset opposed the Commission's initiative (see copy, attached, of our January 1999 letter to President Mandela); we now find many of our worst fears and objections to this process reinforced.

The SAHRC's Interim Report (November 1999) contains numerous alarming examples of the arbitrary interpretation of what might or might not constitute racism. Indeed, the researcher who compiled the report rightly conceded in her preface: "Drawing legal conclusions would be well beyond the scope of the research brief and my own professional competence. The analysis is clearly highly selective".

We maintain that the question of racism should be confronted within the framework of any existing legal provisions which apply to all citizens of society, and that specific measures applicable only to the media are an infringement of press freedom. We believe that a Commission of Inquiry into the media with the powers of "search, seizure and arrest" is a wholly inappropriate body to deal with such issues and a very real threat to freedom of expression and editorial independence.

We respectfully call on you to urgently reconsider the mandate and powers given to this Government-sponsored, though "independent" inquiry, and to have the subpoenas addressed to editors and other media representatives withdrawn before any further damage is caused to South Africa's image in the international community.

I look forward to receiving your comments on these cases.

Yours sincerely,

(Signed)
Bengt Braun
President
World Association of Newspapers

(Signed)
Ruth de Aquino
President
World Editors Forum

(2) 24 February 2000

The President
World Association of Newspapers
25, rue d'Astorg
75008 Paris
FRANCE

Dear Mr Braun

We acknowledge receipt of your letter dated 21 February 2000 addressed to the President.

We will bring the letter to the attention of the President.

In the meantime, I thought it appropriate that I correct some misconceptions you might have about the status of the Human Rights Commission.

The Human Rights Commission is an institution created by our Constitution as one of the bodies supporting democracy. The Commission is independent of Government and is accountable only to Parliament.

The Government, therefore, has no control over the actions of the Commission. Our Constitution states quite clearly that "No person or organ of State may interfere with the functioning of these institutions".

Members of the Government have themselves, on past occasions, appeared before the Human Rights Commission under subpoena.

We recognise the Constitutional right of the Commission to exercise its powers without interference from any person. Hence the Government has accepted the powers of the Commission to subpoena members of the Government.

The Government did not "sponsor" the inquiry into racism in the media as suggested in your letter. You may have been informed that the Human Rights Commission will be hosting a conference on racism later this year, hence your confusion. The conference is not related to the inquiry by the Commission, which inquiry was initiated long before the decision on the conference was taken.

Not being a party to the proceedings, we do not understand the legal and constitutional basis upon which the objection to the subpoenas is based.

We also do not understand in what manner is the inquiry a threat to the constitutionally protected right to freedom of expression.

Yours sincerely

(Signed)

MOJANKU GUMBI

LEGAL ADVISER TO THE PRESIDENT

(3) February 26, 2000

Dear Mr Braun and Ms de Aquino,

Presumably, you have received the February 24 response of my Legal Advisor, Advocate Gumbi, to your letter dated February 21.

I agree fully with the observations contained in her letter.

You are well aware of the catastrophe imposed on our people by over three hundred years of racism, starting with the virtually genocidal annihilation of the Khoi and San people whom the European settlers found at the Cape of Good Hope in the 17th Century.

Consequently, the post-World War II apartheid system in our country was but a brutal refinement and further entrenchment of the racial and racist oppression and exploitation of the black majority by the descendants of these and later European settlers during the previous three centuries.

As you will understand, the elimination of racism in our country is central to the enhancement and protection of the human rights of the overwhelming majority of our people.

It is obvious that the legacy of the scourge of racism, which has, over the centuries, claimed countless black lives and resulted in massive human degradation, which continues to this day, could not have been wiped out in the short period since we achieved our freedom in 1994.

A South African Human Rights Commission would therefore be in grave default if it did not concern itself with a human rights matter as critically important to our people as racism.

For this reason, as indicated by Advocate Gumbi, our Human Rights Commission (HRC) will be hosting a National Conference against Racism later this year.

Again as she reported, we will be happy to host the UN World Conference on Racism next year.

Many of our independent Constitutional Commissions, including the HRC, investigate various matters on the basis of complaints lodged with them by members of the public.

To the best of my knowledge, the HRC instituted its investigation of racism in the media as a result of complaints lodged by such members of the South African public. You can verify this for yourselves.

I therefore find it strange and disturbing that you describe the HRC inquiry as "Government-sponsored".

This is particularly so given that we assumed that the positions you hold guaranteed that you would represent the best in journalism, including respect for the truth and aversion to propaganda.

In this context, I must make the point that our Government has not and will not make any determination with regard to the merits or demerits of the HRC inquiry into racism in the media.

Like the majority of South Africans, we await the outcome of this inquiry.

As Advocate Gumbi indicated, ours is a constitutional democracy.

It is therefore a matter of serious concern to me that the World Association of Newspapers and the World Editors Forum suggest that our Government should violate the Constitution.

You urge that we should commit a serious illegal act by destroying the constitutionally guaranteed independence of the HRC.

This we will not do, in the interest of democracy in our country, respect for the Constitution and the entrenchment of the rule of law.

We ourselves negotiated and approved the Constitution to which we refer and are therefore committed to the objectives it spells out in black and white.

Among other things, this Constitution, which is supported by all South Africans, directs that we should transform ours into a non-racial society.

It also guarantees the freedom of expression and editorial independence to which you refer.

As a Government, we are committed to both of these constitutional objectives and will not consciously or deliberately seek to undermine or compromise them.

You propose that any possible racism in the media 'should be confronted within the framework of any existing legal provisions which apply to all citizens of society'.

Undoubtedly, if our country's law enforcement agencies felt that anybody, including the media, was acting in violation of the law with regard to the issue of racism, they would take the kind of action you propose.

The HRC is not one of these law enforcement agencies and can only act in a manner that is consistent with its constitutional and legal possibilities and mandate.

In the event that the HRC acts outside of this mandate, any aggrieved person has the possibility of recourse to our ordinary courts as well as the Constitutional Court.

If the South African editors, to whom you refer, feel that their freedom of expression and editorial independence are threatened by the HRC hearings, they are free to resort to these courts in defence of what are constitutionally protected rights.

Your appeal to us to intervene in this matter is both dangerous and misplaced.

It is precisely the kind of initiative you propose we should take that would damage the image of our Government and country in the eyes of both of our own people and the international community.

I trust that you too will agree with me that there can be nothing honourable in undermining the struggle against racism and compromising our respect for the Constitution and the law.

If you disagree with what both Advocate Gumbi and I have said, you are free to petition both our Human Rights Commission and our courts.

I would like to assure you that, like yourselves, we too are committed to the defence of freedom of expression and editorial independence.

If you care to study the history of the media in South Africa, especially during the apartheid years, you will see how the regime of racism worked systematically to destroy the media and the media workers committed to the liberation of our people.

Accordingly, our own very painful history teaches us that freedom of expression is fundamental to our own liberty.

This also means that we are happy to encourage everybody else to be vigilant against any regression on this issue on the part of any Government in our country, including our own.

We say all this because we waged a hard and protracted struggle to achieve the objectives of freedom of expression and press freedom, during which many lives were lost and many people suffered in prison and in exile.

The freedom we have achieved gives us the possibility further to protect and advance these freedoms.

It was for this reason that we sought that they should be constitutionally guaranteed and not subjected to the vagaries of parliamentary democracy, however democratically elected these parliaments, and the attendant executive authorities, might be.

Like Advocate Gumbi, perhaps because we are not party to the HRC proceedings, I do not understand in what manner the inquiry into racism in the media constitutes a threat to the constitutionally protected right to freedom of expression.

Yours sincerely,

(Signed)

THABO MBEKI

TABLINGS:

National Assembly:

Papers:

1. The Speaker:

- (1) The President of the Republic submitted the following letter, dated 24 February 2000, to the Speaker of the National Assembly, informing Parliament, in terms of section 201(2) of the Constitution, 1996, of the employment of the South African National Defence Force in terms of section 201(2)(c) of the Constitution, 1996.

REPORT IN TERMS OF SECTION 201(2) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT 108 OF 1996) ON THE EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE FOR SERVICES RELATED TO FLOODS IN THE GAZA, MAPUTO AND SOFALA PROVINCES.

1. This serves to inform the National Assembly that I authorised the employment of the South African (SANDF) personnel and equipment in the Republic of Mozambique, in the Gaza, Maputo and Sofala Provinces. This employment commenced on 12 February 2000 and ends on 25 February 2000.

This employment was authorised in accordance with the provisions of section 82(4)(b)(ii) read with section 222(1)(d) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993), [which sections continue to be in force in terms of Item 24(1) of Schedule 6 to the Constitution of the Republic of South, 1996 (Act No 108 of 1996)], read with further with section 3(2)(a)(v) of the Defence Act, 1957 (Act No 44 of 1957).

2. A request was received by the Department of Foreign Affairs from the Government of the Republic of Mozambique to render humanitarian assistance in the

location and relocation of people trapped by the flooding, and to assist in distributing and delivering emergency supplies to the affected areas. In line with our international obligations to render such assistance, the deployment was authorised.

3. The deployment consisted of 55 personnel, 3 X Orynx helicopters, 2 X BK117 helicopters and 2 X Cessna 208 light aircraft. The personnel and equipment were deployed to Beira and Maputo for the duration of the effort. Other support aircraft which were used for the deployment of equipment and support personnel to the two locations were 2 X C130 transport aircraft.

4. **Financial implications**

- 4.1 Personnel allowances for a 10 day deployment for 55 members amounts to R297 091-00.

- 4.2 The total cost of 2 X BK117 helicopters, 3 X Orynx helicopters and 2 X Cessna 208 aircraft for 30 flying hours over 10 days and the C130 aircraft amounts to R2 535 459-00. The Government of the Republic of Mozambique has undertaken to pay for the costs of the fuel.

5. The Department of Foreign Affairs is responsible for such costs.

6. I will also communicate this report to the Members of the National Council of Provinces, and wish to request that you bring the contents of this report to the notice of the National Assembly.

Regards

T M Mbeki

- (2) *Draft declaration for the Conference of Presiding Officers of National Parliaments at UN Headquarters from 30 August to 1 September 2000, prepared by the Conference Preparatory Committee at its meeting in Geneva on 31 January and 1 February 2000*

The parliamentary vision for international cooperation at the dawn of the third millennium

- (1) We, Speakers and Presiding Officers of Parliaments, are meeting at the United Nations in New York on the eve of the Millennium Assembly to pledge our commitment to international cooperation, with a stronger United Nations at its core. We resolve to ensure that our parliaments contribute more substantively to this cooperation by making the voice of the peoples heard, thereby introducing a more manifestly democratic dimension into international decision-making and cooperation. To help impart fresh momentum to the United Nations, parliaments must be more closely associated with its work so as to give real meaning to the opening words of the United Nations Charter: "We, the peoples of the United Nations".

Main challenges at the dawn of the third millennium

- (2) As we enter the new millennium, we must pursue together the ideals enshrined in the Charter and work to address the main challenges facing the world community: the achievement of international peace and security, democracy, respect for human rights, sustainable development and the ensuing social progress.
- (3) We reaffirm the principles of the *Universal Declaration on Democracy* adopted by the Inter-Parliamentary Union and pledge to work towards the establishment of a culture of democracy. An elected parliament that represents all components of society and has the requisite powers and means to express the will of the people by adopting legislation and by continuously overseeing the action of the government is indispensable for guaranteeing the people's rights and liberties and securing civil peace and harmonious development.
- (4) Democracy is founded on the rule of law and on respect for human rights, which are themselves based on the precept that nothing must infringe upon human dignity. We reaffirm the need to ensure the equal rights and opportunities of men and women, thus promoting a genuine partnership between them in all spheres. We also reaffirm the need to promote a climate of tolerance and to safeguard diversity, pluralism and the right to be different, which implies protecting the rights of persons belonging to minorities.
- (5) The principle according to which no one is above the law and all are equal before it must also hold true for relations between sovereign States, which are equal in terms of rights and whose peoples have the right to self-determination and to choose their political system freely and democratically.
- (6) We reaffirm our determination to see to it that our States honour their commitments under the United Nations Charter. States must ensure that their conduct conforms to international law, especially human rights and international humanitarian law. Respect for the instruments of international humanitarian law is essential and we will continue to work for the establishment of an International Criminal Court that is non-discriminatory and universal.
- (7) We reiterate our commitment to general and complete disarmament under effective international control, in particular nuclear disarmament and the elimination of weapons of mass destruction, including chemical and biological weapons, and of "smart" weapons and anti-personnel mines. We remain equally committed to cooperation in the fight against terrorism, drug trafficking and organised crime.
- (8) Peace based on solid and sincere foundations requires a more just world, as we firmly believe that all future action must seek to ensure sustainable economic and social development that is people-centred. We must work to create national and international conditions conducive to

social development, social integration, the eradication of poverty and the reduction of unemployment.

- (9) Preserving and making the best use of the environment are essential prerequisites for sustainable development. Accordingly, we must not meet our own needs at the expense of future generations. In conformity with the conclusions of the Earth Summit, the world must pay particular attention to water, energy and transport issues, to ways of integrating environmental costs and benefits into business, and to the impact of the state of the environment on the overall economy.
- (10) Globalisation is creating a new situation. Increased trade, new technology, growing foreign investment and expanding information-sharing are fuelling economic growth and human progress. However, these developments have benefited the developed nations more than developing countries and the latter are experiencing serious problems in implementing international trade agreements. There is a need to ensure that the opportunities and benefits of globalisation are shared more widely and that the right to development is respected. Here, the World Trade Organization must seek to ensure both free and fair trade producing long-term sustainable benefits.
- (11) In the poorest countries of the world, debt is a major constraint and a very real impediment to development. We urge the international community to seize the momentum generated by the transition to a new millennium to reduce substantially the debt of these countries and to cancel the public debt of the heavily indebted poor countries. These measures should be carried out in such a way as to avoid shifting the burden to other developing countries. Debtor countries must, for their part, introduce transparent mechanisms of control in order to ensure that the benefits of debt relief result in the socio-economic development of their peoples. We also call for greater efforts to reverse the decline in official development assistance.

The United Nations in the twenty-first century

- (12) We reaffirm our adherence to the purposes and principles set out in the UN Charter and in the international instruments adopted since the founding of the world body. We are convinced that the UN is needed more than ever before and must remain the cornerstone of strong and effective global cooperation. We rededicate ourselves to strengthening the world organisation and urge members to provide it with the necessary human and financial resources.
- (13) There is a need to continue and complete the United Nations reform process. The reforms must be based on strict adherence to the principles of democracy and respect for the sovereign equality of all UN member States. We commit ourselves to work towards that end. We must also work to ensure that the United Nations is the primary forum for the debate on development assistance.

The evolution of international relations

(14) There has been a momentous evolution in international relations, which are no longer limited to traditional diplomacy. The development of multilateral cooperation, whose field of action continues to grow, has added new features to international relations. International cooperation henceforth requires different working methods and the participation of new actors. In particular, action to honour the commitments assumed in international and regional forums, which are now more important than ever, demands the involvement of parliaments, and many issues addressed by parliaments at the national level have an international dimension.

(15) These new approaches are all the more necessary in the light of the far-reaching global changes that have occurred in recent years. We are witnessing a technological revolution of unprecedented dimensions. Extraordinary progress in communications makes it possible today to follow events instantaneously around the globe. Today's world is increasingly described as a *global village* to signify a smaller world and one that is dramatically more interdependent than ever before. Economic activities of all sorts, at home and abroad, by national and transnational companies, investment, trade and cross-border flows of capital tie the world's nations closer together, as does the growing realisation that the world's resources are finite.

(16) The increasing complexity and globalisation of developments in the political, economic, social, environmental and cultural fields require parliaments and their members, more than ever before, to play their role in enabling citizens and society as a whole to understand and cope with the interconnections between globalisation and their daily lives and to translate their concerns into national and international policy. Otherwise, international cooperation and decision-making might eventually be seen as posing a threat to national or local interests and even democracy.

(17) Globalisation and the pre-eminence of economic factors in the development of nations make it imperative to strengthen political processes and the link between citizens and their representatives. Under these circumstances, it is also crucial to reinforce the role of parliament and its members as intermediaries between a complex international decision-making process and citizens.

The parliamentary dimension of international cooperation

(18) We call upon all parliaments and their world organisation—the Inter-Parliamentary Union—to provide a parliamentary dimension to international cooperation. Parliament is made up of men and women elected by the people to represent them and express their aspirations. It is the organ of State that allows society in all its diversity to participate in the political process. Parliaments embody the sovereignty of the people and can, in all legitimacy, contribute to expressing the will of the State internationally.

- (19) To provide the parliamentary dimension, parliaments and their members must assume increased responsibility in international relations, play a more active role at the national, regional and global levels, and generally reinforce parliamentary diplomacy.
- (20) The parliamentary dimension must be provided by parliaments themselves first of all at the national level in four distinct but interconnected ways:
 - (i) Influencing their respective countries' policy on matters dealt with in the United Nations and other international negotiating forums;
 - (ii) Keeping themselves informed of the progress and outcome of these negotiations;
 - (iii) Deciding on ratification, where the Constitution so foresees, of texts and treaties signed by governments; and
 - (iv) Contributing actively to the subsequent implementation process.
- (21) To achieve this objective, we undertake to review within our respective parliaments how best to make use of current parliamentary procedures so that parliament, with an active input by all parties and members, can make an appropriate contribution to governmental negotiations at the international level. Information-gathering should be reinforced to enable parliament to keep abreast of developments on international issues. Parliaments should also play a more proactive role in processes relating to the ratification of and compliance with international agreements. Throughout, parliament has a particular responsibility to engage the public in a continuous dialogue and facilitate its input into the decision-making process.
- (22) At the regional level, parliaments should make the best possible use of regional inter-parliamentary organisations and through them seek to influence the corresponding intergovernmental bodies. Parliaments should examine closely the work of such organisations in order to increase their efficiency and avoid duplication. They should also exchange experiences with a view to improving and simplifying national legislation.
- (23) At the international level, concurrently with the reinforcement of the political input of national parliaments into the process of inter-State cooperation, the Inter-Parliamentary Union should be consolidated as a world organisation for inter-parliamentary cooperation and for relaying the vision and will of its members to intergovernmental organisations.
- (24) Thus, we hereby solemnly confirm our support for the Inter-Parliamentary Union and our determination to participate in its work with renewed vigour, thus giving the IPU the means to discharge to the full the mission entrusted to it. In this process we also call upon the IPU to undertake such statutory and structural reforms as may be required to strengthen the organisation and its institutional links with parliaments.

- (3) Inadequate use of management information systems and/or unavailability of proper management information.
- (4) The limited effectiveness of internal control systems, in particular internal audit functions, at most departments.
- (5) The poor standard of financial statements of several departments, at provincial and local level.
- (6) The daunting challenge facing individual departments, and the Departments of Finance and of State Expenditure as project managers, with regard to the implementation of the Public Finance Management Act on 1 April 2000.

2. However, the Committee also noted Ms Ramos's evidence that—

- (1) a number of recent changes have created the foundations for long-term financial management budgeting and fiscal management planning;
- (2) budget process reforms have been significant, and that improvements in intergovernmental budgeting have been effected;
- (3) attempts are continuing to match policy priorities with expenditure priorities;
- (4) interventions in terms of section 100 of the Constitution have resulted in improved financial management in the provinces concerned;
- (5) fiscal discipline has improved, and that it forms the cornerstone of the strategy of the Finance Ministry; and
- (6) revenue and debt management have also improved.

B. Previous recommendations of Public Accounts Committee

1. Having heard evidence from both witnesses, the Committee set out to determine to what extent recommendations contained in the Third Report of the Standing Committee on Public Accounts, dated 3 March 1999, needed to be followed up. In that Third Report, that Committee recommended, *inter alia*, that—

- (1) target dates for the completion of each stage with measurable outputs and outcomes in respect of each of the programmes initiated by the Departments of State Expenditure and of Finance to improve financial management be provided to the Committee;
- (2) thereafter, the Departments of State Expenditure and of Finance report to the Committee on a quarterly basis on the progress made with the successful implementation of the various programmes;
- (3) legislation relating to local government financial management be revised urgently with a view to

improving deficient control and accountability measures;

- (4) the Cabinet initiate an awareness programme at all levels of government that would ensure financial management becoming a priority in all public sector bodies, and that sufficient capacity will be developed in these bodies to carry out their functions;
- (5) an oversight committee be established, at the highest level of the Department of State Expenditure, to monitor and promote the efficient operation of all audit committees in national and provincial government departments;
- (6) the maintenance of financial control systems be made a key performance indicator of all line-function managers in the public sector; and
- (7) a Public Finance Management Act implementation plan, which includes the drafting of the norms and standards required by the Constitution, be sufficiently comprehensive and structured to ensure success.

2. *Observations*

- (1) The Committee noted that quarterly reports required by it regarding progress made with the various programmes referred to in paragraph B.1.(1) above have not been provided, nor information on target dates and other detail in respect of each of the initiatives.
- (2) The Committee noted that no legislation relating to local government financial management has been tabled in Parliament since the adoption of the Third Report.
- (3) The Committee noted that a monitoring function for internal audit within the wider public sector had been established at the Office of the Accountant-General. It is accepted that the Committee would be informed of the findings of this monitoring unit.
- (4) The Committee noted that the Director-General of the Department of Public Service and Administration had issued a directive to all accounting officers at national and provincial government level on 16 August 1999, requiring "all heads of department [to] ensure that the maintenance of financial control systems, where applicable, is included as a key performance area in job descriptions, performance management systems ... and performance agreements ..." in respect of senior management and staff responsible for the administration or management of financial resources. The Committee has not been informed of any other

Cabinet initiatives, as envisaged by the recommendation in paragraph B.1.(4) above.

- (5) The Committee noted with concern that the Department of State Expenditure had not yet provided the implementation plan required in paragraph B.1.(7) above, especially since the implementation of the Public Finance Management Act is to take place with effect from 1 April 2000. However, the Committee was provided with a plan on 20 January 2000, which outlined the Department's prioritisation of the Act's provisions and the various stages of implementation. The Acting Director-General of State Expenditure undertook to follow this up with a detailed implementation plan, reportedly addressing immediate as well as medium- and long-term implementation plans, including various training and capacity-building initiatives.

3. *Closing remarks*

The Committee welcomes the assurance by the Acting Director-General of State Expenditure that in future the Treasury will be playing a more proactive role in assisting departments with regard to financial management problems, and that it will be ensuring that there is compliance with the norms and standards set by the Public Finance Management Act. The Committee is also looking forward to a closer working relationship between itself and the Treasury.

Given the changes that public sector management will be faced with in the context of not only the impact of the Public Finance Management Act, but also the impact of the new Public Service Management Framework that came into operation on 1 July 1999, the Committee has resolved to closely monitor progress made and the impact of the implementation on financial management in all spheres of the public sector.

The Committee recommends accordingly.

Report to be considered.

2. *Second Report of the Standing Committee on Public Accounts, dated 10 February 2000:*

The Standing Committee on Public Accounts, having considered the Report of the Auditor-General on the Accounts of Vote 32—South African Revenue Service for the period 1 April 1997 to 30 September 1997 [RP203—98], referred to it, reports as follows:

Unauthorised expenditure: Listed—R6 423 288

1. *Non-compliance with virement—R6 357 710*

During the audit it was determined that certain payments in Program 2—Collections, had been misallocated in the financial system. When these errors were corrected, it became clear that the budget for a subdivision in the

program was exceeded by R6 357 710. This over-expenditure is regarded as unauthorised, as the Accounting Officer did not grant prior virement approval for savings in other subdivisions to be utilised.

The failure by the Accounting Officer to take remedial action can be attributed to incorrect management information due to the misallocations.

The Committee wishes to express its serious concern about the poor quality of the management information on which the Accounting Officer based his decision, as well as the lack of proper internal control procedures to detect errors.

As the contravention was of a technical nature and the budget for the total programme was not exceeded, the Committee recommends that the transgression be validated by Parliament.

2. *Live Video Conference—R65 578*

The former Deputy Minister of Finance instructed the Department, on 31 July 1997, to arrange a live video conference for 5 August 1997. The purpose of the conference was to inform staff in the Department of the implications of the pending administrative autonomy and the impact thereof on their careers in the Department. Draft legislation relating to the autonomy of the Department was to be discussed in Parliament during the afternoon of 5 August 1997.

The Department did not invite tenders according to the normal procurement procedures due to the limited time available, although telephonic quotations were requested from seven companies. According to the Department, the company appointed was the only organisation that could host the live video conference at five different venues throughout the country.

The Department did contact the Office of the State Tender Board prior to the appointment, but reportedly was not prepared to forward a submission for consideration.

The Committee is dismayed at the disregard for tender regulations. The Tender Board has structures in place to consider properly motivated cases, to an unlimited amount, at short notice.

The fact that senior members of the Executive in the Department knowingly and deliberately bypassed proper channels is unacceptable and sets a bad example to junior officials. The fact that the Department has thereby elected to place the onus on Parliament to validate this transaction is further cause for grave concern.

As the services were rendered and the State suffered no loss, the Committee nevertheless recommends that the amount be authorised by Parliament.

The Committee recommends accordingly.

Report to be considered.

3. Third Report of the Standing Committee on Public Accounts, dated 10 February 2000:

The Standing Committee on Public Accounts, having considered the Report of the Auditor-General on the Financial Statements of Vote 21—Public Enterprises for the year ended 31 March 1998 [RP 195—98], referred to it reports as follows:

Unauthorised expenditure: R550 000

A consultant had been engaged since 1994 to advise Azimut Limited on its restructuring. Although the Minister for Public Enterprises was informed about the tender process for the appointment of these advisers, no written agreement between the consultant and the Ministry for Public Enterprises had been entered into.

According to an affirmation by the former Minister for Public Enterprises, the agreement with the said adviser was purely on a verbal basis, and the amount of R550 000 had been agreed upon as the final payment to the consultant for services rendered after which the verbal agreement was terminated.

The Committee wishes to express its dissatisfaction at the Department's and the Minister's disregard for State Tender Board directives. It is unacceptable that rules and regulations are contravened. Due to the gravity of the transgression, the Committee is unable to recommend authorisation of this amount, unless the Department or the former Minister provides, within one month, compelling reasons as to why it should be authorised.

The Committee recommends accordingly.

Report to be considered.

4. Fourth Report of the Standing Committee on Public Accounts, dated 10 February 2000:

The Standing Committee on Public Accounts, having considered the Report of the Auditor-General on the Financial Statements of Vote 14—Home Affairs and the Financial Statements of the Government Printing Works for the year ended 31 March 1998 [RP 187—98], referred to it reports as follows:

Unauthorised expenditure: R1 600 000

Unauthorised expenditure of R1.6 million was incurred for three months, from January to March 1998, before the relevant contract, for providing accommodation to illegal immigrants, was renewed. The Office of the State Tender Board only granted approval for the extension of the contract for the period 1 April 1998 to 30 June 1998, and expenditure incurred for the three months mentioned remained unauthorised, even after appeal by the Department.

The Committee took note of the various efforts by the Department to obtain timely approval, but wishes to express its dissatisfaction at the Department's disregard for State Tender

Board directives. It is unacceptable that rules and regulations are contravened, even in cases where the projects achieve a desirable objective.

The Committee recommends that the Accounting Officer take the necessary steps to limit the occurrence of transactions where approval is required and to prevent the incidence of unauthorised expenditure.

Notwithstanding the above, the Committee recommends that the amount of R1 600 000 be authorised by Parliament, as no misappropriations have been revealed.

The Committee recommends accordingly.

Report to be considered.

National Council of Provinces:

1. Report of the Select Committee on Land and Environmental Affairs on the *Land Affairs General Amendment Bill* [B 64B—99] (National Assembly—sec 75), dated 28 February 2000:

The Select Committee on Land and Environmental Affairs, having considered the subject of the *Land Affairs General Amendment Bill* [B 64B—99] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports the Bill with a proposed amendment, as follows:

CLAUSE 10

1. On page 8, in line 10, after “1991)” to insert:
 , or an officer of the department or any other officer in the employment of the State, as may be determined by the Minister
2. Report of the Select Committee on Social Services on the *Chiropractors, Homeopaths and Allied Health Service Professions Amendment Bill* [B 2—2000] (National Council of Provinces—sec 76), dated 28 February 2000:

The Select Committee on Social Services, having considered the subject of the *Chiropractors, Homeopaths and Allied Health Service Professions Amendment Bill* [B 2—2000] (National Council of Provinces—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill without amendment.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 1 MARCH 2000

1. The House met at 15:03.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [15:04] Interpellations.
4. [15:53] Questions.
5. [16:44] The Minister of Trade and Industry made a statement on the National Lottery.

Debate concluded.

6. [18:06] The House, at the request of Mr M C J van Schalkwyk, discussed the following subject as a matter of public importance in terms of Rule 103: The recent subpoenas that the South African Human Rights Commission (SAHRC) served on representatives of the media regarding alleged racism in the media.

Debate concluded.

7. FIRST ORDER [18:45]

Consideration of interim Report of the *Ad hoc* Committee on Report 13 of Public Protector (Announcements, Tablings and Committee Reports, p 119).

Order disposed of without debate.

Report adopted.

8. SECOND ORDER [18:45]

Consideration of Report of Portfolio Committee on Environmental Affairs and Tourism on *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76) (Announcements, Tablings and Committee Reports, p 106).

Order disposed of without debate.

Report adopted.

9. THIRD ORDER [18:46]

Second Reading debate—*Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76).

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 1 MARCH 2000

ANNOUNCEMENTS:

National Council of Provinces:

1. The Chairperson:

Message from National Assembly to National Council of Provinces:

Bill passed by National Assembly on 1 March 2000 and transmitted for concurrence:

- (1) *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76(1))—(Select Committee on Land and Environmental Affairs—National Council of Provinces).

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Reports of the Auditor-General on the—

- (1) Financial Statements of Vote 25—Public Enterprises for 1998-99 [RP 149—99];
- (2) Financial Statements of Vote 10—Correctional Services for 1998-99 [RP 133—99];
- (3) Financial Statements of Vote 2—Deputy President and the National Youth Commission for 1998-99 [RP 127—99];
- (4) Financial Statements of Vote 27—Public Service Commission for 1998-99 [RP 151—99];
- (5) Financial Statements of Vote 7—Central Statistical Service for 1998-99 [RP 157—99];
- (6) Financial Statements of Vote 8—Communications for 1998-99 [RP 131—99];

- (7) Financial Statements of Vote 13—Environmental Affairs and Tourism for 1998-99 [RP 136—99];
- (8) Financial Statements of Vote 18—Housing for 1998-99 [RP 142—99];
- (9) Financial Statements of Vote 20—Independent Complaints Directorate for 1998-99 [RP 144—99];
- (10) Financial Statements of Vote 32—Sport and Recreation for 1998-99 [RP 155—99].

To be referred to the Standing Committee on Public Accounts.

2. The Minister for Justice and Constitutional Development:

- (1) Reports of the South African Law Commission on the—
 - (a) Recognition of Class Actions and Public Interest Actions in South African Law, Project 88 [RP 181—99];
 - (b) Euthanasia and Artificial Preservation of Life, Project 86 [RP 186—99].

Referred to the Portfolio Committee on Justice and Constitutional Development and the Select Committee on Security and Constitutional Affairs.

- (2) Report of the South African Law Commission on the Interception and Monitoring Prohibition Act, 1992 (Act No 127 of 1992), Project 105 [RP 203—99].

Referred to the Portfolio Committee on Justice and Constitutional Development, the Portfolio Committee on Safety and Security and the Select Committee on Security and Constitutional Affairs.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 2 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The following Bill was introduced in the National Assembly on 2 March 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:
 - (i) *Competition Amendment Bill* [B 10—2000] (National Assembly—sec 75)—(Portfolio Committee on Trade and Industry—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20903 of 17 February 2000.]
- (2) The Minister of Communications on 2 March 2000 submitted a draft of the *South African Communications Regulatory Authority Bill, 2000*, and the memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Communications and the Select Committee on Labour and Public Enterprises, respectively, in accordance with Joint Rule 159(2).

National Assembly:

The Speaker:

1. The following changes have been made to the membership of Committees, viz:

Communications:

Appointed: Dowry, J J.
Discharged: Morkel, C M.

Constitutional Review:

Appointed: Bakker, D M (Alt).

Education:

Appointed: Ellis, M J; Lee, T D (Alt); Ntuli, R S; Seremane, W J (Alt).

Report 13 of Public Protector:

Appointed: Oliphant, G G.

Discharged: Dlamini, B O.

Sport and Recreation:

Appointed: Morkel, C M.

Discharged: Gaum, A H.

TABLINGS:**National Assembly:****Papers:**

1. The Minister of Housing:

Government Notice No 304 published in the Government Gazette No 20828 dated 21 January 2000, Call for nominations of persons to serve on the new National Home Builders Registration Council, made in terms of the Housing Consumers Protection Measures Act, 1998 (Act No 95 of 1998).

Referred to the Portfolio Committee on Housing.

COMMITTEE REPORTS:**National Council of Provinces:**

1. Report of the Select Committee on Finance on the *South African Airways Unallocatable Debt Bill* [B 1—2000] (National Assembly—sec 75), dated 1 March 2000:

The Select Committee on Finance, having considered the subject of the *South African Airways Unallocatable Debt Bill* [B 1—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports that it has agreed to the Bill.

The Committee approved the Bill on the understanding that it is implicit from the provisions of Clause 2 that the money that the Minister of Finance is being authorised to borrow, will not be paid into the National Revenue Fund and that, therefore, the Bill is not a Money Bill.

In view of the peremptory provisions of section 213(1) of the Constitution, the Committee recommends that in future a Bill that seeks to provide that money received by the National Government not be paid into the National Revenue Fund, should contain a specific provision to that effect.

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 3 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

The Speaker and the Chairperson:

1. Dr Z P Jordan has been elected chairperson of the Constitutional Review Committee with effect from 1 March 2000.
2. Mr M J Benghu has been elected deputy chairperson of the Constitutional Review Committee with effect from 1 March 2000.

National Assembly:

1. The Speaker:

The following papers have been tabled and referred to the relevant committees as mentioned below:

- (1) The following paper is referred to the Portfolio Committee on Public Enterprises for information:

Report of the Auditor-General on the Financial Statements of Vote 25—Public Enterprises for 1998-99 [RP 149—99].

- (2) The following paper is referred to the Portfolio Committee on Correctional Services for information:

Report of the Auditor-General on the Financial Statements of Vote 10—Correctional Services for 1998-99 [RP 133—99].

- (3) The following paper is referred to the Joint Monitoring Committee on Improvement of Life and Status of Children, Youth and Disabled Persons for information:

Financial Statements of Vote 2—Deputy President and the National Youth Commission for 1998-99 [RP 127—99].

- (4) **The following paper is referred to the Portfolio Committee on Public Service and Administration for information:**

Financial Statements of Vote 27—Public Service Commission for 1998-99 [RP 151—99].

- (5) **The following paper is referred to the Portfolio Committee on Finance for information:**

Financial Statements of Vote 7—Central Statistical Service for 1998-99 [RP 157—99].

- (6) **The following paper is referred to the Portfolio Committee on Communications for information:**

Financial Statements of Vote 8—Communications for 1998-99 [RP 131—99].

- (7) **The following paper is referred to the Portfolio Committee on Environmental Affairs and Tourism for information:**

Financial Statements of Vote 13—Environmental Affairs and Tourism for 1998-99 [RP 136—99].

- (8) **The following paper is referred to the Portfolio Committee on Housing for information:**

Financial Statements of Vote 18—Housing for 1998-99 [RP 142—99].

- (9) **The following paper is referred to the Portfolio Committee on Safety and Security for information:**

Financial Statements of Vote 20—Independent Complaints Directorate for 1998-99 [RP 144—99].

- (10) **The following paper is referred to the Portfolio Committee on Sport and Recreation:**

Financial Statements of Vote 32—Sport and Recreation for 1998-99 [RP 155—99].

- (11) The letter of the President of the Republic on the employment of the South African National Defence Force dated 24 February 2000 and tabled on 29 February 2000, is referred to the Joint Standing Committee on Defence.

- (12) Programme 4: National Youth Commission and under Programme 5, Subprogrammes Status of Disabled Persons and Status of the Child of Vote 1—“Presidency”, are referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons.

- (13) Subprogramme: Status of Women under Programme 5 of Vote 1—“Presidency” is referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Women.

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Health on the *Chiropractors, Homeopaths and Allied Health Service Professions Amendment Bill* [B 2—2000] (National Council of Provinces—sec 76), dated 3 March 2000:

Friday, 3 March 2000]

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The Portfolio Committee on Health, having considered the subject of the *Chiropractors, Homeopaths and Allied Health Service Professions Amendment Bill* [B 2—2000] (National Council of Provinces—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill without amendment.

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 6 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The following Bills were introduced in the National Assembly on 6 March 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

(i) *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly—sec 76(1))—(Portfolio Committee on Provincial and Local—National Assembly).

(ii) *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75)—(Portfolio Committee on Transport—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20962 of 6 March 2000.]

(2) The Joint Programme Committee on 29 February 2000 took a decision, in accordance with Joint Rule 216, that the *Remuneration of Public Office Bearers Amendment Bill* (National Assembly—sec 76(1)) and the *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76(1)) be fast-tracked.

In terms of Joint Rule 216(4) this decision must be tabled in both Houses for ratification.

National Council of Provinces:

1. The Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following papers are referred to the Select Committee on Labour and Public Enterprises for information:
 - (i) Report of the Auditor-General on the Financial Statements of Vote 25—Public Enterprises for 1998-99 [RP 149—99].
 - (ii) Financial Statements of Vote 8—Communications for 1998-99 [RP 131—99].
- (2) The following papers are referred to the Select Committee on Security and Constitutional Development for information:
 - (i) Report of the Auditor-General on the Financial Statements of Vote 10—Correctional Services for 1998-99 [RP 133—99].
 - (ii) Financial Statements of Vote 20—Independent Complaints Directorate for 1998-99 [RP 144—99].
- (3) The following paper is referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons for information:
Financial Statements of Vote 2—Deputy President and the National Youth Commission for 1998-99 [RP 127—99].
- (4) The following paper is referred to the Select Committee on Local Government and Administration for information:
Financial Statements of Vote 27—Public Service Commission for 1998-99 [RP 151—99].
- (5) The following paper is referred to the Select Committee on Finance for information:
Financial Statements of Vote 7—Central Statistical Service for 1998-99 [RP 157—99].
- (6) The following paper is referred to the Select Committee on Land and Environmental Affairs for information:
Financial Statements of Vote 13—Environmental Affairs and Tourism for 1998-99 [RP 136—99].
- (7) The following paper is referred to the Select Committee on Education and Recreation for information:
Financial Statements of Vote 32—Sport and Recreation for 1998-99 [RP 155—99].
- (8) The following paper is referred to the Select Committee on Public Services for information:
Financial Statements of Vote 18—Housing for 1998-99 [RP 142—99].

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:
 - (1) Report and Financial Statements of the South African Human Rights Commission for 1998-99, including the Report of the Auditor-General on the Financial Statements.

Referred to the Portfolio Committee on Justice and Constitutional Development and the Select Committee on Security and Constitutional Affairs.

- (2) Youth Manifesto for the Twenty-First Century adopted by the World Parliament of Children on 24 October 1999.

