

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

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*PROCEEDINGS OF HYBRID NATIONAL COUNCIL OF PROVINCES*

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The Council met at 10:01.

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

The Chairperson announced that the last sitting of the NCOP, shall be held through this virtual platform.

**ANNOUNCEMENT**

The CHAIRPERSON OF THE NCOP: Hon members, I would like to make an announcement before we commence with our sitting. As you would recall that we lost one of our delegates from the Province of Western Cape, Hono Bains. And accordingly, the province has since replaced Hon Bains. With us today, we have Hon Masumpa, who has just been sworn in as the delegate from Western Cape representing the ANC.

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We want to take this opportunity and welcome her into the NCOP. We already had discussions with her, and we have also indicated the calibre of members that she will be working with. So, hon members, once again, we welcome Hon Masumpa. She must just feel free to participate. She is with us here today in this sitting. Now we shall proceed with the business of the day.

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 Division of Revenue Amendment Bill [B28-2025] (National Assembly - section 76).

*Declaration of Vote:*

Mr F J BADENHORST: Chairperson, just if I may, once again, this will continue happening every single time, purely because the timelines prescribed by the Money Bills Amendment Procedures and Related Matters Act, make it practically impossible to comply with the three-day rule. The Act and our rules are incompatible. So, we're going to have to look at amending that act. Otherwise,

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the Chief Whip will have to come and ask for this every single time this happens. Thank you very much, Chairperson

Question put: That the Motion be agreed to.

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

**CONSIDERATION OF DIVISION OF REVENUE AMENDMENT BILL AND REPORT  
OF SELECT COMMITTEE ON APPROPRIATIONS THEREON**

*Declaration of vote:*

Ms T I LEGWASE: Hon Chairperson, hon members, the SA Local Government Association, Salga; permanent and special delegates present and fellow South Africans, good morning. It is my pleasure and privilege to Table before this House the report on the Select Committee on Appropriations on the Division of Revenue Amendment Bill, Bill 28 of 2025. Apart from the MK Party which did not support the Bill, I wish to thank all committee members for their engagement and for their adoption of the Bill.

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Chairperson, following the referral of the Bill to the NCOP on 4 December 2025, the committee together with the provincial portfolio committees responsible for finance and Treasury matters, engaged with the National Treasury through a formal briefing held on 26 November 2025. Provincial briefings were subsequently conducted by permanent delegates on 5 December 2025. The committee considered negotiating mandates on 9 December 2025 and final provincial mandates on 15 December 2025 in line with the prescribed legislative process.

In accordance with section 72 subsection (1) (a) and (b) of the Constitution and section 9(b) on the Money Bills Amendment and Related Matters Act, the committee ensured that public participation process was conducted. Advertisements calling for public submissions were published on the parliamentary website and in print media in all 11 official languages.

As a result, the committee received written submission from Cosatu, Amandla.Mobi, Section27, the Equal Education Law Centre, the Budget Justice Coalition, Youth Capital, the Eastern Cape Crisis Action Coalition and Breadline Africa. Except for Breadline Africa that made a written submission, all

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stakeholders made oral presentations to the committee on 3 December 2025.

In line with section 214(2) of the Constitution, section 10(4) of the Intergovernmental Fiscal Relations Act and section 15 of the Money Bills Act, the committee further consulted with the Financial and Fiscal Commission, the SA Local Government Association and the Parliamentary Budget Office. Having considered the Bill and the inputs received, the committee made several focused recommendations aimed at strengthening transparency, improving intergovernmental fiscal planning and safeguarding service delivery.

Firstly, the committee recommended that the National Treasury, within 90 days of the adoption of the report, submit a detailed technical explanation of the provincial equitable share adjustments, including the demographic and economic data used, the implications for provinces in the outer years and measures to improve the creditability and transparency of future updates. Secondly, the National Treasury in consultation with the Financial and Fiscal Commission, FFC, should within 120 days provide Parliament with an analysis of real per capita provincial allocations in key sectors, particularly in health

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and education, together with options to mitigate rising cost pressures on frontline services.

Regarding infrastructure, the committee recommended that the National Treasury and the Western Cape Department of Health should within 90 days submit an implementation update on the ringfenced allocations for the Belhar and Klipfontein Regional Hospitals project, confirming compliance with the 2025-26 allocations matter, key milestones, expenditure plans and risk mitigation measures. Similarly, the National Treasury working with the affected metropolitan municipalities, should within 90 days report on the revised Urban Development Financing Grant baseline, detailing how additional R2,1 billion will support trading services infrastructure and improve service capacity in rapidly growing metros.

The committee further recommends that the Department of Basic Education together with provincial departments should within 90 days submit mitigation plans outlining how reductions to School Infrastructure Grants will be managed, with particular focus on rural township and peri-urban communities. In addition, the National Treasury and the Department of Basic Education should provide a consolidated impact analysis on the School

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Infrastructure Backlog Grants, including corrective measures to address delays in eliminating unsafe schools infrastructure.

In the sector of health, the National Department of Health together with provincial health departments should within 90 days present a plan to strengthen oversight of health infrastructure delivery, address critical human resource gaps and improve access to primary health care services, particularly in historically underserved provinces such as the Eastern Cape. To address persistent underspending and weak implementation, the National Treasury should within 120 days submit a report outlining interventions to strengthen provincial and municipal readiness for infrastructure delivery, including improvements in project preparations, procurement efficiency and accountability mechanisms.

With respect to disaster recovery funding, the National Treasury together with the Department of Co-operative Governance and Traditional Affairs and the National Disaster Management Centre should within 60 days provide an update on reinvest disaster recovery allocations, including verified project list and progress reports. The committee also recommends that the National Treasury together with sector departments should within

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120 days present a plan to improve conditional grant performance and reporting, including the introduction of an out-based reporting framework that reflects actual implementation progress rather than expenditure one.

To strengthen intergovernmental co-ordination, the National Treasury and the Department of Co-operative Governance and Traditional Affairs in consultation with Salga, should within 120 days submit a co-ordinated plan to improve alignment between integrated development plans, provincial plans and conditional grant framework.

