REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL COUNCIL OF PROVINCES

WEDNESDAY, 4 DECEMBER 2024

1. The Council met at 14:01.

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

3. The Chairperson announced that the hybrid sitting constituted a sitting of the National Council of Provinces.

4. [14:03] Notices of motions.

5. [14:05] Ms DW Fienies moved without notice: That the Council –

   (1) notes that a lawyer from Cape Town was sentenced in the Wynberg Regional Court for exploiting street children by paying them R100 for sexual deeds;

   (2) also notes that Mr Theo Hartzenberg, an attorney that formerly worked for Legal Aid, was convicted on charges of statutory rape, sexual exploitation of a minor and soliciting sexual services of a minor in February;

   (3) notes the sterling work done by the prosecutor, Ms Jacqueline Hefele, for successfully bringing the pedophile to books;

(4) also notes that the court ordered his name to be added to the National Child Protection Register and the National Register for Sex Offenders;

(5) takes this opportunity to call on all judicial officers to refrain from meeting out concurrent sentencing to offenders guilty of statutory rape and sexual exploitation of children, as this allows perpetrators to leave prison much earlier.

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

6. [14:08] Mr MP Sibande moved without notice: That the Council -

(1) notes that South Africa joins the world in commemorating World Aids Day on 1 December;

(2) also notes that as a country under the leadership of the ANC, we have succeeded in stopping the transmission of the virus from mother to child and the stigmatization of HIV and AIDS;

(3) further notes that we have succeeded in reducing infections by promoting awareness and the provision of ARV's;

(4) therefore, calls on the government to continue with programmes aimed at lending a hand to those living with HIV/AIDS as we build our own humanity.

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

7. [14:10] Eerbare H.J. van den Berg stel sonder vorige kennisgewing voor dat die Raad kennis neem dat –

(1) die bekende Afrikaanse sanger Jean du Plessis beter bekend as "Jan Bloukaas" gister sy stryd teen kanker verloor het;

(2) Jan vir alle Suid Afrikaners wat gewikkeld is in dieselfde stryd, 'n goeie voorbeeld in terme van veg-krag, geloof en aanvaarding was;

(3) Jan kon sy laatste album by name " God kan" een week voor sy afsterwe, met behulp van verskeie kunstenaars, vrystel en die inkomste van die album sal aan kankerlyers geskenk word; en

(4) Du Plessis was deurglans deur sy ouers Daan en Roselle versorg en ons wil voorstel dat die raad ons medleye an hul oordra.

[*That the Council* –

(1) notes the famous Afrikaans Singer, Jean du Plessis, better known as "Jan Bloukaas" lost his battle with cancer yesterday;

(2) further notes that Jan was a good example to all South Africans who are fighting the same battle in terms of formidable strength, faith and acceptance;

(3) acknowledges that Jan was able to release his last album called "God can" one week before his death, with the help of several artists, and the revenue from the album will be donated to those who are suffering from cancer;

(4) also notes that Du Plessis was cared for by his parents Daan and Roselle while fighting this battle; and

(5) the Council convey its condolences to his parents.

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

8. [14:12] Mr M Nonkonyana moved without notice: That the Council –

(1) notes the critical significance of G20 countries as one of the multilateral development forums in the evolving multi-polar world regime;

(2) also notes that, the permanent seat for the African Union in the G20 is a culmination of the struggles for the reforms and transformation of the current multilateral institutions to integrate the African continent and the developing countries;

(3) further acknowledges that, President Ramaphosa does not only represent South Africa and the African continent, but all developing countries of the South;

(4) takes this opportunity to congratulate President Ramaphosa and South Africa on the presidency of this powerful forum that plays a catalytic role in global development and addresses inequality between nations.

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

9. [14:14] Mr SA Zulu moved without notice: That the Council –

(1) notes the ongoing operational challenges at the Lebombo and Beitbridge Border posts;

(2) also notes that the Border Management Authority (BMA) is unable to guarantee the processing of trucks and passengers during the festive season due to the volatile situation in parts of Mozambique;

(3) further notes that the Mpumalanga government has raised safety concerns about illegal border crossings with the national government;

(4) notes the deteriorating border infrastructure has failed to deter illegal immigrants and criminal activity.

(5) also notes that this issue has been referred to the Department of Public Works for rehabilitation of the dilapidated fences;

(6) further notes that both the BMA and the South African National Defence Force (SANDF) have expressed their frustrations over their limitations in tackling these irregularities, particularly at unmanned points along the border.

(7) notes that last festive season, 1,891 individuals were detained at Beitbridge and in December 2023, over 15,000 people were intercepted while attempting to enter illegally;

(8) also notes that additional action is required to address the porous border with Zimbabwe, but officials struggle with under-resourcing;

(9) further notes that these issues contribute to illegal activities being carried out in South Africa.

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

10. [14:17] Mr P Noe moved without notice: That the Council –

(1) notes that a significant milestone honoring the struggle stalwart and Pan Africanist, Robert Sobukwe will be commemorated on Thursday, 5 December at the Lit.Culture Venue in Brixton, Johannesburg;

(2) also notes that Lit.Culture, Skotaville Academic Publishers and LAPA Project Space will jointly host the launch of One Race: The Legacy of Robert Sobukwe;

(3) further notes that the event will also mark the centenary of Sobukwe's birth and promises to be a critical occasion for intellectual reflection on the enduring legacy of this remarkable figure;

(4) therefore, congratulate all those involved in commemorating this important milestone in the history of our country.