National Council of Provinces:

1. The Minister of Housing:

Government Notice No 304 published in the Government Gazette No 20828 dated 21 January 2000. Call for nominations of persons to serve on the new National Home Builders Registration Council, made in terms of the Housing Consumers Protection Measures Act, 1998 (Act No 95 of 1998).

Referred to the Select Committee on Public Services.

COMMITTEE REPORTS:

National Assembly:

1. The Speaker, as Chairperson of the Rules Committee of the National Assembly, presents the First Report of the Rules Committee of the National Assembly, dated 1 March 2000, as follows:

The Rules Committee of the National Assembly, having considered proposals for the amendment of the Rules of the National Assembly, recommends the following amendments to the Rules:

1. Rule 161: Functions and Powers

To amend Rule 161(1)(e) by the addition of the words underlined:

161. (1) The Rules Committee may—

.....

(e) lay down guidelines, issue directives, and formulate regulations regarding any aspect of policy referred to in this Rule.

2. Rule 162: to change the heading to: Implementation of policy (delete: "Control and management of administration").

To amend rule 162(1) by the deletion of the words in bold brackets:

162. (1) The responsibility for the implementation of policy determined by the Rules Committee [and the control and management of all matters relating to the administration of the Assembly] vests in the Speaker subject to the decisions of the Rules Committee and resolutions of the Assembly.

3. Rule 165: Subcommittees

Insert a new subrule 165(4), as follows:

(4) A subcommittee of the Rules Committee may not issue directives relating to any aspect of the control and management of the administration of the Assembly.

F N GINWALA

CHAIRPERSON: RULES COMMITTEE

NATIONAL ASSEMBLY

1 March 2000

Report to be considered.

2. Report of the Portfolio Committee on Finance on the *Appropriation Bill* [B 7—2000] (National Assembly—sec 77), dated 3 March 2000:

The Portfolio Committee on Finance, having considered the *Appropriation Bill* [B 7—2000] (National Assembly—sec 77), referred to it and classified by the Joint Tagging Mechanism as a money Bill, reports as follows:

A. Introduction

1. The Committee held hearings on the Budget from 28 February 2000 to 2 March 2000, and wishes to express its appreciation to all participants for their contributions. Written presentations submitted form part of the records of the Committee Section. The Committee would also like to express its appreciation to the Minister of Finance, the Deputy Minister of Finance, the Director-General of Finance, the Acting Director-General of State Expenditure, the Commissioner of the South African Revenue Services, the Chairperson of the Financial and Fiscal Commission, and their staff, for their presence and contributions during the hearings. A list containing the names of those who made oral submissions is included in paragraph E of this Report.
2. The Budget tabled in Parliament by the Minister of Finance for the year 2000-2001 represents another significant step in the ongoing budgetary reforms initiated by the Ministry of Finance and enhances the macro-economic management of the economy in several very important ways.

For the first time in many years, the government has been able to table a budget that is strongly supportive of growth and which also introduces one of the most comprehensive sets of tax reforms ever undertaken, which, *inter alia*, affords significant tax relief to middle and lower income tax groups and to small business. By announcing a 3% to 6% inflationary target and achieving a lower than expected budget deficit, the government continues to demonstrate a progressive commitment to sound and prudent macro-economic management. Greatly improved revenue collection, lower interest on State debt and stronger economic growth have combined to enable the government to raise spending on public services by more than R8,3 billion per year. This increased expenditure in the medium term will go towards strengthening and modernising the justice system, consolidating provincial education, health and welfare services, maintaining public infrastructure and reinforcing safety standards on roads, public transport and public buildings, phasing in sectoral skills development programmes, responding to the challenges of HIV/Aids, and supporting rural development, poverty relief and employment creation.

The Budget as a whole continues to show a redistributive shift towards spending on social services such as education, health, welfare and housing, representing a total of R149 billion. Interestingly, the Budget also reflects a welcome upward shift in spending on economic services, including water, agriculture, mining and forestry, transport and communications, thus demonstrating a commitment by the government to building and maintaining economic infrastructure. Protection services receive a total of R35 billion.

The issue of poverty reduction has received considerable attention. While the Budget Review indicated increased spending on poverty reduction, the rate of change was questioned in a presentation to the Committee. Further research is required to establish real spending, and on a per capita basis, as well as the quality of delivery of social services. The Committee welcomes the introduction of expenditure incidence analysis, which will determine the proportion of services delivered to social categories.

The government has committed itself to moderating the level of government consumption spending relative to the GDP, including public service personnel expenditure. In line with improving efficiencies in service delivery, the Ministry of Finance will set up a unit that will assist other ministries and spheres of government in the setting up of public/private sector partnerships.

The Committee has had to draw up this Report under severe time constraints, and is thus unable to report in detail on all the relevant matters that arose during the four days of hearings. However the Committee intends examining some of the issues for further consideration. The matters mentioned below were some of the major issues that received attention during the hearings.

B. Taxation

The taxation proposals contained in the Budget arguably constitute the most comprehensive overhaul of the country's tax system in our recent history. The proposals are both redistributive in nature and pursue the principle of equity in the tax system.

Most popular of the tax changes is the relief granted to individual taxpayers, in the order of R99 billion. 41% of this relief will be to the benefit of those earning below R70 000 and 58% to those earning between R70 000 and R150 000. The Committee welcomes this relief, believing that it will have a positive impact on both savings and aggregate demand in the economy.

The Committee acknowledges the introduction of a Capital Gains Tax for the equity it will engender in the tax system and its "backstop" effect. We also welcome the one year's grace before the introduction of the tax, as it became clear in the hearings that

a number of details remain to be resolved. These include the following:

1. The complexities created by the proposed procedures to exempt capital gains accrued prior to 1 April 2001.
2. Aspects relating to principal residences owned through private companies, close corporations or trusts.
3. The status of the tax in relation to new immigrants.
4. The tests for and definition of residence.
5. The complexities of and capacity for valuations of gains.
6. The potential double taxation of certain types of share options.

SARS and the Department of Finance have gone to considerable lengths to enable all interested organisations and individuals to comment on the proposed tax. We encourage all stakeholders to do so as this will greatly enhance the ability of SARS and Parliament to resolve these issues.

The shift from source-based to residence-based taxation is to be introduced on 1 January 2001. This shift will continue the process of aligning the South African tax regime with international best practice. The delay in implementation is to be welcomed, as a number of issues remain to be resolved. These include—

- (1) the treatment of income from countries which have a similar tax regime to that of South Africa, but with whom we do not have a double tax agreement; and
- (2) the criteria for and definitions of residence.

A critical issue for the Committee in relation to both these proposals is the capacity of SARS to implement these changes. The Commissioner stated before the Committee that the changes will impose a “formidable burden”, but that SARS will be equal to it if given adequate resources. SARS indicated that they will require 770 extra staff to successfully manage the new demands. The Committee urges the Minister to ensure that the additional resources are made available. This investment is certain to bring greater returns.

The Committee welcomes the tax exemption proposed for certain non-profit organisations (NPOs). Consultation is required on the specific NPOs which will be eligible for income tax relief, and this will require ongoing review.

The Committee further welcomes the lower, graded levels of taxation for small and micro enterprises, which we believe will assist in stimulating the growth of this critical sector. We request the Ministry to assess whether the threshold for qualification should be raised in future budgets.

The Committee expresses its concern at what appears to be an *ad hoc* approach to the taxing of retirement and pension funds. When an additional tax was introduced in 1996, it was stated that this was to create greater equity between these and other instruments. It was further stated that consultation would take place and the issue of taxation of these funds would be comprehensively studied. It appears that this has not occurred. As a consequence, increased taxation of these instruments is perceived as undermining the development of an improved savings culture in the country. The Committee is of the opinion that a stable approach on this issue is essential, and therefore we request the Ministry to initiate the consultative process as a matter of some urgency and to present to us with a coherent view on the future tax status of these instruments.

The Committee welcomes the creation of the interministerial task group to improve the levels of savings in the South African economy. We look forward to receiving concrete proposals in this regard in the near future.

The Committee notes the concerns raised by organised agriculture with respect to the continuing exclusion of agriculture from the diesel rebate. We further note the Minister's desire to develop a viable system that meets this need but that is not open to the misuse that led to the withdrawal of the rebate in 1997.

C. Inflation targeting

The Committee welcomes the introduction of inflation targeting. We believe that it is a mechanism that will create greater certainty and stability in the economy and act as a solid foundation for sustainable growth. It further engenders greater accountability in respect of the way in which the South African Reserve Bank executes monetary policy.

As a means through which to improve the co-ordination of macro-economic policy, this framework will further enhance the credibility of the way in which the macro-economy is being managed. This is reflected by the announcement that South Africa has been granted an investment grade rating by Standard and Poors.

The issue of inflation targeting generated the most substantial debate of the hearings. The relationship between growth and stability was extensively discussed, with divided views on the impact that inflation targeting might have on growth performance. What is clear, is that South Africa must pursue job creating growth with minimal inflation to ensure its sustainability. Evidence was led that low inflation is compatible with sustainable growth.

No evidence on the advisability of the specific target band was led. The Committee is of the opinion that we do not have sufficient information at this point to engage in a meaningful debate on the range itself or the time period over which it will be implemented. Our preliminary, instinctive view is that the period

of almost three years to achieve the target is probably practical and the band is reasonable. We welcome the fact that the target and the timing of its achievement will be assessed on an annual basis as part of the Medium-Term Budget Policy Statement.

The Committee noted that the targets specified were based on preliminary modelling, and that this process will be concluded later this year. The Committee welcomes the invitation from the Governor of the Reserve Bank to engage meaningfully with the assumptions underlying the specific target and the timing of the introduction thereof.

Making this information broadly available will facilitate constructive public discussion on the issue and have the benefit of engendering broad consensus in our society around inflation expectations. International experience suggests that the key to the success of inflation targeting is that it is achieved in a transparent and accountable manner. The Governor of the Reserve Bank's endorsement of this view is to be welcomed. So too is his flexible approach to the manner in which he might deal with exogenous effects on the economy during any target period.

The Committee will not only deepen its knowledge of the issue but will also closely monitor the implementation of the target and its effects, both positive and negative, on economic sentiment and the real economy.

The Committee will also seek greater clarity on the institutional and operational arrangements between the Reserve Bank and the Department of Finance as they evolve over time.

D. Conclusion

In conclusion, the Committee wishes to commend the Ministry and the Department on a Budget that has been well received across a wide spectrum of local and international opinion. We urge all portfolio committees of Parliament to engage meaningfully with the Budget and especially the Medium-Term Expenditure Framework and the National Expenditure Survey. With the extent and quality of information provided, it should serve as the centre-piece of Parliament's oversight of the executive arm of government.

The Committee commits itself to identify key issues raised by organisations and interested parties during the hearings on the Budget, and take these up as part of its parliamentary programme during the course of the year.

E. Oral submissions

1. Mr N Barnardt, African Merchant Bank.
2. Prof I Abedian, Group Economist: Standard Bank.
3. Mr M Power, UCT.
4. Dr N Makgetla, Cosatu.
5. Mr M van Blerk, Chamber of Mines.
6. Mr B Gasa, Chamber of Mines.

7. Adv A Meiring, Chairperson of SACOB Parliamentary Panel.
8. Mr B Lacey, Economic Consultant.
9. Mr K Warren, Policy Executive: Parliament.
10. Mr G Bosch, Parliamentary Official: Agri SA.
11. Mr Y Waja, Black Business Council.
12. Mr L Mondl, Black Business Council.
13. Ms G Humpries, Fedusa.
14. Mr A van Zyl, Idasa.

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REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

THURSDAY, 2 MARCH 2000

1. The Council met at 14:02.
2. The Deputy Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:04] Questions.
4. [14:44] Mr M A Sulliman moved without notice: That the Council—
 - (1) notes—
 - (a) the enormous and dedicated commitment of the South African National Defence Force in terms of human resources and amenities in the rescue operations conducted in the Northern Province, Eastern Cape, Mpumalanga and Mozambique;
 - (b) the commitment of the Government to make available finances and other resources to our people and neighbours; and
 - (c) the support from countries such as the United States of America, Britain, Botswana and other countries and from Europe;
 - (2) commends the Minister of Defence and members of the SANDF for their sustained support in rescuing and alleviating the plight of the people;
 - (3) recognises the efforts of the Government and supports its responses;
 - (4) encourages donor countries to effectively increase their support, given the magnitude of the devastation to life and limb; and
 - (5) assures the people within our borders and our neighbours that we are also shattered by and concerned at the disaster that has affected them.Motion agreed to in accordance with section 65 of the Constitution.
5. [14:51] The Chief Whip of the Council moved without notice: That the Council—

- (1) expresses its heartfelt congratulations to the Chairperson of the National Council of Provinces, Ms Naledi Pandor, who has been elected as the second Chancellor of the Cape Technikon with effect from 14 April 2000;
- (2) notes that Ms Pandor will be the first black woman to fill this position and will succeed Mr Pieter Swart, who served as Chancellor since December 1995;
- (3) further notes that Ms Pandor has served on the Council of the Cape Technikon since 1996 and was elected to Parliament in 1994, after which she became a whip and then Deputy Chief Whip of the Majority Party in the National Assembly; and
- (4) is confident that the Cape Technikon will benefit from the skills, experience, leadership and the capacity Ms Pandor will bring with her.

Motion agreed to in accordance with section 65 of the Constitution.

6. [14:52] Mrs J Witbooi moved without notice: That the Council—

- (1) notes with concern that—
 - (a) the SAPS in the Western Cape has a staff shortage of 40%;
 - (b) the replacement date of 40% of the SAPS's vehicles in the province has already expired; and
 - (c) 21 police stations have to close at 16:00 every day owing to a shortage of staff;
- (2) appeals to the Minister for Safety and Security to bring relief in respect of the need of the province; and
- (3) thanks the community police officers for their contribution to making policing in the Western Cape possible.

Motion agreed to in accordance with section 65 of the Constitution.

7. [14:53] Mr N M Raju moved without notice: That the Council—

- (1) states categorically that nothing could be further from the truth than the recent negative reporting on racism and emotional sentiments expressed in diverse quarters on the subject, and also the fact that some prophets of doom label so-called racism as the main impediment to reconciliation in South Africa;
- (2) believes that it is patently dishonest to deny that all over South Africa, in almost every walk of life, be it the workplace, the shopping malls, arenas of recreation, residential townships and even in schools and educational institutions, there is an awakening and consciousness of new-found respect for each other among the silent majority of South Africans of all races;
- (3) is convinced that whatever sediments of racism remain in the bosom of individuals, it is not enough to sabotage the new and vibrant emergence of inter-racial understanding, goodwill and fellowship that become more and more conspicuous by the day; and

- (4) believes that right-thinking South Africans can only welcome and marvel at this new emergence of kindred spirits, while others seem to indulge in a debilitating exercise in hysterics.

Motion agreed to in accordance with section 65 of the Constitution.

8. [14:56] Ms E C Gouws moved without notice: That the Council—

- (1) notes the manner in which the Minister of Finance in his Budget Speech gave recognition to five of the country's official languages, namely English, Afrikaans, Sesotho, isiZulu and isiXhosa;
- (2) thanks the Minister; and
- (3) confirms once more the principle of the recognition of multilingualism in South Africa.

Motion agreed to in accordance with section 65 of the Constitution.

9. [15:02] Mr C Ackermann moved without notice: That the Council requests the Minister of Public Works as well as the Minister of Arts, Culture, Science and Technology to—

- (1) publicise the envisaged alterations to South Africa House in London, leaving sufficient time for comment by the public and the South African Parliament; and
- (2) put on display to the public, under professional expert supervision, any cultural treasures that have been earmarked for removal in a safe and properly equipped institution.

Motion agreed to in accordance with section 65 of the Constitution.

10. [15:03] Mr M V Moosa moved without notice: That the Council—

- (1) notes that today is the first day in which the National Lottery is being launched and tickets for the National Lottery are being sold;
- (2) further notes that many South Africans are hopeful to gain some winnings from the first draw of the lottery which will take place on 11 March 2000;
- (3) congratulates Uthingo on having successfully launched the lottery; and
- (4) wishes all South Africans well in the first draw—may the lucky ticket win!

Motion agreed to in accordance with section 65 of the Constitution.

11. [15:04] The Chief Whip of the Council moved: That the Council—

- (1) notes with deep regret the passing away of Mr Caleb "Commandant" Humalebe Motshabi, a member of the Select Committee on Security and Constitutional Affairs, who passed away on 31 January 2000 after a short period of illness;
- (2) further notes that Mr Caleb Motshabi was a dedicated, disciplined and committed person in struggles against apartheid and the transformation of our country and that his passing away has really touched members of this Council—he will be missed for his humour, his goodwill and his quiet and sometimes robust authority; and
- (3) conveys its sincere condolences to his family.

Motion agreed to in accordance with section 65 of the Constitution, all members standing.

12. [15:06] The Council discussed the following matter in terms of Rule 84: Promotion of multi-lingualism in a democratic South Africa.

Debate concluded.

13. [16:27] The Chief Whip of the Council, with leave, moved without notice: That the Council—

- (1) recognises that South Africa is a multilingual and multicultural nation;
- (2) commits itself to achieving unity through its diversity;
- (3) resolves—
 - (a) that language shall not be used as an instrument of domination, as occurred in the past, but as a vehicle for nation-building and unity;
 - (b) to endeavour to promote multilingualism through our provincial legislatures and local government structures;
 - (c) to convey the contents of this resolution to all relevant Ministries such as the Ministers of Education, of Arts, Culture, Science and Technology and of Provincial and Local Government; and
 - (d) that in the spirit of the Constitution, special regard be had to promoting, advancing and protecting multilingualism in our institutions wherever reasonably practicable;
- (4) recognises language as an important instrument of development of the individual and as a means of freeing the potential of the individual; and
- (5) recognises that language, like culture, is not static and evolves, and the approach to language policy shall respond to the ever-changing circumstances of our people and the demands of economic and social empowerment and development of our people.

Motion agreed to in accordance with section 65 of the Constitution.

14. FIRST ORDER [16:31]

Consideration of Report of Select Committee on Labour and Public Enterprises (Announcements, Tablings and Committee Reports, p 116—*Elimination of Child Labour Convention*).

Order disposed of without debate.

Report adopted in accordance with section 65 of the Constitution.

15. SECOND ORDER [16:34]

Consideration of decision of Subcommittee of Joint Programme Committee on fast-tracking of *Chiropractors, Homeopaths and Allied Health Service Professions Amendment Bill* [B 2—2000] (National Council of Provinces—sec 76(2)) (Announcements, Tablings and Committee Reports, p 83).

Order disposed of without debate.

Decision of Subcommittee of Joint Programme Committee ratified in terms of Joint Rule 216(4).

16. THIRD ORDER [16:35]

Consideration of *Land Affairs General Amendment Bill* [B 64B—99] (National Assembly—sec 75) and of Report of Select Committee on Land and Environmental Affairs thereon (Announcements, Tablings and Committee Reports, p 140).

Debate concluded.

Bill agreed to in accordance with section 75 of the Constitution.

17. FOURTH ORDER [17:29]

Consideration of *Chiropractors, Homeopaths and Allied Health Service Professions Amendment Bill* [B 2—2000] (National Council of Provinces—sec 76(2)) and of Report of Select Committee on Social Services thereon (Announcements, Tablings and Committee Reports, p 140).

Debate concluded.

Bill agreed to in accordance with section 65 of the Constitution.

18. The Deputy Chairperson gave a ruling that a motion earlier moved by Dr E A Conroy was out of order.

19. Council adjourned at 17:34.

S G MFENYANA

Secretary to Parliament

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 7 MARCH 2000

1. The House met at 14:03.
2. The Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:04] Notices of motion.
4. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes with shock and sadness the floods that have devastated our neighbour and fellow member of the Southern African Development Community, Mocambique;
 - (2) recognises that these floods have caused untold loss of life, injury and damage to infrastructure, setting back the remarkable gains the country has made in recent years;
 - (3) expresses its sympathy to the people of Mocambique, especially those who lost loved ones, or suffered injury and loss of property; and
 - (4) pledges its support and commitment to working with the parliament of Mocambique to assist in whatever way possible to aid a speedy recovery from this disaster.
- Agreed to.
5. The Chief Whip of the Majority Party moved: That, notwithstanding the provisions of Rule 29(8), Interpellations and Questions shall not have precedence on Wednesday, 8 March 2000.
- Agreed to.
6. The Chairperson of Committees gave rulings on points of order raised in the House on 1 March 2000.

7. FIRST ORDER [14:22]

Consideration of First Report of Rules Committee of National Assembly (Announcements, Tablings and Committee Reports, p 152).

Order disposed of without debate.

Report adopted.

8. SECOND ORDER [14:22]

Consideration of decision of Joint Programme Committee on fast-tracking of *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76) and of *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly sec 76(1)) (Announcements, Tablings and Committee Reports, p 150).

Order disposed of without debate.

Decision ratified.

9. THIRD ORDER [14:23]

First Reading debate—*Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate suspended.

10. The House adjourned at 17:29.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 7 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The following Bills were introduced in the National Assembly on 7 March 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *Lotteries Amendment Bill* [B 13—2000] (National Assembly—sec 75)—(Portfolio Committee on Trade and Industry—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20961 of 6 March 2000.]
- (ii) *South African Communications Regulatory Authority Bill* [B 14—2000] ((National Assembly—sec 75)—(Portfolio Committee on Communications—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20915 of 18 February 2000.]

- (2) The Joint Tagging Mechanism (JTM) on 7 March 2000 in terms of Joint Rule 160(4), classified the following Bills as section 76 Bills:

- (i) *National Land Transport Transition Bill* [B 5—2000] (National Council of Provinces—sec 76(2))—(Select Committee on Public Services—National Council of Provinces).
- (ii) *Remuneration of Public Office Bearers Bill* [B 11—2000] (National Assembly—sec 76(1))—(Portfolio Committee on Provincial and Local Government—National Assembly).

(3) The Joint Tagging Mechanism (JTM) on 7 March 2000 in terms of Joint Rule 160(3), classified the following Bills as section 75 Bills:

- (i) *Financial Institutions (Investment of Funds) Bill* [B 6—2000] (National Assembly—sec 75)—(Portfolio Committee on Finance—National Assembly).
 - (ii) *Nonprofit Organisations Amendment Bill* [B 9—2000] (National Assembly—sec 75)—(Portfolio Committee on Welfare and Population Development—National Assembly).
- Note: This Bill was introduced as a section 76 Bill.**
- (iii) *Competition Amendment Bill* [B 10—2000] (National Assembly—sec 75)—(Portfolio Committee on Trade and Industry—National Assembly).
 - (iv) *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75)—(Portfolio Committee on Transport—National Assembly).
 - (v) *Lotteries Amendment Bill* [B 13—2000] (National Assembly—sec 75)—(Portfolio Committee on Trade and Industry—National Assembly).

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Finance on the *Division of Revenue Bill* [B 8—2000] (National Assembly—sec 76), dated 28 February 2000:

The Portfolio Committee on Finance, having considered the subject of the *Division of Revenue Bill* [B 8—2000] (National Assembly—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill with amendments [B 8A—2000].

2. Report of the Portfolio Committee on Provincial and Local Government on the *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly—sec 76), dated 7 March 2000:

The Portfolio Committee on Provincial and Local Government, having considered the subject of the *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill with amendments [B 11A—2000].

The Committee further reports that although certain Clauses are technically rejected in order to fast-track Clauses 2 and 4 of the Bill, the rejected Clauses need to be deferred. To this end the House is requested to grant permission for the Committee to introduce the rejected Clauses in a separate Bill.

Report to be considered.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 8 MARCH 2000

1. The House met at 14:04.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:05] The House discussed the following subject: International Women's Day.
Debate concluded.
4. [15:11] Interpellations.
5. [16:01] Questions.
6. [16:32] Notices of motion.
7. [16:48] The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that today, 8 March 2000, is International Women's Day;
 - (2) recognises the age-old discrimination that faces women all over the world in all spheres of life;
 - (3) acknowledges that violence against women and children is of particular concern in our country and continent;
 - (4) endorses the values of gender equality enshrined in our Constitution; and
 - (5) applauds the efforts of women all over the world to put an end to gender discrimination and pledges its support to this noble cause.

Agreed to.

8. The Chief Whip of the Majority Party moved without notice: That—
 - (1) Orders of the Day Nos 1 and 2 not be dealt with today; and
 - (2) the *Remuneration of Public Office Bearers Amendment Bill* [B 11B—2000] be referred back to the Portfolio Committee on Provincial and Local Government to consider further the date on which the legislation is to come into operation.

Agreed to.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 8 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) On 2 March 2000 the National Council of Provinces agreed to the *Land Affairs General Amendment Bill* [B 64B—99] (National Assembly—sec 75), subject to proposed amendments. (See also Announcements, Tablings and Committee Reports, p 140.) The Bill and proposed amendments were thereupon, in terms of Rule 270 of the National Assembly, referred to the Portfolio Committee on Agriculture and Land Affairs for consideration and report.

(2) The following paper was tabled on 6 March 2000 and is now referred to the Joint Monitoring Committee on Improvement of Life and Status of Children, Youth and Disabled Persons:

Youth Manifesto for the Twenty-First Century adopted by the World Parliament of Children on 24 October 1999.

TABLINGS:

National Assembly and National Council of Provinces:

Bills:

1. The Minister for Provincial and Local Government:

Wysigingswetsontwerp op die Besoldiging van Openbare Ampsbekleërs [W 11—2000]

The *Remuneration of Public Office Bearers Bill* [B 11—2000] (National Assembly—sec 76(1)) was introduced by the Minister for Provincial and Local Government on 6 March 2000 and referred to the Portfolio Committee on Provincial and Local Government.

Papers:

1. The Minister of Trade and Industry:

(1) Reports of the Board of Tariffs and Trade on the—

- (a) Reinstatement of the duty on engine valves, Report No 3866;
- (b) Reduction in the rate of duty on vitamins used in animal feed, Report No 3868;
- (c) Withdrawal of provisions under rebate items 313.01.39.16/01.00, 313.01/39.17/01.00 and 313.01/5906.99/01.01.06, Report No 3869;
- (d) Reduction in the rate of duty on various rubber chemicals, Report No 3871;
- (e) Withdrawal of the provisions under certain rebate items, Report No 3872.

Referred to the Portfolio Committee on Trade and Industry and the Select Committee on Economic Affairs.

2. The Minister for Justice and Constitutional Development:

Proclamation No R.2 published in the Government Gazette No 20826 dated 21 January 2000, Commencement of sections 1,2,3,4,5,6 and 7 of the Debt Collectors Act, 1998 (Act No 114 of 1998).

Referred to the Portfolio Committee on Justice and Constitutional Development and the Select Committee on Security and Constitutional Affairs.

COMMITTEE REPORTS:*National Assembly:*

1. Report of the Portfolio Committee on Welfare and Population Development on the *Nonprofit Organisations Amendment Bill* [B 9—2000] (National Assembly—sec 75), dated 8 March 2000:

The Portfolio Committee on Welfare and Population Development, having considered the subject of the *Nonprofit Organisations Amendment Bill* [B 9—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports the Bill without amendment.

2. Report of the Portfolio Committee on Trade and Industry on the *Lotteries Amendment Bill* [B 13—2000] (National Assembly—sec 75), dated 8 March 2000:

The Portfolio Committee on Trade and Industry, having considered the subject of the *Lotteries Amendment Bill* [B 13—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports the Bill with amendments [B 13A—2000].

3. Report of the Portfolio Committee on Provincial and Local Government on the *Remuneration of Public Office Bearers Amendment Bill* [B 11B—2000] (National Assembly—sec 76), dated 8 March 2000:

The Portfolio Committee on Provincial and Local Government, having considered the *Remuneration of Public Office Bearers Amendment Bill* [B 11B—2000] (National Assembly—sec 76), recommitted to it, reports the Bill with amendments [B 11C—2000].

Report to be considered.

National Council of Provinces:

1. The Chairperson, as Chairperson of the Rules Committee of the National Council of Provinces, presents the First Report of the Rules Committee of the National Council of Provinces, dated 8 March 2000, as follows:

The Rules Committee of the National Council of Provinces, having considered proposals for the amendment of the Rules of the National Council of Provinces, recommends the following amendments to the Rules:

1. **Rule 118: Functions and Powers**

To amend Rule 118(1)(e) by the addition of the words underlined:

118. (1) The Rules Committee may—

.....
(e) lay down guidelines, issue directives, and formulate regulations regarding any aspect of policy referred to in this Rule.

2. **Rule 119: “Control and management of administration”**

To amend the heading to **“Implementation of policy”**

To amend rule 119(1) by the addition of the words indicated and the deletion of the words in bold brackets:

119. The responsibility for the [the control and management of all matters relating to the administration of the Council] implementation of policy determined by the Rules Committee vests in the Chairperson of the Council, subject to the decisions of the Rules Committee and resolutions of the Council.

3. **Rule 121: Subcommittees**

Insert a new subrule 121(5), as follows:

(5) A subcommittee of the Rules Committee may not issue directives relating to any aspect of the control and management of the administration of the Council.

G N M PANDOR
CHAIRPERSON: RULES COMMITTEE
NATIONAL COUNCIL OF PROVINCES
8 March 2000

Report to be considered.

2. Report of the Select Committee on Finance on the *Financial Services Board Amendment Bill* [B 62B—99] (National Assembly—sec 75), dated 8 March 2000:

The Select Committee on Finance, having considered the subject of the *Financial Services Board Amendment Bill* [B 62B—99] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports that it has agreed to the Bill.

3. Report of the Select Committee on Land and Environmental Affairs on the *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76), dated 8 March 2000:

The Select Committee on Land and Environmental Affairs, having considered the subject of the *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill without amendment.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

THURSDAY, 9 MARCH 2000

1. The House met at 14:03.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:04] Notices of motion.
4. The Deputy Speaker made the following announcement: "The Joint Programme Subcommittee yesterday took a decision, in accordance with Joint Rule 216, that the Lotteries Amendment Bill [B 13 and 13A—2000] be fast-tracked. In terms of Joint Rule 216 (4) this decision must be tabled in the House today for ratification, and I hereby do so."

Decision ratified.

5. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that the Eastern Cape has been subjected to devastating floods in recent weeks, and that the situation is worsening daily;
 - (2) recognises that roads have been totally destroyed, and that communities are without food and medicine; and
 - (3) pledges the support of the House in assisting the victims of this disaster and bringing to the attention of the Government and the wider community the dire circumstances of the people of the affected areas.

Agreed to.

6. The Chief Whip of the Majority Party moved without notice: That—
 - (1) precedence be given to Orders Nos 3 and 4; and
 - (2) after Order 2 has been disposed of, Order No 1 under Further Business be considered.

Agreed to.

7. The Chief Whip of the Majority Party moved: That, notwithstanding Rule 23, the hours of sitting on Tuesday, 14 March 2000, shall be as follows:

From 09:30, or such later time as the Speaker determines, to adjournment.

Agreed to.

8. THIRD ORDER [14:21]

Resumption of First Reading debate—*Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

Question put: That the Bill be read a first time.

Division demanded.

The House divided:

AYES—219: Abrahams, L A; Abram, S; Ainslie, A R; Arendse, J D; Asmal, A K; Bakker, D M; Baloyi, M R; Belot, S T; Benjamin, J; Beukman, F; Bhengu, F; Bhengu, N R; Blaas, A; Bloem, D V; Bogopane, H I; Botha, N G W; Buthelezi, M N; Camerer, S M; Capa, R Z N; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chikane, M M; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; Dlamini, B O; Doidge, G Q M; Douglas, B M; Dowry, J J; Du Toit, D C; Duma, N M; Durand, J; Dyani, M M Z; Ebrahim, E I; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Gaum, A H; Geldenhuys, B L; Gillwald, C E; Gogotya, N J; Goniwe, T M; Goosen, A D; Gous, S J; Green, L M; Greyling, C H F; Gumede, D M; Hanekom, D A; Hangana, N E; Hlengwa, M W; Hogan, B A; Holomisa, S P; Kalako, M U; Kasiennyane, O R; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Koornhof, G W; Kota, Z A; Kotwal, Z; Leeuw, S J; Lekgoro, M K; Lekgoro, M M S; Leshika, T E; Lobe, M C; Lockey, D; Louw, J T; Louw, S K; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Madasa, Z L; Maduna, P M; Magazi, M N; Mahlangu, G L; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makwetla, S P; Malebane, H F; Maloney, L; Manuel, T A; Maphalala, M A; Maphoto, L I; Martins, B A D; Masala, M M; Masithela, N H; Masutha, M T; Mathebe, P M; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbongo, P F; Mbuyazi, L R; Mdladlana, M M S; Middleton, N S; Mkhathshwa, S; Mkhize, B R; Mndende, O N; Modise, T R; Modisenyane, L J; Moeketse, K M; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Mpahlwa, M; Mpaka, H M; Mpontshane, A M; Mshudulu, S A; Mtsweni, N S; Mzizi, M A; Mzondeki, M J G; Naidoo, S; Nair, B; Nash, J H; Ncube, N Z; Ndabandaba, L B G; Ndlovu, V B; Nel, A C; Nel, A H; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngwane, L B; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nqakula, C; Nqakula, N N; Ntshangase, I B; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olifant, D A A; Oliphant, G G; Phala, M J; Phantsi, E; Pheko, S E; Phohlela, S; Pieterse, R D; Pretorius, I J; Rabie, P J; Radebe, B A; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramotsamai, C M P; Rasmeni, S M; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; September, C C; Shilubana, T P; Shope, N R; Sikakane, M R; Sisulu, L N; Sithole, D J; Skhosana, W M; Skweyiya, Z S T; Smit, H A; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Thabethe, E; Tinto, B; Tolo, L J; Turok, B; Vadi, I; Van den Heever, R P Z; Van der Merwe, S C; Van Deventer, F J; Van

Schalkwyk, M C J; Van Wyk, A (Anna); Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Woods, G; Xingwana, L M T; Yengeni, T S; Zita, L; Zondo, R P; Zuma, J G.

NOES—24: Andrew, K M; Aucamp, C; Borman, G M; Bruce, N S; Cupido, P W; Da Camara, M L; Davidson, I O; De Vos, P J; Ellis, M J; Gore, V C; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; McIntosh, G B D; Mulder, C P; Ntuli, R S; Schmidt, H C; Selfe, J; Sigabi, N B; Smuts, M; Taljaard, R; Viljoen, C L; Waters, M.

Question agreed to.

Bill accordingly read a first time.

9. FOURTH ORDER [17:15]

Second Reading debate—*Division of Revenue Bill* [B 8B—2000] (National Assembly—sec 76).

Debate concluded.

Bill read a second time.

10. FIRST ORDER [17:54]

Consideration of Reports of Portfolio Committee on Provincial and Local Government on *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly—sec 76) (Announcements, Tablings and Committee Reports, p 167 and p 171).

Order disposed of without debate.

Reports adopted.

11. SECOND ORDER [17:55]

Second Reading debate—*Remuneration of Public Office Bearers Amendment Bill* [B 11B and 11C—2000] (National Assembly—sec 76).

Order disposed of without debate.

Bill read a second time.

12. FIRST ORDER UNDER FURTHER BUSINESS [17:55]

Second Reading debate—*Lotteries Amendment Bill* [B 13 and B 13A—2000] (National Assembly—sec 75).

Order disposed of without debate.

Bill read a second time (ACDP dissenting).

13. The House adjourned at 17:55.

S G MFENYANA,

Secretary to Parliament.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

REPORT OF THE
COMMISSION ON THE
STRUCTURE OF THE
ATOMIC NUCLEUS

BY
J. R. OPIE
AND
J. H. DUNN

CHICAGO, ILLINOIS
1955

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PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 9 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

The Speaker and the Chairperson:

1. The following changes have been made to the membership of Committees, viz:

Improvement of Quality of Life and Status of Women:

Discharged: Tshivhase, T J.

National Assembly:

The Speaker:

1. The following changes have been made to the membership of Committees, viz:

Arts, Culture, Science and Technology:

Appointed: Soty, M M (Alt).

Environmental Affairs and Tourism:

Appointed: Cassim, M F (Alt); Goniwe, T M; Nqodi, S B; Van der Merwe, S C (Alt); Vilakazi, B H (Alt).

Discharged: Rabinowitz, R.

Home Affairs:

Appointed: Lobe, M C (Alt); Zita, L (Alt).

Public Service and Administration:

Appointed: Kgwele, L M; Maphalala, M A (Alt); Modisenyane, L J; Rockman, G (Alt).

Public Works:

Appointed: Kalako, M U (Alt).

Transport:

Appointed: Coetzee-Kasper, M-P (Alt).

COMMITTEE REPORTS:**National Assembly:**

1. Report of the Portfolio Committee on Education (National Assembly) on visits to the Eastern Cape and KwaZulu-Natal, dated 15 February 2000:

Two delegations from the Portfolio Committee of Education (National Assembly) and Select Committee on Education & Recreation (National Council of Provinces) conducted visits to Eastern Cape and KwaZulu Natal schools on 2,3 and 4 November 1999, with the following mandates:

A. Objectives:

In a Committee meeting which was held on 13 October 1999, the Committee unanimously agreed and envisaged that two delegations from the Committee visit the Eastern Cape and KwaZulu-Natal provinces simultaneously during the constituency week primarily in the most disadvantaged rural communities, with the following objectives:

- (i) to co-operatively examine along with the provincial Education Standing Committees, the capacity of the provinces in dealing with the demands set by national Acts, regulations and policies, and other challenges as spelt out in the first priority of Minister Asmal's Call to Action document which intends to make our provincial systems work by making co-operative government work;
- (ii) to examine conditions of physical degradation in schools in areas listed by, and according to the objectives of the President's rural strategy programme;
- (iii) to investigate the implementation of the funding norms and standards emanating from the South African Schools Act;
- (iv) to examine ways and means of effecting greater synergy between education at provincial and national level in the respective provinces;
- (v) to construct a co-operative relationship between the national parliamentary Education Portfolio Committee and Standing Committees on Education and Culture in the provincial legislatures, in order to deal co-operatively with challenges constraining the effective development of our education system;
- (vi) to develop a rural development strategy with regard to building and renovations of schools, and the provision of resources like textbooks and teaching aids in rural schools in both provinces; and
- (vii) to address the challenges of the allocations and management of the provincial budget as it relates to education in both provinces.

In view of the fact that the Committees play a vital role in promoting co-operative governance between the provinces and central government and in improving the quality of life of every citizen on the ground, the delegations focused on all affected educational infrastructure which were damaged and destroyed by the tornadoes and also on assessing a need for repairs and renovations in all of those schools visited.

Tirisano

The Education Portfolio Committee delegations based their study tours to the Eastern Cape and KwaZulu-Natal provinces on the "Call to Action" ("Tirisano") of the Minister of Education, Prof K Asmal. The document outlining the objectives of the "Call to Action" was distributed by the national education department to members of the provincial legislatures, Education Directors, school principals and the media.

The delegations emphasised that since the "Tirisano" document was based on an extensive consultation of the Minister with a large variety of stakeholders, that there was no need to re-invent the wheel by searching for other criteria on which to base the visit of the delegations to the provinces.

In particular, the first priority identified in "Tirisano" (Call to Action)—"to make our provincial system work by making co-operative government work"—was clearly in line with the purpose of the visits of the delegations to the provinces. The Minister, Prof K Asmal pointed out in "Tirisano" that the three largest provinces, KwaZulu-Natal, Eastern Cape and the Northern Province were the poorest provinces with the largest backlogs of school buildings and services. It was for this reason that the delegations have identified these three provinces for a study tour.