On local government finances, the National Treasury and the Department of Co-operative Governance and Traditional Affairs and Salga, should within 60 days submit a plan to enforce the settlement of outstanding debt owed by the national and provincial department to municipalities, including verified arrears, repayment timelines and remedial measures.

Furthermore, within 90 days a strategy should be developed to address municipal revenue collection challenges, including indigent policies, tariff structures and debt owed to Eskom and water boards. Finally, the National Treasury should with

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Statistics SA and Salga within 120 days present a plan to update the local government equitable share formula using the latest demographic data. The National Treasury should also within 60 days provide Parliament with a list of municipalities placed under indirect Municipal Infrastructure Grant delivery, together with the rationale and support measures.

The committee is of the view that these recommendations will strengthen the intergovernmental fiscal system and address structural challenges that cannot be resolved through technical adjustments alone. In conclusion, I wish to thank all members of the committee, provincial finance committees, stakeholders, members of the media houses, the public and the committee support staff for their valuable contributions. The Select Committee on Appropriations recommends that the House adopts the Division of Revenue Amendment Bill, which is Bill 28 of 2025 without amendments. Thank you, Chair.

Debate concluded.

Question put: That the Bill be agreed to.

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

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

**CONSIDERATION OF IMMIGRATION AMENDMENT BILL [B 8B - 2024]  
(NATIONAL ASSEMBLY - SECTION 75) AND REPORT OF SELECT COMMITTEE  
ON SECURITY AND JUSTICE THEREON**

Ms J S MANANISO: Hon Chairperson, and good morning, members, on the platform. Let me start by standing on the earlier protocol established by hon Legwase. The main objective of the Immigration Act 13 of 2002, which the Bill seeks to amend, includes, promoting a human rights culture in migration control, facilitating and simplifying the issuance of permanent and temporary residents to those entitled to them, detecting and deporting illegal foreigners, preventing and deterring xenophobia within the department and within communities. We have seen increased incidents related to foreign nationals trying to access health care services in outdoing including pregnant women, and we have a duty to uphold our human rights commitments

as enshrined in the Constitution as government departments and members of the public.

The current Immigration Amendment Bill seeks to amend the Immigration Act 2002 in line with the Constitutional Court judgment to revise provisions relating to arrest and detention of illegal foreigners for purposes of deportation and to align these provisions in constitutional principles. The Immigration Amendment Bill, 2024, seeks to amend section 34(1) of the Principal Act, to ensure that any illegal foreigner detained under section 34(1) of the Principal Act is brought before a court in person within 48 hours from the time of his or her arrest and detention, in order for the court to determine whether it is in the interest of the justice to order further detention for purposes of deportation.

The Bill introduces the interest of justice criteria which serves as a guidance within which immigration officers and the courts may exercise detention powers. Hon members, the Bill should be seen in the broader process of the review of the White Paper on Citizenship, Immigration and Refugee Protection. In terms of what the committee has processed, we have ensured that the committee was briefed on the Bill by the Minister of Home

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Affairs on 10 September 2025. The Select Committee invited stakeholders and interested persons to make written submissions and publish their advert in all official languages on Parliament's electronic platforms from 3 October to 24 October 2025, which took three weeks as time frame.

The committee commissioned Parliament sign language interpreters to produce a video publication of the advert for Deaf Awareness Month, which was published on Parliament's social media platforms. Hon members, the committee received 16 written submissions, including eight from individuals and eight from organisation, respectively. On 29 October 2025, the committee Content Advisor briefed the committee on the written submissions. On 12 November 2025, the committee held oral hearings and the department and Parliamentary Legal Services provided responses to the region and oral submissions.

The committee was encouraged by the youngest participant, Mr Sithembiso Lamont, a 15-year-old school learner who submitted both a written and oral presentation to the committee. Indeed, we wish to encourage more of our youth to engage in public participation processes in Parliament. Hon members, on 26 November 2025, the committee considered the Bill and adopted

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Immigration Amendment Bill [B 8B - 2024] section 75. No amendments were proposed. The committee also considered and adopted the report on the Bill. The committee is of the view that the Bill strengthens judicial oversight and the rule of law, and it complies with the Constitutional Court orders.

The committee agreed that the Amendment Bill marks a significant milestone in our country and was a long-awaited step forward aligning our immigration legislation with the Constitution. The committee highlighted that the Bill seeks to ensure that the arrest and detention of people for the purpose of deportation are done within the clear constitutional framework which will uphold the right of human dignity, freedom and fair administration justice to ensure that the state retains its capacity to maintain secure and orderly borders. The committee highlighted that the Constitutional Court was seeking to bring balance and recognition of human rights in respect of people who are in this country, legally or illegal.

Hon members, the committee also agreed that there should be a system in place by the department and across the departments to ensure that human rights are protected at all costs. The committee undertook to hold the Department of Home Affairs

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accountable, to ensure that the comments of stakeholders are incorporated in the White Paper on Citizenship, Immigration and Refugee Protection. As the committee, we recommend that the Select Committee of Security and Justice, having considered the Immigration Amendment Bill [B 8B - 2024] (National Assembly - section 75) referred to the Bill on 11 September 2025 and classified by the Joint Tagging Mechanism, JTM, as the section 75(b).

We recommend that the Council pass the Bill without proposed amendment, and in conclusion, Chairperson, I would like to take this opportunity to thank the select members of the committee for their full participation during the whole process till to date. I thank you.

The CHAIRPERSON OF THE NCOP: Thank you very much, hon Mananiso. Hon members, now that the report has been tabled by hon Mananiso, I will now proceed to the voting, but before I could allow the voting to commence, I want to take this opportunity and invite the political parties to make the declaration of votes if they so wish. You have three minutes to do that, hon delegates. I will now start with the Province of the Eastern Cape.