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

11. [14:19] Ms SM Mokoena moved without notice: That the Council –

    (1) notes the successful handover of a bridge over the weekend in Mlaba Village, Hammersdale, KZN;

    (2) also notes that for many years, the communities of Ward 04 and Ward 05 have been affected by the lack of a bridge that they could use to cross the river;

    (3) further notes that children were unable to attend school during periods of heavy rain as the river was dangerously full;

    (4) notes that the community has been raising concerns about the need for a bridge in the area and that many attempts to secure funding for the construction the bridge were unsuccessful;

    (5) also notes that with the intervention of the MK Party, particularly through Mr Mathew Meyiwa Zone, sufficient funds were raised to complete this project;

    (6) further notes that the completion of this bridge marks a pivotal moment for the community, as it will now provide a safe passage for children and families, ensuring that they no longer have to navigate dangerous conditions during adverse weather;

    (7) notes that this bridge not only enhances safety but also restores the joy of learning, allowing children to pursue their education without fear of interruption and the community can now look forward to brighter days ahead, united and connected by this essential need.

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

12. [14:23] The Chief Whip of the Council moved: That the Council resolves that Rule 218(1), which provides *inter alia* that the consideration of a Bill may not commence before at least three working days have lapsed since the committee's report was tabled, be suspended for the purposes of consideration of following bills:

    (a) Division of Revenue Amendment Bill [B13–2024] (National Assembly – sec 76);

    (b) Taxation Laws Amendment Bill [B16–2024] (National Assembly – sec 77);

    (c) Tax Administration Laws Amendment Bill [B17–2024] (National Assembly – sec 75);

(d) Revenue Laws Amendment Bill [B18–2024] (National Assembly – sec 77);

(e) Rates and Monetary Amounts Amendment Bill [B15–2024] (National Assembly – sec 77);

(f) Global Minimum Tax Bill [B20 - 2024] (National Assembly- sec 77); and

(g) Global Minimum Tax Administration Bill [B21 - 2024] (National Assembly- sec 75).

Question put: That the Motion be agreed to.

Declarations of votes made on behalf of the Western Cape.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

ABSTAIN: Western Cape.

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

13. FIRST ORDER [14:30]

Consideration of Report of Select Committee on Social Services (Announcements, Tablings and Committee Reports, 13 November 2024, p 36) **Oversight visit to the Western Cape Province, 24 – 25 October 2024**.

Debate concluded.

Question put: That the Report be adopted.

Declarations of votes made on behalf of the Western Cape, Limpopo and Eastern Cape.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report adopted in accordance with section 65 of the Constitution.

14. SECOND ORDER [14:49]

Consideration of **Division of Revenue Amendment Bill** [B13–2024] (National Assembly – sec 76) and Report of Select Committee on Appropriations thereon (Announcements, Tablings and Committee Reports, 3 December 2024).

Debate concluded.

Question put: That the Bill be agreed to.

Declarations of votes made on behalf of the Western Cape.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

AGAINST: Western Cape.

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

15. THIRD ORDER [15:08]
Consideration of **Taxation Laws Amendment Bill** [B16–2024] (National Assembly – sec 77) and Report of Select Committee on Finance – National Assembly) (Announcements, Tablings and Committee Reports, 3 December 2024).

Debate concluded.

Declarations of votes made on behalf of the Democratic Alliance and African National Congress.

Question put: That the Bill be agreed to.

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

16. FOURTH ORDER [15:08]

Consideration of **Tax Administration Laws Amendment Bill** [B17–2024] (National Assembly – sec 75) and Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, 3 December 2024).

Debate concluded.

Declarations of votes made on behalf of the Democratic Alliance.

Question put: That the Bill be agreed to.

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

17. FIFTH ORDER [15:08]

Consideration of **Revenue Laws Amendment Bill** [B18–2024] (National Assembly – sec 77) and Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, 3 December 2024).

Debate concluded.

Declarations of votes made on behalf of the uMkhonto weSizwe and African National Congress.

Question put: That the Bill be agreed to.

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

18. SIXTH ORDER [15:08]

Consideration of **Rates and Monetary Amounts Amendment Bill** [B15–2024] (National Assembly – sec 77) and Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, 3 December 2024).

Debate concluded.

Declarations of votes made on behalf of the Democratic Alliance and African National Congress

Question put: That the Bill be agreed to.

19. SEVENTH ORDER [15:08]

Consideration of **Global Minimum Tax Bill** [B20 - 2024] (National Assembly- section 77) and Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, 3 December 2024).

Debate concluded.

Declaration of votes made on behalf of the African National Congress.

Question put: That the Bill be agreed to.

20. EIGHTH ORDER [15:08]

Consideration of **Global Minimum Tax Administration Bill** [B21 - 2024] (National Assembly- section 75) and Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, 3 December 2024).

Debate concluded.

Declaration of votes made on behalf of the African National Congress.

Question put: That the Bill be agreed to.

21. [16:04] The Council debated the following subject: Debate on World Aids Day: **Taking collective action and individual responsibilities to sustain and accelerate the fight against HIV and AIDS**.

Debate concluded.

22. The Council adjourned at 18:56.

Xolile GEORGE
Secretary to Parliament