Other issues identified by Tirisano were—

- a) the inability of many provincial education departments to manage education efficiently;
- b) the empowerment of provincial departments to fulfil its statutory responsibilities; and
- c) dealing effectively with challenges in respect of the allocation and management of provincial budgets.

A rural development strategy

The delegations also emphasised the importance of establishing rural development strategy for vastly rural provinces such as the Eastern Cape and KwaZulu-Natal. The resourcing of schools in the rural areas with regard to establishing classrooms conducive to learning, the adequate provision of textbooks, teaching aids and other learning materials must become a priority.

In their visit to deep rural schools in the provinces, the delegations identified vandalised school buildings, destruction of school property and absence of textbooks, toilets, proper sanitation and libraries as the main problems relating to rural education. However, it appeared as if

effective management or lack of effective management by principals has a major impact on the success or lack of success of rural schools in cultivating an atmosphere conducive to learning and teaching.

Culture of teaching and learning

There were some poverty-stricken rural schools visited by the delegations which had good discipline, where teachers were actively teaching and students were actively learning. There were virtually no broken windows and vandalised furniture. Although the schools did not have enough textbooks, school governing bodies were encouraged to raise funds for learner-teaching materials. Many of these poor rural schools maintained a matric pass rate in excess of 60% through the positive attitude of the principals and teachers, and generally have neat and clean premises.

There were also rural schools where principals had many complaints while doing very little themselves to improve the situation. Such schools were generally vandalised, desks were either broken or stolen, textbooks in class were virtually non-existent and there was poor attendance of teachers and learners. At such schools there were also no good relationship between the principal, teachers, parents and students. These schools maintained a matric pass rate of less than 10%.

The management capacity of principals has to be urgently investigated at rural schools, while those many principals who are doing a good job under trying conditions, have to be strongly supported.

Delegations

The Eastern Cape delegation under the leadership of Prof S M Mayatula included Mrs M A A Njobe, Ms P K Mothoagae, Prof L M Mbadi, Mr L Suka (NCOP member), Mr P G Qokweni (NCOP member), Mrs J Witbooi (NCOP member), Ms N C Manjezi (Committee Secretary) and Ms L Carelse (Committee Assistant).

The KwaZulu-Natal delegation under the leadership of Mr R P Z van den Heever included Mr L M Kgwele, Ms P N Mnandi, Mr R Ntuli, Mr A M Mpontshane, Adv A H Gaum, Mr A Myeni (Committee Secretary) and Mr J Rossouw (Committee Assistant). Adv A H Gaum left the delegation after the first day due to pressing engagement in Parliament and in his constituency.

Due to prior commitments and apologies, Mr N M Raju (NCOP member) and Mr T D Lee were unable to join the delegations.

The delegation in the Eastern Cape province was accompanied by delegates from the Provincial Standing Committee on Education, which included the Chairperson, Mr S Mancotywa and Ms N Mahlawe. The delegation in KwaZulu-Natal was accompanied by delegates from the Provincial Standing Committee on Education and Culture, which included the Chairperson, Mr S Ngidi, Mr Z Nzuza (Committee Secretary), Mr L N Mjadu (Personal Secretary: MEC for Education) and Regional Directors of Education.

An attempt was made to obtain a balanced view with input from both the departmental official sources, and from school principals. Main problems were highlighted and where possible, solutions were recommended.

B. VISIT TO EASTERN CAPE PROVINCE

1. Visit to the Department of Education—Bisho

Official view: Department of Education Management

The Eastern Cape province is one of the three provinces identified by President Thabo Mbeki as the poorest and needed extra financial assistance. On the first day the delegation was warmly welcomed by the MEC for Education Mr Stone Sizani, and had open and constructive discussion with top management led by the Superintendent-General, Mr J Gordon. The following are some of the areas covered.

The Eastern Cape Department of Education has inherited six different education departments with two of them located within two former homelands, namely, Ciskei and Transkei. The department serves 6 447 schools of which almost 60% are rural and farm schools. According to the records of the department, the survey of the needs done in 1996 has revealed that it is worst off when it comes to physical infrastructure, as the majority of the rural schools are mud structures with no toilets or sanitation, fencing, water and electricity. The survey revealed the following statistics for the province:

1 487 (25%) schools have no toilets; 2 931 (49%) schools have no sportsfield; 5 528 (93%) schools have no libraries; 5 578 (94%) schools have no laboratories; 622 (10%) schools are in need of major repairs; and 206 (3%) schools are totally unfit for education and learning.

The province is often hit by tornadoes, which have caused extensive damage to hundreds of schools particularly in the rural areas. This has increased the backlog from 15 000 to about 23 000 classrooms and the provincial department needs R92 million to rebuild and renovate schools damaged by natural disasters. According to Mr Hecther, physical infrastructure in the province is the worst in all provinces and an emergency fund will be necessary to address disasters and other critical matters.

The Department of Education's capital works programme commenced late in 1995 with an allocation of R355 million (RDP funded) in the 1995/1996 departmental budget. This was subsequently extended with the capital works allocation of R365 million (RDP funded) from the 1996/97 budget. The 1997/98 budget provided R108 million for capital works, but this was cut back to R53,9 million when the financial position of the Department became evident. In 1998/99 and 1999/2000 budgets, no funding has been set aside for any capital programmes.

To address the classrooms backlog in the province, the department will need approximately R600 million per annum over a period of five years or approximately R450 million per annum over a period of ten years. These substantial allocations can enable the Department to embark on an ambitious multi-dimensional programme to address the shortage of classrooms in the province.

(i) School building programme

The schools in the Eastern Cape province are reaching shocking levels of degradation. In certain instances the building authorities maintain that a number of classrooms in several schools should in fact be condemned. All these schools are government assets and it is clear that, the lack of funding for emergency renovations has reached unacceptable proportions.

In the extreme cases, there exists the danger of a total mess of these assets. These assets have deteriorated to such an extent that in many cases, they have become a health hazard.

Although the construction of new schools is of prior importance, major capital injection is urgently required in order to restore the existing buildings to safer working environments. Funds are desperately needed for three primary aims, namely—

- day-to-day maintenance to cut down expenditure on major repairs and renovations and to maintain reasonable standards in all schools;
- to repair the existing major damage to the loss of valuable assets; and
- to allow for emergency repairs and renovations on a ten-year basis.

These funds will alleviate the deterioration of the schools, and it is obvious that once a regular flow of funding is made available for regular maintenance, future excessive capital outlay will then be minimised. But it is vital that the current state of general degradation is addressed as soon as possible.

Although the Department has identified the causes of damage in most instances and will address the necessary methods of prevention in the near future, the following current conditions should be noted to necessitate appeal for funds.

(ii) General interiors and exteriors

The walls are worn out resulting to further damage to the structures. These walls urgently require major repairs and resurfacing, as they are in danger of collapsing and structural damage shows, which needs immediate attention.

A problem which is rife in all schools is that of damaged windows, window-panes and frames. An attempt to prevent the theft of window-panes by individuals has failed. To date, the only relatively successful method of protecting windows against theft and vandalism, is the installation of galvanised frames.

Another hazard facing pupils in most schools is unsafe electrical fittings. Inadequate electrical supply in most schools which caters for domestic science has rendered these services unusable.

The structural problems within the schools continue and a number of classrooms suffer from damaged ceilings due to leaking roofs.

Many schools have no toilets, sanitation and ablution facilities. The students must have access to these facilities. The systems have long been broken, yet the students must continue to use the facilities,

creating more sanitary health risk. The children who are subjected to these shocking conditions are pupils in all Grades as well as teachers.

The dilemma of vandalism grows daily. It is understood that most schools in general make every effort to prevent damage to the buildings. Funds are therefore required to institute increased security measures in order to protect the government assets. Many schools in general have no furniture, libraries, equipment, school halls and sporting facilities.

(iii) Background on budgets

The province needs R900 million per annum for non-personnel expenditure and for the department to function normally, i.e. for normal repairs to be carried out. In 1998, the department was allocated R500 million and in 1999 it was cut to R200 million. In 1999, the department requested R200 million, but for the first time in three years, the department only managed to receive R5 million for 6-400 schools for maintenance and for emergency repairs. More funding is needed repair and renovate all the damaged schools in the province.

(iv) Facilities and personnel in farm schools

There are various types of farm schools which are operating on the property of the farmers. The department provides personnel and material resources. Farmers have given the land to the department and it is for the department to provide material and human resources to the schools.

In the majority of cases the department is still experiencing problems with regard to scholar transport due to budget cuts. There is provision for hostel facilities and the department provides subsidies for children residing in those hostels.

Since 1996, many farm schools were amalgamated because of the current staff provisioning norms which stipulate that there must be a minimum number of learners in the school has been efficient in terms of human resources, curriculum engagements and provisioning various services in those schools.

In the past, farm schools were marginalised. Presently the department is doing something in terms of meeting the needs of those farm schools; viz. Many programmes are specifically servicing those farm schools, many donors and non-governmental organisations, in conjunction with the department, have programmes targeting those farm schools, and good work is in progress in the majority of those schools.

The department has received a positive response from donors like Vusisiwe Trust and Micro Projects which have donated most of the schools that have been built in the farming areas. The help from all these donors is assisting the department to make meaningful investments in the upliftment of the impoverished communities of the Eastern Cape province and the donations are regarded as a truly humane effort to improve the impoverished communities.

(v) Intergovernmental approach on infrastructure

On the Department's intergovernmental approach on infrastructure, there is a good relationship with government departments, such as the department of public works as well as non-governmental organisations.

The Department of Education meets with local Transitional Local Councils (TLCs) on a regional basis to look at the integrated plan, linking water, electricity, building and the roads to a particular programme, and such programmes are presented in their meetings with the TLCs.

(vi) *Learners support materials*

Learner support materials include textbooks, stationery, science materials, equipment as well as consumables. Due to financial constraints of the Eastern Cape, this has led the department to concentrate on textbooks and stationery only as learner support materials. The department is now in the process of issuing stationery to Grade 1-9, but for textbooks, the department will prioritise those Grades that are in curriculum 2005 (Grade 1, 2 and 3) and later to Grade 7, that will start the curriculum next year as well. The supply for Grade 12 will only be concentrated to those schools that have had a new Grade 12 class since 1997, 1998 and 1999, because those schools were not issued any textbooks and stationery.

In respect of Grade 7, the department has indicated that it will need about R42 million, but the department is not so sure whether they will receive the full R42 million requested. During the capturing of the requisition from the regions, it became clear that R42 million will not be adequate to cover all the learning areas in Grade 7.

With regard to scientific equipment, the department need to get assistance in terms of funding in order to make sure that it delivers the necessary requirements with the requested budget.

The crisis the department is facing at present, is that there is a backlog of non-payment of both suppliers and employees. The department is still experiencing problems with old debts from all sorts of suppliers who have not been paid. Again, the department is still having outstanding benefits for teachers. This creates a lot of problems with regard to finance staff attending to volumes of queries from unions, courts and lawyers, etc.

(vii) *Consumables and provisioning*

To date, the department was unable to make any deliveries. Presently, the department is in a process of finalising the orders with the publishers.

There were few schools which received donations to enable them to perform their daily school work, but there was very little funding.

(viii) *Financial management*

The department needs other initiatives to assist with the improvement of the financial management, e.g. closing of books done by Deloitte & Touche, provisioning and payment projects, where training is continuing again (also the stock-taking the department is preparing).

There are a number of projects that have already been started which are actually assisting with the financial management. At present, there is too much that is demanding of the financial staff, and it is envisaged that if the staff can get through that, the department will definitely see its way clear to implement the existing projects to assist the finance section with the workload.

2. *Visit to Eastern Cape Legislature, Bisho*

The delegation was welcomed by the Provincial Standing Committee on Education, chaired by Mr S Mancotywa. The leader of the delegation, Prof S M Mayatula, gave a brief overview and objectives of the visits to the province.

3. *Visit to King William's Town Examination Centre*

Official view:

(i) *1999 examinations*

When the delegation visited the examination centre, the province was already halfway through the examinations for 1999. No problems, no leaking of papers, have been experienced, except the shortage of examination papers. Everything within the province is scheduled as planned and work is running smoothly and up to standard. The examination result will be released by 30 December 1999 for Y2K effect. All the necessary tests on the Y2K problem have been running up until September 1999 to make sure that their system is Y2K compliant. Reports have been made and everything has been cleared.

The standard of matric results is seen to be the same as there was no significant change (from 45% to 47%) in the previous year.

(ii) *Supplementary examinations*

All the supplementary examinations have been arranged, work has been done twelve months in advance.

(iii) *Readiness of markers*

4 600 markers, including the senior markers, have been appointed on the basis of experience and qualification. Through the entire province there will be five marking centres. All markers will be paid their salaries before the end of February 2000.

(iv) *Outstanding payments*

There is still a backlog of 800 people which have not been paid by the department. The department is still struggling with the non-payment of people, which include markers, examiners, moderators and examination assistants. All the claims were verified and submitted to the department on 26 January 1999.

4. *Visit to Phakamani Senior Secondary School: Butterworth*

Official view:

Phakamani Senior Secondary School has an enrolment figure of 1 005 learners and 27 educators. The school occupies a disused factory, a corrugated iron structure. The entire structure is delapidated and does not need any extensive repairs but needs to be closed down. The school should be declared a very dangerous health risk. The school has a site at Ibika which is few kilometres away and has been there for more than five years, awaiting a new building to be erected.

The classrooms still have huge factory ventilation, which make the students always suffer from respiratory diseases, asthma, bronchitis, etc. On top of this, there is poor electrical lighting, which damages the eyes of the students. Chemicals that were used in the factory were never thoroughly cleaned.

Toilets create another dangerous hazard as they are terribly filthy, very dirty and uncleaned yet they are still in use. For more than 1 000 students as well as teachers to utilise such toilets is a serious health risk. In 1999 alone, there were four reported deaths of students from the school while others were suffering from rheumatism.

The school at the former factory is situated far from the township and near a growing slum area. This exposes the pupils to rapes and attacks. Crime in the school is very high.

None of the school toilets flush. The students and teachers must have access to and continue to use these facilities which are subjected to shocking levels of terrible smells, which are creating more sanitary health risks. The systems have long been broken due to the leakage of drainage pipes. This has caused further damage to the books stored in an unusable and damaged library.

There is also a problem of overcrowding in the school. It has been noted that one of the Grade 10 classes in the school has an enrolment figure of 123 students. Although the Phakamani community realises that there are serious financial constraints with the provincial department of education, the school has certainly made great strides in establishing the culture of learning. In view of this fact, the community deserves a new brick structure and a decent school.

5. Visit to Esingeni Junior Secondary School: Idutywa

Official view:

The school has an enrolment figure of 308 learners and 9 educators. The entire school consisted of 10 classrooms of a prefabricated structure. Approximately 98% of the entire structure was extensively damaged and flattened by the tornado on 16 December 1997. Up to now, there has been no intervention by the provincial legislature, the department and Idutywa district to help the community to alleviate the situation, except for provision of 5 tents to be used as classrooms. Even these are not of a good standard for teaching and learning.

At present, there are no toilets/sanitation, no electricity and no fence. During the rainy days and bad weather the school does not operate at all. It is located not far from the river bank, and some pupils have to cross the river on their way to school. When the river is full they do not attend the school at all. The school is controlled by weather and not by the principal.

As the clearing of site was not done by the people in the community, during the sunny days pupils and teachers are commonly exposed into poisonous snakes, which are seen to be dangerous and which may result in death to pupils and teachers. Most children have left this school due to these appalling conditions.

There is an urgent need for financial assistance to build a proper shelter or a new school in the area by the year 2000.

6. Visit to St John's College: Umtata

Official view:

The school has an enrolment figure of 1 400 learners, 42 educators and 18 general assistants. The entire school building consist of a brick structure, partly prefabricated. Approximately 40% of the entire structure has been extensively damaged by the tornado. The school has louvre windows in some classrooms and most of the windows are broken and need urgent repairs. Due to unavailability of laboratories in the school, other classrooms are converted into laboratories, which has led to additional shortages of classrooms. During the rainy days, learners are cramped together in classrooms which were not affected and this again results in overcrowding.

Although the school building is very old and strong (121 years old), it needs major maintenance, constant repairs and renovations. Drainage problems, filthy toilets and bathrooms, leaking taps and pipes, are a health hazard to pupil and teachers. To repair the entire damages, R3 million is needed to overhaul the conditions.

Vandalism in the school is rife and is caused by students themselves. In the boys' hostel, the empty dormitories which were damaged, have been converted by students themselves to consume alcohol and to smoke dagga. There is no furniture in the dining halls.

7. Visit to James Kobi Junior Secondary School: Umtata

Official view:

The school has an enrolment figure of 520 learners and 18 educators. The entire school building consists of a brick structure. Only one classroom was damaged by fire and destroyed by the tornado. As there is no fence around the school premises there is stealing and vandalism of the school property, i.e. copper wires, pipe fittings, furniture and doors. The school managed to hire security, who are unarmed, to secure the entire school building and to safeguard the government property.

The school was built in 1985. There is no electricity and the school maintenance has been non-existent. They have themselves managed to raise R20 000 through donors and sponsors to repair the damaged toilets and to improve standard conducive for learning.

8. Visit to E W Pearce Junior Secondary School: Umtata

Official view:

The school has an enrolment figure of 900 learners and 23 educators, with 2 educators are awaiting redeployment. The school consist of a prefabricated structure which has been extensively damaged by the storm.

Approximately 60% of the entire structure, including roofs and floors, have been extensively damaged. Most of the windows are broken and some of the classroom floors are in a state of collapse, which may result in injury to pupils and teachers. Urgent repairs and renovations are needed at the school.

9. Visit to Nyangilizwe Senior Secondary School: Libode

Official view:

The school has an enrolment figure of 544 learners and 15 educators. The school consist of a brick structure which was damaged by the storm. Only 4 classrooms and the school fence were damaged by the tornado, which took place on 15 December 1998.

As there were no repairs and renovations yet done in the school, the children in Grade 8 (280) are cramped together in the hall, which results in difficulty for the educator to attend to each individual student, due to overcrowding. Urgent repairs and renovations are needed at the school.

10. Visit to Tsolo Residency Junior Secondary School: Tsolo

Official view:

The school has an enrolment figure of 1 134 learners and 18 educators. The school consist of a prefabricated structure, with only 10 classrooms. Some classes are taking place outside the school premises due to the problem of overcrowding. This overcrowding has been causing a disastrous and low grasping of learners that may led to havoc because of improper involvement of individual attendance, from the teacher to the learner.

As the school is known for its excellent continuous results and is located in the centre of town, overcrowding may be one of the factors that affect enrolment increments.

The school urgently need 6 more classrooms to be put in place to ensure that proper education is continuing in the school.

11. Visit to Jongilizwe Senior Secondary School: Tsolo

Official view:

The school has an enrolment figure of 390 learners and 21 educators. The school consists of brick structure which is extremely delapidated. The school was established in 1967 as a public school and was and still is attended only by the sons of the Chiefs in the former Transkei regime, even before its independence.

Vandalism in the school building and to property is rife. There is a high rate of crime still taking place on school grounds, as a result of which deaths have been reported. None of the people in the neighbouring communities want to take ownership of the school because of its history of being attended by the sons of the Chiefs.

The school used to be a boarding school, but due to constant violence, theft of laboratory equipment, vandalism and uncleanness, the hostels were closed down. The school is seen to be dangerous, day and night. Urgent repairs and renovations need to be effected in the school.

There is no electricity, no fence, no proper sanitation and the toilets have long been unused and causing health hazards. Almost all broken windows have been damaged by the student themselves.

As the school principal, Mr S Mnyekentu, needs the education in this school to continue, regardless of the appalling circumstances, he needs trained armed security guards and proper fencing to curb the vandals from entering the premises.

According to the principal, the quantity surveyors have visited the school 4 months ago to assess the material needed to repair and renovate the school.

12. Visit to Petros Jozana Junior Primary School: Umzimkulu

Official view:

This school has an enrolment figure of 320 learners and 9 educators. The school building consists of 5 classrooms of a brick structure and three semi-delapidated classrooms that are not in use. It become difficult for the school to function during the rainy days and bad weather due to the openness of the roofs and walls. Almost all windows are broken. The school received R19 000 from the provincial department of education and this fund helped the community to build 2 more classrooms of a brick structure.

As this school is a community-built school, the community has certainly made great strides in donating R50,00 per household, with the intention to build 4 more classrooms. It has also been envisaged by the people in the community that it will take other 5 years to build another 4 classrooms due to insufficient funding. This school is experiencing problems of overcrowding.

There is no electricity, no sanitation, no fencing, no furniture and learning materials, e.g. writing boards, in the school. Funds are needed urgently to improve the quality of the infrastructure, which is presently not conducive to teaching and learning.

13. Visit to Vumazonke Junior Secondary School: Umzimkulu

Official view:

The school has an enrolment figure of 215 learners and 4 educators. The entire school building consist of a mud structure which is extensively damaged. The leaking roofs and all broken windows need urgent repairs and renovations. The roof is likely to collapse any time and may cause injuries to learners and teachers.

There are no desks and other educational facilities in the school. Learner support material for Grade 2 were received, but none of the Grade 1 material was distributed to the school. There is an intention to open Grade 5 next year but there are no facilities and classrooms to effect that.

The initiative to open the school in 1996 was envisaged by the people in the community, seeing the danger of the nearby national road, a few kilometres away from the area. As there was no school in the area prior to 1996, the children had to cross the national road, which is very dangerous, to attend school in other neighbouring villages. The community noted with concern the number of road accidents on the nearby national road, which have killed many children from the community.

Again, the new settlement of Sisulu area also gave birth to this community-built school.

There is no electricity, no toilets and sanitation, and no fencing. The people in the community need intervention of the government to

support the school in terms of furniture, learner support material, educational facilities and proper decent school.

14. Visit to Kheswa Junior Secondary School: Umzimkulu

Official view:

The school has an enrolment figure of 500 learners and 9 educators. The school building partly consists of a mud structure. There has been damage to the structure's walls, doors, windows and roofs.

Approximately 80% of the entire structure has been extensively damaged, delapidated and flattened by the tornado, both in 1997 and 1998.

The efforts to build the school were made by the community itself. The community received R20 000 from the provincial department of education (MEC's R18 million project) to build more classrooms. As the building is likely to collapse at any time, funds are needed to rebuild a proper school with bricks.

15. Visit to Govalele Junior Senior Secondary School: Umzimkulu

Official view:

The school has an enrolment figure of 414 learners and 11 educators. The school building consists of a brick structure and partly of a mud structure. This school is also one of the schools which benefitted from the MEC's R18 million project. The school received R19 000, which was used to build three classrooms of a brick structure. The other part of the school, which is of a mud structure and which is not up to proper standard, is also used to accommodate Grade 1 and 2, as there is still shortage of classrooms.

16. Visit to Zwelitsha Senior Secondary School: Mount Ayliff

Official view:

The school has an enrolment figure of 169 learners and 7 educators (Grade 10—12). The school was established in 1999 and the building consists of a wooden structure which was donated by Sawmill.

Due to unavailability of classrooms in this school, junior secondary school is accommodated in another nearby school. As this was a community-driven project, the school governing body contributed by assisting the school in building the structure. There was no financial assistance from the government for building the school and its maintenance. There is no fencing, no electricity, no security, no toilets, no water in the school. Vandalism and theft in the area is rife.

17. Visit to Sigagane Junior Secondary School: Mount Ayliff

Official view:

The school has an enrolment figure of 366 learners and 8 educators. The school building consists of a newly built brick structure and an extensively damaged mud structure.

Part of the new brick structure was built from the local funds (R36 000) donated by Gold Mines. Presently, there is no water and electricity, no sanitation/toilets, no fencing and no furniture. As part of the school is of a mud structure, there are no doors, no windows and proper walls, and it is in a state of collapse.

Thursday, 9 March 2000]

Many attempts have been made, to the circuit office, to build new and additional classrooms, but nothing has been done. No financial assistance has been received as promised from the provincial government to build a new school. Children are exposed to cold and "flu", and some have no accommodation due to these appalling conditions at the school. Urgent attention is needed to repair and renovate the school.

18. *Visit to Mhluzini Junior Secondary School: Mount Ayliff*

Official view:

The school has an enrolment of 270 learners and 4 educators, of whom 2 educators are awaiting redeployment. The school consists of only 2 classrooms made of a mud structure. Accommodation in this school is regarded as a major problem because 2 classes are accommodated in another school in the nearby area.

Previously the children were accommodated in the tents but due to attempts by the community, a structure was built (not yet completed) with their own assistance and efforts.

The school has no furniture, no windows, no ceiling, no toilets, no water and electricity and no fencing. As there is no water available, the learners themselves do daily routine of bringing water for cleaning (using cow dung) and maintenance of the school floors and walls.

As this is a well-managed and -controlled school, funding is needed to effect some of the community-driven initiatives which are aimed at maintaining the school in a proper environment conducive to learning and teaching.

19. *Visit to Ntshamanzi Senior Primary School: Ntabankulu*

Official view:

The school has an enrolment figure of 114 learners and 5 educators, of whom one educator is awaiting redeployment. The school consists partly of a brick and partly of a mud structure. Approximately 50% of the school was damaged by the tornado on 18 January 1999. The roof and broken windows were blown away by the wind during the storm.

There are no toilets, no water and electricity and no fencing. None of the classrooms have ceilings.

The community, out of their funds and efforts, has already started to repair and rebuild the damaged classrooms which are of a brick structure. Funding is needed to complete the initiative taken by the community in respect of their school. There is a need for 3 more classrooms as there is a backlog of shortage of classrooms.

The delegation could not visit the Mount Frere schools, Bethlehem S.P. School, Nganu J.S. School and Mpungutiyana J.P. School because of time constraints. The Committee apologised to these communities.

C. VISIT TO KWAZULU-NATAL PROVINCE

The delegation's visit to KwaZulu-Natal coincided with a period of simmering political tension in the province caused by the assassination that had taken place. This event therefore delayed the starting date of the delegation's visit from 2 November 1999 to the next day, 3 November 1999.

The two committees met on 3 November 1999, and a very cordial meeting was held, which was characterised by general goodwill and co-operation. The meeting held with the MEC for Education and Culture, Ms E E N kaNkosi Shandu, in Ulundi, similarly took place in a very cordial atmosphere.

1. Establishing a co-operative relationship

The success of the study tour, despite the prevailing tensions, was largely due to the mature and conciliatory manner of the chairperson of the provincial committee on education and culture, Mr S Ngidi, who accompanied the tour throughout the province. In addition to this, the parliamentary delegation assured their hosts that they did not come to the province on a fault-finding mission, but that they were eager to establish a co-operative relationship with the provincial standing committee on education to address the many challenges that constrained education in the province. This message was well accepted by the provincial committee, who agreed to pursuing such a co-operative relationship with the delegation from the Portfolio Committee.

Two members of the Education Portfolio Committee, Ms P N Mnandi and Mr A M Mpontshane, were identified as the KwaZulu-Natal-based MPs who would serve as a link between the KZN provincial committee on Education and Culture and the parliamentary education portfolio committee.

Implementation of adherence to national legislation, e.g. the South African School Act, in terms of abolishing corporal punishment is problematic. It came to the observation of the delegation that corporal punishment is rife in many schools in the province.

2. Visit to Maritzburg College

Official view:

In this school, a meeting was held with the principal, Mr K Elliot. This school is a former model C school. It was mentioned that the process of transformation and integration of pupils was moving at a slow pace, e.g. enrolment of pupils from other racial groups was minimal, and the staff was predominantly from one race group. The infrastructure and recreational facilities are in good condition.

3. Visit to Sobantu High School

Official view:

This is a disadvantaged inner-city public school. In this school there is a large staff turnover, and teacher redeployment has affected the teachers' performance. The school lacks recreational facilities and has limited facilities, e.g. a library with very few books.

Most of the windows are broken, some part of the building has been extensively vandalised, and there is poor sanitation.

4. Visit to Charles Sabelo High School: Umbumbulu, Natal Midlands

Official view:

This is a disadvantaged rural school. In this school the physical structure is decaying. The school principal had made a request to the provincial department of education to renovate the school.

Vandalism of school property is still in the area. The school needs to be fenced so as to prevent vandals from entering the school premises. The school work together with the community police forum in trying to curb vandalism in the school.

There is a shortage of books and furniture in the school.

5. Visit to Amanzimandeni Primary School: Amanzimandeni

Official view:

This is a former Model C school. In this school, there is a good physical structure with good facilities, which include a library and computer laboratory. There is a good working relationship with the school governing body. The programme of fundraising is in place and has a great impact on the school. The integration of pupils is moving very slowly. It was noted that the entire staff is predominantly of one race and one gender.

6. Visit to Egan Deyi Primary School: Greyton

Official view:

This school is a disadvantaged rural school. The school has water and a telephone line. The school governing body in this school still need to be trained on certain issues pertaining to the management of the school and its activities. Awareness on the need for fundraising is necessary.

7. Visit to Cangoysdale High School: Umsinga

Official view:

This school is a disadvantaged deep rural school. The school lacks various facilities, namely a library, books, a science laboratory and furniture. There is a serious furniture shortage which needs urgent attention.

8. Visit to Ezilembu Secondary School: Umsinga

Official view:

This school is a disadvantaged rural school located at Umsinga. It was noted that the conditions at the school were very poor, and extensive repairs and renovations are needed to bring the school up to proper standard. Vandalism is high on the property of the school, e.g. on furniture and windows.

9. Visit to Eludabekeni High School: Mafikeng

Official view:

This is a disadvantaged rural school located at Mafikeng. The school received funding from the Indian Religious Group based in Durban to build the school. The school offers streams of teaching subjects, namely science, maths, commerce and performing art.

Although the school is situated in a rural community, for the past five years, it has had an excellent continuous pass rate of 90%.

10. Visit to KwaZulu-Natal Legislature: Ulundi

Official view: MEC for Education & Culture, Mr E E M Ndlovu-Sianda

The rural schools need extra educational facilities. Discipline is minimal in most of the schools. The relationship between the

teachers' union and the MEC has improved. The schools in the rural communities lack capacity in terms of finance. The Netherlands is assisting the province in science and English subjects.

RECOMMENDATIONS:

Areas that need urgent attention:

- a) major repairs and renovations are required in most schools;
- b) need to improve and upgrade all the existing libraries and development of mobile libraries;
- c) need to implement effective school management in most schools;
- d) capacity-building of school governing bodies in financial management and school governance in most schools;
- e) need for electricity, sanitation and clean running water;
- f) co-operative relationship with provincial standing committee;
- g) provincial departments of education should monitor adherence to national legislations, e.g. abolishing of corporal punishment;
- h) need to inculcate a sense of ownership of schools by communities;
- i) need to encourage co-operation between previously advantaged and disadvantaged schools;
- j) need to develop a rural strategy educational plan based on these visits and in accordance with the President's integrated rural strategy programme;
- k) special budgetary provisions which have to be made in order to attend both to backlogs and current need and inadequacies. Furthermore, provision has to be made to meet needs caused by natural disasters; and
- l) the study tour report should be assessed within the broader context of the national schools' survey of needs.

D. CONCLUSION

The Portfolio Committee on Education is satisfied that it attained most of the objectives identified for the study tours to the Eastern Cape and KwaZulu-Natal provinces.

The delegations managed to lay the basis for a very constructive co-operative relationship with provincial governance structures. In both the Eastern Cape and KwaZulu-Natal, open and constructive discussions took place between the respective MECs, the top management of the Department and the delegations from Parliament.

The visits also succeeded in highlighting the principles of Tirisano, the Minister's Call to Action to provincial structures. Tirisano booklets were distributed as far as the delegation toured, and the vision of the Minister in assisting "provincial education departments to manage education efficiently" was emphasised.

The delegations examined conditions of physical degradation in the poorest rural areas according to the objectives of the tour. It found conditions of immense poverty, dilapidated schools and a lack of basic facilities at educational institutions. However, even under the poorest conditions in schools, the delegations found that the dedication, discipline and hard work of teachers in class had a greater influence on good examination results than that which the physical conditions in schools could bring about.

The information gained by the delegations during the study tours have created a firm basis on which an integrated rural strategy could be based.

The Portfolio Committee is therefore satisfied that a solid start has been made in the creation of co-operative relationship between national and provincial governments through the visits undertaken to the Eastern Cape and KwaZulu-Natal on 23 and 4 November 1999.

E. LIST OF PARTICIPANTS

1. MECs for Education and Culture: Eastern Cape and KwaZulu-Natal.
2. Provincial Department of Education: Eastern Cape and KwaZulu-Natal.
3. Provincial Standing Committees on Education & Culture: Eastern Cape and KwaZulu-Natal.
4. Chairpersons of Standing Committees on Education: Eastern Cape (Mr S Mampotye) and KwaZulu-Natal (Mr S Ngidi).
5. All principals and management of all schools visited.
6. Various communities, including school governing bodies.
7. Regional district and circuit managers.
8. All communities visited.

Report to be considered.

National Council of Provinces

- I. Report of the Select Committee on Social Services on the *Convention on the Nationality of Married Women*, dated 3 March 2000:

The Select Committee on Social Services, having considered the request for approval by Parliament of the *Convention on the Nationality of Married Women*, referred to it, recommends that the Council, in terms of section 231(2) of the Constitution, approve the said Convention.

Report to be considered.

The University of Chicago is a private research university in Chicago, Illinois. It was founded in 1837 and is one of the oldest and most prominent universities in the United States. The university is known for its commitment to academic excellence and its diverse student body. It has a long history of producing leaders in various fields of study.

The university is a member of the Association of American Universities and is ranked among the top universities in the world. It has a large endowment and a significant research budget.

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REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL COUNCIL OF PROVINCES

THURSDAY, 9 MARCH 2000

1. The Council met at 14:04.
2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:06] The Chairperson made a statement on the role of the National Council of Provinces.
4. [14:08] Mr J L Mahlangu moved without notice: That the Council—
 - (1) notes that certain parts of Madagascar were also devastated by the recent floods that struck Southern Africa;
 - (2) further notes the urgent plea by the people and the Government of Madagascar for international assistance to deal with the consequences of this disaster;
 - (3) is of the opinion that there is a moral obligation on developed countries to assist developing countries in dealing with issues of this nature; and
 - (4) wishes to support the call made by the Madagascar people and their government.

Motion agreed to in accordance with section 65 of the Constitution.

5. [14:09] Mr G A Lucas moved without notice: That the Council—
 - (1) welcomes the FIFA 2006 World Cup bid committee delegation to South Africa who are here to conduct an inspection of our country's readiness to hold such a prestigious event; and
 - (2) wishes to inform the delegation that—
 - (a) we are more than ready to host the 2006 World Cup event;
 - (b) our success in hosting the 1995 Rugby World Cup and the 1996 All Africa Nations Cup and the All Africa Games, reaffirms our capacity to hold such international events; and

- (c) in the spirit of the 21st century being declared the African century, Africa indeed deserves to host the 2006 World Cup.

Motion agreed to in accordance with section 65 of the Constitution.

6. [14:10] The Chief Whip of the Council moved without notice: That the Council—

- (1) congratulates the South African national cricket team, the Proteas, on their victory in India, having beaten the Indians 2-0 on their home ground; and
- (2) notes that this victory is quite historic.

Motion agreed to in accordance with section 65 of the Constitution.

7. FIRST ORDER [14:11]

Consideration of decision of Joint Programme Committee on fast-tracking of *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly—sec 76(1)) and of *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76(1))(Announcements, Tablings and Committee Reports, p 150)

Order disposed of without debate.

Decision of Joint Programme Committee ratified in terms of Joint Rule 216(4). (Kwazulu-Natal abstained).

8. SECOND ORDER [14:13]

Consideration of First Report of Rules Committee of National Council of Provinces (Announcements, Tablings and Committee Reports, p 172).

Order disposed of without debate.

Report adopted in accordance with section 65 of the Constitution. (Kwazulu-Natal abstained).

9. THIRD ORDER [14:16]

Consideration of *South African Airways Unallocatable Debt Bill* [B 1—2000] (National Assembly—sec 75) and of Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, p 146).

Debate concluded.

Bill agreed to in accordance with section 75 of the Constitution.

10. FOURTH ORDER [14:19]

Consideration of *Tourism Amendment Bill* [B 3—2000] (National Assembly—sec 76) and of Report of Select Committee on Land and Environmental Affairs thereon (Announcements, Tablings and Committee Reports, p 173).

Debate concluded.

Bill agreed to in accordance with section 65 of the Constitution.

11. [14:29] The Council discussed the following matter in terms of Rule 84: Floods and Disaster Management.

Debate concluded.

BUSINESS SUSPENDED AT 15:08 AND RESUMED AT 15:30.

12. [15:31] The Council discussed the following matter in terms of Rule 84:
The unutilised funds appropriated for Poverty Relief.

Debate concluded.

13. [16:59] The Chairperson made a statement to bid farewell to the Secretary to the National Council of Provinces, Ms M Sparg.

14. The Council adjourned at 17:03.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

FRIDAY, 10 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The following Bill was introduced in the National Assembly on 10 March 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *National House of Traditional Leaders Amendment Bill* [B 15—2000] (National Assembly—sec 76(1))—(Portfolio Committee on Provincial and Local Government—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20973 of 10 March 2000.]

National Council of Provinces:

1. The Chairperson:

1. The Joint Programme Committee on 8 March 2000 took a decision, in accordance with Joint Rule 216, that the *Lotteries Amendment Bill* [B 13—2000] (National Assembly—sec 75) be fast-tracked.

In terms of Joint Rule 216(4) this decision must be tabled in both Houses for ratification.

2. Message from National Assembly to National Council of Provinces:

Bills passed by National Assembly on 9 March 2000 and transmitted for concurrence:

- (1) *Remuneration of Public Office Bearers Amendment Bill* [B 11D—2000] (National Assembly—sec 76(1))—(Select Committee on Local Government and Administration—National Council of Provinces).

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

MONDAY, 13 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Minister of Housing on 9 March 2000 submitted a draft of the *Home Loan and Mortgage Disclosure Bill, 2000*, and the memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Housing and the Select Committee on Public Services, respectively, in accordance with Joint Rule 159(2).
- (2) The following papers have been tabled and are referred to the relevant committees as mentioned below:
 - (i) The following papers are referred to the Portfolio Committee on Health and the Select Committee on Social Services:
 - (a) Report of the Medical Bureau for Occupational Diseases for 1998-99.
 - (b) Government Notice No 344 published in the Government Gazette No 20848 dated 4 February 2000, Mental Health Care Bill published for comment.
 - (c) Government Notice No 93 published in the Government Gazette No 20837 dated 4 February 2000, Chiropractors, Homeopaths and Allied Health Service Professions Amendment Bill published to inform the public that the Minister of Health intends to table the Bill in Parliament during 2000.
 - (d) Government Notice No R.137 published in the Government Gazette No 20880 dated 18 February 2000, Regulations regarding performance of commu-

The Joint Rules Committee, having considered proposals for the amendment of the Joint Rules, recommends the following amendments to the Joint Rules:

Joint Rule 71:

To amend Joint Rule 71 (dealing with the Joint Subcommittee on Support for Members) by the addition of the underlined words and the deletion of the words in bold brackets:

Chairpersons

71. The [Deputy Speaker and the permanent Deputy Chairperson of the Council] chairperson of the Assembly Subcommittee and the chairperson of the Council Subcommittee are the co-chairpersons of the Joint Subcommittee.