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*Declarations of vote:*

ADV INKOSI M NONKONYANA: Chair and hon members, I rise on behalf of the ANC to communicate our message of support and urging this hon House to pass this Bill. This Bill is a technical one that resulted from the judgement of the Constitutional Court on matters between the Lawyers for Human Rights, LHR, against the Minister of Former Affairs and others in 1920s. The Constitutional Court ordered that this Parliament should amend the Immigration Act to give effect to the order of the court on matters identified by the court in its judgment as being inconsistent with the provision of the Constitution.

As the ANC, we appreciate that migration is part of human reality, and it impacts on receiving countries in negative and positive ways. Negatives include social strife when citizens of a country feel that their rights and standard of living are being impacted on. Positive includes the extent to which migration can lead to a brain and entrepreneurial gain for a country. Across the world, migration is on the increase, and countries find different ways of responding to it. The challenge that our country faces with regard to migration is the whole issue of illegal migration. Illegal migration has a negative

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impact on the socioeconomic issues of our country as it puts pressure on planning and service delivery.

On the other hand, and importantly so, our people are concerned about the impact of illegal migration on the security of our country. We have to reiterate, therefore, the point that South Africa is not a hostile destination for anyone who wishes to visit our country for various reasons, including tourism.

However, we make a point that anyone who travels in and out of South Africa should do so with the necessary traveling documents. Our country, as one of the biggest economies in Africa, will naturally attract migrants who wish to invest and find economic opportunities in our beloved country.

So, we are dealing with migration, not in the context of denying people the opportunity to visit our country, but to do so within the parameters of the law. What the amendment Bill, therefore, is, it is essential that it is about the need to protect the rights of those illegal migrants detained in our courts to ensure that they enjoy the rights enshrined in our Constitution. As the ANC, we have always understood the concerns of our people regarding illegal migration and the need to strengthen the border management and control. In this regard, the ANC

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government has established the Border Management Authority, BMA, and it is officially launched by the President in 2023.

We remain committed to the White Paper process, on Citizenship, Immigration and Refugee Protection that seeks to overhaul the migration system of our country. The intention is to replace the existing legislation and integrate it into one Act. We are also encouraged by the fact that the Department of Home Affairs has revisited its processes within this Seventh Administration. Once again, as the ANC, we stand in support of the Migration Bill, Chair, that is intended to give effect to the Constitutional Court orders on the processes of the detained illegal migrants by our courts. Thank you very much.

Mr M BILLY: Chair, I'm not sure if I'm audible. I'm really struggling with my connection. I am in the rural Eastern Cape.

The CHAIRPERSON OF THE NCOP: We can hear you clearly, hon Billy. You can proceed.

Mr M BILLY: Chair, with your permission, if I could just assist with my connection by not turning on the video. Chairperson and hon members, today this House considers the Immigration

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Amendment Bill, a Bill that is not optional but constitutionally necessary, which responds directly to the judgments of the Constitutional Court, which made it clear that the previous framework governing detention and deportation was inconsistent with the Constitution.

The Bill restores lawfulness, certainty, and oversight to immigration enforcement. It strengthens the judicial review, affirms the rights of detainees to appear before a court, and introduces a clear interest of justice standards to guide detention decisions. In doing so, it reinforces the rule of law while preserving the authority of states to manage its borders.

I wish to commend the Minister of Home Affairs, Dr. Leon Schreiber, for bringing this corrective legislative before Parliament and for engaging seriously with the concerns raised during the public participation.

The Department's responses demonstrate a commitment to a constitutional compliance, practical enforcement, and institutional accountability. But importantly, this Bill shows that human dignity and effective law enforcement are not

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opposite. A system that respects rights is also a system that is stronger, more credible, and more enforceable.

Oversight does not weaken the state, it legitimizes it. The public participation process, as outlined by my colleague chairperson of the committee, was quite something that we saw as successful as the committee, with the contribution of many stakeholders who all spoke and supported the initiative, from civil society, legal experts and even young South Africans that showed that democracy really works when citizens engage through ideas, evidence, and respect for institutions.

This Bill brings clarity where there was uncertainty, justice where there was the risk of abuse, and order where there was a constitutional defect. It deserves the support of this House, Chairperson of the NCOP. I therefore rise in support of the Immigration Amendment Bill and commend that once again, the Minister of Home Affairs and the department for advancing legislative and strengthens both constitutional governance and order integrity. I thank you, Chair.

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The CHAIRPERSON OF THE NCOP: Let me just quickly check. I saw the hand of hon Chief Whip as well as hon Makesini. What are you rising on, hon Chief Whip?

The CHIEF WHIP MOF THE NCOP: Just to raise the fact that this is Section 75 Bill so political parties are making declarations, not provinces, as indicated earlier on. Political parties must make declarations, and we did indicate that there are political parties that will be making a declaration. Thank you, Chair.

The CHAIRPERSON OF THE NCOP: Thank you very much. My apologies. It is actually my mistake. Thank you for that reminder. Hon members, I am just going to revert back. We have had the declaration of the ANC, which was made by hon Nonkonyana. I am not so sure, hon Billy, if you were making a declaration on behalf of the DA. Would I be correct to say that or should I still allow the DA to make that declaration?

Mr M BILLY: Chairperson ... [Inaudible] ...

The SPEAKER OF THE NCOP: I can't hear you clearly. Can you repeat yourself?

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Mr F J BADENHORST: If I may assist, hon Billy made a declaration on behalf of the DA.

Mr M M MAMPURU: Chair, greetings to members and the people of South Africa. The EFF support this Immigration Amendment Bill. We support this Bill, as immigrants, whether legal or illegal, have a right to appear before the court of law and a right to be represented by a lawyer before these courts. These are the rights that were denied to many South Africans under the apartheid government, and we dare not deny them to any human being, regardless of their status in the country.

The challenges of illegal immigration into South Africa have been in the making for years. This is because the ANC government has failed to secure our borders. The Border Management Agency, BMA, which was created recently, is underfunded and does not have adequate resources to discharge their task.