G N M PANDOR
Co-chairperson
Joint Rules Committee
Parliament

B MBETE
Co-chairperson
Joint Rules Committee
Parliament

10 March 2000

Report to be considered.

National Assembly:

1. Report of the Portfolio Committee on Trade and Industry on the *Competition Amendment Bill* [B 10—2000] (National Assembly—sec 75), dated 10 March 2000:

The Portfolio Committee on Trade and Industry, having considered the subject of the *Competition Amendment Bill* [B 10—2000] (National Assembly—sec 75), referred to it and classified by the JRM as a section 75 Bill, reports the Bill with amendments [B 10A—2000].

2. Report of the Portfolio Committee on Communications on *Auditor-General's Special Report*, dated 13 March 2000:

The Portfolio Committee on Communications, having considered the Special Report of the Auditor-General on an investigation at the South African Telecommunications Regulatory Authority [RP 47—2000], referred to it, reports—

1. that it has noted the contents of the Auditor-General's report;
2. that it has noted that other matters raised in the Committee's Report, dated 9 November 1999, may be subjected to further investigation by the Auditor-General during the normal course of the regularity audit; and
3. that on the basis of the Auditor-General's report, it cannot take the matter any further, and consequently regards the matter as closed.

National Council of Provinces:

1. Report of the Select Committee on Local Government and Administration on the *Remuneration of Office Bearers Amendment Bill*

[B 11D—2000] (National Assembly—sec 76), dated 10 March 2000:

The Select Committee on Local Government and Administration, having considered the subject of the *Remuneration of Office Bearers Amendment Bill* [B 11D—2000] (National Assembly—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill without amendment.

2. Report of the Select Committee on Economic Affairs on the *Lotteries Amendment Bill* [B 13B—2000] (National Assembly—sec 75), dated 10 March 2000:

The Select Committee on Economic Affairs, having considered the subject of the *Lotteries Amendment Bill* [B 13B—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports that it has agreed to the Bill.

3. Report of the Select Committee on Local Government and Administration on *Ogies Municipality*, dated 10 March 2000:

The Select Committee on Local Government and Administration, having considered progress in respect of the intervention in the Ogies Municipality, reports as follows:

A. *Background*

On 6 March 2000 a delegation of the Committee visited the Ogies Municipality in performance of the NCOP's constitutional obligation to regularly review interventions.

The delegation comprised Mr M Bhabha (Chairperson), Mr E de Koker (Committee Secretary), Ms D le Roux (NCOP Procedural Services Manager) and Mr D Franks (NCOP Researcher).

B. *Status of intervention*

The delegation confirmed that the Provincial Government would continue its intervention in Ogies. It also established that the Administrator's contract, which expired on 8 January 2000, would not be renewed.

The Provincial Government has instead appointed a team of consultants from Peregrine Treasury Solutions to act as a Management Support Team (MST) in the municipality. The MST, who is funded by the Mpumalanga Provincial Government and the national Department of Provincial and Local Government, will assume responsibility for the performance of the municipality's financial obligations. All other executive obligations will be performed by the CEO.

C. *Progress of intervention*

1. *Provision of services*

There has been little improvement in the delivery of essential services. Recently, the town's electricity supply was cut off because the council failed to meet the payments due on its current account with Eskom. The electricity was

reconnected after the Provincial Government entered into negotiations with Eskom. A payment plan will be finalised at a meeting between the National Energy Regulator, Eskom, the Provincial Government and the Ogies Municipality later this month.

A bulk water supply project, involving a total of R2 million from the CMIP Funds, awaits approval from the Department of Provincial and Local Government. However, the current distribution of water has resulted in losses to the municipality because stolen water meters have made it impossible to bill certain consumers. There are plans to have the stolen meters replaced with plastic meters.

The Ogies Municipality also awaits a decision by the Provincial Department of Housing and Land Administration to transfer land to the municipality for use as a legal dumping site. An environmental impact study will need to be done before the matter is finalised.

The Provincial Government is presently investigating the possibility of temporarily appointing a Technical Manager to see to maintenance and repair work on municipal vehicles and equipment.

2. *Financial management*

The municipality is still not able to meet all of its financial obligations. Although the council has approved credit control and indigent policies, the implementation of these policies has been delayed by the process of verifying the indigents' register. The MST is responsible for completing this process.

The MST is also responsible for compiling financial statements for the Ogies Municipality, which will then have to be approved by the Auditor-General.

The municipality presently operates without any capital reserves or investments. Although it is able to meet its current operational expenditure, the municipality remains unable to pay its major creditors. The latest financial information in respect of the municipality puts its current debt at R36 322 514, while the municipality itself is owed an amount of R12 643 115.

The Provincial Government has recently initiated a rehabilitation plan in this and other municipalities, which aims to revise the tariff structure, introduce cost curtailment measures in respect of operational and political expenditure, and establish sufficient pay-points and a proper billing system. However, the delegation learnt that the council was not charging interest on any of its arrears accounts. Following the visit of the delegation, the council has undertaken to review this policy.

3. *Administrative procedures*

The Provincial Government is not satisfied with the administrative procedures currently in place. The CEO is responsible for putting the necessary systems, procedures and policies in place.

4. *Meetings of council*

The council has not met since October/November 1999. However, following the visit by the delegation, councillors now appear willing to meet.

5. *Interface with community*

Despite attempts by the Administrator, councillors have not met regularly with the community. This has reinforced the community's lack of faith in councillors.

6. *Competency of councillors*

Although councillors remained competent to fulfil their legislative obligations during the course of the intervention, the executive committee of the council did not meet at all.

7. *Training of councillors*

Councillors have been offered skills and capacity-building courses in the area of their choice. However, due to their lack of response, nothing has materialised.

8. *Training of staff*

The Administrator was responsible for developing a training programme to improve the skills of the municipal staff. Personnel have regularly attended the courses on offer; however, staff in the Treasury Division are still in need of urgent training.

D. Recommendations

The Committee recommends as follows:

1. That the MST submit a business plan to the MEC and the NCOP by 6 April 2000, identifying priorities, problem resolution mechanisms and time-frames for implementation.
2. That the CEO assume responsibility for the performance of all executive obligations, except the financial obligations of the municipality.
3. That the CEO sign a performance management contract with the MEC for Local Government and Traffic in the Mpumalanga Province.
4. That the council initiate programmes to win back the trust of the community.
5. That the intervention continue.

Report to be considered.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 14 MARCH 2000

1. The House met at 09:38.

2. The Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.

3. FIRST ORDER [09:38]

Debate on Vote No 8—Education, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

BUSINESS SUSPENDED AT 12:56 AND RESUMED AT 14:00.

Debate concluded.

4. [14:35] Notices of motion.

5. [14:50] The Chief Whip of the Majority Party moved without notice: That the House—

(1) notes the positive contributions of the SANDF, the international community, business, the media and many other people of the world to the disaster relief operations in flood-ravaged Mozambique;

(2) hopes that the international community and relief agencies will continue in their efforts to ensure the long-term, sustainable socio-economic rebuilding of Mozambique;

(3) pays homage to all those who continue to play a role in helping the flood victims to secure some measure of stability and social rehabilitation;

(4) honours all the personnel of the SANDF who came to the aid of the victims who were left homeless, destitute and in dire straits; and

(5) identifies and invites all those individuals, especially Air Force pilots and crews who played an extremely courageous and noble role in saving thousands of babies, women and children to visit Parliament and receive our commendation.

Agreed to.

6. The Chief Whip of the Majority Party moved without notice: That the House—
- (1) notes that the FIFA Technical Inspection Delegation, led by Mr Allan Rothenburg, is in South Africa to assess the country's preparedness to host the prestigious Soccer World Cup in 2006;
 - (2) recognises that a successful bid would signify an important advancement of the noble objectives of the African Renaissance;
 - (3) acknowledges the high standards of South African and African soccer, as well as the large number of Africans who are competing at international levels and that our soccer arenas are among some of the best in the world; and
 - (4) appeals to Mr Rothenburg and his team to strongly recommend to FIFA that South Africa be considered to host the World Cup 2006 on behalf of and for Africa.

Agreed to.

7. SECOND ORDER [14:53]

Debate on Vote No 29—Sport and Recreation, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

8. THIRD ORDER [16:50]

Debate on Vote No 11—Foreign Affairs, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate suspended.

9. The House adjourned at 18:04.

S G MFENYANA,

Secretary to Parliament.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 14 MARCH 2000

1. The Council met at 10:03.
2. The Deputy Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:10] Ms L Jacobus moved without notice: That the Council—
 - (1) notes that the United States government has, since last year, continued to deny the request by the father of the little Cuban boy, Elian Gonzales, that Elian be returned to him in Cuba;
 - (2) expresses serious reservations about the attempts by the US government to block the latest requests by the father, Juan Miguel Gonzales, for his son to be transferred to his nephew, Manuel Gonzales; and
 - (3) calls on the US government to return Elian to his father, where he belongs, as soon as possible, to avoid further compounding his traumatic experiences of the past four months.

Motion agreed to in accordance with section 65 of the Constitution.

4. [10:12] Ms M P Themba moved without notice: That the Council—
 - (1) notes with shock the contents of a recent newspaper article in which it was reported that girls as young as 14 years old had been sexually molested at a fundraising dinner;
 - (2) condemns in the strongest possible terms the continued violent abuse and harassment of women;
 - (3) expresses its concern that failure to act upon these allegations will entrench existing stereotypes which is detrimental to women; and
 - (4) therefore calls on the Ministries of Safety and Security and of Justice to investigate these allegations as a matter of extreme urgency so as to send out a message that such sexual abuse of children will not be tolerated.

Mr M V Moosa moved as an amendment: To insert the following words after "urgency" in paragraph (4):

and on the relevant Ministers to ensure that those responsible for these deeds, be apprehended, arrested and convicted

Amendment moved by Mr M V Moosa agreed to in accordance with section 65 of the Constitution.

Motion, as amended, agreed to in accordance with section 65 of the Constitution, namely: That the Council—

- (1) notes with shock the contents of a recent newspaper article in which it was reported that girls as young as 14 years old had been sexually molested at a fundraising dinner;
- (2) condemns in the strongest possible terms the continued violent abuse and harassment of women;
- (3) expresses its concern that failure to act upon these allegations will entrench existing stereotypes which is detrimental to women; and
- (4) therefore calls on the Ministries of Safety and Security and of Justice to investigate these allegations as a matter of extreme urgency, and on the relevant Ministers to ensure that those responsible for these deeds, be apprehended, arrested and convicted so as to send out a message that such sexual abuse of children will not be tolerated.

5. [10:13] Mr P A Matthee moved without notice: That the Council—

- (1) notes that the conference of the Democrat Union of Africa (DUA) is currently taking place in Cape Town under the chairmanship of a previous member of this Council, Mr David Malatsi, currently a member of the Provincial Legislature in Mpumalanga; and
- (2) welcomes all the delegates of at least 13 African countries to the abovementioned conference and wishes them a fruitful and pleasant conference and stay in South Africa.

Motion agreed to in accordance with section 65 of the Constitution.

6. [10:14] Mrs E N Lubidla moved without notice: That the Council—

- (1) welcomes the steps taken by the Department of Justice to redeploy some of its staff at the Head Office to active duty in courts;
- (2) notes that many of these staff are experienced and competent magistrates and prosecutors who had been promoted to management positions at Head Office;
- (3) is confident that this step will speed up the hearing of cases in court; and
- (4) wishes to commend the Department for its vision and sincerity to address the problems in the criminal justice system.

Motion agreed to in accordance with section 65 of the Constitution.

7. [10:16] Mr N M Raju moved without notice: That the Council—

- (1) notes the abysmal state of affairs in the Ministry of Welfare as admitted by the relevant Minister, Mr Skweyiya;
- (2) further notes the untenable situation which came to light in the Ministry of Home Affairs of Dr Mangosuthu Buthelezi, where his

Director-General had taken a case on appeal to the Cape High Court in direct violation of the Minister's injunction not to do so; and

- (3) therefore calls upon the President to instill team discipline in the conduct of the functionaries who are failing to discharge their responsibilities with commitment and dedication, failing which these miscreants should be brought to book in no uncertain terms.

Motion agreed to in accordance with section 65 of the Constitution.

8. FIRST ORDER [10:18]

Consideration of decision of Joint Programme Committee on fast-tracking of *Lotteries Amendment Bill* [B 13—2000] (National Assembly—sec 75) (Announcements, Tablings and Committee Reports, p 199).

Order disposed of without debate.

Decision of Joint Programme Committee ratified in terms of Joint Rule 216(4).

9. SECOND ORDER [10:20]

Consideration of Report of Select Committee on Local Government and Administration (Announcements, Tablings and Committee Reports, p 204—*Review: Intervention in Ogies Municipality*).

Debate concluded.

Report adopted in accordance with section 65 of the Constitution.

10. THIRD ORDER [10:33]

Consideration of *Remuneration of Public Office Bearers Amendment Bill* [B 11D—2000] (National Assembly—sec 76) and of Report of Select Committee on Local Government and Administration thereon (Announcements, Tablings and Committee Reports, p 204).

Debate concluded.

Bill agreed to in accordance with section 65 of the Constitution.

11. FOURTH ORDER [10:39]

Consideration of *Lotteries Amendment Bill* [B 13B—2000] (National Assembly—sec 75) and of Report of Select Committee on Economic Affairs thereon (Announcements, Tablings and Committee Reports, p 204).

Debate concluded.

Bill agreed to in accordance with section 75 of the Constitution.

12. FIFTH ORDER [10:47]

Consideration of First Report of Joint Rules Committee (Announcements, Tablings and Committee Reports, p 202).

Order disposed of without debate.

Report adopted in accordance with section 65 of the Constitution.

13. [10:49] The African National Congress, New National Party, African Christian Democratic Party, United Democratic Movement, Democratic Party, Inkatha Freedom Party and United Christian Democratic Party made

statements to bid farewell to the Secretary to the National Council of Provinces, Ms M Sparg.

14. The Council adjourned at 10:58.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 14 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following paper was tabled on 10 March 2000 and is now referred to the Portfolio Committee on Home Affairs and the Select Committee on Social Services:

Report and Financial Statements of the Film and Publication Board for 1998-99.

TABLINGS:

National Assembly and National Council of Provinces:

1. The Minister of Education:

- (1) Government Notice No 1398 published in Government Gazette No 20650 dated 19 November 1999, Notification that the President has assented to the Education Laws Amendment Act, 1999 (Act No 48 of 1999).
- (2) Government Notice No 1399 published in Government Gazette No 20651 dated 19 November 1999, Notification that the President has assented to the Higher Education Amendment Act, 1999 (Act No 55 of 1999).
- (3) Government Notice No 1400 published in Government Gazette No 20652 dated 19 November 1999, Notification that the President has assented to the National Student Financial Aid Scheme Act, 1999 (Act No 56 of 1999).
- (4) Government Notice No 1422 published in Government Gazette No 20666 dated 25 November 1999, Appointment of persons to serve as members of the South African Qualifications Authority made in terms of the South African Qualifications Authority Act, 1995 (Act No 58 of 1995).

- (5) Government Notice No 1423 published in Government Gazette No 20669 dated 10 December 1999, Transfer of funds and other moveable assets of the State to the public schools made in terms of the South African Schools Act, 1996 (Act No 84 of 1996).
- (6) Government Notice No 1473 published in Government Gazette No 20692 dated 10 December 1999, National policy regarding instructional time for school instructional offerings made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (7) Government Notice No 82 published in Government Gazette No 20844 dated 4 February 1999, Norms and standards for educators made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 15 MARCH 2000

1. The House met at 15:05.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [15:05] Interpellations.
4. [16:05] Questions.
5. [16:42] Notices of motion.
6. FIRST ORDER [16:58]
Resumption of debate on Vote No 11—Foreign Affairs, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).
Debate concluded.
7. The House adjourned at 18:27.

S G MFENYANA,
Secretary to Parliament.

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

WEDNESDAY, 15 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following changes have been made to the membership of Committees, viz:

Joint Standing Committee on Defence:

Appointment: Nqakula, N N.

Discharged: Maziya, A M.

2. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

(1) The following papers are referred to the Portfolio Committee on Education and Select Committee on Education and Recreation:

- (a) Report of the Department of Education for 1998-99 [RP 62—2000].
- (b) Government Notice No 1398 published in the Government Gazette No 20650 dated 19 November 1999, Notification that the President has assented to the Education Laws Amendment Act, 1999 (Act No 48 of 1999).
- (c) Government Notice No 1399 published in the Government Gazette No 20651 dated 19 November 1999, Notification that the President has assented to the Higher Education Amendment Act, 1999 (Act No 55 of 1999).
- (d) Government Notice No 1400 published in the Government Gazette No 20652 dated 19 November 1999, Notification that the President has assented to the National Student Financial Aid Scheme Act, 1999 (Act No 56 of 1999).

- (e) Government Notice No 1422 published in the Government Gazette No 20666 dated 25 November 1999, Appointment of persons to serve as members of the South African Qualifications Authority made in terms of the South African Qualifications Authority Act, 1995 (Act No 58 of 1995).
- (f) Government Notice No 1423 published in the Government Gazette No 20669 dated 10 December 1999, Transfer of funds and other moveable assets of the State to the public schools made in terms of the South African Schools Act, 1996 (Act No 84 of 1996).
- (g) Government Notice No 1473 published in the Government Gazette No 20692 dated 10 December 1999, National policy regarding instructional time for school instructional offerings made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (h) Government Notice No 82 published in the Government Gazette No 20844 dated 4 February 1999, Norms and standards for educators made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).

National Assembly:

1. The Speaker:

The following changes have been made to the membership of Committees, viz:

Agriculture and Land Affairs:

Appointed: Maluleke, D K; Maphalala, M A; McIntosh, G B D (Alt); Modisenyane, L J (Alt); Seremane, W J (Alt).

Discharged: Da Camara, M L; De Vos, P J; Farrow, S B.

Arts, Culture, Science and Technology:

Appointed: Singh, A (Alt).

Discharged: Seremane, W J.

Communications:

Appointed: Sigabi, N B (Alt).

Discharged: Seremane, W J.

Correctional Services:

Appointed: Cupido, P W; Schalkwyk, P J (Alt).

Discharged: De Vos, P J; Sigabi, N B.

Defence:

Appointed: Botha, A J; De Vos, P J (Alt); Diale, L N; Makwetla, S P (Alt); Mandela, N W (Alt); Mngomezulu, G P (Alt); Morwamoche, K W; Ntuli, M B; Zondo, R P (Alt).

Discharged: Schmidt, H C; Selfe, J.

Environmental Affairs and Tourism:

Appointed: Da Camara, M L (Alt).

Discharged: Maluleke, D K.

Finance:

Appointed: Grobler, G A J (Alt); Taljaard, R.

Discharged: Heine, R J.

Foreign Affairs:

Appointed: Selfe, J; Taljaard, R (Alt).

Discharged: Bruce, N S; Gibson, D H M.

Health:

Appointed: Cupido, P W (Alt); Ellis, M J (Alt); Farrow, S B.

Discharged: Borman, G M; Semple, J A.

Home Affairs:

Appointed: Farrow, S B (Alt); Grobler, G A J; Lee, T D (Alt); Waters, M.

Discharged: Borman, G M; Kalyan, S V; Pillay, S; Smuts, M.

Housing:

Appointed: Borman, G M (Alt); Maluleke, D K.

Discharged: Cupido, P W; De Vos, P J.

Labour:

Appointed: Bruce, N S; Ntuli, R S (Alt); Pillay, S (Alt).

Discharged: Bell, B G; Farrow, S B.

Minerals and Energy:

Appointed: Bell, B G; Bruce, N S (Alt); Moorcroft, E K (Alt).

Discharged: Sigabi, N B.

Provincial and Local Government:

Appointed: Clelland, N J (Alt); Eglin, C W (Alt).

Discharged: Waters, M.

Public Enterprises:

Appointed: Clelland, N J; Davidson, I O (Alt); De Vos, P J (Alt).

Discharged: Andrew, K M; Botha, A J; Swart, P S.

Public Service and Administration:

Appointed: Da Camara, M L; De Vos, P J (Alt); Swart, P S (Alt).

Discharged: Clelland, N J; Cupido, P W; Opperman, S E.

Public Works:

Appointed: Borman, G M; Singh, A (Alt); Waters, M (Alt).

Discharged: Farrow, S B; Sigabi, N B.

Safety and Security:

Appointed: Botha, A J (Alt); Clelland, N J (Alt); Gibson, D H M; Swart, P S.

Discharged: Delpont, J T; McIntosh, G B D; Taljaard, R; Waters, M.

Sport and Recreation:

Appointed: Maluleke, D K (Alt).

Discharged: Grobler, G A J.

Trade and Industry:

Appointed: Andrew, K M (Alt); Grobler, G A J (Alt); Sigabi, N B.
 Discharged: Eglin, C W; Heine, R J; Singh, A.

Transport:

Appointed: Farrow, S B; Semple, J A (Alt); Seremane, W J (Alt).
 Discharged: Maluleke, D K; Ntuli, R S; Pillay, S.

Water Affairs and Forestry:

Appointed: Da Camara, M L (Alt); Opperman, S E (Alt).
 Discharged: Botha, A J; Maluleke, D K.

Welfare and Population Development:

Appointed: Gore, V C (Alt); Kalyan, S V (Alt).
 Discharged: Da Camara, M L.

TABLINGS:**National Assembly and National Council of Provinces:**

1. The Speaker and the Chairperson:

Reports of the Auditor-General on the—

- (1) Financial Statements of the Truth and Reconciliation Commission for 1998-99 [RP 38—2000];
- (2) Liquidation Account of the Tobacco Board for the period 1 January 1997 to 31 March 1999 [RP 202—2000];
- (3) Financial Statements of the Unemployment Insurance Fund for 1996 [RP 37—2000];
- (4) Financial Statements of the Mines and Works Compensation Fund for 1998-99 [RP 195—99].

2. The Minister of Labour:

Report of the Department of Labour for 1998-99 [RP 61—2000].

COMMITTEE REPORTS:**National Assembly:**

1. Report of the Portfolio Committee on Agriculture and Land Affairs on the *Land Affairs General Amendment Bill* [B 64B—99] (National Assembly—sec 75), dated 14 March 2000:

The Portfolio Committee on Agriculture and Land Affairs, having considered the *Land Affairs General Amendment Bill* [B 64B—99] (National Assembly—sec 75) and a proposed amendment of the National Council of Provinces (Announcements, Tablings and Committee Reports, p 140), referred to the Committee, reports the Bill with amendments [B 64C—99].

Report to be considered.

Thursday, 16 March 2000]

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No 16—2000] SECOND SESSION, SECOND PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

THURSDAY, 16 MARCH 2000

1. The House met at 14:04.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:04] Notices of motion.
4. [14:20] The Deputy Chief Whip of the Majority Party (for the Chief Whip of the Majority Party) moved without notice: That the following members be designated to represent Parliament in the Southern African Development Community Parliamentary Forum in terms of article 6(3) of the constitution of the said Forum:

Eglin, C W; Ntlabati, S N; Yengeni, T S.

Agreed to.

5. The Deputy Minister for Justice and Constitutional Development (for the Minister for Justice and Constitutional Development) moved: That the House gives its consent that the President by proclamation in the *Gazette* extend the period of operation of sections 51 and 52 of the Criminal Law Amendment Act, 1997 (Act No 105 of 1997), in terms of section 53(2) of the said Act for a further period of one year, with effect from 1 May 2000.

Agreed to.

6. The Deputy Chief Whip of the Majority Party (for the Chief Whip of the Majority Party) moved: That—

- (1) with effect from 5 April until 23 June 2000, the provisions of the Rules insofar as they relate to interpellations be suspended and that, notwithstanding the provisions of the Rules that apply to questions for oral reply, the procedure for questions for oral reply be dealt with in accordance with guidelines published in the Announcements, Tablings and Committee Reports and in compliance with the following requirements:

- (a) question time to be increased to 2 hours per week:

- (b) questions to have precedence on Wednesdays from 15:00;
 - (c) clusters of Ministers to take turns to answer questions on a weekly rotation basis;
 - (d) each Minister may be asked a maximum of eight questions on any question day;
 - (e) each party be allocated a number of question opportunities as contained in the guidelines;
 - (f) a maximum of two urgent questions may be put on any question day to Ministers whose turn to answer questions is not due;
 - (g) time limits be set for the answering of questions and for supplementary questions; and
 - (h) questions to the President to be scheduled for once a quarter; and
- (2) notwithstanding the Rules, the Chief Whips' Forum develops a set of guidelines to govern the interim question procedure and adjust these guidelines as necessary from time to time on the basis of continuous monitoring of the system.

Debate concluded.

Question put: That the motion be agreed to.

Division demanded.

The House divided:

AYES—241: Abrahams, L A; Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Bakker, D M; Balfour, B M N; Baloyi, M R; Baloyi, S F; Belot, S T; Benjamin, J; Beukman, F; Bhengu, F; Bhengu, G B; Blaas, A; Bloem, D V; Bogopane, H I; Botha, N G W; Carrim, Y I; Chalmers, J; Chauke, H P; Chiba, L; Chikane, M M; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dlamini, B O; Doidge, G Q M; Dowry, J J; Du Toit, D C; Duma, N M; Durand, J; Dyani, M M Z; Ebrahim, E I; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Gandhi, E; Gaum, A H; Gcina, C I; Gillwald, C E; Gininda, M S; Gogotya, N J; Goniwe, T M; Greyling, C H F; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hendrickse, P A C; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jassat, E E; Jeffery, J H; Joemat, R R; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Khoza, T S; Kota, Z A; Landers, L T; Leeuw, S J; Lekgoro, M K; Lekgoro, M M S; Leshika, T E; Lockey, D; Louw, J T; Louw, S K; Lucas, E J; Lyle, A G; Mabudafhasi, T R; Mahlalela, C C; Mahlangu, G L; Maimane, D S; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Maphalala, M A; Marshoff, F B; Martins, B A D; Masala, M M; Mashimbye, J N; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbuyazi, L R; Mgidi, J S; Middleton, N S; Mkhize, B R; Mlangeni, A; Mnandi, P N; Modise, T R; Modisenyane, L J; Moeketse, K M; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morobi, D M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpaka, H M; Mpehle, M; Mpontshane, A M; Mshudulu, S A; Msomi, M D; Mthembu, B; Mzondeki, M J G; Naidoo, S; Nair, B; Nash, J H; Ncinane,

I Z; Ncube, N Z; Ndabandaba, L B G; Ndlovu, V B; Ndou, R S; Ngubane, H; Nel, A C; Nel, A H; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngwane, L B; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nqakula, C; Nqakula, N N; Ntshangase, I B; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Odendaal, W A; Olckers, M E; Olifant, D A A; Oliphant, G G; Omar, A M; Pahad, A G H; Pahad, E G; Phala, M J; Phantsi, E; Phohlela, S; Pieterse, R D; Pretorius, I J; Rabie, P J; Rabinowitz, R; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramgobin, M; Ramotsamai, C M P; Rasmeni, S M; Rhoda, R T; Ripinga, S S; Schneemann, G D; Schoeman, E A; Schoeman, R S; Scott, M I; Sekgobela, P S; September, C C; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Simmons, S; Sithole, D J; Skhosana, W M; Skosana, M B; Slabbert, J H; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sosibo, J E; Sotyu, M M; Thabethe, E; Tinto, B; Tolo, L J; Tshivhase, T J; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van der Merwe, S C; Van Deventer, F J; Van Jaarsveld, A Z A; Van Niekerk, A I; Van Wyk, A (Anna); Van Wyk, A (Annelizé); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Xingwana, L M T; Zondi, K M; Zondo, R P.

NOES—44: Andrew, K M; Baloi, G E; Bell, B G; Borman, G M; Botha, A J; Bruce, N S; Clelland, N J; Cupido, P W; Da Camara, M L; Davidson, I O; De Vos, P J; Delport, J T; Ditshetelo, P H K; Eglin, C W; Ellis, M J; Farrow, S B; Gibson, D H M; Gore, V C; Green, L M; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Leon, A J; Madasa, Z L; Maluleke, D K; Meshoe, K R J; Mfundisi, I S; Moorcroft, E K; Mulder, C P; Ntuli, R S; Opperman, S E; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Singh, A; Smuts, M; Southgate, R M; Swart, P S; Swart, S N; Taljaard, R; Viljoen, C L.

Question agreed to.

Motion accordingly agreed to.

7. The Deputy Speaker gave a ruling on a remark made by Mr A J Leon during debate on 1 March 2000, and directed him to withdraw the remark.

Whereupon the member withdrew the remark.

8. FIRST ORDER [15:03]

Consideration of First Report of Joint Rules Committee (Announcements, Tablings and Committee Reports, p 202).

Order disposed without debate.

Report adopted.

9. SECOND ORDER [15:03]

Consideration of Report of Portfolio Committee on Labour (Announcements, Tablings and Committee Reports, p 116—*Elimination of Child Labour Convention*).

Order disposed without debate.

Report adopted.

10. THIRD ORDER [15:04]

Second Reading debate—*Competition Amendment Bill* [B 10B—2000] (National Assembly—sec 75). Order disposed without debate.

Bill read a second time.

11. FOURTH ORDER [15:04]

Consideration of Report of Portfolio Committee on Education (Announcements, Tablings and Committee Reports, p 178—*Visits to Eastern Cape and KwaZulu-Natal*).

Order disposed without debate.

Report adopted.

12. FIFTH ORDER [15:04]

Consideration of Report of the Portfolio Committee on Welfare and Population Development on *Central Drug Authority* (Announcements, Tablings and Committee Reports, p 119).

Order disposed without debate.

Report adopted.

13. SIXTH ORDER [15:05]

Consideration of First Report of Standing Committee on Public Accounts (Announcements, Tablings and Committee Reports, p 134).

Order disposed without debate.

Report adopted.

14. SEVENTH ORDER [15:05]

Consideration of Second Report of Standing Committee on Public Accounts (Announcements, Tablings and Committee Reports, p 137).

Order disposed without debate.

Report adopted.

15. EIGHTH ORDER [15:05]

Consideration of Third Report of Standing Committee on Public Accounts (Announcements, Tablings and Committee Reports, p 138).

Order disposed without debate.

Report adopted.

16. NINTH ORDER [15:05]

Consideration of Fourth Report of Standing Committee on Public Accounts (Announcements, Tablings and Committee Reports, p 139).

Order disposed without debate.

Report adopted.

17. TENTH ORDER [15:05]

Consideration of *Land Affairs General Amendment Bill* [B 64B and 64C—99] (National Assembly—sec 75) and of Report of Portfolio Committee on Agriculture and Land Affairs thereon (Announcements, Tablings and Committee Reports, p 219).

Order disposed without debate.

Bill, as amended, agreed to.

18. ELEVENTH ORDER [15:06]

Debate on Vote No 3—Agriculture, and Vote No 20—Land Affairs,
Appropriation Bill [B 7—2000] (National Assembly—sec 77).

Debate concluded.

19. The House adjourned at 18:47.

S G MFENYANA,

Secretary to Parliament.

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PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 16 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The Minister of Labour on 15 March 2000 submitted a draft of the *Unemployment Insurance Bill 2000*, and a memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Labour and the Select Committee on Labour and Public Enterprises, respectively, in accordance with Joint Rule 159(1)(a) and (b).

(2) The following papers have been tabled and are now referred to the relevant committees as mentioned below:

(1) The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Justice and Constitutional Development and the Select Committee on Security and Constitutional Affairs for information:

Report of the Auditor-General on the Financial Statements of the Truth and Reconciliation Commission for 1998-99 [RP 38—2000].

(2) The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Agriculture and Land Affairs and the Select Committee on Land and Environmental Affairs for information:

Report of the Auditor-General on the Liquidation Account of the Tobacco Board for the period 1 January 1997 to 31 March 1999 [RP 202—2000].

- (3) The following papers are referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Labour and the Select Committee on Labour and Public Enterprises for information:

- (a) Report of the Auditor-General on the Financial Statements of the Unemployment Insurance Fund for 1996 [RP 37—2000].
- (b) Report of the Auditor-General on the Financial Statements of the Mines and Works Compensation Fund for 1998-99 [RP 195—99].
- (c) Report of the Department of Labour for 1998-99 [RP 61—2000].

TABLINGS:

National Assembly and National Council of Provinces:

1. The Minister of Trade and Industry:

Reports of the Board on Tariffs and Trade on the—

- (a) Rebate of duty on biaxially oriented polypropylene film used in the manufacture of self-adhesive tape, Report No 3873;
- (b) Rebate of the duty on textile fabrics impregnated, coated, covered or laminated with polyurethane, for fishing, Report No 3874;
- (c) Reduction in the rate of duty on "Agarbatti" other odiferous preparations which operate by burning, Report No 3875;
- (d) Withdrawal of items under rebate items 307.04 of Schedule 3 to the Customs and Excise Act, 1964, Report No 3877;
- (e) Withdrawal of the provision under rebate item 313.04/26.10.01.00, Report No 3878;
- (f) Rebate of full duty on vinyl, chloridevinyl acetate copolymers, for the manufacture of floor coverings, Report No 3880.

2. The Minister for Agriculture and Land Affairs:

Report of the Department of Agriculture for 1999 [RP 59—2000].

COMMITTEE REPORTS:

National Council of Provinces:

1. Report of the Select Committee on Education and Recreation (National Council of Provinces) on visits to the Eastern Cape and KwaZulu-Natal; dated 3 March 2000:

Two delegations from the Portfolio Committee on Education (National Assembly) and the Select Committee on Education and Recreation (National Council of Provinces) conducted visits to Eastern Cape and KwaZulu-Natal schools on 2, 3 and 4 November 1999, with the following mandates:

A. Objectives:

In a meeting on 13 October 1999, it was unanimously agreed to and envisaged that two delegations from the Committees visit the Eastern

Cape and KwaZulu-Natal provinces simultaneously during the constituency week primarily in the most disadvantaged rural communities, with the following objectives:

- (i) to co-operatively examine along with the provincial Education Standing Committees, the capacity of the provinces in dealing with the demands set by national Acts, regulations and policies, and other challenges as spelt out in the first priority of Minister Asmal's Call to Action document which intends to make our provincial systems work by making co-operative government work;
- (ii) to examine conditions of physical degradation in schools in areas listed by, and according to the objectives of the President's rural strategy programme;
- (iii) to investigate the implementation of the funding norms and standards emanating from the South African Schools Act;
- (iv) to examine ways and means of effecting greater synergy between education at provincial and national level in the respective provinces;
- (v) to construct a co-operative relationship between the national parliamentary Education Portfolio Committee, the NCOP Select Committee and Standing Committees on Education and Culture in the provincial legislatures, in order to deal co-operatively with challenges constraining the effective development of our education system;
- (vi) to develop a rural development strategy with regard to building and renovations of schools, and the provision of resources like textbooks and teaching aids in rural schools in both provinces; and
- (vii) to address the challenges of the allocations and management of the provincial budget as it relates to education in both provinces.

In view of the fact that the Committees play a vital role in promoting co-operative governance between the provinces and central government and in improving the quality of life of every citizen on the ground, the delegations focused on all affected educational infrastructure which were damaged and destroyed by the tornadoes and also on assessing a need for repairs and renovations in all of those schools visited.

Tirisano

The Education Portfolio and Select Committee delegations based their study tours to the Eastern Cape and KwaZulu-Natal provinces on the "Call to Action" ("Tirisano") of the Minister of Education, Prof K Asmal. The document outlining the objectives of the "Call to Action" was distributed by the national education department to members of the provincial legislatures, Education Directors, school principals and the media.

The delegations emphasised that since the "Tirisano" document was based on an extensive consultation of the Minister with a large variety of stakeholders, that there was no need to re-invent the wheel by

searching for other criteria on which to base the visit of the delegations to the provinces.

In particular, the first priority identified in "Tirisano" (Call to Action)—"to make our provincial system work by making co-operative government work"—was clearly in line with the purpose of the visits of the delegations to the provinces. The Minister, Prof K Asmal pointed out in "Tirisano" that the three largest provinces, KwaZulu-Natal, Eastern Cape and the Northern Province were the poorest provinces with the largest backlogs of school buildings and services. It was for this reason that the delegations have identified these three provinces for a study tour.

Other issues identified by Tirisano were—

- a) the inability of many provincial education departments to manage education efficiently;
- b) the empowerment of provincial departments to fulfil its statutory responsibilities; and
- c) dealing effectively with challenges in respect of the allocation and management of provincial budgets.

A rural development strategy

The delegations also emphasised the importance of establishing rural development strategy for vastly rural provinces such as the Eastern Cape and KwaZulu-Natal. The resourcing of schools in the rural areas with regard to establishing classrooms conducive to learning, the adequate provision of textbooks, teaching aids and other learning materials must become a priority.

In their visit to deep rural schools in the provinces, the delegations identified vandalised school buildings, destruction of school property and absence of textbooks, toilets, proper sanitation and libraries as the main problems relating to rural education. However, it appeared as if effective management or lack of effective management by principals has a major impact on the success or lack of success of rural schools in cultivating an atmosphere conducive to learning and teaching.

Culture of teaching and learning

There were some poverty-stricken rural schools visited by the delegations which had good discipline, where teachers were actively teaching and students were actively learning. There were virtually no broken windows and vandalised furniture. Although the schools did not have enough textbooks, school governing bodies were encouraged to raise funds for learner-teaching materials. Many of these poor rural schools maintained a matric pass rate in excess of 60% through the positive attitude of the principals and teachers, and generally have neat and clean premises.

There were also rural schools where principals had many complaints while doing very little themselves to improve the situation. Such schools were generally vandalised, desks were either broken or stolen, textbooks in class were virtually non-existent and there was poor

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attendance of teachers and learners. At such schools there were also no good relationship between the principal, teachers, parents and students. These schools maintained a matric pass rate of less than 10%.

The management capacity of principals has to be urgently investigated at rural schools, while those many principals who are doing a good job under trying conditions, have to be strongly supported.

Delegations

The Eastern Cape delegation under the leadership of Prof S M Mayatula included Mrs M A A Njobe, Ms P K Mothoagae, Prof L M Mbadi, Mr L Suka (NCOP member), Mr P G Qokweni (NCOP member), Mrs J Witbooi (NCOP member), Ms N C Manjezi (Committee Secretary) and Ms L Carelse (Committee Assistant).

The KwaZulu-Natal delegation under the leadership of Mr R P Z van den Heever included Mr L M Kgwele, Ms P N Mnandi, Mr R Ntuli, Mr A M Mpontshane, Adv A H Gaum, Mr A Myeni (Committee Secretary) and Mr J Rossouw (Committee Assistant). Adv A H Gaum left the delegation after the first day due to pressing engagement in Parliament and in his constituency.

Due to prior commitments and apologies, Mr N M Raju (NCOP member) and Mr T D Lee were unable to join the delegations.

The delegation in the Eastern Cape province was accompanied by delegates from the Provincial Standing Committee on Education, which included the Chairperson, Mr S Mancotywa and Ms N Mahlawe. The delegation in KwaZulu-Natal was accompanied by delegates from the Provincial Standing Committee on Education and Culture, which included the Chairperson, Mr S Ngidi, Mr Z Nzuza (Committee Secretary), Mr L N Mjadu (Personal Secretary: MEC for Education) and Regional Directors of Education.