Large sections of our borders are not patrolled or monitored, and this has led to an influx of undocumented immigrants into the country undetected. To successfully address this issue of illegal immigration, we need to capacitate the BMA to address the pull or push factors that contribute towards an inflow of

undocumented immigrants, such as regional instability and lack of economic growth.

South Africa employs or hires undocumented immigrants to sidestep South African labour laws. The high number of immigrants flocking into South Africa does not have to mean that we lower our basic stance on human dignity that must be afforded to all.

The Bill will ensure that illegal immigrants due for deportation are handled in a just and equitable manner, and that their rights to human dignity must be counterbalanced with the rights of the South African state to maintain its territorial integrity. The EFF, Chairperson, supports this Bill. I thank you.

The CHAIRPERSON OF THE NCOP: Thank you, hon Ceza. We are now proceeding to MK Party.

Mr M M MAMPURU: Oh, hon Mampuru. Thank you very much.

Mr J S MAJOLA: Hon Chairperson, on behalf of the MK Party, we noted arising from the report by hon Mananiso that this process

of amending this Bill was not by the choice, but it was through the Constitutional Court ruling which compels the Parliament to do so.

Madam Chair, as contained in Section 34, amongst others, it requires that the foreign nation be brought before the court to deal with 48 hours and other sections contained in this section.

These were the consequences of the Lawyers for the Human Rights and Home Affairs in 2017 and the former Minister of Home Affairs in 2023.

Without this ruling, the abuse of detection power would have continued unchecked. However, the Department of Home Affairs remains the institutional failure. Under the current Minister, the backlog still persists. The IT system collapse. The community endless queues are still experienced in the borders of this country. These are not the minor inefficiencies. They are systematic failures that affect the produce of undocumented people.

People do not become undocumented by choice, but they become undocumented because Home Affairs is dysfunctional. The

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amendment is not the reform. It is the reaction. It is a compliant, not division. The MK Party do not accept the legislative cosmetic, while systematic failure continues. We demand the immigration laws rooted in justice and dignity. Thank you, Madam Chair.

Mr M M PETER: Hon Chairperson, I do not know whether I am audible or am in the Eastern Cape.

The CHAIRPERSON OF THE NCOP: Yes, we can hear you very clear, hon Peter. You may proceed.

Mr M M PETER: Thank you so much, hon Chair. This Bill is long overdue. It responds directly to the Constitutional Court's 2017 ruling, which exposed serious weaknesses in the arrest and detention of undocumented migrants for years. These gaps undermine the credibility of our immigration system and left officials operating in legal uncertainty. Parliament is now correcting that failure.

The Bill introduces necessary safeguards. Anyone arrested for deportation must be brought before a court within 48 hours. Continued detention will require a warrant issued by a

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magistrate based on the interest of justice where detention is not justified. Courts may order release under appropriation condition. These are basic constitutional requirements. These measures make immigration enforcement lawful and predictable.

Officials will operate within clear legal boundaries. Decisions will stand review and deportation will proceed without unnecessary delays. This restores certainty to the system and enables the state to manage migration in an orderly and credible manner.

I therefore, as the UDM, accept this Bill and plead to the South Africans to pass this Bill. The United Democratic Movement supports this Immigration Amendment Bill and calls on this house to pass it without delay. Thank you, Chair.

Mr P GOVENDER: Hon Chairperson, I rise on behalf of the Inkatha Freedom Party to make a declaration regarding the South African Immigration Amendment Bill 2024. I must say that hon Chairperson, the IFP has been very clear in terms of their policy regarding illegal immigrants. I want to stress illegal immigrants.

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The IFP does not have any issue with immigrants being in our country lawfully with the approved documentation and they are most welcome. But when it comes to illegal immigrants that are in our country, the IFP has been very clear that they need to be deported. And this amendment Bill really helps, especially the law enforcement officials, in terms of how they should proceed regarding illegal immigrants that are in detention.

It would really be unfair upon those people that are in detention for long periods of time to remain there. And that creates problems for our justice system in terms of the prisons and immigrants being held there for so long.

Regarding the amendment Bill, we support it and encourage its prompt passage so that implementation can proceed. I urge all our members on this platform to pass this Bill today, so we can ensure that the problems caused by illegal immigrants in our country will soon be a thing of the past. Thank you very much, hon Chairperson.

Mr B J FARMER: Hon members, I greet you in the name of Jesus Christ, our Lord and Saviour. The Patriotic Alliance rises today

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to make it clear South Africa's immigration system must serve South Africans first.

The Immigration Amendment Bill before this House comes at a time when our country is facing pressure on jobs, public services, housing, health care, and law enforcement. Communities across provinces are telling us one thing. They feel abandoned by a system that has lost control of who enters, who stays, and who works in South Africa.

Chairperson, the PA supports firm, lawful, and humane immigration control, but we reject weak enforcement's selective application of the law and political fear that allows criminality and exploitation to flourish. Unregulated immigration does not benefit the poor. It benefits corrupt officials, labour brokers who exploit desperate people, and criminal syndicates operating across borders.

At the same time, it fuels resentment at community level, placing law-abiding foreign nationals at risk and undermining social cohesion. This Bill must therefore strengthen border management, enforcement capacity, consequent management for officials who enable illegal entry, and swift deportation

processes for undocumented persons involved in criminal activity.

The Patriotic Alliance is clear, no country can plan, build, or deliver services without knowing who is within its borders. No economy can protect workers if illegal labour undercuts wages and working conditions. No democracy can survive when the rule of law is applied selectively.

We further emphasise that immigration policy must be aligned with national security, labour market protection, and municipal service capacity. This Bill must not be symbolic. It must be enforceable.

In conclusion, the PA supports reforms that restore order, fairness, and sovereignty while upholding constitutional values. South Africa must remain compassionate, but never lawless. Salute.

The CHAIRPERSON OF THE NCOP: Thank you very much, hon Farmer. That was the last party making a declaration in this regard. We are now proceeding with the voting and the question before us is that we agree with the Bill as presented to by hon Mananiso.