An attempt was made to obtain a balanced view with input from both the departmental official sources, and from school principals. Main problems were highlighted and where possible, solutions were recommended.

B. VISIT TO EASTERN CAPE PROVINCE

1. Visit to the Department of Education—Bisho

Official view: Department of Education Management

The Eastern Cape province is one of the three provinces identified by President Thabo Mbeki as the poorest and needed extra financial assistance. On the first day the delegation was warmly welcomed by the MEC for Education Mr Stone Sizani, and had open and constructive discussion with top management led by the Superintendent-General, Mr J Gordon. The following are some of the areas covered.

The Eastern Cape Department of Education has inherited six different education departments with two of them located within two former homelands, namely, Ciskei and Transkei. The department serves 6 447 schools of which almost 60% are rural and farm schools. According to the records of the department, the survey of the needs done in 1996 has

revealed that it is worst off when it comes to physical infrastructure, as the majority of the rural schools are mud structures with no toilets or sanitation, fencing, water and electricity. The survey revealed the following statistics for the province:

1 487 (25%) schools have no toilets; 2 931 (49%) schools have no sportsfield; 5 528 (93%) schools have no libraries; 5 578 (94%) schools have no laboratories; 622 (10%) schools are in need of major repairs; and 206 (3%) schools are totally unfit for education and learning.

The province is often hit by tornadoes, which have caused extensive damage to hundreds of schools particularly in the rural areas. This has increased the backlog from 15 000 to about 23 000 classrooms and the provincial department needs R92 million to rebuild and renovate schools damaged by natural disasters. According to Mr Hecther, physical infrastructure in the province is the worst in all provinces and an emergency fund will be necessary to address disasters and other critical matters.

The Department of Education's capital works programme commenced late in 1995 with an allocation of R355 million (RDP funded) in the 1995/1996 departmental budget. This was subsequently extended with the capital works allocation of R365 million (RDP funded) from the 1996/97 budget. The 1997/98 budget provided R108 million for capital works, but this was cut back to R53,9 million when the financial position of the Department became evident. In 1998/99 and 1999/2000 budgets, no funding has been set aside for any capital programmes.

To address the classrooms backlog in the province, the department will need approximately R600 million per annum over a period of five years or approximately R450 million per annum over a period of ten years. These substantial allocations can enable the Department to embark on an ambitious multi-dimensional programme to address the shortage of classrooms in the province.

(i) *School building programme*

The schools in the Eastern Cape province are reaching shocking levels of degradation. In certain instances the building authorities maintain that a number of classrooms in several schools should in fact be condemned. All these schools are government assets and it is clear that, the lack of funding for emergency renovations has reached unacceptable proportions.

In the extreme cases, there exists the danger of a total mess of these assets. These assets have deteriorated to such an extent that in many cases, they have become a health hazard.

Although the construction of new schools is of prior importance, major capital injection is urgently required in order to restore the existing buildings to safer working environments. Funds are desperately needed for three primary aims, namely—

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- day-to-day maintenance to cut down expenditure on major repairs and renovations and to maintain reasonable standards in all schools;
- to repair the existing major damage to the loss of valuable assets; and
- to allow for emergency repairs and renovations on a ten-year basis.

These funds will alleviate the deterioration of the schools, and it is obvious that once a regular flow of funding is made available for regular maintenance, future excessive capital outlay will then be minimised. But it is vital that the current state of general degradation is addressed as soon as possible.

Although the Department has identified the causes of damage in most instances and will address the necessary methods of prevention in the near future, the following current conditions should be noted to necessitate appeal for funds.

(ii) *General interiors and exteriors*

The walls are worn out resulting to further damage to the structures. These walls urgently require major repairs and resurfacing, as they are in danger of collapsing and structural damage shows, which needs immediate attention.

A problem which is rife in all schools is that of damaged windows, window-panes and frames. An attempt to prevent the theft of window-panes by individuals has failed. To date, the only relatively successful method of protecting windows against theft and vandalism, is the installation of galvanised frames.

Another hazard facing pupils in most schools is unsafe electrical fittings. Inadequate electrical supply in most schools which caters for domestic science has rendered these services unusable.

The structural problems within the schools continue and a number of classrooms suffer from damaged ceilings due to leaking roofs.

Many schools have no toilets, sanitation and ablution facilities. The students must have access to these facilities. The systems have long been broken, yet the students must continue to use the facilities, creating more sanitary health risk. The children who are subjected to these shocking conditions are pupils in all Grades as well as teachers. The dilemma of vandalism grows daily. It is understood that most schools in general make every effort to prevent damage to the buildings. Funds are therefore required to institute increased security measures in order to protect the government assets. Many schools in general have no furniture, libraries, equipment, school halls and sporting facilities.

(iii) *Background on budgets*

The province needs R900 million per annum for non-personnel expenditure and for the department to function normally, i.e for normal repairs to be carried out. In 1998, the department was allocated R500 million and in 1999 it was cut to R200 million. In 1999, the

department requested R20 million, but for the first time in three years, the department only managed to receive R5 million for 6 400 schools for maintenance and for emergency repairs. More funding is needed repair and renovate all the damaged schools in the province.

(iv) Facilities and personnel in farm schools

There are various types of farm schools which are operating on the property of the farmers. The department provides personnel and material resources. Farmers have given the land to the department and it is for the department to provide material and human resources to the schools.

In the majority of cases the department is still experiencing problems with regard to scholar transport due to budget cuts. There is provision for hostel facilities and the department provides subsidies for children residing in those hostels.

Since 1996, many farm schools were amalgamated because of the current staff provisioning norms which stipulate that there must be a minimum number of learners in the school has been efficient in terms of human resources, curriculum engagements and provisioning various services in those schools.

In the past, farm schools were marginalised. Presently the department is doing something in terms of meeting the needs of those farm schools; viz: Many programmes are specifically servicing those farm schools, many donors and non-governmental organisations, in conjunction with the department, have programmes targeting those farm schools, and good work is in progress in the majority of those schools.

The department has received a positive response from donors like Vusisizwe Trust and Micro Projects which have donated most of the schools that have been built in the farming areas. The help from all these donors is assisting the department to make meaningful investments in the upliftment of the impoverished communities of the Eastern Cape province and the donations are regarded as a truly humane effort to improve the impoverished communities.

(v) Intergovernmental approach on infrastructure

On the Department's intergovernmental approach on infrastructure, there is a good relationship with government departments, such as the department of public works as well as non-governmental organisations.

The Department of Education meets with local Transitional Local Councils (TLCs) on a regional basis to look at the integrated plan, linking water, electricity, building and the roads to a particular programme, and such programmes are presented in their meetings with the TLCs.

(vi) Learners support materials

Learner support materials include textbooks, stationery, science materials, equipment as well as consumables. Due to financial constraints of the Eastern Cape, this has led the department to concentrate on textbooks and stationery only as learner support materials. The department is now in the process of issuing stationery to Grade 1-9, but for textbooks, the department will prioritise those Grades that are in curriculum 2005 (Grade 1, 2 and 3) and later to

Grade 7, that will start the curriculum next year as well. The supply for Grade 12 will only be concentrated to those schools that have had a new Grade 12 class since 1997, 1998 and 1999, because those schools were not issued any textbooks and stationery.

In respect of Grade 7, the department has indicated that it will need about R42 million, but the department is not so sure whether they will receive the full R42 million requested. During the capturing of the requisition from the regions, it became clear that R42 million will not be adequate to cover all the learning areas in Grade 7.

With regard to scientific equipment, the department need to get assistance in terms of funding in order to make sure that it delivers the necessary requirements with the requested budget.

The crisis the department is facing at present, is that there is a backlog of non-payment of both suppliers and employees. The department is still experiencing problems with old debts from all sorts of suppliers who have not been paid. Again, the department is still having outstanding benefits for teachers. This creates a lot of problems with regard to finance staff attending to volumes of queries from unions, courts and lawyers, etc.

(vii) *Consumables and provisioning*

To date, the department was unable to make any deliveries. Presently, the department is in a process of finalising the orders with the publishers.

There were few schools which received donations to enable them to perform their daily school work, but there was very little funding.

(viii) *Financial management*

The department needs other initiatives to assist with the improvement of the financial management, e.g. closing of books done by Deloitte & Touche, provisioning and payment projects, where training is continuing again (also the stock-taking the department is preparing).

There are a number of projects that have already been started which are actually assisting with the financial management. At present, there is too much that is demanding of the financial staff, and it is envisaged that if the staff can get through that, the department will definitely see its way clear to implement the existing projects to assist the finance section with the workload.

2. *Visit to Eastern Cape Legislature, Bisho*

The delegation was welcomed by the Provincial Standing Committee on Education, chaired by Mr S Masekela. The leader of the delegation, Prof S M Masekela, gave a brief overview and objectives of the visits to the province.

3. *Visit to Long William's Town Examination Centre*

Official view

(a) *1999 examinations*

When the delegation visited the examination centre, the province was already halfway through the examinations for 1999. No problems, no leaking of papers, have been experienced, except the shortage of

examination papers. Everything within the province is scheduled as planned and work is running smoothly and up to standard. The examination result will be released by 30 December 1999 for Y2K effect. All the necessary tests on the Y2K problem have been running up until September 1999 to make sure that their system is Y2K compliant. Reports have been made and everything has been cleared. The standard of matric results is seen to be the same as there was no significant change (from 45% to 47%) in the previous year.

(ii) *Supplementary examinations*

All the supplementary examinations have been arranged, work has been done twelve months in advance.

(iii) *Readiness of markers*

4 600 markers, including the senior markers, have been appointed on the basis of experience and qualification. Through the entire province there will be five marking centres. All markers will be paid their salaries before the end of February 2000.

(iv) *Outstanding payments*

There is still a backlog of 800 people which have not been paid by the department. The department is still struggling with the non-payment of people, which include markers, examiners, moderators and examination assistants. All the claims were verified and submitted to the department on 26 January 1999.

4. *Visit to Phakamani Senior Secondary School: Butterworth*

Official view:

Phakamani Senior Secondary School has an enrolment figure of 1 005 learners and 27 educators. The school occupies a disused factory, a corrugated iron structure. The entire structure is delapidated and does not need any extensive repairs but needs to be closed down. The school should be declared a very dangerous health risk. The school has a site at Ibika which is few kilometres away and has been there for more than five years, awaiting a new building to be erected.

The classrooms still have huge factory ventilation, which make the students always suffer from respiratory diseases, asthma, bronchitis, etc. On top of this, there is poor electrical lighting, which damages the eyes of the students. Chemicals that were used in the factory were never thoroughly cleaned.

Toilets create another dangerous hazard as they are terribly filthy, very dirty and uncleaned yet they are still in use. For more than 1 000 students as well as teachers to utilise such toilets is a serious health risk. In 1999 alone, there were four reported deaths of students from the school while others were suffering from rheumatism.

The school at the former factory is situated far from the township and near a growing slum area. This exposes the pupils to rapes and attacks. Crime in the school is very high.

None of the school toilets flush. The students and teachers must have access to and continue to use these facilities which are subjected to

shocking levels of terrible smells, which are creating more sanitary health risks. The systems have long been broken due to the leakage of drainage pipes. This has caused further damage to the books stored in an unusable and damaged library.

There is also a problem of overcrowding in the school. It has been noted that one of the Grade 10 classes in the school has an enrolment figure of 123 students. Although the Phakamani community realises that there are serious financial constraints with the provincial department of education, the school has certainly made great strides in establishing the culture of learning. In view of this fact, the community deserves a new brick structure and a decent school.

5. *Visit to Esingeni Junior Secondary School: Idutywa*

Official view:

The school has an enrolment figure of 308 learners and 9 educators. The entire school consisted of 10 classrooms of a prefabricated structure. Approximately 98% of the entire structure was extensively damaged and flattened by the tornado on 16 December 1997.

Up to now, there has been no intervention by the provincial legislature, the department and Idutywa district to help the community to alleviate the situation, except for provision of 5 tents to be used as classrooms. Even these are not of a good standard for teaching and learning.

At present, there are no toilets/sanitation, no electricity and no fence. During the rainy days and bad weather the school does not operate at all. It is located not far from the river bank, and some pupils have to cross the river on their way to school. When the river is full they do not attend the school at all. The school is controlled by weather and not by the principal.

As the clearing of site was not done by the people in the community, during the sunny days pupils and teachers are commonly exposed into poisonous snakes, which are seen to be dangerous and which may result in death to pupils and teachers. Most children have left this school due to these appalling conditions.

There is an urgent need for financial assistance to build a proper shelter or a new school in the area by the year 2000.

6. *Visit to St John's College: Umtata*

Official view:

The school has an enrolment figure of 1 400 learners, 42 educators and 18 general assistants. The entire school building consist of a brick structure, partly prefabricated. Approximately 40% of the entire structure has been extensively damaged by the tornado. The school has louvre windows in some classrooms and most of the windows are broken and need urgent repairs. Due to unavailability of laboratories in the school, other classrooms are converted into laboratories, which has led to additional shortages of classrooms. During the rainy days, learners are cramped together in classrooms which were not affected and this again results in overcrowding.

Although the school building is very old and strong (121 years old), it needs major maintenance, constant repairs and renovations. Drainage problems, filthy toilets and bathrooms, leaking taps and pipes, are a health hazard to pupil and teachers. To repair the entire damages, R3 million is needed to overhaul the conditions.

Vandalism in the school is rife and is caused by students themselves. In the boys' hostel, the empty dormitories which were damaged, have been converted by students themselves to consume alcohol and to smoke dagga. There is no furniture in the dining halls.

7. *Visit to James Kobi Junior Secondary School: Umtata*

Official view:

The school has an enrolment figure of 520 learners and 18 educators. The entire school building consists of a brick structure. Only one classroom was damaged by fire and destroyed by the tornado. As there is no fence around the school premises there is stealing and vandalism of the school property, i.e. copper wires, pipe fittings, furniture and doors. The school managed to hire security, who are unarmed, to secure the entire school building and to safeguard the government property.

The school was built in 1985. There is no electricity and the school maintenance has been non-existent. They have themselves managed to raise R20 000 through donors and sponsors to repair the damaged toilets and to improve standard conducive for learning.

8. *Visit to E W Pearce Junior Secondary School: Umtata*

Official view:

The school has an enrolment figure of 900 learners and 23 educators, with 2 educators are awaiting redeployment. The school consist of a prefabricated structure which has been extensively damaged by the storm.

Approximately 60% of the entire structure, including roofs and floors, have been extensively damaged. Most of the windows are broken and some of the classroom floors are in a state of collapse, which may result in injury to pupils and teachers. Urgent repairs and renovations are needed at the school.

9. *Visit to Nyangilizwe Senior Secondary School: Libode*

Official view:

The school has an enrolment figure of 544 learners and 15 educators. The school consist of a brick structure which was damaged by the storm. Only 4 classrooms and the school fence were damaged by the tornado, which took place on 15 December 1998.

As there were no repairs and renovations yet done in the school, the children in Grade 8 (280) are cramped together in the hall, which results in difficulty for the educator to attend to each individual student, due to overcrowding. Urgent repairs and renovations are needed at the school.

10. *Visit to Tsolo Residency Junior Secondary School: Tsolo*

Official view:

The school has an enrolment figure of 1 134 learners and 18 educators. The school consist of a prefabricated structure, with only 10 classrooms. Some classes are taking place outside the school premises due to the problem of overcrowding. This overcrowding has been causing a disastrous and low grasping of learners that may led to havoc because of improper involvement of individual attendance, from the teacher to the learner.

As the school is known for its excellent continuous results and is located in the centre of town, overcrowding may be one of the factors that affect enrolment increments.

The school urgently need 6 more classrooms to be put in place to ensure that proper education is continuing in the school.

11. *Visit to Jongilizwe Senior Secondary School: Tsolo*

Official view:

The school has an enrolment figure of 390 learners and 21 educators. The school consists of brick structure which is extremely delapidated. The school was established in 1967 as a public school and was and still is attended only by the sons of the Chiefs in the former Transkei regime, even before its independence.

Vandalism in the school building and to property is rife. There is a high rate of crime still taking place on school grounds, as a result of which deaths have been reported. None of the people in the neighbouring communities want to take ownership of the school because of its history of being attended by the sons of the Chiefs.

The school used to be a boarding school, but due to constant violence, theft of laboratory equipment, vandalism and uncleanness, the hostels were closed down. The school is seen to be dangerous, day and night. Urgent repairs and renovations need to be effected in the school.

There is no electricity, no fence, no proper sanitation and the toilets have long been unused and causing health hazards. Almost all broken windows have been damaged by the students themselves.

As the school principal, Mr S Mnyekentu, needs the education in this school to continue, regardless of the appalling circumstances, he needs trained armed security guards and proper fencing to curb the vandals from entering the premises.

According to the principal, the quantity surveyors have visited the school 4 months ago to assess the material needed to repair and renovate the school.

12. *Visit to Petros Jozana Junior Primary School: Umzimkulu*

Official view:

This school has an enrolment figure of 320 learners and 9 educators. The school building consists of 5 classrooms of a brick structure and three semi-delapidated classrooms that are not in use. It become difficult for the school to function during the rainy days and bad weather due to the openness of the roofs and walls. Almost all

windows are broken. The school received R19 000 from the provincial department of education and this fund helped the community to build 2 more classrooms of a brick structure.

As this school is a community-built school, the community has certainly made great strides in donating R50,00 per household, with the intention to build 4 more classrooms. It has also been envisaged by the people in the community that it will take other 5 years to build another 4 classrooms due to insufficient funding. This school is experiencing problems of overcrowding.

There is no electricity, no sanitation, no fencing, no furniture and learning materials, e.g. writing boards, in the school. Funds are needed urgently to improve the quality of the infrastructure, which is presently not conducive to teaching and learning.

13. *Visit to Vumazonke Junior Secondary School: Umzimkulu*

Official view:

The school has an enrolment figure of 215 learners and 4 educators. The entire school building consist of a mud structure which is extensively damaged. The leaking roofs and all broken windows need urgent repairs and renovations. The roof is likely to collapse any time and may cause injuries to learners and teachers.

There are no desks and other educational facilities in the school. Learner support material for Grade 2 were received, but none of the Grade 1 material was distributed to the school. There is an intention to open Grade 5 next year but there are no facilities and classrooms to effect that.

The initiative to open the school in 1996 was envisaged by the people in the community, seeing the danger of the nearby national road, a few kilometres away from the area. As there was no school in the area prior to 1996, the children had to cross the national road, which is very dangerous, to attend school in other neighbouring villages. The community noted with concern the number of road accidents on the nearby national road, which have killed many children from the community.

Again, the new settlement of Sisulu area also gave birth to this community-built school.

There is no electricity, no toilets and sanitation, and no fencing. The people in the community need intervention of the government to support the school in terms of furniture, learner support material, educational facilities and proper decent school.

14. *Visit to Kheswa Junior Secondary School: Umzimkulu*

Official view:

The school has an enrolment figure of 500 learners and 9 educators. The school building partly consists of a mud structure. There has been damage to the structure's walls, doors, windows and roofs. Approximately 80% of the entire structure has been extensively damaged, delapidated and flattened by the tornado, both in 1997 and 1998.

The efforts to build the school were made by the community itself. The community received R20 000 from the provincial department of education (MEC's R18 million project) to build more classrooms. As the building is likely to collapse at any time, funds are needed to rebuild a proper school with bricks.

15. *Visit to Govalele Junior Senior Secondary School: Umzimkulu*

Official view:

The school has an enrolment figure of 414 learners and 11 educators. The school building consists of a brick structure and partly of a mud structure. This school is also one of the schools which benefitted from the MEC's R18 million project. The school received R19 000, which was used to build three classrooms of a brick structure. The other part of the school, which is of a mud structure and which is not up to proper standard, is also used to accommodate Grade 1 and 2, as there is still shortage of classrooms.

16. *Visit to Zwelitsha Senior Secondary School: Mount Ayliff*

Official view:

The school has an enrolment figure of 169 learners and 7 educators (Grade 10—12). The school was established in 1999 and the building consists of a wooden structure which was donated by Sawmill.

Due to unavailability of classrooms in this school, junior secondary school is accommodated in another nearby school. As this was a community-driven project, the school governing body contributed by assisting the school in building the structure. There was no financial assistance from the government for building the school and its maintenance. There is no fencing, no electricity, no security, no toilets, no water in the school. Vandalism and theft in the area is rife.

17. *Visit to Sigagane Junior Secondary School: Mount Ayliff*

Official view:

The school has an enrolment figure of 366 learners and 8 educators. The school building consists of a newly built brick structure and an extensively damaged mud structure.

Part of the new brick structure was built from the local funds (R36 000) donated by Gold Mines. Presently, there is no water and electricity, no sanitation/toilets, no fencing and no furniture. As part of the school is of a mud structure, there are no doors, no windows and proper walls, and it is in a state of collapse.

Many attempts have been made, to the circuit office, to build new and additional classrooms, but nothing has been done. No financial assistance has been received as promised from the provincial government to build a new school. Children are exposed to cold and "flu", and some have no accommodation due to these appalling conditions at the school. Urgent attention is needed to repair and renovate the school.

18. *Visit to Mhluzini Junior Secondary School: Mount Ayliff*

Official view:

The school has an enrolment of 270 learners and 4 educators, of whom 2 educators are awaiting redeployment. The school consists of only 2 classrooms made of a mud structure. Accommodation in this school is regarded as a major problem because 2 classes are accommodated in another school in the nearby area.

Previously the children were accommodated in the tents but due to attempts by the community, a structure was built (not yet completed) with their own assistance and efforts.

The school has no furniture, no windows, no ceiling, no toilets, no water and electricity and no fencing. As there is no water available, the learners themselves do daily routine of bringing water for cleaning (using cow dung) and maintenance of the school floors and walls.

As this is a well-managed and -controlled school, funding is needed to effect some of the community-driven initiatives which are aimed at maintaining the school in a proper environment conducive to learning and teaching.

19. *Visit to Ntshamanzi Senior Primary School: Ntabankulu*

Official view:

The school has an enrolment figure of 114 learners and 5 educators, of whom one educator is awaiting redeployment. The school consists partly of a brick and partly of a mud structure. Approximately 50% of the school was damaged by the tornado on 18 January 1999. The roof and broken windows were blown away by the wind during the storm.

There are no toilets, no water and electricity and no fencing. None of the classrooms have ceilings.

The community, out of their funds and efforts, has already started to repair and rebuild the damaged classrooms which are of a brick structure. Funding is needed to complete the initiative taken by the community in respect of their school. There is a need for 3 more classrooms as there is a backlog of shortage of classrooms.

The delegation could not visit the Mount Frere schools, Bethlehem S.P. School, Nganu J.S. School and Mpungutiyana J.P. School because of time constraints. The delegation apologised to these communities.

C. VISIT TO KWAZULU-NATAL PROVINCE

The delegation's visit to KwaZulu-Natal coincided with a period of simmering political tension in the province caused by the assassination that had taken place. This event therefore delayed the starting date of the delegation's visit from 2 November 1999 to the next day, 3 November 1999.

The committees met on 3 November 1999, and a very cordial meeting was held, which was characterised by general goodwill and co-operation. The meeting held with the MEC for Education and Culture, Ms E E N kaNkosi Shandu, in Ulundi, similarly took place in a very cordial atmosphere.

1. *Establishing a co-operative relationship*

The success of the study tour, despite the prevailing tensions, was largely due to the mature and conciliatory manner of the chairperson of the provincial committee on education and culture, Mr S Ngidi, who accompanied the tour throughout the province. In addition to this, the parliamentary delegation assured their hosts that they did not come to the province on a fault-finding mission, but that they were eager to establish a co-operative relationship with the provincial standing committee on education to address the many challenges that constrained education in the province. This message was well accepted by the provincial committee, who agreed to pursuing such a co-operative relationship with the delegation from the Portfolio and Select Committees.

Two members of the Education Portfolio Committee, Ms P N Mnandi and Mr A M Mponshane, were identified as the KwaZulu-Natal-based MPs who would serve as a link between the KZN provincial committee on Education and Culture and the parliamentary education portfolio committee.

Implementation of adherence to national legislation, e.g. the South African School Act, in terms of abolishing corporal punishment is problematic. It came to the observation of the delegation that corporal punishment is rife in many schools in the province.

2. *Visit to Maritzburg College*

Official view:

In this school, a meeting was held with the principal, Mr K Elliot. This school is a former model C school. It was mentioned that the process of transformation and integration of pupils was moving at a slow pace, e.g. enrolment of pupils from other racial groups was minimal, and the staff was predominantly from one race group. The infrastructure and recreational facilities are in good condition.

3. *Visit to Sobantu High School*

Official view:

This is a disadvantaged inner-city public school. In this school there is a large staff turnover, and teacher redeployment has affected the teachers' performance. The school lacks recreational facilities and has limited facilities, e.g. a library with very few books.

Most of the windows are broken, some part of the building has been extensively vandalised, and there is poor sanitation.

4. *Visit to Charles Sabelo High School: Umbumbula, Natal Midlands*

Official view:

This is a disadvantaged rural school. In this school the physical structure is decaying. The school principal had made a request to the provincial department of education to renovate the school.

Vandalism to school property is rife in the area. The school needs to be fenced so as to prevent vandals from entering the school premises. The school work together with the community police forum in trying to curb vandalism in the school.

There is a shortage of books and furniture in the school.

5. *Visit to Amanzimtoti Primary School: Amanzimtoti*

Official view:

This is a former Model C school. In this school, there is a good physical structure with good facilities, which include a library and computer laboratory. There is a good working relationship with the school governing body. The programme of fundraising is in place and has a great impact on the school. The integration of pupils is moving very slowly. It was noted that the entire staff is predominantly of one race and one gender.

6. *Visit to Keats Drift Primary School: Greytown*

Official view:

This school is a disadvantaged rural school. The school has water and a telephone line. The school governing body in this school still need to be trained on certain issues pertaining to the management of the school and its activities. Awareness on the need for fundraising is necessary.

7. *Visit to Cabangokuhle High School: Umsinga*

Official view:

This school is a disadvantaged deep rural school. The school lacks various facilities, namely a library, books, a science laboratory and furniture. There is a serious furniture shortage which needs urgent attention.

8. *Visit to Bathembu Secondary School: Umsinga*

Official view:

This school is a disadvantaged rural school located at Umsinga. It was noted that the conditions at the school were very poor, and extensive repairs and renovations are needed to bring the school up to proper standard. Vandalism is high on the property of the school, e.g. on furniture and windows.

9. *Visit to Ekudubekeni High School: Mahlabathini*

Official view:

This is a disadvantaged rural school located at Mahlabathini. The school received funding from the Indian Religious Group based in Durban to build the school. The school offers streams of teaching subjects, namely science, trade, commerce and performing art.

Although the school is situated in a rural community, for the past five years, it has had an excellent continuous pass rate of 90%.

10. *Visit to KwaZulu-Natal Legislature: Ulundi*

Official view: MEC for Education & Culture, Ms E E N kaNkosi-Shandu

The rural schools need extra educational facilities. Discipline is maximal in most of the schools. The relationship between the teachers' union and the MEC has improved. The schools in the rural communities lack capacity in terms of finance. The Netherlands is assisting the province in Science and English subjects.

RECOMMENDATIONS:

Areas that need urgent attention:

- a) major repairs and renovations are required in most schools;
- b) need to improve and upgrade all the existing libraries and development of mobile libraries;
- c) need to implement effective school management in most schools;
- d) capacity-building of school governing bodies in financial management and school governance in most schools;
- e) need for electricity, sanitation and clean running water;
- f) co-operative relationship with provincial standing committee;
- g) provincial departments of education should monitor adherence to national legislations, e.g. abolishing of corporal punishment;
- h) need to inculcate a sense of ownership of schools by communities;
- i) need to encourage co-operation between previously advantaged and disadvantaged schools;
- j) need to develop a rural strategy educational plan based on these visits and in accordance with the President's integrated rural strategy programme;
- k) special budgetary provisions which have to be made in order to attend both to backlogs and current need and inadequacies. Furthermore, provision has to be made to meet needs caused by natural disasters; and
- l) the study tour report should be assessed within the broader context of the national schools' survey of needs.

D. CONCLUSION

The Committees are satisfied that it attained most of the objectives identified for the study tours to the Eastern Cape and KwaZulu-Natal provinces.

The delegations managed to lay the basis for a very constructive co-operative relationship with provincial governance structures. In both the Eastern Cape and KwaZulu-Natal, open and constructive discussions took place between the respective MECs, the top management of the Department and the delegations from Parliament.

The visits also succeeded in highlighting the principles of Tirisano, the Minister's Call to Action to provincial structures. Tirisano booklets were distributed as far as the delegation toured, and the vision of the Minister in assisting "provincial education departments to manage education efficiently" was emphasised.

The delegations examined conditions of physical degradation in the poorest rural areas according to the objectives of the tour. It found

conditions of immense poverty, dilapidated schools and a lack of basic facilities at educational institutions. However, even under the poorest conditions in schools, the delegations found that the dedication, discipline and hard work of teachers in class had a greater influence on good examination results than that which the physical conditions in schools could bring about.

The information gained by the delegations during the study tours have created a firm basis on which an integrated rural strategy could be based.

The Committees are therefore satisfied that a solid start has been made in the creation of co-operative relationship between national and provincial governments through the visits undertaken to the Eastern Cape and KwaZulu-Natal on 2,3 and 4 November 1999.

E. LIST OF PARTICIPANTS

1. MECs for Education and Culture: Eastern Cape and KwaZulu-Natal.
2. Provincial Department of Education: Eastern Cape and KwaZulu-Natal.
3. Provincial Standing Committees on Education & Culture: Eastern Cape and KwaZulu-Natal.
4. Chairpersons of Standing Committees on Education: Eastern Cape (Mr S Mancotywa) and KwaZulu-Natal (Mr S Ngidi).
5. All principals and management of all schools visited.
6. Various communities, including school governing bodies.
7. Regional, district and circuit managers.
8. All communities visited.

Report to be considered.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

MONDAY, 20 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Joint Tagging Mechanism (JTM) on 16 March 2000 in terms of Joint Rule 160(6), classified the following Bill as a section 75 Bill:

- (i) *South African Communications Regulatory Authority Bill* [B 14—2000] ((National Assembly—sec 75)—(Portfolio Committee on Communications—National Assembly)).

National Assembly:

1. The Speaker:

The following guidelines are printed in accordance with the resolution adopted in the House on 16 March 2000.

**GUIDELINES FOR TRIAL RUN TO QUESTIONS FOR ORAL
REPLY**

1. **CLUSTERS OF MINISTERS**

For the purposes of questions for oral reply each Minister will be placed in one of three clusters of Ministers. The clusters will be as follows:

Cluster 1: Peace and Security

Defence, Foreign Affairs, Safety and Security, Correctional Services, Justice and Constitutional Development, Intelligence.

Cluster 2: Social Service and Governance

Home Affairs, Education, Welfare, Housing, Public Service, Communications, Water Affairs and Forestry, Health, Sport and Recreation, Minister in the Office of the President, Provincial and Local Government.

Cluster 3: Economic

Finance, Public Works, Public Enterprises, Trade and Industry, Labour, Agriculture and Land Affairs, Transport, Environmental Affairs and Tourism, Minerals and Energy, Arts, Culture, Science and Technology.

The clusters will rotate on a weekly basis so that each cluster of Ministers will answer questions every three weeks.

2. URGENT QUESTIONS TO MINISTER NOT DUE TO ANSWER

A member who wants an urgent question to be placed on the Question Paper for a day on which such question would not be dealt with by a particular cluster, should hand in the question to the Speaker and clearly indicate that it is an urgent question. The request will be dealt with in the same way as a request for a snap debate. Such question must be submitted to the Speaker at the latest by 12:00 on the Tuesday in the week preceding the week in which the question is to be answered. The Questions office must be informed by the Speaker's office of the approved questions by 12:00 the next day for processing and publication on Friday.

3. NUMBER OF QUESTIONS PER MINISTER

No more than eight questions for oral reply shall be put to a Minister on any particular question day: Provided that questions transferred from written to oral reply and questions that had been standing over are not included in this number.

4. ORDER OF QUESTIONS BY PARTIES

The order in which questions will be asked is the same as that applicable to notices of motions in the House, ie

(1) ANC

(2) DP

(3) IFP

(4) ANC

(5) New NP

(6) UDM

(7) ANC

(8) ACDP/PAC/MF

(9) FF/UCDP/FA/AEB/AZAPO

A party is not obliged to ask a question and should it not do so the next party's question will be called.

5. NUMBER OF QUESTIONS PER MEMBER

Each member may ask a maximum of two questions per question day. This excludes urgent questions, questions that are on the Question Paper because they stood over and written questions transferred for oral reply.

6. QUESTIONS NOT ANSWERED AT END OF QUESTION TIME

The procedure relating to such questions remains the same, that is replies must be handed in to the Secretary for inclusion in the Official Report of Debates of the House. All replies to such questions not received by the Secretary before 12:00 on the Monday preceding the Tuesday on which the Internal Question Paper for a particular question day is published will be regarded as questions standing over until the next cluster session. These questions will be published at the end of the Question Paper. Parties may decide to prioritise such questions.

7. PARTY PRIORITY OF QUESTIONS

Parties will need to prioritise their questions and give the Questions office the order in which they want their questions to appear on the Question Paper by 12:00 on the Wednesday in the week preceding the week in which they are to be answered. If parties do not meet this deadline the questions will be published in the order that they appear on the Internal Question Paper.

The Internal Question Paper on Tuesday will contain all the questions as they have been received. Parties can use this Question Paper to prioritise their questions.

The Internal Question Paper for Thursday will contain the questions in the order in which they will be dealt with on the next Wednesday.

8. TIME LIMITS FOR QUESTIONS AND REPLIES

Not more than three minutes will be allowed for the initial answer unless the presiding officer is of the opinion that the answer is sufficiently important to necessitate an additional time which must be limited to two more minutes.

Five supplementary questions of one minute each will be allowed arising from the reply to a question: Provided that the member who asked the question should be given the first opportunity to ask a supplementary question. The member will be entitled to express an opinion.

The reply to a supplementary question is limited to two minutes, unless the presiding officer is of the opinion that the answer is sufficiently important to necessitate more time.

9. QUESTIONS STANDING OVER

If a Minister or Deputy Minister requests that a question stands over, that question shall stand over for reply until the next question day on which his or her cluster replies to questions.

If a question that is put during question time stands over because the Minister is not in the House to answer and the party that asked the question so requests, the question will be put on the next Question Paper for reply.

Other questions which will be regarded as stand over are those referred to in paragraph 6.

10. WRITTEN QUESTIONS TRANSFERRED FOR ORAL REPLY

The procedure relating to such questions remains the same, with the exception that such questions will be cluster-bound.

11. QUESTIONS TO THE PRESIDENT

The President will answer questions of national or international importance once a quarter.

Such questions will be sifted in a process involving the Speaker to ensure that only questions satisfying a set criteria are asked to the President.

At any other time questions relating to the President must be directed to the Deputy President or the Minister in the Office of the President.

The President will answer a maximum of six questions on each such day.

The order in which parties will ask questions to the President is the same as that which applies to questions to Ministers: Provided that at the next session of questions to the President the sequence will be continued from the point where it was interrupted during the previous question session.

Supplementary questions will be dealt with on the same basis as supplementary questions for oral reply to Ministers.

Procedure:

Questions to the President must be submitted to the Speaker's Office on the Monday, 16 days prior to the Wednesday on which they are due to be answered. The Questions office must be informed by 12:00 on the Tuesday, following that Monday of the approved questions so that they can be processed and published by the Thursday, almost two weeks before question day.

12. QUESTIONS TO THE DEPUTY PRESIDENT

Questions to the Deputy President will have precedence over questions to Ministers.

The Deputy President will not answer questions in the week that the President answers questions or on the day when he or she is answering questions in the National Council of Provinces.

The Deputy President will answer a maximum of four questions per question day. The time allocated for such questions forms part of the total time for questions.

The order in which parties will ask questions to the Deputy President is the same as that which applies to questions to Ministers: Provided that at the next session of questions to the Deputy President the sequence will be continued from the point where it was interrupted during the previous question session.

13. FORM OF QUESTION PAPER

The Question Paper will only reflect the questions that are due to be answered on a particular question day.

14. INTERNAL QUESTION PAPER

The Internal Question Paper will be published on Tuesday, Thursday and Friday.

The format of the Internal Question Paper for Tuesday, which contains all the questions for oral reply for the next Wednesday, will remain the same.

The Internal Question Paper for Thursday will contain the questions in the order in which they will be answered on the next Wednesday. Questions to the President will also appear in Wednesday's Internal Question Paper.

The Internal Question Paper for Friday will contain all the questions for written reply received during that parliamentary working week.

The questions will retain their original numbers to assist departments and to avoid confusion.

TABLINGS:

National Assembly:

Papers:

1. The Speaker:

- (1) The President of the Republic submitted the following letter, 3 March 2000, to the Speaker of the National Assembly, informing Parliament, in terms of section 201(2) of the Constitution, 1996, of the employment of the South African National Defence Force in terms of section 201(2)(c) of the Constitution, 1996:

REPORT IN TERMS OF SECTION 201(2) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT 108 OF 1996) ON THE EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE FOR SERVICES RELATED TO FLOODS IN THE GAZA, MAPUTO AND SOFALA PROVINCES.

This serves to inform the National Assembly that I authorised the employment of the South African National Defence Force (SANDF) personnel and equipment in the Provinces. This employment is extended from 25 February 2000 to 17 March 2000.

This employment was authorised in accordance with the provisions of section 82(4)(b)(ii) read with section 227(1)(d) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993), [which sections continue to be in force in terms of Item 24(1) of Schedule 6 to the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)], read further with section 3(2)(a)(v) of the Defence Act, 1957 (Act No 44 of 1957).

A request was received by the Department of Foreign Affairs from the Government of the Republic of Mozambique to render humanitarian assistance in the location and relocation of people trapped by the flooding, and to assist in distributing and delivering emergency supplies to the affected areas. In line with

our international obligations to render such assistance, the deployment was authorised.

The deployment consisted of 88 personnel, 5 X Oryx helicopters, 2 X BK117 helicopters, 1 X Casa 212 and 3 X Cessna 208 light aircraft. The personnel and equipment were deployed to Beira and Maputo for the duration of the effort. Other support aircraft which were used for the deployment of equipment and support personnel to the two locations were 2 X C130 transport aircraft.

Financial implications

- The estimated total cost of this deployment will be R10 267 528-00.
- I have consulted the Minister of Finance who will make the necessary funds available through the Department of Foreign Affairs and Defence.

I will also communicate this report to the Members of the National Council of Provinces, and wish to request that you bring the contents of this report to the notice of the National Assembly.

Regards

J G ZUMA
ACTING PRESIDENT

Referred to the Joint Standing Committee on Defence.

Wednesday, 22 March 2000

No 41—2000 SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

WEDNESDAY 22 MARCH 2000

TABLINGS:

*National Assembly and National Council of Provinces**Agenda*

1. The Speaker and the Chairperson:

Reports of the Auditor-General on the—

- (1) Financial Statements of the South African Medical Research Council for 1998-99 [P 15—2000];
- (2) Financial Statements of the South African Diamond Board for 1998-99 [P 42—2000];
- (3) Financial Statements of the Universal Service Agency for 1997-98 [P 45—2000];
- (4) Financial Statements of Vote 35—Transport for 1998-99 [P 152—1999];
- (5) Financial Statements of Vote 34—Trade and Industry for 1998-99 [P 153—1999].