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The voting this time around is going to be individual votes that must be cast, and I therefore want to open a window period of about one minute for those delegates who have not joined in to the virtual platform to join in as we are about to vote. I see the hand of Advocate Nonkonyane.

I think members have started to vote. We have not started, hon members. I was just affording those who have not joined in, in case there is anyone to join in. Thank you, Chair.

ADV INKOSI M NONKONYANA: My apologies.

The CHAIRPERSON OF THE NCOP: No problem. You are welcome. We are tired now. It is festive.

ADV INKOSI M NONKONYANA: That is very true, hon Chair.

Mr B J FARMER: We are happy, Chair. We want to vote.

The CHAIRPERSON OF THE NCOP: It is weighing on us. I am sure everyone is now present. We will proceed with the voting. May I invite all members who wish to vote in favour of this Bill to

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raise their hands so that counting may begin. Please keep your hands raised until directed by the Chairperson.

VOTING

Mr E NZIMANDE: Hon Chair, my hand is up but I am not sure if it can be seen on the other side.

The CHAIRPERSON OF THE NCOP: That is fine hon Nzimande, they will note that as well. Those hon members who are unable to raise their hand are welcome to indicate as hon Sibande has done. May I request table staff to assist with reconciling the voting?

Ms A MATSHOBENI: Hon Chair, I am struggling to raise my hand.

The CHAIRPERSON OF THE NCOP: Are you voting in favour?

Ms A MATSHOBENI: Yes.

The CHAIRPERSON OF THE NCOP: Okay. Hon Sibande, are you voting in favour?

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Mr E NZIMANDE: Yes, hon Chair. I am voting in favour.

The CHAIRPERSON OF THE NCOP: Okay. Thank you very much.

Mr G N SHUSHU: Hon Chair, I am also voting in favour representing Northern Cape.

The CHAIRPERSON OF THE NCOP: Okay.

Mr V GERICKE: In line with my party directive, I am voting in favour.

The CHAIRPERSON OF THE NCOP: Thank you very much.

Mr T J MOKWELE: Hon Chair, I am also voting in favour in case the network fail us.

Mr G N SHUSHU: Do we still have the Chair?

The CHAIRPERSON OF THE NCOP: Oh, was I muted?

Mr G N SHUSHU: Yes, you were muted, Chair?

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The CHAIRPERSON OF THE NCOP: Apologies, I was talking to myself. I was just counting and identifying those who have not yet voted, so that we do not leave anyone out if they are unable to raise their hand, whatever the case may be. I was saying that the hon Matshobeni has already voted; however, hon Rakgoale, hon Hastien, hon Majola, hon Jooste from the Northern Cape, hon Mhlongo from KwaZulu-Natal, hon Feni, and hon Montwedi, hon Fenyane from Mpumalanga, hon Sibande has made his expression already, hon Mokoena, hon Ndlovu from Mpumalanga has not voted, hon Bogatsu from North West, hon Noël, hon Zulu has not voted,. So those are the outstanding votes. Hon Gericke has voted already. I want to believe that they are not voting in favour so that we close this voting process and proceed.

Mr P E NOE: Hon Chair, my hand is up.

The CHAIRPERSON OF THE NCOP: You have joined with two gadgets. Can you switch off one of your gadgets please because it is going to distort our votes.

Ms P N BOGATSU: Hon Chair, I am hon Bogatsu from North West I just want to find out if special delegates do vote?

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The CHAIRPERSON OF THE NCOP: Yes, special delegates are also voting hon Bogatsu. Hence, I am calling your names, for as long as you are less than ten from your province. You already have six plus four. You are eligible to cast your vote.

Ms P N BOGATSU: I am voting in favour.

The CHAIRPERSON OF THE NCOP: Thank you, hon Bogatsu. Hon members, in line with what the special delegate were saying, I am going to allow the table staff another opportunity to recount the votes. For those of you who can raise your hands, please do so. They will then recount you while I check again to ensure that everyone eligible to vote has already cast their vote. May I request that those with two devices turn off one device so that we do not duplicate votes. Outstanding now: Hon Mabebo, you have not cast your vote, unless you have two devices. Hon Matshobeni has not cast her vote. Hon Majola has not cast his vote. Hon Sibande, we are counting you.

Mr M K MONTWEDI: My hand is up.

The CHAIRPERSON OF THE NCOP: Hon members, hang on. I said to you, those of you who have joined in with two gadgets, please

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turn off one gadget. If Montwedi is up, it means he has got two gadgets on his name. Can he kindly turn off one gadget so that we can count him once? So, I am cross-referring against those who have not raised their hands so that we do not leave anyone out. I know there are those who are unable to raise their hand. They are voting verbally. I have noted them as such as well. So, hon Montwedi, can you please use one gadget?

Mr M K MONTWEDI: I will do that, Chair. Apologies.

Mr V GERICKE: And myself, hon Gericke.

The CHAIRPERSON OF THE NCOP: Hon Gericke has indicated his vote.

Mr S PHEEDI: Hon Chair, I am hon Pheedi, I could not cast my vote.

The CHAIRPERSON OF THE NCOP: Okay.

Ms K RAKGOALE: Hon Chair, I am hon Rakgoale from Limpopo. My hand is up. I am voting. Okay.

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The CHAIRPERSON OF THE NCOP: Thank you very much. Once again, I am going to reconcile. Hon Dlamini from Mpumalanga has not voted, hon Mhlongo from KwaZulu-Natal has not voted, hon Peter has not voted, hon Fenyane from Mpumalanga has not voted, hon Sibande has voted, hon Ndlovu from Mpumalanga has not voted. Can we request Mpumalanga Chief Whip to check with the special delegates if they are voting now? Because in the main, it is Mpumalanga that is outstanding. The rest have voted. Hon Gericke has voted verbally, hon Majuba and hon Mabebo have not voted.

Ms L C DLAMINI: Hon Chair, hon Dlamini from Mpumalanga has voted in favour. My hand was raised for the longest time.

The CHAIRPERSON OF THE NCOP: Hon members, can I request you once again, join with one gadget. If you have two gadgets at your disposal, it's distorting the votes. Then your hand is not up. Can you raise your hand?

Mr M PETER: Hon Chair, it's hon Peter. My hand is up.

The CHAIRPERSON OF THE NCOP: Let me go back to where I am. Hon Peter, your hand is now up. You are fine. Hon Ndlovu, can you please switch off your second gadget?

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Mr B MAJUBA: Hon Chair, Majuba votes yes.

The CHAIRPERSON OF THE NCOP: Hon Majuba is voting yes. Hon Ndlovu, please use one gadget, hon member. Let me go and check from those who have raised their hands. You can switch off your video, hon Majuba.

Mr M FENI: Hon Chair, I have raised my hand for too long.

The CHAIRPERSON OF THE NCOP: Hon Feni, you are now sorted. I am fine with you. However, my current concern is with hon Ndlovu. It looks like you have only one device, but your hand remains lowered. Therefore, I assume you are voting in favour because you have not raised your hand. I also went up there to check if you were present. You are not there, so you remain unvoted.

Mr M K MONTWEDI: Hon Chairperson, is my vote recorded?

The CHAIRPERSON OF THE NCOP: Yes, you are recorded, hon Montwedi. I am just left with Zulu, Pheedi has voted, Ndlovu has voted, Mfenyane has not voted, Mhlongo has not voted, Sibande has voted, Majola has not voted, and Nzimande has not voted, Rakgoale has voted. I am fine now. Are we good, hon members?

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Ms S M MOKOENA: Am I recorded, as not voting, Chair?

The CHAIRPERSON OF THE NCOP: You are recorded as not voting. So, we will request the table staff to quickly tally the numbers, including those who have expressed their votes verbally. There are eight of those who have expressed their votes verbally.

Thank you very much.

You can lower your hands, Hon members. We are now proceeding to those members who are voting not in favour of the Bill. You may raise your hands and keep them raised. Hon Ndlangisa!

Ms M NDLANGISA-NODADA: My hand is lowered, Chair.

The CHAIRPERSON OF THE NCOP: Okay. Thank you very much. Hon members, I now invite members who wish to abstain to raise their hands. There are none. Thank you very much, hon members, you may lower your hands. I will now allow the table staff to quickly reconcile their numbers, after which we will revert to the voting. Just a moment.

Question put

Voting

Agreed to.

**CONSIDERATION OF ECONOMIC REGULATION OF TRANSPORT AMENDMENT BILL  
AND REPORT OF SELECT COMMITTEE ON PUBLIC INFRASTRUCTURE AND  
MINISTER IN THE PRESIDENCY THEREON**

Mr F J BADENHORST: Hon Chairperson it is not my intention to use the full 10 minutes because we are going to need it for the voting afterwards which seems to be problematic. Anyway, here we go, hon Chairperson the report of the Select Committee on Public Infrastructure and Minister in the Presidency on the Economic Regulation of Transport Amendment Bill [B 10 – 2025] section 75 Bill ... [Inaudible.] ... 2 December 2025.12.18

Hon Chairperson, by way of introduction the Economic Regulation of Transport Amendment Bill was initiated as a committee Bill by the Portfolio Committee on Transport. It was referred to the Select Committee on Public Infrastructure and the Minister in the Presidency and the select committee on 23 May 2025.

The objects of the Bill were to amend the Economic Regulations of Transport Act of 2024, to correct erroneous references in Schedule 1 to the Act and to provide for matters connected therewith.

Hon Chairperson, just by way of clarification several provisions in Schedule 1 referred to the Economic Regulation of Transport Act of 2020, where it should have been referring to 2024. So, this amendment is just to change the date in the references in the Schedules 1 from 2020 to 2024. The process followed by the committee in processing this Bill was the parliamentary legal services briefed the committee on the background and objects of the Bill and on 28 October 2025 informed by the tactical nature of this Bill and the fact that the Portfolio Committee on Transport received no inputs from the public in response to its call for written submissions.

The select committee during its meeting of 28 October 2025 agreed it will undertake public participation on the form of an advert calling for written and oral submissions on the Bill to be published on the parliamentary website and social media platforms in all official languages. The deadline for receiving

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written submissions was 1 December 2025. Two written submissions received which both expressed support of this Bill.

There were no requests made for oral submissions to the select committee. Written submissions were considered by the select committee on 2 December 2025. The committee agreed to refer such submissions to the Department of Transport for consideration during further legislative and policy development that may be undertaken. I am happy to report that that referral has indeed since taken place, Chairperson.

The select committee on 2 December 2025 considered the report of the Economic Regulation of Transport Amendment Bill and almost all of the members voted in support of the adoption of the report. There was one member from the MK party who did not support the adoption of this report.

I am therefore happy to table this report to this House for consideration. Thank you very much, hon Chairperson.

*Declarations of Vote:*

Ms K R MOLOKOMME: Let me greet the hon Chairperson and the hon members from the platform. Hon Chairperson as the National

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Council of Provinces, NCOP, led by the ANC, fixing the wrongs here in the schedule prevents what has been ring-fenced and remove any ambiguities that will be exploited in legal challenges or judicial review.

That project of the integrity of the Economic Regulation of Transport Act and associated regulations correct situations, ensures that subordinate instruments, crossreferences in order loss and regulation processes point to the right authority and tracks. This avoids implementation delays or disputes about whether certain provisions apply.

Hon Chairperson the transition expenses are usually reduced when there is less legal uncertainty, and it makes administration easier for the government and also the Parliament.

A minor change saves time lower the possibility of future drafting errors in ... [Inaudible.] ... the documents by maximising the needs for departments and regulatory and also the legal drafting to work around an error.

The economic regulation of transport is a critical piece of legislation for the effective functioning of transport sector.

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It will also ensure that the country develop an efficient district sector contributing to the inclusive economic growth and job creation.

Hon Chairperson, the ANC supports the report, and we hope that this House considers the report for adoption. Thank you, Chairperson.