2. The Minister of Minerals and Energy:

Report of the Council for Geoscience for 1998-99 including the Report of the Auditor-General on the Financial Statements.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 23 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) Assent by the President of the Republic in respect of the following Bills:

- (i) *South African Airways Unallocatable Debt Bill* [B 1—2000]—Act No 7 of 2000 (assented to and signed by President on 16 March 2000);
- (ii) *Tourism Amendment Bill* [B 3—2000]—Act No 8 of 2000 (assented to and signed by President on 15 March 2000); and
- (iii) *Lotteries Amendment Bill* [B 13B—2000]—Act No 10 of 2000 (assented to and signed by President on 16 March 2000).

National Council of Provinces:

1. The Chairperson:

(1) The following private member's legislative proposal was submitted to the Chairperson on 1 March 2000, in accordance with Rule 178:

- (i) *Promotion of Multilingualism Bill* (Mr A E van Niekerk).

The legislative proposal has been referred to the Select Committee on Members' and Provincial Legislative Proposals by the Chairperson, in accordance with Rule 179.

TABLINGS:***National Assembly and National Council of Provinces:******Papers:***

1. The Minister for Agriculture and Land Affairs:

Report of the Department of Land Affairs for 1999-2000 [RP 51—2000].

National Council of Provinces:

1. The Chairperson:

- (1) The President of the Republic submitted the following letter, dated 3 March 2000, to the Chairperson of the National Council of Provinces, informing Parliament, in terms of section 201(2) of the Constitution, 1996, of the employment of the South African National Defence Force in terms of section 201(2)(c) of the Constitution, 1996.

REPORT IN TERMS OF SECTION 201(2) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT 108 OF 1996) ON THE EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE FOR SERVICES RELATED TO FLOODS IN THE GAZA, MAPUTO AND SOFALA PROVINCES.

This serves to inform the National Council of Provinces that I authorised the employment of the South African National Defence Force (SANDF) personnel and equipment in the Provinces. This employment is extended from 25 February 2000 to 17 March 2000.

This employment was authorised in accordance with the provisions of section 82(4)(b)(ii) read with section 227(1)(d) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993), [which sections continue to be in force in terms of Item 24(1) of Schedule 6 to the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)], read further with section 3(2)(a)(v) of the Defence Act, 1957 (Act No 44 of 1957).

A request was received by the Department of Foreign Affairs from the Government of the Republic of Mozambique to render humanitarian assistance in the location and relocation of people trapped by the flooding, and to assist in distributing and delivering emergency supplies to the affected areas. In line with our international obligations to render such assistance, the deployment was authorised.

The deployment consisted of 88 personnel, 5 X Oryx helicopters, 2 X BK117 helicopters, 1 X Casa 212 and 3 X Cessna 208 light aircraft. The personnel and equipment were deployed to Beira and Maputo for the duration of the effort. Other support aircraft which were used for the deployment of equipment and support personnel to the two locations were 2 X C130 transport aircraft.

Financial implications

- The estimated total cost of this deployment will be R10 267 528-00.

— I have consulted the Minister of Finance who will make the necessary funds available through the Department of Foreign Affairs and Defence.

I will also communicate this report to the National Assembly, and wish to request that you bring the contents of this report to the notice of Members of the National Council of Provinces.

Regards

J G ZUMA
ACTING PRESIDENT

Referred to the Joint Standing Committee on Defence.

Monday, 27 March 2000]

No 43—2000] SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 27 MARCH 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Reports of the Auditor-General on the—

- (a) Financial Statements on Vote 4—Agriculture for 1998-99 [RP 129—1999].
- (b) Financial Statements on Vote 23—Land Affairs and the Registration of Deeds Trading Account for 1998-99 [RP 147—1999].

National Assembly:

1. The Speaker:

Final Declaration of the Parliamentary Meeting on the occasion of Unctad X. Adopted unanimously on 11 February 2000.

We, national legislators elected by our people to represent them, are meeting in Bangkok at the invitation of the Inter-Parliamentary Union and the Thai National Assembly on the eve of the Tenth Session of the United Nations Conference on Trade and Development (UNCTAD X).

We call on parliaments and their members to become more closely involved in the international negotiating process on trade, finance and development issues. As members of parliament, we speak for constituencies that cut across the divide of rich and poor, capital and labour, the public and private sector, and corporate and small-scale enterprise. We express concerns that encompass many single issues championed by various lobbies and pressure groups. Moreover, greater parliamentary involvement can only be beneficial to development. Indeed, democracy, respect for the rule of law and a government that is transparent and accountable to parliament are indispensable building blocks for good governance and sustainable development.

We are convinced that only through greater solidarity and international cooperation will all peoples benefit from the processes of globalisation and trade liberalisation. Our participation in the formulation of global development policy at UNCTAD X takes on added importance at a time when the world community is assessing the potential and risks of globalisation and trade liberalisation for world economic growth and development and is formulating development strategies to make globalisation a process that benefits all peoples. We therefore take this opportunity to lay before UNCTAD X our perspective on the current state of globalisation and development.

IMPACT OF GLOBALISATION

The current processes of globalisation and liberalisation have had a major impact on people all over the world, politically, economically, socially, culturally and environmentally. While offering unprecedented opportunities for expansion of international trade and investment—major generators of economic growth and development—globalisation and liberalisation can also have substantial adverse repercussions on the development process if not properly managed. Although financial and trade liberalisation has contributed to economic growth in many countries, this has not been the case in others, particularly the less developed countries. The Asian financial crisis, the systemic effects of which have adversely affected international trade and the global economic and social development of many countries in the region and beyond, is a clear example of the downside risk of rapid liberalisation of financial and capital markets without appropriate supervision and regulation and an effective mechanism for the management of short-term capital flows.

For a great number of developing countries, the current international trading system within the WTO framework has not yet yielded its expected benefits. Developing countries consider that the developed members have not yet fully implemented, in terms of both content and spirit, their WTO obligations, particularly in the areas of market access for agricultural and textile products. Various non-tariff barriers have been and continue to be created. They also feel that the WTO has yet to create a level playing field and for these reasons emphasise their need for special and differential treatment and technical assistance, particularly in the area of professional training, to implement their WTO obligations.

These concerns highlight the need to strengthen solidarity and international cooperation in transforming existing international trade, financial and investment regimes into a more coherent system conducive to sustainable development and growth for all.

Although global management requires international and multilateral norms, standards and regimes, they must be flexible and operate within an agreed framework. Multilateral systems and regimes have to be negotiated to ensure that the concerns of various groups of countries are duly taken into account and that, in the end, a balanced settlement of interests is achieved.

The overriding preoccupation in this regard is to ensure that emerging multilateral systems enable different national models of political, economic and social organisation to function within a universally accepted framework of norms and rules. We are strongly convinced that no system of globalisation is acceptable if it attempts to impose standardised practices irrespective of the cultural and social values that have shaped societies through the ages.

TRADE LIBERALISATION AND HUMAN DEVELOPMENT

There is a growing consensus that economic growth should serve as a means towards human development. Growth should translate into the betterment of people's lives. International trade as an economic tool can make an important contribution to this goal by raising standards of living and enhancing employment opportunities, generating a steady growth of real income, eliminating poverty and ensuring sustainable development.

Mechanisms are required to ensure that the benefits of trade are widely shared, also among countries that are currently marginalized. While promoting free and fair trade, we need to establish a level playing field. To this end, arrangements for special and differential treatment for developing countries and countries with economies in transition have to be considered. Importance should also be attached to assistance in capacity-building.

The multilateral trading system under the World Trade Organization offers the prospect of further trade liberalisation, thus expanding trading opportunities. To produce realistic results, the next round of multilateral trade negotiations must have a broad-based and balanced agenda, taking into account the interests and concerns of all participants. Agricultural negotiations should aim at achieving the long-term objective of fundamental reform, while taking account of food security concerns and the role of agriculture in environmental protection. Current obstacles to agricultural trade expansion should be reviewed as a matter of urgency. In services, the objective should be to achieve progressively higher levels of liberalisation. In the case of manufactured products, non-tariff barriers must also be addressed to preserve the benefits resulting from tariff reduction. As technology holds the key to enhanced productivity and competitiveness, improved arrangements to facilitate the transfer of technology are imperative.

As members of parliament, we reaffirm our belief that economic well-being and social development for all—women equally with men, the poor and marginalized equally with the wealthy—can be raised through the promotion of international trade. However, mechanisms are needed to ensure that globalisation and liberalisation effectively lead to improvements in labour and environmental standards, the protection of children and, generally, respect for human rights. Governments are encouraged to pursue a trade policy that facilitates free and open trade, without a hidden protectionist agenda.

NEW INTERNATIONAL FINANCIAL ARCHITECTURE AND RESOURCES FOR DEVELOPMENT

For many years now, the Inter-Parliamentary Union has been speaking on behalf of the world parliamentary community in support of the view that a new international financial architecture ought to be established in order to overcome the deficiencies of current arrangements established at Bretton Woods in the 1940s.

As a result of rapid global liberalisation of financial markets, private capital flows of all types have increased in speed and volume. But the benefits of liberalised flows of finance are often nullified by the adverse effects of excessively volatile short-term capital flows, as reflected in the recent Asian financial crisis that has had severe negative repercussions on international trade and processes of social

and economic development in the region and beyond. To address these risks of globalisation, the need to establish a new international financial architecture has now become more urgent.

Establishing a new architecture should aim at crisis prevention, providing better mechanisms for risk and crisis management, enhancing international financial stability to promote international trade and economic development, and intensifying developing countries' participation in reforming the international financial architecture. Measures should include, *inter alia*, enhancing the predictability and transparency of international capital flows; strengthening the framework for national and international regulation and supervision of short-term capital flows and introducing safeguards against speculative attacks; encouraging burden-sharing between debtors and creditors; and improving the role of international lenders of last resort and regional financial support mechanisms, including the question of conditionality of access to credit from the International Monetary Fund. We believe the UNCTAD is well placed to assist developing countries and countries with economies in transition in addressing these issues.

There is an ongoing lamentable tendency to downgrade the importance and significance of Official Development Assistance (ODA), which is a vital resource for poorer developing countries with little or no access to international private capital. Its current level of less than 0.3 per cent of GNP, in contrast to the universally agreed target of 0.7 per cent of GNP of the developed countries, has to be viewed with great concern.

It should be recalled in this connection that major conferences of the United Nations over the last decade, such as the World Summit for Social Development and the World Food Summit, were used by the international community to proclaim the goal of eliminating absolute poverty and improving standards in education, health care and food security. Wide-ranging international norms and targets were likewise agreed upon for such economic, social and environmental issues as enhancement of the role of women, removal of discriminatory practices, the rights of children, child labour, access to water and sanitation, the safeguarding of forests and biodiversity. We reiterate our view that, for these goals to be achieved, a renewed effort to revitalise ODA flows to poor countries is crucial.

We are encouraged by recent decisions to write off the external debt of poor developing countries—a measure that the IPU has been consistently advocating. It is important to ensure now that these decisions are rapidly implemented so that the countries concerned see the benefits of debt write-offs as soon as possible. Further concessions are required, in terms of both conditionality and the volume of debt written off.

We are convinced that UNCTAD can play a significant role in taking a fresh look at the current structure of development finance in order to establish mechanisms within the multilateral system and in bilateral aid arrangements that prevent the accumulation of external debt by poor countries in the future. A decisive shift towards promoting sustainable direct foreign investment and providing concessionary finance as grants instead of loans is probably the best way of achieving this aim.

NEED FOR TRANSPARENCY AND FAIR NEGOTIATION

Multilateral and international systems—be they in the area of trade, finance, social or environmental regulation—should invariably be transparent in their design, application and practice. While significant advances have been made in recent years in improving transparency in some international organisations such as the World Bank, there is still a lack of transparency in the decision-making and functions of various multilateral bodies. Although membership of these organisations is almost universal, some important decisions are taken by just a few. Moreover, secrecy surrounds the operation of such bodies and access to relevant information is largely confined to governments, excluding legislators and civil society.

Lack of transparency undermines the processes of benign globalisation and democratic governance. Multilateral trade concessions gained in the past have been the result of intense bargaining and negotiation. To advance the cause of free trade is therefore to achieve an environment where fair negotiation and fair bargaining can take place in a transparent manner without domination by the politically and economically powerful. As parliamentarians, we urge UNCTAD and WTO to address the issue of transparency and fair negotiation, with full participation by all countries, before the world slips back into protectionism.

Multilateral institutions also need to set standards of transparency and accountability in their decision-making process and in actions at the global, regional and national levels. This is a key issue in the management of international trade and finance. Transnational corporations should be equally transparent in their practices and should be accountable and responsible, especially with regard to environmental, labour and social concerns. Particular attention must be given to the eradication of corrupt practices in public and corporate transactions.

Finally, we call on the Inter-Parliamentary Union, as the world organisation of parliaments of sovereign States, to pursue and strengthen its dialogue and cooperation with multilateral institutions active in the field of trade, finance and development, in particular with WTO, UNCTAD and the Bretton Woods institutions, with the objective of providing a parliamentary dimension enabling members of parliament to convey the concerns of peoples everywhere to these institutions and to assist in forging popular support for their action. Through the greater involvement of parliamentarians in global development policy-making, the legislative branch will also be able to contribute substantively to developing the legislative change and harmonisation that are essential to participatory processes of globalisation and trade liberalisation.

PARLIAMENTARY FOLLOW-UP ACTION

We also recommend that the following measures be adopted by parliaments and their members in each country:

- Ensure that the Final Document of UNCTAD X, as well as the present Declaration of the Parliamentary Meeting, are distributed in parliament to relevant committees;
- Equally ensure that these documents are considered in parliaments and its relevant standing committees including, wherever possible, through plenary debate in parliament;

PARLIAMENT
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**ANNOUNCEMENTS,
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TUESDAY, 28 MARCH 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:
 - (1) Reports of the Auditor-General on the—
 - (a) Deposit Account Administered by the Department of Justice for 1997-98 [RP 196—99].
 - (b) Certain Transport-Related Agencies, Authorities and Funds [RP 60—2000].
 - (2) Report and Financial Statements of the Special Investigating Unit for 1998-99 including Report of the Auditor-General on the Financial Statements.
2. The Minister for the Public Service and Administration:

Report of the Public Service Commission on Evaluation of Departments' Annual Reports as an Accountability Mechanism [RP 193—1999].

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**ANNOUNCEMENTS,
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WEDNESDAY, 29 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

(1) **The following papers are referred to the Portfolio Committee on Agriculture and Land Affairs and the Select Committee on Land and Environmental Affairs:**

- (a) Report of the Department of Agriculture for 1999-2000 [RP 59—2000];
- (b) Report of the Department of Land Affairs for 1999-2000 [RP 51—2000].

(2) **The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Health and the Select Committee on Social Services for information:**

Report of the Auditor-General on the Financial Statements of the South African Medical Research Council for 1998-99 [RP 43—2000].

(3) **The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Minerals and Energy and the Select Committee on Economic Affairs for information:**

Report of the Auditor-General on the Financial Statements of the South African Diamond Board for 1998-99 [RP 42—2000].

- (4) The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Communications and the Select Committee on Labour and Public Enterprises for information:

Report of the Auditor-General on the Financial Statements of the Universal Service Agency for 1998-99 [RP 46—2000].

- (5) The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Transport and the Select Committee on Public Services for information:

Report of the Auditor-General on the Financial Statements of Vote 35—Transport for 1998-99 [RP 159—1999].

- (6) The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Trade and Industry and the Select Committee on Economic Affairs for information:

Report of the Auditor-General on the Financial Statements of Vote 34—Trade and Industry for 1998-99 [RP 158—1999].

- (7) The following paper is referred to the Portfolio Committee on Minerals and Energy and the Select Committee on Economic Affairs:

Report of the Council for Geoscience for 1998-99 including the Report of the Auditor-General on the Financial Statements.

- (8) The following paper is referred to the Portfolio Committee on Justice and Constitutional Development and the Select Committee on Security and Constitutional Affairs and the Report of the Auditor-General is referred to the Standing Committee on Public Accounts:

Report and Financial Statements of the Special Investigating Unit for 1998-99 including Report of the Auditor-General on the Financial Statements.

- (9) The following paper is referred to the Joint Standing Subcommittee on Accountability for consideration and report and to all portfolio committees and select committees and the Standing Committee on Public Accounts for consideration:

Report of the Public Service Commission on Evaluation of Departments' Annual Reports as an Accountability Mechanism [RP 193—1999].

- (10) The following paper is referred to the Standing Committee on Public Accounts for consideration and report and to the Portfolio Committee on Agriculture and Land Affairs and the Select Committee on Land and Environmental Affairs for information:

- (a) Report of the Auditor-General on the Financial Statements on Vote 4—Agriculture for 1998-99 [RP 129—1999].
- (b) Report of the Auditor-General on the Financial Statements on Vote 23—Land Affairs and the Registration of Deeds Trading Account for 1998-99 [RP 147—1999].

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister for the Public Service and Administration:
Report of the Public Service Commission for 1999 [RP 44—2000].

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**ANNOUNCEMENTS,
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FRIDAY, 31 MARCH 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Minister of Public Works on 28 March 2000 submitted drafts of the following Bills, and memorandums explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159:

- (i) *Council for the Built Environment Bill, 2000*
- (ii) *Engineering Profession Bill, 2000*
- (iii) *Architectural Profession Bill, 2000*
- (iv) *Landscape Architectural Profession Bill, 2000*
- (v) *Property Valuers Profession Bill, 2000*
- (vi) *Quantity Surveying Profession Bill, 2000*
- (vii) *Project and Construction Management Professions Bill, 2000*

The drafts have been referred by the Speaker and the Chairperson to the Portfolio Committee on Public Works and the Select Committee on Public Services, respectively, in accordance with Joint Rule 159(1)(a) and (b).

2. The Speaker and the Chairperson:

- (1) Assent by the President of the Republic in respect of the following Bill:

- (i) *Land Affairs General Amendment Bill [B 64B—99]—Act No 11 of 2000 (assented to and signed by President on 22 March 2000).*

National Assembly:**The Speaker:**

1. The following changes have been made to the membership of Committees, viz:

Defence:

Appointed: Ntuli, S B.

Discharged: Ntuli, M B.

COMMITTEE REPORTS:**National Assembly:**

1. Report of the Portfolio Committee on Labour on Budget Vote 19: Labour, dated 14 March 2000:

The Portfolio Committee on Labour, having considered Budget Vote 19: Labour, referred to it, reports as follows:

A. Introduction

The Committee viewed the briefing on the Budget Vote on 7 March 2000 as an ideal opportunity to interact with the Department, to assess whether its work is still on track and to examine carefully what the needs are of each programme and what still remains to be done.

This Report records in respect of each Programme of the Department and of the Budget Vote as a whole—

1. a discussion on the 2000-01 budget allocation;

2. a presentation by the Department made to the Committee; and

3. the Committee's comments.

The recommendations in paragraph K of this Report and the Committee's comments in paragraph J are directed to the Department of Labour as a whole.

B. Department of Labour

The Director-General (Adv Rams Ramashia) and officials from the Department briefed the Committee on the Department's 15-point programme. The briefing covered programmes that the Department is currently focussing on and their relevance to the budget (administration, occupational health and safety of persons, social insurance, employment and skills development services, labour relations, labour policy, and auxiliary and associated services). Adv Ramashia said that the Department's activities previously had been dominated by policy development, putting in place a new legislative framework and setting up new labour market institutions. However, the 15-point programme signalled a strong shift towards implementation. He said that the Department aims to ensure that the range of public services which it delivers, is professional and client-orientated. He further outlined the Department's key activities for the year, as well as the budget allocations. He indicated that the Department's

allocation has decreased by 10.83%. The Department has been allocated R748.517 billion for 2000-01, in contrast with the 1999-2000 budget allocation of R839.159 billion.

C. Programme 1: Administration

I. Budget allocation

The allocation for 2000-01 is R154.661 million, which constitutes an increase of R16.167 million. The programme's allocation has thus been boosted by 10.36%.

2. Presentation by Chief Director Administration

Dr Haastbroek, the Chief Director Administration, indicated that the key focus of the Department's administration would be the establishment of a public/private partnership with a view to setting up an electronic one-stop service, which would underpin the Department's commitment to accessible, professional and client-orientated services. He expressed confidence that the Department would be ready for the Public Finance Management Act, which will come into effect on 1 April 2000, and said significant ground-work, including training and awareness-raising, has been done.

D. Programme 2: Occupational Health and Safety of Persons

I. Budget allocation

An amount of R36.477 million has been allocated for this programme. It is a 26.23% increase on the R28.885 million allocated for 1999-2000.

2. Presentation by Director-General

The Director-General said that the Department will play the leading role in implementing a Cabinet decision to integrate occupational health and safety competencies currently under the Departments of Labour, of Health and of Minerals and Energy. A preventative campaign to promote workplace health and safety is to be launched in 2000 to raise awareness and build capacity among stakeholders. Special attention will be paid to health and safety in small businesses and the informal sector. The Compensation Fund will be concentrating on improved service delivery through automation and decentralisation, as well as on developing policy in respect of new areas such as compensation for workers who contract HIV/Aids in the workplace and extended coverage for domestic workers.

E. Programme 3: Social Insurance

I. Budget allocation

An amount of R21.408 million has been allocated for this programme for 2000-01. The allocation represents a 1.08% decrease on the 1999-2000 allocation of R21.641 million.

2. *Presentation by Deputy Director-General*

The Deputy Director-General, Mr Les Kettledas, said that the Social Insurance programme contributes to the Unemployment Insurance Fund and compensates workers employed by the State, or their dependants, in cases of accidents and diseases sustained while on duty. He said the negotiations in Nedlac and the passage of the new legislation through Parliament would be a priority for the Department this year. The focus will be on the social security system. The Department's activities in respect of social security need to be co-ordinated within the broader development of a comprehensive social security system. Regulations and guidelines will be improved in order to improve the management of the fund. The main focus is on service delivery in order to maximise the use of technology, management and training right down to labour centre level. The need to minimise fraud with regard to the fund is of extreme importance. He also informed the Committee that the new UIF Bill has been submitted to Nedlac.

F. *Programme 4: Employment and Skills Development Services*

1. *Budget allocation*

The allocation for 2000-01 is R274,361 million. It constitutes a 32% decrease when compared with the 1999-2000 allocation, which was R406,285 million.

2. *Presentation by Chief Director: Human Resources Development and Employment Services*

Ms Adrian Baird, the Chief Director, stated that much attention was focussed on the Department's flagship Employment and Skills Development Services programme, which is tasked with the implementation of the Skills Development Act and the Skills Development Levies Act and which receives more than a third of the Department's budget allocation. She further stated that the reduction in the allocation for 2000-01 is due to the fact that the funding of the National Skills Fund will be largely through the implementation of the skills levy from April 2000, and that this should not be construed as the government not being committed to skills development, but that the Sector Education and Training Authorities (SETAs) will become self-sufficient. She further indicated that the Department had driven extensive preparations with stakeholders to set up SETAs. This month, the Minister of Labour is expected to formally establish 25 SETAs, covering each sector of the economy.

G. Programme 5: Labour Relations

1. Budget allocation

The programme has been allocated R212,861 million, which represents a 1,9% increase compared to the 1999-00 allocation of R208,937 million. More than half of the allocation constitutes a transfer to the Commission for Conciliation, Mediation and Arbitration.

2. Presentation by Chief Director: Labour Relations

Ms Seftel, the Chief Director, said the main emphasis will be on the implementation of the Employment Equity Act, as well as on introduction to the amendments to aspects of the Labour Relations Act and the Basic Conditions of Employment Act, in order to address unintended consequences.

H. Programme 6: Labour Policy

1. Budget allocation

For 2000-01, the programme has been allocated R33,308 million. It is a 33,25% increase on the 1999-2000 allocation, which was R24,996 million. The programme is responsible for transfers to the National Productivity Institute, which amount to R20,444 million for 2000-01. The increase is attributed to higher spending on personnel, intended to strengthen capacity with respect to labour policy.

2. Presentation by Mr Les Kettledas, Deputy Director-General

The Deputy Director-General alluded to the fact that a range of activities is under way to monitor, analyse and disseminate labour market information and statistics. The objective is to conduct research to assist in monitoring, review and formulation of labour market policies so as to ensure that policies remain relevant to the developments within that labour market. The Department has published a report with regard to strike statistics. The programme provides ongoing support for activities relating to implementation of job summit agreements and other related programmes. It also renders assistance to other areas in need of support. There is, and needs to be, a close working relationship with Statistics South Africa to ensure that statistics are relevant to activities in which the Department is engaged. The Department is also embarking on research on the incidence of "casualisation" in the hospitality and retail sectors, and wants to determine the extent and nature of this phenomenon. Research is being conducted to determine the impact of labour market policies, which would inform future policy formulation.

I. Programme 7: Auxiliary and Associated Services

1. Budget allocation

The programme has been allocated R15,251 million. This constitutes a 23,82% decrease compared to the previous year's allocation, which was R20,021 million.

2. Presentation by Deputy Director-General

He explained that this programme makes provision for transfers to Nedlac and activities relating to International Relations which are relevant to labour matters. The decline in the allocation is attributed to a shift towards contribution to work centres for the disabled and workshops for the blind. He said the Department's work in international relations includes the Organisation for African Unity's Labour and Social Affairs Commission and the African Regional Administration Centre, whose focus is mainly on English-speaking countries in Africa in order to strengthen labour administration within English-speaking Africa. Other areas of work are the International Labour Organisation and technical co-operation. In order to advocate the establishment of a common regulatory framework on labour, employment and related social issues, the Department promotes the adoption of the SADC protocol on labour relations issues. The Department hosted an SADC conference, where 14 SADC member states could share their experience with regard to labour relations matters and strengthen the capacity of independent trade unions and employer organisations. The Department appreciates the effort of businesses in South Africa to establish a business body to interact with the SADC Employment and Labour Sector. They have already been able to bring in all the employer bodies.

Mr Kettledas further stated that technical co-operation should complement our national resources, and that they will seek additional resources through technical co-operation.

J. Committee's comments

The briefing by the Department indicated a need for the Committee to be involved in issues emanating from the Department, especially with regard to the Budget. The committee reaffirmed its intention to involve itself in the process of the Department, with the intention to fulfil its oversight function in a more pro-active way. This implies that the close relationship with the Department needs to be continued. The Committee raised a number of concerns with regard to the individual programmes of the Department as they relate to the Budget. The Committee felt that the Department should focus on the following issues:

1. Implementing performance management contracts at all levels in the Department, not only at the level of Director-General and senior officials.

2. Integration and powers of inspectors.
3. Promoting of small business.
4. Following up on the workplace forums that are in place to establish which sectors are lagging behind.
5. Improving accessibility and client-orientated service in rural areas.
6. Briefing the Committee on what the proposed changes in the Basic Conditions of Employment Act entail.
7. Streamlining the payment method of the Compensation Fund and the Unemployment Insurance Fund.

K. Recommendations

In concluding its review of the Budget Vote, the Committee would like to emphasise the continuing importance of the Public Finance Management Act. Service delivery is crucial to the effectiveness of the Department, and the continued effective implementation of methods and mechanisms to ensure efficient delivery remains the top priority of the provincial offices and the labour centres.

The Committee therefore recommends that the provincial offices and labour centres—

1. develop and maintain a clear understanding of what is required of them in terms of delivery, based on the clearly articulated needs of service users; and
2. carefully engage in, and revise, continuous progress checks to ensure that the budget is utilised optimally, and ensure that improved services are delivered to the public through the implementation of the Department's programmes.

Report to be considered.

National Council of Provinces:

1. Report of the Select Committee on Social Services on *Central Drug Authority*, dated 25 February 2000:

The Select Committee on Social Services, having considered the request of the Council to make recommendations for the appointment of additional members to the Central Drug Authority, referred to it, recommends that the Minister for Welfare and Population Development, in terms of section 2(3)(b) of the Prevention and Treatment of Drug Dependency Act, 1992 (Act No. 20 of 1992), be advised to appoint the following persons:

Bayever, D N; Da Rocha-Silva, L; Fredericks, T J; Hoekstra, M C; Jardine, G F; Malaka, D W; Mathe, S V; Moleko, A S; Moodliar, D C; Mynhardt, D C; Parry, C D H; Rataemane, S.

Report to be considered.

PARLIAMENT
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**ANNOUNCEMENTS,
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MONDAY, 3 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following paper is referred to the Portfolio Committee on Public Service and Administration and the Select Committee on Local Government and Administration:

Report of the Public Service Commission for 1999 [RP 44—2000].

- (2) The following paper is referred to the Portfolio Committee on Home Affairs and the Select Committee on Social Services:

Report and Financial Statements of the Film and Publication Board for 1998-99.

National Assembly:

1. The Speaker:

The following paper has been tabled and is now referred to the Portfolio Committee on Finance, the Portfolio Committee on Trade and Industry and the Portfolio Committee on Foreign Affairs for the consideration:

Final Declaration of the Parliamentary Meeting on the Occasion of Unctad X, adopted unanimously on 11 February 2000.

National Council of Provinces:

1. The Chairperson:

1. Message from National Assembly to National Council of Provinces:

Monday, 3 April 2000]

(4) Programme 4—Business Regulation and Consumer Services (7%).

Programme 2, which accounts for the bulk of the Department's expenditure, incorporates seven programmes from the previous structure: Industrial Sector Strategy, Investment Support, Small Business Promotion, Trade Facilitation, Standards and Industrial Environment, Technology Enhancement in Industry and Policy Analysis and Research.

3. The budget for Programme 1 is increased from R68,6 million in 1999-2000 to R86,4 million in 2000-01. This is mainly to provide for additional personnel in the executive management office.
4. The budget for activities falling under Programme 2 is increased from R1 896,3 million in 1999-2000 to R1 943 million in 2000-01. About 33,7% of the funds allocated are for investment support, and there is an initial provision of R10 million for the taxi recapitalisation programme.
5. The budget for Programme 3 is reduced from R30,6 million to R24,3 million, upon conclusion of the European Union agreement.
6. Programme 4's budget is increased from R65,5 million to R144,6 million, mainly to provide for the costs of establishing and running the Competition Commission and Tribunal.
7. The formal classification of expenditure into the four programmes does not permit a ready identification of resources allocated to the main activities of the Department, particularly those in Programme 2. The Director-General, however, indicated to the Committee that the Department intends that its resources be deployed in three overlapping priority activities: 52% to investment, 43% to Black Economic Empowerment and 35% to the promotion of Small, Medium and Micro Enterprises.
8. Transfer payments account for 83% of the total budget. A significant part of these transfer payments are made to associated "family institutions", including the Industrial Development Corporation, the Ntsika Enterprise Promotion agency, Khula Finance, the South African Bureau of Standards, the Competition Commission, Investment South Africa and the Board of Tariffs and Trade.
9. Approximately R600 million, more than a quarter of the total amount allocated to the Department in the 1999-2000 budget, remained unspent at the end of the 1999-2000 financial year. The Department has requested that a sizeable portion of these funds be "rolled over" to provide, *inter alia*, additional finance for the taxi recapitalisation programme and for recapitalisation of Khula.

The Committee had an opportunity to engage on budgetary issues with four of the Department's associated institutions: The

E. Khula

1. Khula plans to expand its business loans portfolio from R142 million to R263 million in the course of this financial year. Its support programme to Retail Finance Institutions (RFIs) has been more successful than the bank guarantee scheme. The latter has resulted in only 773 active clients currently being served, with 6 184 jobs created.
2. Experience with RFIs has led Khula to the conclusion that it needs to be more prudent with regard to provision for bad debts. The organisation has requested R200 million for recapitalisation, and says that it cannot operate beyond July unless further capital funds are allocated to it. If it receives half the amount, it says it will not be able to expand its activities. Khula also says it needs R90 million to provide service support to RFIs. Without this amount, CEO Sizwe Tati says, Khula will have to impose a moratorium on its capacity development and operational support to RFIs.
3. It is not certain that Khula-supported activities are sufficiently benefitting target groups in disadvantaged communities.

F. Comments

The Department is in the midst of a major reassessment and restructuring exercise, and the Committee has had a number of opportunities to engage with the Director-General on this. The Committee was informed that the format and presentation of the budget will be changed in future to give a clearer indication of priorities, as well as progress in attaining measurable objectives. The Committee has been invited to meet at regular intervals with the Department to assess the extent to which activities are in line with declared priorities and are achieving results.

The Committee agrees that the format of both past and current budgets has not been sufficiently focussed. Expected outputs have not been clearly indicated and quantified, with the result that no real base to measure impact has been provided. Previous assessments of performance have largely relied on vague measures of outcome—the number of jobs said to have been created or sustained by various programmes. The basis of these calculations has, however, not been wholly clear and quantified, measurable outputs expected from various activities against which progress can be assessed, have not been developed. Thus, while some expected outputs are listed in the explanatory memorandum attached to the present budget, no quantitative indicators are attached, nor are details provided as to how it is intended to match these expected outputs with expenditure allocations.

The Department indicated to the Committee that it is striving to achieve greater focus, both in its activities and in the reflection of this in its budget. The Department defines its fundamental task and strategy as being to grow the economy, through the following:

1. Facilitating access to sustainable economic activity and employment.
2. Raising the level of investment.
3. Increasing market access.
4. Promoting a fair, efficient and competitive market place for businesses and consumers.

The Committee was told that, as a result of its consultations and discussions with various stakeholders, including the Committee, it had chosen to focus its various activities in 2000-01 on three key objectives, namely Promoting Small, Medium and Micro-Enterprises, Empowerment and Investment.

The Committee broadly endorses and supports this focus, provided of course that sufficient attention is paid to other important activities, including critical multi-lateral and regional trade relations. The Committee accepts the challenge to engage with the Department at regular intervals over the course of the financial year to assess progress in achieving these objectives. Clear measurable output indicators, that assess impact and relevance as well as measure activity, need to be developed as a matter of urgency.

While appreciating and supporting the new course being charted by the Department, the Committee is obliged to record its disquiet at the large sum left unspent from last year's budget. Although we understand that many of the Department's programmes involve transfers that cannot be predicted with absolute certainty in advance, the large amount that is unspent is, in our view, a cause for concern. We do, however, agree that it should also be seen as an opportunity. The Department has requested the Department of State Expenditure to permit "roll-overs" to support the taxi recapitalisation programme, the recapitalisation of Khula, incentives and other support for SMMEs. The Committee earnestly hopes that these funds are rolled over for such purposes. At the same time, we trust that, in the future, provision for such key strategic activities as the taxi and Khula recapitalisation will be made in the main budget.

G. The Committee also draws attention to the following:

1. Both Ntsika and Khula have indicated that without additional funding they will be obliged to reduce their activities. We appreciate that the SMME strategy is currently under review and that it is the intention that SMME support becomes a priority activity and focus for the whole Department and not just for specific institutions. The role and scope of activities of both Khula and Ntsika may well change, and indeed, in our view, needs to change in important respects. At the same time, there is evidently a pressing need to expand the scope of SMME support. There is thus clearly a need to move speedily and decisively on the restructuring of the SMME programme and not allow the current uncertainty or budget constraints to result in a curtailment of services.

2. There is need for a wider debate on desirable targets for government support for institutions involved in science and technology like the CSIR. The CSIR is clearly a valuable national asset, and the appropriate level of governmental funding for such an institution needs to be established, at least in part, on the basis of strategic considerations and not merely in the process of competing for scarce fiscal resources.
3. Some evaluation and reassessment of the assignment of the management of a number of key industrial policy programmes to the IDC need to be made as part of the process of restructuring. While the IDC has a pool of professional skills and capacities that the Department may not presently have, managing such programmes is not the core business of the IDC, and the Department has to pay a management fee. There may well be a case for continuing to assign such programmes to the IDC, but this needs to be reviewed.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 4 APRIL 2000

1. The House met at 14:00.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:01] Notices of motion.
4. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes with shock the deaths resulting from the fire in Langa;
 - (2) further notes the tragic loss of life in the Storms River rafting disaster;
 - (3) commends those involved in rescue operations and the emergency services for their valiant efforts to prevent further loss of life;
 - (4) sends its condolences to all those who lost loved ones and its sympathy to those who lost their possessions; and
 - (5) wishes those who were injured a speedy recovery.Agreed to.
5. Miss S Rajbally moved without notice: That the House—
 - (1) notes with shock and sadness the loss of the thirteen school children in Chatsworth, KwaZulu-Natal, who died while enjoying themselves at the dance club Throb on 24 March 2000;
 - (2) notes that this deliberate act of evil to sabotage the club with poisonous gas resulted in the loss of thirteen young, vibrant future leaders of South Africa;
 - (3) extends its sympathy and condolences to the bereaved family and wishes the injured a speedy recovery;



Tuesday, 4 April 2000]

Agreed to.

10. The House adjourned at 17:45.

S G MFENYANA,

Secretary to Parliament.



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TABLING AND
COMMITTEE REPORTS

TUESDAY, 4 APRIL 2000

TABLINGS:

National Assembly and National Council of Provinces:

Agenda:

1. The Minister of Transport:

- (1) Letter of Notification of Association with the International COSPAS/SASAT Programme as a Ground Segment Provider, tabled in terms of section 231(2) of the Constitution, 1996.
- (2) Explanatory Memorandum to the Letter of Association with the International COSPAS/SASAT Programme as a Ground Segment Provider.

2. The Minister of Trade and Industry:

Reports of the Board on Tariffs and Trade on the—

- (1) Application for a reduction in the rate of duty on certain frozen and canned berries and fruit. Report No 3882;
- (2) Application for increase in the rate of duty on plastic pipes. Report No 3883;
- (3) Application for rebate of the duty on frozen, mechanically deboned meat of bovine animals for the manufacture of sausage. Report No 3884;
- (4) Application for increase in the rate of duty on industrial gloves and application for rebate of duty on synthetic rubber latex used in the manufacture of industrial gloves. Report No 3885;
- (5) Rebate of duty on anti-criminals classifiable under tariff subheading 3812.30.10. Report No 3886;
- (6) Application for a reduction in the rate of duty on anti-criminals and accelerators. Report No 3888;
- (7) Increase in the duty on thin sheets (rolls) of glass fibre. Report No 3889;

- (h) Reduction in the rate of duty on other extracted oleoresins obtained from extraction of natural raw plant material classified under tariff subheading 3301.90.70, Report No 3895.

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Environmental Affairs and Tourism on the *African-Eurasian Migratory Waterbirds Agreement*, dated 4 April 2000:

The Portfolio Committee on Environmental Affairs and Tourism, having considered the request for approval by Parliament of *The Agreement on the Conservation of African-Eurasian Migratory Waterbirds*, referred to it, recommends that the House, in terms of section 231(2) of the Constitution, approve the said Agreement.

Report to be considered.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 5 APRIL 2000

1. The House met at 15:05.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [15:06] Questions.
4. [17:07] Notices of motion.
5. [17:22] The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes the untimely passing of King Lebone of the Bafokeng people;
 - (2) recognises the central role played by King Lebone in the development of the Bafokeng people and his unconditional support for the transformation processes in our country; and
 - (3) expresses its condolences with and joins the King's family and the Bafokeng people in mourning the death of a fine and noble leader.Agreed to.
6. Mr M J Ellis moved without notice: That the House notes with appreciation the wonderful example set by the people and politicians of Senegal in that the peaceful and democratic change of government was handled graciously by the retiring President Diouf and with magnanimity by the new President Wade.
Agreed to.
7. The Minister of Defence moved without notice: That the House—
 - (1) notes the death of the Surgeon-General, Davidson Themba Masuku;
 - (2) recognises Gen Masuku's significant contribution to the democratisation of the Republic of South Africa and his ground-

breaking participation in the setting up of the South African National Defence Force;

- (3) regrets his untimely passing away; and
- (4) expresses its deepest sympathy to the family and friends and directs that this resolution be communicated to his loved ones.

Agreed to.

8. The Chief Whip of the Majority Party moved: That, notwithstanding the provisions of Rule 106, the following times be allocated to parties for comment on today's statement by the Minister of Health:

Minister: 15 minutes; African National Congress: 5 minutes; Democratic Party: 4 minutes; Inkatha Freedom Party: 4 minutes; New National Party: 3 minutes; United Democratic Movement: 3 minutes; all other parties: 2 minutes each.

Agreed to.

9. [17:26] The Minister of Health made a statement on drug Nevaripine.

Debate concluded.

10. The House adjourned at 18:05.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 5 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:
 - (1) The Joint Tagging Mechanism (JTM) on 5 April 2000 in terms of Joint Rule 160(6), classified the following Bill as a section 76 Bill:
 - (i) *National House of Traditional Leaders Amendment Bill* [B 15—2000] (National Assembly—sec 76)—(Portfolio Committee on Provincial and Local Government—National Assembly).

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Report of the Auditor-General on the Financial Statements of the Human Resources Fund for 1998-99 [RP 55—2000].
2. The Minister of Trade and Industry:

Reports of the Board on Tariffs and Trade on the—

 - (1) Increase in the rate of duty on other pigments and preparations based on titanium dioxide, Report No 3889;
 - (2) Increase in the rate of duty on alkyd resins, Report No 3894.

National Assembly:

1. The Speaker:

The President of the Republic submitted the following letter, 28 March 2000, to the Speaker of the National Assembly, informing Parliament, in terms of section 201(2) of the Constitution, 1996, of the

employment of the South African National Defence Force in terms of section 201(2)(c) of the Constitution, 1996.

REPORT IN TERMS OF SECTION 201(2) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT 108 OF 1996), ON THE EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE IN TERMS OF SECTION 201(2)(c) OF THE CONSTITUTION, 1996, IN THE FULFILLMENT OF AN INTERNATIONAL OBLIGATION IN THE REPUBLIC OF MOZAMBIQUE

1. This serves to inform the National Council of Provinces that I authorised the extension of the employment of the South African National Defence Force (SANDF) personnel and aircraft, in the Republic of Mozambique, in fulfillment of an international obligation. This employment was authorised in accordance with the provisions of Section 82(4)(b)(ii) read with Section 227(1)(b) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993), [which sections continue to be in force in terms of Item 24(1) of Schedule 6 of the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)], read with Section 3(2)(a)(iv) of the Defence Act, 1957 (Act No 44 of 1957).
2. This employment is in compliance with the Republic of South Africa's regional support, to the Government of the People's Republic of Mozambique, for humanitarian assistance in the preservation of life, health, and property, resulting from the current widespread rains having caused extensive and serious flooding in Mozambique. Due to the necessity for the continued support and distribution of aid to Mozambican citizens adversely affected by the severe flooding, and due to the deterioration of the situation, an extension of the deployment was requested.
3. The deployment has been extended from 17 March 2000 to 07 April 2000.
4. The deployment will consist of 60 personnel, three Orynx helicopters, two BK 117 helicopters, two Casa-212 transport aircraft and two light aircraft.
5. The estimated total cost for the extended period is R6 077 232-00.
6. I will communicate this report to the Members of the National Council of Provinces and wish to request that you bring it to the notice of the Members of the National Assembly.

Regards

TM MBEKI

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

THURSDAY, 6 APRIL 2000

1. The House met at 14:03.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:03] Notices of motion.
4. FIRST ORDER [14:18]
Debate on Vote No 32—Trade and Industry, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).
Debate concluded.
5. [16:36] The House discussed the following subject as a Speaker's debate:
SADC regional integration.
Debate concluded.
6. The House adjourned at 17:55.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 6 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The following Bills were introduced in the National Assembly on 6 April 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *Council for the Built Environment Bill* [B 16—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20994 of 24 March 2000.]
- (ii) *Architectural Profession Bill* [B 17—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20994 of 24 March 2000.]
- (iii) *Landscape Architectural Profession Bill* [B 18—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20994 of 24 March 2000.]
- (iv) *Engineering Profession Bill* [B 19—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20994 of 24 March 2000.]

- (v) *Property Valuers Profession Bill* [B 20—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20994 of 24 March 2000.]
- (vi) *Project and Construction Management Professions Bill* [B 21—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20994 of 24 March 2000.]
- (vii) *Quantity Surveying Profession Bill* [B 22—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20994 of 24 March 2000.]

TABLINGS:

National Council of Provinces:

Papers:

1. The Chairperson:

The President of the Republic submitted the following letter, dated 28 March 2000, to the Chairperson of the National Council of Provinces, informing Parliament, in terms of section 201(2) of the Constitution, 1996, of the employment of the South African National Defence Force in terms of section 201(2)(c) of the Constitution, 1996.

REPORT IN TERMS OF SECTION 201(2) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT 108 OF 1996), ON THE EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE IN TERMS OF SECTION 201(2)(c) OF THE CONSTITUTION, 1996, IN THE FULFILLMENT OF AN INTERNATIONAL OBLIGATION IN THE REPUBLIC OF MOZAMBIQUE

1. This serves to inform the National Council of Provinces that I authorised the extension of the employment of the South African National Defence Force (SANDF) personnel and aircraft, in the Republic of Mozambique, in fulfillment of an international obligation. This employment was authorised in accordance with the provisions of Section 82(4)(b)(ii) read with Section 227(1)(b) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993), [which sections continue to be in force in terms of Item 24(1) of Schedule 6 of the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)], read with Section 3(2)(a)(iv) of the Defence Act, 1957 (Act No 44 of 1957).
2. This employment is in compliance with the Republic of South Africa's regional support, to the Government of the People's Republic of Mozambique, for humanitarian assistance in the preservation of life, health, and property, resulting from the current widespread rains having caused extensive and serious flooding in Mozambique. Due to the necessity for the continued

support and distribution of aid to Mozambican citizens adversely affected by the severe flooding, and due to the deterioration of the situation, an extension of the deployment was requested.

3. The deployment has been extended from 17 March 2000 to 07 April 2000.
4. The deployment will consist of 60 personnel, three Oryx helicopters, two BK 117 helicopters, two Casa-212 transport aircraft and two light aircraft.
5. The estimated total cost for the extended period is R6 077 232-00.
6. I will communicate this report to the Members of the National Assembly and wish to request that you bring it to the notice of the Members of the National Council of Provinces.

Regards

TM MBEKI

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

FRIDAY, 7 APRIL 2000

1. The House met at 10:55.
2. The Deputy Chairman of Committees told the Chair and requested permission to observe a minute of silence for people of mourning.
3. 10:57: Notice of motion.
4. FIRST ORDER (10:57)
Debate on Vote No 7—Defence, Appropriation Bill (B 7—2000) National Assembly—see 75.
Debate concluded.
5. SECOND ORDER (11:45)
Second Reading Motion—Foreign Corrupt Practices Amendment Bill (B 8—2000) National Assembly—see 75.
Order dispensed of business motion.
Bill read a second time.
6. The House adjourned at 12:40.

S O U T H A F R I C A

Assembly of the Republic

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

FRIDAY, 7 APRIL 2000

ANNOUNCEMENTS:

National Council of Provinces:

1. The Chairperson:

Message from National Assembly to National Council of Provinces:

Bill passed by National Assembly on 7 April 2000 and transmitted for concurrence:

- (1) *Nonprofit Organisations Amendment Bill* [B 9—2000] (National Assembly—sec. 76(1))—(Select Committee on Social Services—National Council of Provinces).

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister for the Public Service and Administration:

Report of the Public Service Commission on the Management of Remunerated Overtime in the Public Service [RP 171—99].

THE UNITED STATES OF AMERICA

IN SENATE

1900

REPORT OF THE

COMMISSIONER OF THE

LAND OFFICE

FOR THE YEAR 1900

WASHINGTON: GOVERNMENT PRINTING OFFICE

1901

100-10000-100

THE UNITED STATES OF AMERICA

IN SENATE

REPORT OF THE

COMMISSIONER OF THE

LAND OFFICE

FOR THE YEAR 1900

WASHINGTON: GOVERNMENT PRINTING OFFICE

1901

THE UNITED STATES OF AMERICA

IN SENATE

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 10 APRIL 2000

COMMITTEE REPORTS:

National Assembly and National Council of Provinces:

1. Report of the Joint Standing Committee on Intelligence on *Appointment of Inspector-General*, dated 3 April 2000:

The Joint Standing Committee on Intelligence, having considered and examined nominations for the position of Inspector-General of Intelligence, nominates, in terms of section 7 of the Intelligence Services Control Act, 1994, the following person for appointment as Inspector-General:

Randera, M F.

Report to be considered.

Tuesday, 11 April 2000]

No 21—2000] SECOND SESSION, SECOND PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

TUESDAY, 11 APRIL 2000

1. The House met at 14:05.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:06] Notices of motion.
4. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes with profound sadness the untimely passing away of the father of the hon Deputy Speaker, Baleka Mbete; and
 - (2) conveys its heartfelt condolences to her, her family and relatives.

Agreed to.

5. FIRST ORDER [14:23]

Consideration of Report of Joint Standing Committee on Intelligence (Announcements, Tablings and Committee Reports, p 294—*Appointment of Inspector-General*).

Debate concluded.

Question put: That the Report be adopted.

AYES—259: Abrahams, L A; Abrahams, T; Abram, S; Ainslie, A R; Arendse, J D; Asmal, A K; Bakker, D M; Baloi, G E; Baloyi, M R; Baloyi, S F; Belot, S T; Benjamin, J; Bhengu, F; Bhengu, G B; Bhengu, N R; Biyela, B P; Blaas, A; Bloem, D V; Booie, M S; Botha, N G W; Buthelezi, M N; Camerer, S M; Capa, R Z N; Carrim, Y I; Cassim, M F; Chalmers, J; Chiba, L; Chikane, M M; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Cwele, S C; Davies, R H; De Lange, J H; Diale, L N; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Dowry, J J; Du Toit, D C; Dudley, C; Duma, N M; Durand, J; Dyani, M M Z; Ebrahim, E I; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Frolick, C T; Gandhi, E; Gcina, C I; Geldenhuys, B L; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Green, L M; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hendrickse, P A C; Hlengwa, M W; Hogan, B A; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M;

Kota, Z A; Kotwal, Z; Landers, L T; Leeuw, S J; Lekgoro, M K; Lekgoro, M M S; Leshika, T E; Lobe, M C; Lockey, D; Louw, J T; Louw, S K; Lucas, E J; Lyle, A G; Mabeta, M E; Madasa, Z L; Magashule, E S; Magazi, M N; Magubane, N E; Magwanishe, G B; Mahlalela, C C; Mahlangu, G L; Mahlangu, M J; Mahomed, F; Maimane, D S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Malumise, M M; Mangena, M A; Manie, M S; Maphalala, M A; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mdladlana, M M S; Meshoe, K R J; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhize, B R; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Moeketse, K M; Mofokeng, T R; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moss, M I; Mothoagae, P K; Mpaka, H M; Mpehle, M; Mpontshane, A M; Mhsudulu, S A; Mthembu, B; Mtsweni, N S; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A C; Nqodi, S B; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Niemann, J J; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nqakula, C; Nqakula, N N; Ntshangase, I B; Ntuli, B M; Ntuli, M B; Ntuli, S B; Odendaal, W A; Olckers, M E; Olifant, D A A; Oliphant, G G; Omar, A M; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Rabinowitz, R; Radebe, B A; Rajbally, S; Rajoo, K; Ramgobin, M; Ramotsamai, C M P; Rasmeni, S M; Rhoda, R T; Ripinga, S S; Saloojee, E C; Schneemann, G D; Schoeman, E A; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shilubana, T P; Shope, N R; Sigcau, S N; Sigwela, E M; Sikakane, M R; Simmons, S; Sithole, D J; Skhosana, W M; Skweyiya, Z S T; Slabbert, J H; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sotyu, M M; Thabethe, E; Tinto, B; Tolo, L J; Tsheole, N M; Tshivhase, T J; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, S C; Van Deventer, F J; Van Jaarsveld, A Z A; Van Wyk, A (Anna); Van Wyk, A (Annelizé); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Vos, S C; Woods, G; Xingwana, L M T; Yengeni, T S; Zondo, R P; Zuma, J G.

ABSTENTIONS—29: Andrew, K M; Bell, B G; Borman, G M; Botha, A J; Clelland, N J; Da Camara, M L; Davidson, I O; De Vos, P J; Eglin, C W; Ellis, M J; Farrow, S B; Gibson, D H M; Gore, V C; Grobler, G A J; Heine, R J; Lee, T D; Maluleke, D K; McIntosh, G B D; Moorcroft, E K; Ntuli, R S; Opperman, S E; Pillay, S; Selfe, J; Semple, J A; Singh, A; Smuts, M; Swart, P S; Taljaard, R; Waters, M.

The required majority for the nomination of an Inspector-General of Intelligence in terms of the Intelligence Services Act, 1994 (as amended), not being obtained, decision of question postponed.

6. SECOND ORDER [14:46]

Debate on Vote No 33—Transport, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

7. [17:16] The House, at the request of Mr E I Ebrahim, discussed the following subject: Defining our individual and collective roles in making the 21st century the African century.

Debate concluded.

8. The House adjourned at 18:30.

S G MFENYANA,

Secretary to Parliament.

Journal of Management Inquiry

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

TUESDAY, 11 APRIL 2000

1. The Council met at 10:01.
2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:13] The Chief Whip of the Council made a statement on the absence of Ministers to answer questions.
4. [10:14] Questions.
5. [10:37] Mr C Ackermann moved without notice: That the Council—
 - (1) congratulates the postgraduate Business School of the University of Stellenbosch on its accreditation with the European Foundation for Management Development; and
 - (2) notes that this international recognition is an achievement which the whole of South Africa can be proud of when it is considered that the University of Stellenbosch Business School is the only one in Africa and one of only two schools of business outside Europe to be accredited with the Foundation.

Motion agreed to in accordance with section 65 of the Constitution.

6. [10:38] Dr E A Conroy moved without notice: That the Council—
 - (1) expresses its condolences to the friends and family of 8 persons who have died in the tragic bus accident at Mossel Bay on 24 March, and wishes a speedy and complete recovery to the 42 persons who were injured in the same accident; and
 - (2) also expresses its condolences to the husband, young son, friends and family of Dena Rast née Ferrow, who was brutally murdered in a senseless assault on her at their estate near Johannesburg on 10 March of this year.

Motion agreed to in accordance with section 65 of the Constitution.

7. [10:39] Mr G A Lucas moved without notice: That the Council—
 - (1) notes with sadness the tragedy that befell the grandson of one of our country's eminent sporting heroes;

- (2) notes that five-year old Sabelo Simelane, grandson of former World Boxing Council champion Sugarboy Malinga, tragically died in a fire at his grandparent's home; and
- (3) wishes to convey its deepest sympathy to the parents and grandparents of Sabelo.

Motion agreed to in accordance with section 65 of the Constitution.

8. [10:40] Ms E N Lubidla moved without notice: That the Council—

- (1) notes the historic signing over of more than 28 000 hectares of land to the Bathlaping community of the Northern Cape who were dispossessed of their land in 1968;
- (2) commends the Ministers of Land Affairs and of Defence for their decision to transfer legal ownership of the land to its rightful owners; and
- (3) wishes to assure all those people and communities who had been dispossessed of their land that this Government will not be deterred in its effort to restore their rightful ownership.

Motion agreed to in accordance with section 65 of the Constitution.

9. [10:41] Mr D M Kgware moved without notice: That the Council—

- (1) expresses its shock at the barbaric assault on two young girls (aged 10 and 11, respectively) at the hands of an East Rand farmer for allegedly stealing a few mealies;
- (2) is of the opinion that this assault constitutes a serious criminal offence; and
- (3) therefore calls on the Child Protection Unit and the Director of Public Prosecutions to spare no effort in their investigation into this farmer's conduct.

Motion agreed to in accordance with section 65 of the Constitution.

10. [10:43] The Chief Whip of the Council moved: That the Council gives its consent that the President by proclamation in the *Gazette* extend the period of operation of sections 51 and 52 of the *Criminal Law Amendment Act*, 1997 (Act No 105 of 1997), in terms of section 53(2) of the said Act for a further period of one year, with effect from 1 May 2000.

Motion agreed to in accordance with section 65 of the Constitution (Free State abstained).

11. FIRST ORDER [10:46]

Consideration of *Financial Services Board Amendment Bill* [B 62B—99] (National Assembly—sec 75) and of Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, p 172).

Debate concluded.

Bill agreed to in accordance with section 75 of the Constitution.

12. BUSINESS SUSPENDED AT 11:23 AND RESUMED AT 14:01.

13. SECOND ORDER [14:02]

Review of policy of Minister for Agriculture and Land Affairs, as embodied in Vote No 3—Agriculture and Vote No 20—Land Affairs, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

14. THIRD ORDER [17:02]

Consideration of Report of Select Committee on Social Services (Announcements, Tablings and Committee Reports, p 271—*Central Drug Authority*).

Order disposed of without debate.

Report adopted in accordance with section 65 of the Constitution.

15. The Council adjourned at 17:05.

S G MFENYANA,

Secretary to Parliament.

100-24-27, 100-24-28

100-24-29, 100-24-30

100-24-31, 100-24-32

100-24-33, 100-24-34, 100-24-35, 100-24-36

100-24-37

100-24-38, 100-24-39, 100-24-40

100-24-41, 100-24-42, 100-24-43, 100-24-44

100-24-45, 100-24-46, 100-24-47

100-24-48

100-24-49

Tuesday, 11 April 2000

No 53—2000] SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

TUESDAY, 11 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

1. The Minister for Provincial and Local Government on 10 April 2000 submitted a draft of the *Local Government: Municipal Systems Bill, 2000* and a memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Provincial and Local Government and the Select Committee on Local Government and Administration, respectively, in accordance with Joint Rule 159(1)(a) and (b).

2. The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following papers are referred to the Portfolio Committee on Trade and Industry and to the Select Committee on Economic Affairs:

Reports of the Board on Tariffs and Trade on the—

- (a) Rebate of duty on biaxially oriented polypropylene film used in the manufacture of self-adhesive tape, Report No 3873;
- (b) Rebate of the duty on textile fabrics impregnated, coated, covered or laminated with polyurethane, for fishing, Report No 3874;
- (c) Reduction in the rate of duty on "Agarbatti" other odiferous preparations which operate by burning, Report No 3875;
- (d) Withdrawal of items under rebate items 307.04 of Schedule 3 to the Customs and Excise Act, 1964, Report No 3877;

- (e) Withdrawal of the provision under rebate item 313.04/26.10.01.00, Report No 3878;
- (f) Rebate of full duty on vinyl, chloridevinyl acetate copolymers, for the manufacture of floor coverings, Report No 3880.

- (2) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred for information to the Portfolio Committee on Justice and Constitutional Development and to the Select Committee on Security and Constitutional Affairs:

Report of the Auditor-General on the Deposit Account Administered by the Department of Justice for 1997-98 [RP 196—99].

- (3) The following paper is referred to Standing Committee on Public Accounts for consideration and report. It is also referred for information to the Portfolio Committee on Transport and to the Select Committee on Public Services:

Report of the Auditor-General on certain Transport-Related Agencies, Authorities and Funds [RP 60—2000].

- (4) The following papers are referred to the Portfolio Committee on Transport and to the Select Committee on Public Services for consideration:

- (a) Letter of Notification of Association with the International COSPAS/SASAT Programme as a Ground Segment Provider, tabled in terms of section 231(2) of the Constitution, 1996.

- (b) Explanatory Memorandum to the Letter of Association with the International COSPAS/SASAT Programme as a Ground Segment Provider.

- (5) The following papers are referred to the Portfolio Committee on Trade and Industry and to the Select Committee on Economic Affairs:

Reports of the Board on Tariffs and Trade on the—

- (a) Application for a reduction in the rate of duty on certain frozen and canned berries and fruit, Report No 3882;

- (b) Application for increase in the rate of duty on plastic pipes, Report No 3883;

- (c) Application for rebate of the duty on frozen, mechanically deboned meat of bovine animals for the manufacture of sausage, Report No 3884;

- (d) Application for increase in the rate of duty on industrial gloves and application for rebate of duty on synthetic rubber latex used in the manufacture of industrial gloves, Report No 3886;

- (e) Rebate of duty on anti-oxidants classifiable under tariff subheading 3812.30.10' Report No 3887;

- (f) Application for a reduction in the rate of duty on anti-oxidants and accelerators. Report No 3888;
- (g) Increase in the duty on thin sheets (voiles) of glass fibre. Report No 3893;
- (h) Reduction in the rate of duty on other extracted oleoresins obtained from extraction of natural raw plant material classified under tariff subheading 3301.90.70. Report No 3895;
- (i) Increase in the rate of duty on other pigments and preparations based on titanium dioxide. Report No 3889;
- (j) Increase in the rate of duty on alkyd resins. Report No 3894.

- (6) The following paper is referred to the Portfolio Committee on Public Service and Administration and to the Select Committee on Local Government and Administration for consideration and report. It is also referred for information to the Portfolio Committee on Labour and to the Select Committee on Labour and Public Enterprises:

Report of the Public Service Commission on the Management of Remunerated Overtime in the Public Service [RP 171—99].

- (7) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Communications and to the Select Committee on Labour and Public Enterprises for information:

Report of the Auditor-General on the Financial Statements of the Human Resources Fund for 1998-99 [RP 55—2000].

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

The letter from the President of the Republic, dated 28 March 2000, informing Parliament, in terms of section 201(2) of the Constitution, 1996, of the employment of the South African National Defence Force in terms of section 201(2)(c) of the Constitution, 1996.

National Assembly:

1. The Speaker:

The following paper has been tabled and is now referred to the Standing Committee on Public Accounts.

Resolutions of the Standing Committee on Public Accounts for 1999 and replies thereto obtained by the Department of State Expenditure—Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth Report, 1999.

TABLINGS:***National Assembly and National Council of Provinces:******Papers:*****1. The Speaker and the Chairperson:****(1) Reports of the Auditor-General on the—**

- (a) Financial Statements of Vote 36—Water Affairs and Forestry and related accounts for 1998-99 [RP 160—99];
- (b) Financial Statements of Vote 21—Justice for 1998-99.

(2) A summary of issues for possible consideration in any review of the current framework setting out the powers and privileges of Parliament prepared by Professor N R L Haysom.**Memorandum for Committee on Powers and Privileges of Parliament****Introduction**

1. Professor Haysom was asked to summarise some of the issues for possible consideration in any review of the current framework setting out the powers and privileges of Parliament.

2. The report of the consultants who were commissioned to investigate the above matters strongly recommends that a new statute be enacted to deal with the powers and privileges of Parliament. In any event the Constitution of the Republic of South Africa Act, 1996, (the Constitution) contemplates such a statute (see Section 58(2)).

The reasons offered by the consultants are persuasive and include the following:

- (1) The act is a malaise of amendments dating back more than three decades. The treatment of the subject is unsystematic and dated.
- (2) The framework for dealing with powers and privileges needs to be reviewed against the requirements of the new Constitution and an interrogation of the practices consonant with a new parliamentary culture and tradition.

Privileges

3. The question of privileges is currently dealt with by the Constitution (see 58(1) and (2)), the Powers and Privileges of Parliament Act, 1963, (the Act) and, indirectly, the rules of Parliament. It is necessary at the outset to determine what the concept 'privileges' embraces, or should embrace. As the consultants point out, the international trend is to move away from the elastic concept of 'privileges' and to use the term 'immunities'. The Committee may wish to follow this trend for the same reasons. In either event it may help to set out the purposes for which the immunities are to be created.

4. The historical development of both the powers and the privileges of Parliament indicates that they derive from the

need to protect and promote the functioning of the legislature, originally in the face of threats or persecution of legislators by the monarch or the executive, and subsequently from interference from other sources such as the judiciary and civil society, which would undermine the functioning of the legislature. The rationale behind conferring special privileges and powers on the legislature can best be understood in the light of the doctrine of the separation of powers: that is that Parliament should regulate its affairs independantly of the other arms of government. Immunities or privileges generally fall within the following three categories.

5. Freedom of Speech Immunity

While the Freedom of speech Immunity, contained for example in section 58(1) of the Constitution, may have had its origins in the desire to protect legislators from the monarch, it now has a much broader rationale—the promotion of open debate and the immunity offered is expected to prevent what the courts elsewhere have called the 'chilling' effect of defamation law. It is the pre-eminent immunity but it is not absolute and may be subject to manner and form requirements agreed by Parliament. The privilege is also contained in the Act, but this is probably unnecessary. The present act also explicitly extends the immunity offered to members so as to include petitions and resolutions brought by a member. This is nonetheless an aspect of the freedom of speech privilege (see Section 8 of the Act).

6. 'Immunities' relating to civic obligations or criminal proceedings.

Immunities, taking various forms, have arisen to protect legislators from certain criminal or civil proceedings. Again, their origins lay in the need to protect legislators from political persecuton, and later from harassment which indirectly might prevent a legislator from performing his duties. Such immunities might once have taken the form of an absolute immunity from judicial process, but this has given way to procedural protections which require, for example, in certain countries that criminal proceedings against legislators be brought only in higher courts, or that such proceedings be subject to certain delays. The trend is to move away from granting any immunity from civil or criminal liability, even of a temporary nature, to members of the Executive or of the Legislature. Our Constitution reflects this trend. The remnants of this form granting any immunity are still in existence in the Act.(see Section 7 of the Act)

7. The privileges of Parliament.

The third of privileges are those that attach to Parliament itself. These exist for the purpose of enhancing Parliament's status, dignity and proper functioning. As the consultants point out it is not clear which of the inherited common-law privileges survive and the continued existence of some common law offences may be questionable.

Furthermore it may be that there is an overlap between the privileges of Parliament, and the powers of Parliament in this regard. The following issues serve to illustrate the more general proposition that Parliament is entitled to have its status protected.

- (1) Should Parliament be protected from actions and statements that undermine it as an institution (not mere criticism of its members or its functioning). It may be that the answer lies within the ambit of security legislation. However a very recent incident in Nigeria is relevant. A senator, allegedly called for the restoration of military rule, in turn prompting public pressure on Parliament to protect itself against the sentiments expressed by the senator, and raising the question of Parliament's duty to assert this privilege.
- (2) Should Parliament be able to assert its financial requirements. Section 31 of the Act suggests it should be able to do so. In Kenya, this month, members of Parliament have called for legislation to limit the power of the President's office to unilaterally set the budget for Parliament. Once again this may be a question which is broader than the question of Parliamentary privilege.
- (3) There may be other 'privileges' a Parliament can claim so as to protect its status and functioning. For example, in Switzerland the police may not enter the precincts of Parliament. The current Act allows, or allowed, Parliament to bar a court from inquiring or pronouncing upon a matter involving parliamentary privilege. This provision has been found to be unconstitutional in a recent high court decision.

8. The question arises whether there are any other types of privilege which require to be afforded to Parliament or its members? The entitlement to Parliamentary privileges is always founded on the need for the effective performance of the legislative function.

9. Powers of Parliament

Parliament's power to make its own rules and orders and to regulate its business derives from section 57 of the Constitution. This power includes the power to enforce its rules and punish infraction of them.

10. Since the enactment of the 1993 Constitution, Parliament has no powers other than those conferred upon it by the Constitution and law. The question arises as to how Parliament should enforce its rules?

11. Parliament has wide powers to ensure that it functions in a proper and orderly manner. In this regard the power of the Speaker to ensure orderly debate, enforce compliance with her rulings and orders, and to use force to remove the disorderly, are constitutionally wide. The Act, in addition, confers all the powers of a court of law on Parliament to punish those guilty of contempt, including the imposition of prison sentences (see Section 10). Parliaments' powers

to punish, as opposed to enforcing orderly debate, are more circumscribed under the Constitution.

12. The first question arises as to whether Parliament, or the Speaker, should have the power to punish infractions of the rules by non-members (ie. members of the public). The Committee must consider what powers it needs to give the speaker or Parliament in this regard. In regard to penalising contempt or unruly behaviour, consideration could be given to drawing a distinction between members and non-members, specifying the criminal offences which need to be created and providing for the referral of breaches of these to the public prosecution service.

13. With regard to members of Parliament a number of issues require to be dealt with.

- 13.1 The right of freedom of speech is subject to the rules and orders of Parliament. Those rules and orders might prescribe the manner, the time the venue, the language, in which freedom of speech can be exercised. Content based prescriptions on freedom of speech will need to be carefully evaluated, having regard to recent judicial pronouncements. (see *Speaker v Patricia De Lille* 1999 (11) BCLR 1339 SCA)

- 13.2 Parliament is required to establish the conditions and circumstances in which absence from the assembly can lead to loss of membership (see Section 47(3) of the Constitution).

- 13.3 Parliament may wish to consider the ways and means by which its codes of conduct and its disclosure requirements regarding benefits and gifts and similar matters can be enforced. Note that the current Act makes voting upon any matter in which a member has a pecuniary interest as a criminal offence under the Act (see Section 11 of the Act).

- 13.4 Parliament may have to consider codifying behaviour which is 'unparliamentary'. This may not require and exhaustive list, but it may require at least establishing guidelines. This may be necessary both for the purposes of ensuring good order as well as penalising infractions. (see the comments of Mahomed CJ in *Speaker v Patricia De Lille*)

- 13.5 Parliament may need to draw a clear distinction between those Acts it will deal with under its own disciplinary process and those that are to be referred to criminal or civil courts—even in respect of members. Regard should be had to the grey areas such as filing incorrect expense claims or removing property from Parliament. The current Act allows parliament, by way of resolution to exercise a choice. (see Section 33 of the Act)

- 13.6 It is doubtful whether Parliament has the right to permanently expel a member other than in the circumstances set out in Section 47(3) of the Constitution. It may be necessary however to consider the

appropriateness and necessity of other punishments where a clear breach of rules, or a repeated violation of the rules may justify it. Such punishments may include censure, and fines. The power to imprison in the Parliamentary dungeons, if it has survived the 20th Century, is unlikely to meet the test of Constitutional compliance. Suspension may be Constitutional, but needs careful consideration, and certainly there would be limitations. Both in respect of the duration and in respect of the nature of the conduct being punished.

14. The Committee must consider the establishment of an appropriate procedure and structure to adjudicate on misconduct or disciplinary matters. Such matters may range from very minor technical infringements to serious cases. In either event the requirements of a fair and impartial process must be met. An *ad hoc* approach may not be appropriate.

15. Finally, the Committee must consider what matters require to be dealt with, or are more appropriately contained in statute and what is required to be dealt with in the rules of Parliament. The matters referred to in 47(3) and 58(1) must be dealt with in the rules. Other privileges must be prescribed by national legislation.

Referred to the Joint Subcommittee on Powers and Privileges.

2. The Minister for the Public Service and Administration:

Report and Financial Statement of the South African Management Development Institute for 1998-99, including the Report of the Auditor-General on Vote 30—South African Management Development Institute.

National Assembly:

1. The Speaker:

Report to Parliament of the Republic of South Africa on 30th Session of the African Caribbean Pacific-European Union (ACP-EU) Joint Assembly, 20th—23rd March 2000, Congress Hall, Nicon Hilton, Abuja—Nigeria.

Introduction

The 30th Session of the ACP-EU Joint Assembly took place in Abuja Nigeria between the 20th and the 23rd of March 2000. The 30th Session was historic in two distinct respects. Firstly, it took place in Nigeria after a recent history of EU sanctions against Nigeria and the new democratically elected President of the Federal Republic of Nigeria, His Excellency, Chief Olusegun Obasanjo, addressed delegates during the Opening Ceremony about the challenges facing Nigeria in consolidating democracy and on the challenges facing the ACP and EU countries as they forge a new trade agreement against the backdrop of the post-Seattle WTO trade debate. President Obasanjo drew specific attention to the fact that 70% of the development assistance to ACP countries is ultimately “recycled” back to Europe and that the ACP’s exports have declined from 8% to a mere 2,8%.

Secondly, the working group on future relations between the ACP and EU prepared a final report on the new trade agreement that will replace the Lomé Convention upon final formal adoption of this agreement by ACP-EU members in Fiji later this year.

Composition of the Delegation

The South African Delegation that attended the 30th Session of the ACP-EU Joint Assembly comprised:

HE Mr E Links, Ambassador, Brussels.

HE Mr B Sifingo, High Commissioner to the Federal Republic of Nigeria.

Dr R H Davies, MP (ANC), Leader of the Delegation.

Ms N M Tsheole, MP (ANC)

Ms R Taljaard, MP (DP)

Mr R Setlhapelo, SA Mission in Brussels.

Ms N Potelwa, Department of Foreign Affairs.

Mr I Johnson, First Secretary, SA Mission in the Federal Republic of Nigeria.

The Joint Assembly Plenary, Working Groups and South Africa's Contributions

The Plenary sitting of the Joint Assembly commenced on Monday, 20 March 2000. Amongst others the following keynote speakers addressed delegates at the 30th Session:

Mr Abednego Seisa Nqojane (Lesotho), general rapporteur of the Joint Assembly, on "Globalisation and the ways and means by which the ACP Group and the EU can jointly respond to its advantages and disadvantages".

Mr Luis Amado (Portugal), Secretary of State for Foreign Affairs and Cooperation and President in office of the EU Council, who fielded the questions for oral reply to the Council.

Mr Poul Nielson, EU Commissioner responsible for Development and Humanitarian Aid, who fielded the questions for oral reply to the Commission.

Mr John Horne (Minister of Trade & Industry, St Vincent and the Grenadines), President in office of the ACP Council, who fielded questions for oral reply to the ACP Council.

In addition there were three specific working groups, which made final or interim reports to the Joint Assembly:

- * Working Group on the future of ACT-EU relations
- * Working Group on the impact of sanctions and, in particular, of embargoes on the people of the countries on which such measures are imposed
- * Working Group on the use of renewable sources of energy in ACP countries.

Membership of Working Groups is determined by rotation. At the 29th Joint Assembly South Africa was nominated to serve on the Working Group on Sanctions and Embargoes.

A. South Africa's Comments and Contributions in the Working Group on the Efficacy of Sanctions

Countries that will be studied vis-a-vis the impact and efficacy of sanctions include: Sudan, Fiji, Angola and Cuba. The Working Group will ask the Bureau to authorize study visits to Angola and Sudan. Despite a long discussion on Liberia it was not included on the list of countries to be visited at this stage. The Working Group on the efficacy of sanctions has a two-year life-span to complete its deliberations and present a report to the Joint Assembly. The Working Group heard representation from the Nigerian government and civil society in Nigeria on the impact of the EU sanctions on Nigeria over the past few years. The experience of South Africa and particularly the informal consensus between the international community and the ANC on the need for sanctions as a catalyst for political change was discussed. With reference to Nigeria and the absence of an oil embargo amongst a panoply of other sanctions Dr Rob Davies drew attention to the need to interrogate the underlying principle for imposing selective sanctions—particularly to dissect the interests of all involved in shaping sanctions decisions.

Burning questions that the Working Group's discussions raised included:

- (a) The question whether sanctions act as a reliable catalyst to political change or whether ordinary people bear the brunt of the measures.
- (b) The question of a typology of sanctions that included comprehensive and selective sanctions and the different rationale for imposing different measures within such a typology and the scope for country-specific variation within such a typology to ensure the maximum efficacy of sanctions.
- (c) The question of dissecting decisions to impose sanctions to disaggregate the interests of countries imposing sanctions in the country on which sanctions is being imposed. The Nigerian example was extensively discussed particularly as an instructive example of the "war of interests" as the measures imposed did not include an oil embargo due to the interests of specific EU states in the oil industry in Nigeria.

The South African delegates particularly emphasised how vested interests in sanctioning countries frequently skews the decisions to impose either selective or comprehensive sanctions and censoring measures.

In his report back to the Plenary Dr Cheltenham, the rapporteur of this working group, highlighted further burning questions which will be considered during the continued deliberations of the Working Group in which South Africa will continue to be involved.

- (a) The questions about the circumstances and decision-making modalities that influence how and when sanctions, once imposed, are lifted.
- (b) What can be called the "unintended consequences" of sanctions on the economies of countries linked to countries subjected to sanctions or embargoes. In a world where regionalisation will increase this question will increase in prominence and pose

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particular new challenges to the use of sanctions as a censuring measure.

It was proposed that specific case studies be made of countries and that some empirical background research should inform the future and further deliberations of this committee. It is suggested that material about the South African case and our experience vis-a-vis the efficacy and impact of sanctions and embargoes on South Africa be made available to Dr Cheltenham, the rapporteur of the working group.

Working Groups meet between Joint Assemblies, and the Working Group on Sanctions and Embargoes has set its next meeting for 22 to 23 May in Brussels. As part of this Group, South Africa will be expected to send a one person delegation. Normally the costs of participation are borne by the EU.

B. South Africa's Comments, Contributions and Amendment proposed to the motion for a resolution on the current state of negotiations between the EU and South Africa (ACP-EU 2910/AM.1)

The South African delegates in the drafting committee proposed an amendment to the proposed resolution on the EU-SA TDCA trade negotiations.

Amendment 1, paragraph 3, replace by a new paragraph to read as follows:

"Urges the Government of South Africa to continue with its commitment to prioritise the fight against crime in order to improve tourism and investments which are so important for furthering the development of the country".

The following is the text of the Joint Motion for Resolution on the current state of negotiations between the EU and South Africa (ACP-EU 2910/00/COMP) adopted by the Joint Assembly with the proposed amendment substituting the words in brackets:

The ACP-EU Joint Assembly,

- meeting in Abuja (Nigeria) from 20 to 23 March 2000
- having regard to previous resolutions on South Africa and on the state of bilateral negotiations on future relations between South Africa and the European Union,
 - A.** recalling the negotiations pursued by the European Union and South Africa which is designed to lead to the creation of a free-trade area in the context of a bilateral trade cooperation and development agreement,
 - B.** regretting the dispute over the protection of certain names in the framework of the agreement on wine and spirits had delayed provisional implementation of the global agreement on trade and development cooperation foreseen for January 2000,
 - C.** whereas the EU and South Africa agreed to resume negotiation on wine and spirits in March with a view to conclude an agreement on 1 June and entry into force on 1 September 2000,
 - D.** welcoming the agreement between the EU and South Africa to pursue provisional implementation of the global trade

cooperation and development agreement to guarantee correct application of its provisions,

E. mindful of the important implications the outcome of the negotiations will have for peace and stability, job creation and sustainable development in South Africa and the Southern African region,

F. recalling that agreements reached between South Africa and the EU will have important consequences for South Africa's neighbours in both the Southern African Customs Union (SACU) and the Southern African Development Community (SADC),

1. Welcomes the agreement reached between the EU and South Africa to resume negotiations on wine and spirits in March with a view to conclude an agreement in 1 June and entry into force on 1 September 2000;

2. Urges the negotiating parties to come to a rapid and equitable agreement on the issues of wine and spirits in order to meet the deadline of 1 June 2000 for the conclusion of the negotiations;

3. [Calls on the government of South Africa to give a high priority to the fight against crime, to prevent a further drop in tourism and investments which are so important for the further development of the country];

4. Calls on the Government to ensure that South Africa's development needs are taken into account in line with its longstanding commitment to assist the new South Africa;

5. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the Commission and the Government of South Africa.