Mr D R RYDER: Hon Chairperson, the DA supports this Bill as outlined by the hon Badenhorst in his role as the Chairperson of the committee. We urge all parties to do so in support of Operation Vulindlela. I look forward for this Bill to be implemented with haste. Thank you very much, hon Chairperson.

Mr K CEZA: Hon Chairperson and hon members gives conditional support to the Economic Regulation of Transport Amendment Bill because it seeks to confront one of the biggest structural problems in the South African economy which is the unchecked pricing power and monopoly control in the transport sector.

Transport costs are a key driver of inequality, inflation and economic exclusion in our country.

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For decades South Africa's transport system has been dominated by state elite and private cartels particularly in ports, rail, toll gates and aviation centres. These entities set tariffs with minimal accountability resulting in exorbitant costs that are untimely passed on to the workers, commuters, small businesses and the poor.

The collapse of the rail infrastructure and the inefficiencies at our ports have forced businesses on to the roads increasing logistic costs, damaging roads and raising the price of food and basic goods.

This Bill correctly identifies that economic regulation is necessary to protect the public from exploitative pricing and anticompetitive conduct.

The establishment of a single transport economic regulator is a progressive step as it seeks to bring coherence, transparency and uniformity to transport regulation across the different modes. This has the potential to reduce duplication, close regulation gaps and ensure that tariffs are cost-effective and justifiable.

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Hon Chairperson and hon members, however, the EFF supports this Bill with conditions: Our first concern is the independence of the regulator that is subject to ministerial control, political interference or captured by the private capital will fail the people of South Africa.

The appointment process must be transparent, merit-base, and subject to strong parliamentary oversight.

Secondly, the EFF rejects any attempts to use economic regulation as a gateway to privatisation, hon Chairperson.

Strategic transport infrastructure such as ports, rail and aviation services must remain firmly in the public ownership.

Regulation must strengthen the developmental state does not weaken it by opening space for profit-driven interest.

Thirdly, this Bill must explicitly protect workers in the transport sector. Any regulatory reforms or restructuring must not cramp at the expense of jobs, wages or working conditions. Workers are not a cause of inefficiency and must nor be made to pay the price for the state failure or corporate greed.

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Furthermore, the regulator must have a developmental mandate. Its decisions must prioritise affordable public transport, rural access, township economies and small operators.

Regulations must serve the public interest and not the narrow interests of the markets and public sheets.

Hon Chairperson, transport is not just an economic sector, it is a public good that determines access to work, education, health care and economic participation. If transport pricing remains unregulated and exploitative, economic freedom will remain a dream differed for the majority of our people.

In conclusion, hon Chairperson, the EFF supports the Economic Regulation of Transport Amendment Bill as a tool to discipline monopoly power and advance fairness in the transport sector. However, this support is conditional on this Bill to guarantee independence, protect workers, prevent privatisation and advance a developmental state. Thank you very much, hon Chairperson.

Mr E NZIMANDE: Hon Chairperson, I rise on behalf of the MK Party. We're noting the regulation's intent to supplement the principal Act. We also note its intent to correct the clerical

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error. However, both are not advancing any transformative agenda which the Act should be doing.

The principal Act concerns itself with limiting exclusive authority of Transnet on tariffs calculation and access to rail network with no direct improved benefit to the economy and the citizens. Despite the broader intents in price control, the intervention by the principal Act concerns itself with addressing manifestation and not a causal factor.

South Africa is experiencing a rising cost with producer price index showing increased 202 points for all goods with much higher for inputs like fuel, making transportation of goods and services extremely high. The recent privatisation of port for a duration of 25 years comes with serious national security risks, including trapping the country for 25 years, to foreign influence with consequence of exploitation of ports operations for strategic intelligence, military logistics disruption and industrial espionage, disruption of critical supply chain and cyber security threats.

As we have also discovered through the ad hoc committee in terms of the security threats, now given an interest and a high state

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to Philippines is a challenge. We definitely believe that government is failing the country. Furthermore, the challenges that we have, which we ought to be transforming through Acts of this nature and regulations is the issue of the taxi industry, which this government has always faced and is trying to help our people from the business.

We believe that this kind of ... [Inaudible] ... intervention in terms of the regulation in the Act are not going to advance economic empowerment of our citizenry, in particular the Africans. We declare this not to be in the interest of our people. Thank you.

Mr M M PETER: Hon Chair, the UDM supports this Act without any delay, simply because in June 2024, President Cyril Ramaphosa assented to and signed the Economic Regulation of Transport Act of 2024. This is a bold and a decisive piece of legislation that marks an important step in reforming South Africa's transport system, including here in the Eastern Cape, where businesses, farmers, ports, and communities have experienced inefficiencies and high costs.

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The Act consolidates the economic regulation of transport under a single integrated framework. It provides for a Transport Economic Regulator and a Transport Economic Council to oversee roads, rail, ports, shipping, and aviation, ensuring greater efficiency, accountability, and competitiveness. For the Eastern Cape, this has particular significance.

Our freight corridors link towns to the ports at Ngqura, East London and Durban. Farmers and exporters depend on rail and road to move goods locally, regionally and internationally. Our rail network has suffered from underinvestment and freight volumes are projected at 160-165 million tons in 2024-25, still below national targets. Road freight carries over 80% of goods increasing costs and congestion.

The Act provides for third-party access to rail infrastructure, allowing private operators to run trains on Transnet network under regulated agreements. In 2025, 11 private rail operators were conditionally approved using 41 roads across key corridors. This is expected to add around 20 million tons of freight capacity annually for 2026-27, improving reliability, reduce logistics cost and shift more goods from road to rail.

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The Economic Regulation of Transport Act is a legislation that strengthens South Africa's transport system and supports economic activity in the Eastern Cape across the country. It is important that all stakeholders work together to implement this Act so that it delivers on its objective and improve transport for communities and businesses. I thank you, hon Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Chairperson, once again, I rise on behalf of the IFP to express our views on the Economic Regulation of Transport Amendment Bill [B 10 – 2025.] Hon Chairperson, hon colleagues, whilst this Bill is very technical in nature in that it seeks to correct the date, but this is also very important in the sense that, if that date is not corrected, then there will be confusion in terms of which piece of legislation is being used.