During the discussion on the above motion Dr Rob Davies made the following contribution:

"As delegates know a bilateral TDCA between ourselves and the EU was scheduled to have begun to be implemented on a provisional basis at the beginning of this year. This agreement was supposed to mark the start of a strategic new relationship between us. It is worth recalling that the TDCA includes a reciprocal FTA in which we have given as well as received concessions. Indeed given the different sizes of our economies and the greater proportional significance of EU trade for us, the adjustment required of us is more substantial than that required of the EU. As delegates know this TDCA got off to a rocky start.

About a week ago, the EU Ambassador to South Africa, Mr Michael Laidler, told a joint Foreign Affairs-Trade and Industry Portfolio committee meeting in our Parliament that there had been a serious possibility a few weeks earlier that the TDCA would have been suspended. The issue at stake was the use of the names of five alcoholic products—ouzo, grappa, jagarty, korn and one other too obscure for me to recall right now. The press found one South African farmer who produces a small quantity of grappa. No one in South Africa produces anything called ouzo, jagarty or the other names and I doubt after this dispute whether any South Africans in their right mind would want to drink anything bearing these names whether it is produced.

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This dispute had very little, indeed nothing to do with bilateral cooperation between us. Mention was made yesterday of the link between this dispute and intellectual property rights and the TRIPS. The TRIPS is essentially concerned with the protection of the rights of individuals or corporations that themselves produce intellectual property. "Traditional knowledge" of communities is not protected and traditions designs of our Ndebele community are widely copied and marketed in the developed world without royalty payments being made. No agreement was reached in the Uruguay Round on the treatment under the TRIPS of so-called "geographic expressions": product names deriving from geographic areas but which have often been used by producers in other areas for decades or even centuries. The treatment of geographic expressions for alcoholic products was identified as one of the terms to be resolved as part of the WTO's so-called built-in agenda.

Our reading is that the dispute over ouzo and grappa was all about certain interests in the EU positioning themselves for future WTO negotiations. What was clear is that no great principle of development, equitable trade or any of the other things we've talked about in this Joint Assembly were at stake. Rather it was all about a demand from certain vested interests in the EU for what Adam Smith called "petty monopoly". The matter is fortunately now resolved and we have agreed to a compromise formulation on these five names together with earlier agreements on Port and Sherry. We have been told by EU delegates in South Africa that there are now no further obstacles to the conclusion of a wine and spirit agreement. Well we'll see. Mr Co-President I would comment that the fact that a dispute of this nature threatened to hold hostage a significant strategic relationship with a developing country should remain a cause for continuing concern.

We saw during the course of the negotiations frequent instances of what the Financial Times of London called "commercial haggling by wealthy Europeans" swamping the developmental concerns an agreement was supposed to be about. One would be naive to imagine that the promotion of vested interests would be wholly absent from trade negotiations. But this episode raises a fundamental question: where do professed developmental concerns stand in the hierarchy of interests of the EU: higher or lower than ouzo and grappa? This is a matter I would contend has a much broader significance than our bilateral relationship and needs to be resolved ahead of the WTO negotiations envisaged under the ACP Partnership Agreement if anything we've talked about is to be realised".

Dr Davies also raised the question that inadequate impact studies had been done on the impact of the EU-SA TDCA on the BLNS states in the Southern African Customs Union (SACU): "My view is based on meetings of the SACU Parliamentary Liaison Group formed to discuss these aspects is that the various studies may have underestimated the impact on industries in Botswana, Lesotho, Namibia and Swaziland. All agree, however, that there will be a serious impact on the budget of these countries as a result of declining customs revenue. The removal of duties on "substantially all" imports from their larger trading partner will signal a substantive drop in the customs revenue generated by such imports. Various verbal undertakings have stated that this aspect has been taken into account in decisions on budgetary support to BLNS countries. It is my earnest hope that this matter will

receive urgent attention both in the EU and the Joint Cooperation Commission meeting in Pretoria on 31 March 2000".

The motion on South Africa was adopted unanimously.

C. South Africa's Comments on the Draft Resolution on Zimbabwe tabled for Consideration by the Joint Assembly (ACP-EU 2942/00/AM1)

A draft resolution on Zimbabwe calling, inter alia, for the Commission to "seriously consider" suspending all non-humanitarian aid was tabled late in the proceedings, after the expiry of the normal deadline for tabling motions had expired. The South African delegation objected to both the procedure followed with the draft motion as well as the consideration of a withdrawal of EU non-humanitarian aid to Zimbabwe as a form of sanction while a special ACP-EU working group was still considering and investigating the efficacy of sanctions. The rationale that informed the delegation's view was essentially that any measures that could accelerate economic meltdown in Zimbabwe had to be opposed.

Dr Rob Davies, MP made the following presentation in this regard: "I am sure it is common ground among all of us that Zimbabwe is passing through a period of acute social and economic hardship, if not crisis. It is also clear that there has emerged in Zimbabwe a rather fluid and highly contested political situation in which an increasing and organised opposition is pressing for political change. As democrats, I would have thought we should be able to agree whether in the end there is or is not political change is a matter for the Zimbabwean people to decide through a democratic electoral process.

One can readily agree with many of the points made in the UN report quoted by Commissioner Nielson yesterday about elements necessary for a free and fair democratic election, but I believe it is seriously premature and unwarranted to conclude at this stage that the parliamentary elections due later this year will be flawed. In this regard I particularly want to take issue with the clause in the draft resolution calling for serious consideration to be given to suspending all non-humanitarian aid. I was in Zimbabwe recently and had the opportunity to talk to people with a variety of views. I have also had the opportunity to talk to representatives of the main opposition group, the MDC, when they were in South Africa. I do not believe there is any serious political force in Zimbabwe that thinks that its cause will be enhanced by provoking further economic collapse. I am not aware of any coherent call for sanctions from any credible Zimbabwe group and I am certainly not aware of any call for withdrawal of development assistance programmes.

This Joint Assembly has appointed a working group to look at the issue of sanctions and embargoes which still has much work to do. We heard yesterday concerns that too frequently, even in cases where sanctions were seen as warranted, kinds of measures were adopted that have little real impact on political change but instead hurt the ordinary people. The withdrawal of aid programmes is all too often a soft option.

More than that there is concern in the SADC region that any worsening of the economic situation in Zimbabwe could impact seriously on the region and efforts to promote regional integration. That is why our President led a delegation to Harare a little while ago

to discuss ways to assist in ensuring the continued functioning of basic infrastructure. I must emphasise that the South African delegation is not taking sides in Zimbabwe but is acting on a recognition that progress in the region requires the continued functioning of the Zimbabwe economy.

Many of us would have been quite willing to discuss the situation in Zimbabwe but what we have is a draft resolution with a number of serious problems for many of us. I regret that the South African delegation will not be able to support this motion".

The ACP-EU states voted in separate houses on the motion dealing with Zimbabwe. The draft resolution on Zimbabwe was defeated.

Other Resolutions which dealt specifically with SADC States included a motion on Mozambique (ACP-EU 2950/00/COMP) which dealt with the recent severe weather and floods in our neighbouring state and called on the EU Commission, EU Member States and ACP States to grant emergency aid and assistance to help in the reconstruction of the devastation caused by the natural disaster. The Green delegates in the EU Parliamentary delegation proposed an amendment calling on the Member States and the Commission to cancel Mozambique's bilateral and Community external debt in full. The resolution on Mozambique was carried with an overwhelming majority of ACP and EU states.

All the speakers in the discussion on the proposed resolution on Angola (ACP-EU 2947/COM/00) condemned UNITA's violation of the 1994 Lusaka Peace Agreement and drew specific attention to the involvement of European interests in the conflict and the fact that the proceeds of arms and diamond trafficking in Europe were being used to finance the rebel war. The resolution also expressed concern over the spillover effects of the conflict for Namibia and Zambia and called on the Angolan government to set up a reliable and transparent certification system on diamonds. The resolution further reiterated the EU-ACP's call for upgrading the monitoring and the implementation of sanctions against diamond-smuggling operations operated by NITA and African and European traders. The resolution on Angola was carried.

D. South Africa's Amendments, Comments and Contributions to the Draft Resolution on the follow-up of the Fourth World Conference on Women (Beijing 1995) (ACP-EU 2916/00/AM1)

The South African delegates in the drafting committee proposed an amendment to the proposed resolution on the Beijing Conference commitments:

Amendment 1, replace fifth preamble with the following text:

"pointing out the fact that worldwide, despite progress made by some countries, women continue to be under-represented in decision-making processed".

During the discussion on this resolution Ms N M Tsheole drew specific attention to the rise in violence against women including the incidence of domestic violence and femicide. She drew attention to the legal and institutional reforms undertaken in many countries to deal with the ramifications of these crimes against women as they impact on the criminal justice policy cycle. The South African

delegation highlighted that a change was needed in terms of the way in which society constructs its power relationships and the effects of these power relationships on the interaction between men and women.

E. South Africa's Comments and Contributions to the Draft Resolution on HIV/Aids (ACP-EU 2918/00/AM1-6)

During the discussion on this resolution Ms N M Tsheole drew attention to the debate revolving around the TRIPS agreement and the availability of parallel imports and cheaper alternative generic medicines and their role in the fight against the scourge of HIV/Aids not only in South Africa but in the entire Southern African region: "Yesterday an oral question to the Commission mentioned South Africa's attempts to manufacture and produce generic medicines only to be subjected to pressure from the pharmaceutical industry on intellectual property grounds. At the time the presiding chair referred to the SA-EU negotiations and stated that SA relied on the TRIPS agreement in the wine and spirits disputes. The impression created was that SA believed that the TRIPS agreement should remain an integrated part of the WTO dispensation and not become a separate ring-fenced stand-alone institutional arrangement in global trade. Remarks made by my colleague Dr Rob Davies earlier today would have set the record straight on the broad matter of principle. As this debate specifically relates to the crucial fight against AIDS in my country and our subcontinent and the question of parallel imports I would like to reiterate that the TRIPS-generic medicines debate is far from resolved and that the role of import duties and taxes in increasing the prices of these products in the domestic market is but one element of a broader debate to be waged in the WTO's next round."

F. South Africa's Amendment, Comments and Contributions to the Draft Resolution on the Future of the ACP-EU relations (ACP-EU/2880/A/fin.)

Amendment proposed by South Africa to Kinnock Resolution on ACP-EU Future Relations

After paragraph 38 add new paragraph 38(a):

"Calls for a new trading arrangement to enlarge access to the EU market for ACP countries, particularly for products where ACP countries have, or can acquire, competitive advantage."

Dr Davies introduced the amendment from the floor during final discussions on the draft motion on ACP-EU future relations drawing attention to the fact that one of the outstanding issues throughout the talks on the new post Lomé dispensation has been the aspect of access to the EU markets and the inherent commitment to development which such an unambiguous signal to increase market access to the EU market would give a ACP states. South Africa's proposed amendment was accepted and was incorporated in the final draft of the motion on the future of ACP-EU relations which was adopted unanimously by the Joint Assembly Plenary on the final day of deliberations.

The ACP-EU Joint Parliamentary Assembly established a new working group to iron out the institutional arrangements and the institutional reforms that will follow in the wake of the post Lomé agreement. This working group will comprise 12 members of each of the two groups (12 ACP and 12 EU). During discussions in the ACP group ACP Co-President Clair drew attention to the importance of this

new structure and the role ACP states will have to actively play in it to ensure that the new agreement will be backed up by a strong institutional dispensation that will reflect their interests and facilitate the process of working out the detail of the challenges bound to flow from the implementation of the new agreement.

ACP states were requested to group regionally and ensure the best possible spread of ACP representation in the 12 representatives on the new working group. Post-Fiji and the eventual signing of the new agreement the institutional debate will become more important.

G. Possible hosting by South Africa of 32nd Joint Assembly

The 31st Joint Assembly will take place in Brussels between 9 and 12 October. During the Abuja meeting, the ACP Co-President, Mr Serge Clair, raised the question with our delegation of South Africa hosting the 32nd Joint Assembly, that will take place in March/April 2001. We indicated that we had no mandate from our Parliament to make any offer in Abuja, but undertook to ensure that the delegation attending the 31st Joint Parliamentary Assembly meeting in Brussels has a mandate one way or the other. Parliament is requested to give this matter serious consideration.

H. Concluding Remarks

The Parliamentary Delegation that attended the 30th ACP-EU Joint Assembly wishes to express its sincere gratitude to South Africa's diplomats in Nigeria, Ethiopia and Kenya for the support and assistance given and the hospitality shown particularly during our homeward journey.

Rob Davies, Ntshali Tshole and Raenette Taljaard.

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Communications on the *South African Communications Regulatory Authority Bill* (B 14—2000) (National Assembly—see 75), dated 6 April 2000.

The Portfolio Committee on Communications, having considered the subject of the *South African Communications Regulatory Authority Bill* (B 14—2000) (National Assembly—see 75), referred to it and classified by the JSM as a section 75 Bill, reports the Bill with amendments (B 14A—2000).

The Committee further reports that from 13 to 17 March 2000 the following stakeholders were given the opportunity to make oral presentations on the subject of the Bill: The Department of Communications, the South African Telecommunications Regulatory Authority, Orbicom, Seatech, the Independent Broadbanding Authority, National Association for Broadcasters, Primedia, WorldSpace, MTN, Telkom, MoloChoice, M-Net, Freedom of Expression and the National Community Radio Forum.

Further submissions and correspondence were received from the South African Broadcasting Corporation, the Auditor General's Office and the Department of State Expenditure. Correspondence was also received from stakeholders in the communications sector who were not affected by the provisions in the Bill.

The Committee spent a total of approximately 40 hours in dealing with the Bill, and endeavoured to look into all the possibilities and find the right solutions.

Supplementary submissions, containing duly motivated proposed amendments, were also taken into consideration when the Committee dealt with the Bill.

The Committee, noting the need to harmonise the statutes in order to create a coherent policy and regulatory framework in respect of broadcasting, telecommunications and convergence services, wants to thank the industry for its assistance and valuable contributions, which emanated in the finalisation of a process that was started at Kempton Park.



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

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7. The Chief Whip of the Majority Party moved without notice: That the House—

(1) notes that—

(a) more than 16 million people are facing starvation in the Ethiopia, Eritrea and Somalia region due to repeated crop failure and drought; and

(b) notes that children are the ones who suffer most from malnutrition, illness and disruption of family life; and

(2) calls on the South African Government to do all it can to contribute to the relief efforts in that region and urges countries and role players involved in the continuing political conflict on the subcontinent to resolve this conflict peacefully.

Agreed to.

8. The Chief Whip of the Majority Party moved: That, subject to the concurrence of the National Council of Provinces, the resolution of the House of 25 January 2000 adopting the Report of the *Ad Hoc* Joint Committee on Open Democracy Bill on the *Open Democracy Bill* [B 67—98] (Announcements, Tablings and Committee Reports, p 15) be amended as follows:

That—

(1) the Report be adopted, except that—

(a) with reference to paragraph 7 of the Report, the Department of Justice and Constitutional Development report back to Parliament (rather than to “the Committee”) on the feasibility of establishing an enforcement mechanism like the Information Commissioner; and

(b) with reference to paragraph 9 of the Report, the task of redrafting the chapter on whistle blower protection, which was omitted from the bill presented to the Houses by the *ad hoc* joint committee, be assigned to the National Assembly Portfolio Committee on Justice and Constitutional Development, the Committee to present the redrafted chapter as a separate bill; and

(2) the *Ad Hoc* Joint Committee on Open Democracy Bill is accordingly dissolved.

Agreed to.

9. FIRST ORDER [17:29]

Decision of Question on Report of Joint Standing Committee on Intelligence (Announcements, Tablings and Committee Reports, p 294 - *Appointment of Inspector-General*).

AYES—287: Abrahams, L A; Abrahams, T; Abram, S; Ainslie, A R; Arendse, J D; Asmal, A K; Bakker, D M; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Benjamin, J; Beukman, F; Bhengu, F; Bhengu, N R; Biyela, B P; Blaas, A; Bloem, D V; Booi, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Camerer, S M; Capa, R Z N; Carrim, Y I;

Cassim, M F; Chalmers, J; Chiba, L; Chikane, M M; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Cwele, S C; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Dowry, J J; Du Toit, D C; Duma, N M; Durand, J; Dyani, M M Z; Ebrahim, E I; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Gaum, A H; Gcina, C I; Geldenhuys, B L; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Green, L M; Gumede, D M; Gxowa, N B; Hajaig, F; Haneekom, D A; Hangana, N E; Hendrickse, P A C; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasienyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Koornhof, G W; Kota, Z A; Kotwal, Z; Landers, L T; Leeuw, S J; Lekgoro, M K; Lekgoro, M M S; Leshika, T E; Lobe, M C; Lockey, D; Louw, J T; Louw, S K; Lucas, E J; Lyle, A G; Mabeta, M E; Madasa, Z L; Magashule, E S; Magazi, M N; Magwanishe, G; Mahlalela, C C; Mahlangu, G L; Mahlangu, M J; Maimane, D S; Makasi, X C; Makunyane, T L; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Manie, M S; Maphalala, M A; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Mathebe, P M; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Mkhathwa, S; Mkhize, B R; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Modisenyane, L J; Moeketse, K M; Mofokeng, T R; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Moonsamy, K; Morkel, C M; Morobi, D M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Mpahlwa, M; Mpaka, H M; Mpehle, M; Mpontshane, A M; Mshudulu, S A; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mufamadi, F S; Mulder, C P; Mutsila, I; Mzimela, S E; Mzizi, M A; Mzondeki, M J G; Naidoo, S; Nair, B; Nash, J H; Ncube, N Z; Ndabandaba, L B G; Ndlovu, V B; Ndou, R S; Nel, A C; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, H; Ngubeni, J M; Ngwane, L B; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Ngakula, C; Ngakula, N N; Nqodi, S B; Ntshangase, I B; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, L P M; Odendaal, W A; Olckers, M E; Olifant, D A A; Oliphant, G G; Pahad, A G H; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Pretorius, I J; Rabie, P J; Radebe, B A; Radebe, J T; Rajbally, S; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Rasmeni, S M; Rhoda, R T; Ripinga, S S; Saloojee, E C; Schneemann, G D; Schoeman, E A; Schoeman, R S; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shilubana, T P; Shope, N R; Sigcau, S N; Sigwela, E M; Sikakane, M R; Simmons, S; Sithole, D J; Skhosana, W M; Skweyiya, Z S T; Slabbert, J H; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Soryu, M M; Southgate, R M; Thabethe, E; Tinto, B; Tolo, L J; Tsheole, N M; Tshivhase, T J; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van der Merwe, S C; Van Deventer, F J; Van Jaarsveld, A Z A; Van Schalkwyk, M C J; Van Wyk, A (Anna); Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Viljoen, C L; Vos, S C; Xingwana, L M T; Yengeni, T S; Zita, L; Zondi, K M; Zondo, R P; Zuma, J G.

ABSTENTIONS—31: Andrew, K M; Bell, B G; Borman, G M; Clelland, N J; Da Camara, M L; Davidson, I O; De Vos, P J; Delpont, J T; Eglin, C W; Ellis, M J; Farrow, S B; Gibson, D H M; Grobler, G A J; Heine, R J; Lee, T D; Magubane, N E; Maluleke, D K; Mandela, N W; Moorcroft, E K;

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS

WEDNESDAY, 12 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Minister of Education on 6 April 2000 submitted a draft of the *South African Council for Educators Bill, 2000*, and a memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Education and the Select Committee on Education and Recreation, respectively, in accordance with Joint Rule 159(2).
- (2) The Joint Tagging Mechanism (JTM) on 12 April 2000 in terms of Joint Rule 160(3), classified the following Bills as section 75 Bills:
 - (i) *Council for the Built Environment Bill* [B 16—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly).
 - (ii) *Architectural Profession Bill* [B 17—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly).
 - (iii) *Landscape Architectural Profession Bill* [B 18—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly).
 - (iv) *Engineering Profession Bill* [B 19—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly).
 - (v) *Property Valuers Profession Bill* [B 20—2000] (National Assembly—sec 75)—(Portfolio Committee on Public Works—National Assembly).

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

THURSDAY, 13 APRIL 2000

1. The House met at 14:00.
2. The Deputy Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:02] Notices of motion.
4. [14:19] The Deputy Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that—
 - (a) today, 13 April 2000, is world book day;
 - (b) books are an essential tool for learning and reading, and empowerment of the individual;
 - (c) millions of our people have no access to books or libraries, that thousands are not able to read and that the culture of reading is extremely low in our country; and
 - (d) increasing the rate of literacy is critical to the development of our nation;
 - (2) calls upon national, provincial and local government to extend the provision of accessible library services to all our citizens, to place increased emphasis on literacy campaigns; and
 - (3) urges civil society to join in building a culture of reading in order to prepare South Africa to play a leading role in the foundation of the African Renaissance.
5. [14:19] The Deputy Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes the mammoth pressure the Proteas were playing under last night;
 - (2) further notes the fears of a threatened sideways following former captain Hansie Cronje's dismissal;

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS

THURSDAY, 13 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The following Bill was presented to the National Assembly by the Portfolio Committee on Provincial and Local Government on 13 April 2000:

- (i) *Remuneration of Public Office Bearers Second Amendment Bill* [B 23—2000] (National Assembly—sec 76(1)).

For further information on the Bill, see under the heading "COMMITTEE REPORTS" of the "Announcements, Tablings and Committee Reports" of today, 13 April.

National Council of Provinces:

1. The Chairperson:

- (1) The vacancy in the representation of the Province of the Free State, which occurred owing to the death of Mr C H Motshabi on 31 January 2000, has been filled with effect from 29 March 2000 by the appointment of Rev M Chabaku.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Draft Code of Ethics for Members of the Cabinet and Members of Executive Councils as submitted by the Committee of Ministers convened by the Minister of Education, Prof A K Asmal.

The copies have been made available to members.

Thursday, 13 April 2000]

- Netherlands on Sectoral Budget Support 1999, tabled in terms of section 231(3) of the Constitution, 1996.
12. Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of South Africa concerning the Support for Economic Reform Grant, tabled in terms of section 231(3) of the Constitution, 1996.
 13. Financial Protocol between the Government of the Republic of South Africa and the Government of the Republic of France, tabled in terms of section 231(3) of the Constitution, 1996.
 14. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of South Africa on the Customs Transformation Project, tabled in terms of section 231(3) of the Constitution, 1996.
 15. Specific Agreement between the Government of the Republic of South Africa and the Government of Sweden regarding the establishment of a Bridging Fund, tabled in terms of section 231(3) of the Constitution, 1996.
 16. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Conference, Workshop and Cultural Initiatives (CWCI) Fund, tabled in terms of section 231(3) of the Constitution, 1996.
 17. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Technical Assistance Team (TAT) to support Planning, Implementation and Monitoring of RDP Projects, tabled in terms of section 231(3) of the Constitution, 1996.
 18. Amendment to Arrangement on Development Co-operation between the Government of the Republic of South Africa and the Government of Australia, tabled in terms of section 231(3) of the Constitution, 1996.
 19. Addendum Number One to Framework Agreement between the Government of the Republic of South Africa and the Nordic Investment Bank, tabled in terms of section 231(3) of the Constitution, 1996.
 20. Agreement between the Government of the Kingdom of Denmark and the Government of the Republic of South Africa regarding the Danish Assistance Programme to South Africa, tabled in terms of section 231(3) of the Constitution, 1996.
 21. Rider Number Two to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Technical Assistance Consultancy Programme, tabled in terms of section 231(3) of the Constitution, 1996.
 22. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Financial Management Improvement Programme (FMIP), tabled in terms of section 231(3) of the Constitution, 1996.
 23. Agreement between the Government of the Republic of South Africa and the Government of the Kingdom of Norway

Thursday, 13 April 2000]

- Strengthening Local Governments in Mpumalanga and Northern Province, tabled in terms of section 231(3) of the Constitution, 1996.
34. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Community Projects Fund(CPF) Support Programme in the Free State, tabled in terms of section 231(3) of the Constitution, 1996.
 35. Project Grant Agreement Amendment Number One between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Local Governance Support Program, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Provincial and Local Government and the Select Committee on Local Government and Administration.

36. Memorandum of Understanding on Development Co-operation between the Government of the Republic of Italy and the Government of the Republic of South Africa, tabled in terms of section 231(3) of the Constitution, 1996.
37. Agreement regulating Technical Assistance between the Government of Italy and the Government of the Republic of South Africa, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Health, the Portfolio Committee on Education and the Portfolio Committee on Trade and Industry. Also referred to the Select Committee on Social Services, the Select Committee on Education and Recreation and the Select Committee on Economic Affairs.

38. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Young Doctors for South Africa, tabled in terms of section 231(3) of the Constitution, 1996.
39. Rider Number One to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Young Doctors for South Africa, tabled in terms of section 231(3) of the Constitution, 1996.
40. Bilateral Agreement between the Government of the Grand Duchy of Luxembourg and the Government of the Republic of South Africa on Development Co-operation in the Health Sector in the Eastern Cape, tabled in terms of section 231(3) of the Constitution, 1996.
41. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning 2000 Public Health Sector Support Programme (PHSSP), tabled in terms of section 231(3) of the Constitution, 1996.
42. Rider Number Two to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Public Health Sector Support Programme, tabled in terms of section 231(3) of the Constitution, 1996.

43. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Public Health Sectoral Support Programme (PHSSP), tabled in terms of section 231(3) of the Constitution, 1996.
44. Project Grant Agreement Amendment Number Two between the Government of the Republic of South Africa acting through the Ministry of Health and the Government of the United States of America acting through the United States Agency for International Development for the Equity in Integrated Primary Health Care Project, tabled in terms of section 231(3) of the Constitution, 1996.
45. Project Grant Agreement Amendment Number Three between the Government of the Republic of South Africa acting through the Ministry of Health and the Government of the United States of America acting through the United States Agency for International Development for the Equity in Integrated Primary Health Care Project, tabled in terms of section 231(3) of the Constitution, 1996.
46. Project Grant Agreement Amendment Number Five between the Government of the Republic of South Africa acting through the Ministry of Health and the Government of the United States of America acting through the United States Agency for International Development for the Equity in Integrated Primary Health Care Project, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Health and the Select Committee on Social Services.

47. Specific Agreement between the Government of the Kingdom of Denmark and the Government of the Republic of South Africa regarding the establishment of an Environmental Rapid Response Facility, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Environmental Affairs and Tourism, the Portfolio Committee on Water Affairs and Forestry and the Portfolio Committee on Minerals and Energy. Also referred to the Select Committee on Land and Environmental Affairs and the Select Committee on Economic Affairs.

48. Agreement between the Government of Sweden and the Government of the Republic of South Africa on Development Co-operation for the period 1 January 1999—31 December 2001, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Education, the Portfolio Committee on Housing and the Portfolio Committee on Arts, Culture, Science and Technology. Also referred to the Select Committee on Education and Recreation and the Select Committee on Public Services.

49. Agreement between the Government of Switzerland and the Government of the Republic of South Africa concerning Support to the Bloemdal Block 23 South Project in Port Elizabeth, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Finance and the Portfolio Committee on Housing. Also referred to the Select Committee on Finance and the Select Committee on Public Services.

Thursday, 13 April 2000]

50. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Support to the National Development Agency (NDA), tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Welfare and Population Development and the Select Committee on Social Services.

51. Specific Agreement between the Government of the Republic of South Africa and the Government of Sweden on Education Support to the Department of Education in the Northern Cape, tabled in terms of section 231(3) of the Constitution, 1996.
52. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning South African Qualifications Authority (SAQA), tabled in terms of section 231(3) of the Constitution, 1996.
53. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning EU—Education Sectoral Support Programme (ESSP), tabled in terms of section 231(3) of the Constitution, 1996.
54. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Technical Support to the South African Department of Education, tabled in terms of section 231(3) of the Constitution, 1996.
55. Rider Number Two to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Technical Support to the South African Department of Education, tabled in terms of section 231(3) of the Constitution, 1996.
56. Specific Agreement between the Government of the Republic of South Africa and the Government of Sweden on Education Sector Support to the National Department of Education, tabled in terms of section 231(3) of the Constitution, 1996.
57. Grant Agreement Amendment Number Two between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Support to Tertiary Education Project, tabled in terms of section 231(3) of the Constitution, 1996.
58. Project Grant Agreement Amendment Number Two between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Tertiary Education Linkages Project, tabled in terms of section 231(3) of the Constitution, 1996.
59. Project Grant Agreement Amendment Number Three between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Tertiary Education Linkages Project, tabled in terms of section 231(3) of the Constitution, 1996.
60. Project Grant Agreement Amendment Number Four between the Government of the United States of America acting through the

United States Agency for International Development and the Government of the Republic of South Africa for the Tertiary Education Linkages Project, tabled in terms of section 231(3) of the Constitution, 1996.

61. Project Grant Agreement Amendment Number Three between the Government of the Republic of South Africa and the Government of the United States of America acting through the United States Agency for International Development for the Primary Education Results Package (formerly the South African Basic Education Reconstruction Project), tabled in terms of section 231(3) of the Constitution, 1996.
62. Grant Agreement Amendment Number Four between the Government of the Republic of South Africa and the Government of the United States of America acting through the United States Agency for International Development for the Primary Education Results Package (formerly the South African Basic Education Reconstruction Project), tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Education and the Select Committee on Education and Recreation.

63. Specific Agreement between the Government of the Republic of South Africa and the Government of Sweden on Support to the Office on the Status of Disabled Persons, tabled in terms of section 231(3) of the Constitution, 1996.

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

64. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Public Service Management Development Programme, tabled in terms of section 231(3) of the Constitution, 1996.
65. Rider Number Two to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Public Service Management Development Programme, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Public Service and Administration and the Select Committee on Local Government and Administration.

66. Grant Agreement between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the South African Global Climate Change Support Program under the Environmentally Sustainable Housing and Urban Development Program, tabled in terms of section 231(3) of the Constitution, 1996.
67. Project Grant Agreement Amendment Number One between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the South African Global Climate Change Support Program under the Environmentally Sustainable Housing and Urban Development Program, tabled in terms of section 231(3) of the Constitution, 1996.

68. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Support to the Wild Coast Spatial Development Initiative Pilot Programme, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Environmental Affairs and Tourism and the Select Committee on Land and Environmental Affairs.

69. Grant Agreement Amendment Number Two between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa to provide support to the Office for Public Enterprises, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Public Enterprises and the Select Committee on Labour and Public Enterprises.

70. Project Grant Agreement Amendment Number Three between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Administration of Justice Project, tabled in terms of section 231(3) of the Constitution, 1996.

71. Project Grant Agreement Amendment Number Four between the Government of the Republic of South Africa and the Government of the United States of America acting through the United States Agency for International Development for the Administration of Justice Project, tabled in terms of section 231(3) of the Constitution, 1996.

72. Project Grant Agreement Amendment Number Five between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Administration of Justice Project, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Justice and Constitutional Development and the Select Committee on Security and Constitutional Affairs.

73. Project Grant Agreement Amendment Number Two between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Municipal Infrastructure Investment Framework (MIIF) Program, tabled in terms of section 231(3) of the Constitution, 1996.

74. Grant Agreement between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Local Governance Support Program, tabled in terms of section 231(3) of the Constitution, 1996.

75. Specific Agreement between the Government of Sweden and the Government of the Republic of South Africa on Human Resource and Financial Management Co-operation Programme from October 1999 to December 2002, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Provincial and Local Government and the Select Committee on Local Government and Administration.

76. Project Grant Agreement Amendment Number One between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Institutional Development Project (IDP) under the Shelter and Urban Development Support Project ("SUDS"), tabled in terms of section 231(3) of the Constitution, 1996.
77. Project Grant Agreement Amendment Number Two between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Institutional Development Project (IDP) under the Shelter and Urban Development Support Project ("SUDS"), tabled in terms of section 231(3) of the Constitution, 1996.
78. Project Grant Agreement Amendment Number One between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Shelter Access Facilitation Programme under the Shelter and Urban Development Support Project ("SUDS"), tabled in terms of section 231(3) of the Constitution, 1996.
79. Exchange of Letters between the Government of the People's Republic of China and the Government of the Republic of South Africa regarding a grant for Low-cost Housing Project in Edenvale and Modderfontein, tabled in terms of section 231(3) of the Constitution, 1996.
80. Agreement between the Government of Sweden and the Government of the Republic of South Africa concerning Development Co-operation in the Field of Urban Development and Housing, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Housing and the Select Committee on Public Services.

81. Project Grant Agreement Amendment Number Five between the Government of the Republic of South Africa and the Government of the United States of America acting through the United States Agency for International Development for Assistance with the Restructuring of State Assets, tabled in terms of section 231(3) of the Constitution, 1996.
82. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Institutional Strengthening of Public Works, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Public Works and the Select Committee on Public Services.

83. Project Grant Agreement Amendment Number Three between the Government of the United States of America acting through the United States Agency for International Development and the Government of the Republic of South Africa for the Institutional Development Program under the Shelter and Urban Develop-

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ment Support Project (SUDS) and Environmentally Sustainable Housing and Urban Development Project (ESHUD), tabled in terms of section 231(3) of the Constitution, 1996.

84. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Sector Support Programme for Community Water Supply and Sanitation in the Northern Province, tabled in terms of section 231(3) of the Constitution, 1996.

85. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Community Water Supply and Sanitation Programme, tabled in terms of section 231(3) of the Constitution, 1996.

86. Rider Number Two to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Sector Support Programme for Community Water Supply and Sanitation (SSPCWSS), tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Water Affairs and Forestry and the Select Committee on Land and Environmental Affairs.

87. Agreement between the Government of the Republic of South Africa and the People's Republic of China regarding Integrated Fish Farming Technology Training Course, tabled in terms of section 231(3) of the Constitution, 1996.

88. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Reinforcing the participation of South Africa in Maize and Wheat Improvement Research Network (MWIRNET), tabled in terms of section 231(3) of the Constitution, 1996.

89. Bilateral Agreement between the Government of the Grand Duchy of Luxembourg and the Government of the Republic of South Africa on Development Co-operation in the Agricultural Education Sector in the Eastern Cape, tabled in terms of section 231(3) of the Constitution, 1996.

90. Rider Number Two to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Land Reform Pilot Programme, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Agriculture and Land Affairs and the Select Committee on Land and Environmental Affairs.

91. Agreement between the Government of Spain and the Government of the Republic of South Africa on Grant Assistance for Building a Primary School in the Free State Province, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Education and the Portfolio Committee on Public Works. Also referred to the Select Committee on Education and Recreation and the Select Committee on Public Services.

92. Agreement between the Government of the Republic of South Africa and the Government of the Kingdom of Denmark concerning the Promotion of the Reconstruction and Development Programme of South Africa, tabled in terms of section 231(3) of the Constitution, 1996.

93. Memorandum of Understanding between the Government of the Kingdom of Denmark and the Government of the Republic of South Africa for the period 1999 to 2001, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Trade and Industry, the Portfolio Committee on Education, the Portfolio Committee on Environmental Affairs and Tourism, the Portfolio Committee on Agriculture and Land Affairs and the Portfolio Committee on Safety and Security. Also referred to the Select Committee on Economic Affairs, the Select Committee on Education and Recreation, the Select Committee on Land and Environmental Affairs and the Select Committee on Security and Constitutional Affairs.

94. Exchange of Notes between the Government of the Republic of South Africa and the Government of Ireland regarding Technical Assistance, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Justice and Constitutional Development, the Portfolio Committee on Education and the Portfolio Committee on Water Affairs and Forestry. Also referred to the Select Committee on Security and Constitutional Affairs, the Select Committee on Education and Recreation and the Select Committee on Land and Environmental Affairs.

95. Agreement between the Government of Sweden and the Government of the Republic of South Africa on General Terms and Conditions for Development Co-operation, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Foreign Affairs and the Select Committee on Economic Affairs.

96. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning EPRD Information and Communication Programme, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Communications and the Select Committee on Labour and Public Enterprises.

97. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Labour Market Skills Development Programme, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Labour and the Select Committee on Labour and Public Enterprises.

98. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Non-Grid Electrification of Rural Schools, tabled in terms of section 231(3) of the Constitution, 1996.

99. Rider Number One to the Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Non-Grid Electrification of Rural Schools, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Minerals and Energy and the Select Committee on Economic Affairs.

100. Financing Agreement between the European Community and the Government of the Republic of South Africa concerning Assistance to Policing in the Eastern Cape, tabled in terms of section 231(3) of the Constitution, 1996.
101. Specific Agreement between the Government of Sweden and the Government of the Republic of South Africa concerning Institutional Development Cooperation between the South African Police Service and the Swedish National Police Board, tabled in terms of section 231(3) of the Constitution, 1996.

Referred to the Portfolio Committee on Safety and Security and the Select Committee on Security and Constitutional Affairs.

2. The Minister for the Public Service and Administration:
Review Report of the Department of Public Service and Administration for 1999-2000.

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Transport on the *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75), dated 12 April 2000:

The Portfolio Committee on Transport, having considered the subject of the *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports the Bill without amendment.

2. Report of the Portfolio Committee on Provincial and Local Government on the *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly—sec 76), dated 11 April 2000:

The Portfolio Committee on Provincial and Local Government reports as follows:

1. The Committee initially considered the subject of the *Remuneration of Public Office Bearers Amendment Bill* [B 11—2000] (National Assembly—sec 76), and recommended in its Report thereon that certain Clauses be omitted in order to fast-track Clauses 2 and 4 of that Bill, and that the Committee be granted permission to present the rejected Clauses in a separate Bill.
2. That Report was adopted by the House on 9 March 2000 (see also Announcements, Tablings and Committee Reports, p 167), and the Committee accordingly presents the *Remuneration of Public Office Bearers Second Amendment Bill* [B 23—2000] (National Assembly—sec 76), which contains the said rejected Clauses without amendment.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

FRIDAY, 14 APRIL 2000

1. The House met at 09:30.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [09:31] Notices of motion.
4. [09:46] The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that the Minister of Education, Prof Kader Asmal, has been awarded the Stockholm Water Prize, the “Nobel” prize of water, by the Stockholm Water Foundation; and
 - (2) wishes to congratulate Prof Asmal on this enormous achievement, especially since he is the first African and first social scientist to receive the award.Agreed to.
5. [09:47] Mr D H M Gibson moved without notice: That the House—
 - (1) notes with pleasure that the father of the House, the hon member Colin Eglin, celebrates his 75th birthday today; and
 - (2) wishes him and his new wife health, happiness and continuing prosperity.Agreed to.
6. The Speaker gave a ruling on a point of order raised during debate on 15 March 2000 concerning remarks made by the Minister for Safety and Security.
7. FIRST ORDER [09:50]
Debate on Vote No 23—Public Enterprises, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).
Debate concluded.