Therefore, whilst it might seem like a very simple amendment, It is also a very important one in that it points the direction in terms of which Bill is being referred to when a particular Bill is being in use. But as the IFP, we still want to raise our concern with regard to our rail infrastructure that is not up to scratch in terms of ensuring that we move more goods off the road and onto the rail. But at the same time, we want to applaud

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the initiatives that are being taken in terms of ensuring that our rail network is once again brought up to standard so that we can see that the number of trucks on our roads are reduced when we move more goods onto our rail system.

At the same time, it will also reduce the damage that is being done to our road network. It will also reduce the number of accidents, and very often we find that many of these accidents are fatal accidents. This is something that we need to see a reduction on. Also, we welcome the steps that are being taken regarding regulating the activities at our ports. So, as the IFP, we support this Amendment Bill. We hope that it will be passed in this House today. Thank you very much, hon Chairperson.

Mr B J FARMER: Hon Chairperson, hon members, I greet you in the name of Jesus Christ, our Lord and Saviour. The transport sector is the bloodstream of our economy. When it is chaotic, unregulated or captured by a few, the entire country suffers, commuters, workers, small operators, and businesses alike. The PA approaches the Economic Regulation of Transport Amendment Bill with a clear principle, regulation must bring fairness,

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safety, and economic access, not bureaucracy that strangles small operators.

Chairperson, for too long, transport regulation in South Africa has been fragmented, inconsistently enforced, and inaccessible to emerging operators. As a result, we have seen violence in the taxi industry, unsafe vehicles on our roads, unfair competition, and exclusion of small and rural operators from economic participation. The PA supports rational economic regulation that ensures community safety, prevents monopolies, and support transformation through access, not political connections.

However, we caution strongly against the overcentralisation that ignores local realities. Transport in rural provinces is not the same as transport in metros. Policy must reflect this reality.

Hon Chairperson, economic regulation must also serve job creation, not job destruction. Small transport operators, owner-drivers and must be protected from unfair exclusion, assisted with compliance, and supported with skills financing and licensing efficiency. We further call for transparency in permit allocation, to utilisation to reduce corruption and strict action against officials who sell licenses and routes.

In closing Chairperson, the PA supports transport reform that restores all the dignity and opportunity while keeping the economy moving for everyone, not just the connected few.

Regulation must serve the people, not suffocate them. We stand for fairness, safety, and economic inclusion. Hon Chairperson ...

*Afrikaans:*

... moenie baiza[huiwer] nie.

*English:*

Salute!

The CHAIRPERSON OF THE NCOP: Colleagues, I think that there was an omission that we made. Our sincere apologies. We have not afforded the FF Plus the opportunity to make a declaration previously. Accordingly, we want to sincerely apologise in that regard hon Breedt. We want to accordingly afford you an opportunity to make a declaration. Over to you madam.

Ms T BREEDT: Chairperson, I have just gotten a bit worried that you have forgotten about me, but I do appreciate being offered the opportunity.

*Afrikaans:*

Volgens die departement sal die nuwe reguleerder 'n geïntegreerde stelsel vir ekonomiese regulering van vervoer van passasiers en goedere deur lughawens, hawens, per pad en spoor bevorder. Die VF Plus is egter bekommerd dat die samevoeging van alle bestaande reguleerders tot een entiteit tot verdere korrupsie en werksverliese sal lei. Daar sal eerder na metodes gesoek moet word, om die land te help ontwikkel en te groei ... [Tussenwerpsels.]

*English:*

There is interpreting ...

Mr M G MODISE: Hon Chairperson, we don't have interpreting facilities. The speaker on the platform is speaking in Afrikaans. We are losing the purpose of the discussion. Can she be mindful enough to please cater for some of us. Thank you.

The CHAIRPERSON OF THE NCOP: Whilst we appreciate the 12 languages in South Africa, we are at a disadvantaged at this point in time, hon Breedts. We respect your right that you have all the right to speak the language in which you are comfortable and even your mother tongue. If we may humbly request, ...

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[Interjections.] Can I conclude? If we may humbly request that you be considerate, so that we can hear. We would love to hear your message. And please, Madam, I know you can speak in English as well, without oppressing you when speaking in English.

Please, if it is possible and you are not obliged to do that. We will have to contend and assume ...

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Chairperson, on a point of order: I just want to indicate that there is translation. I was able to get it on my system. I don't know which gadget hon Modise is using, but there is translation facility available.

The CHAIRPERSON OF THE NCOP: Thank you very much for that clarity. Hon Modise, there is translation. If the administration can assist members to access the transmission. And accordingly, I would also want to be assisted in that regard, because I am not connected to that. But, yes, sorry about that. Hon Breedt. You may proceed, Madam.

Ms T BREEDT: Chairperson, maybe, as I continue, in the bottom, there is a "more button" where it says interpretation and I believe our interpretation decisions for today are both English and Chinese. So, yes. Maybe the colleagues can just tune into

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that, because when I speak later today, I will also be speaking in some Afrikaans and in some English, because as correctly stated, we are a multilingual Parliament with 12 official languages. And as much as it is my right to speak in my mother tongue, it is also the right of hon Modise to be able to hear in his mother tongue, or then, at least, on a platform like Zoom to listen in a language he does understand. But Chairperson, let me continue.

*Afrikaans:*

Die VF Plus is bekommerd dat ... [Onhoorbaar.]

The CHAIRPERSON OF THE NCOP: It is quite interesting. Hon members will know that this is the first sitting of this kind ever. We have never had this under the Seventh administration and therefore, it would be important that we are tolerant with each other and be patient, whilst we respect each other's rights. So, we are all learning in this process. We have never had such a sitting, especially for such a long time. This is the longest sitting we have ever had during the virtual platform. I thought I must just make that remarks, so that we are tolerant and work towards assisting one another along the way. Now, the declaration has been concluded by all parties, and we want to

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take this opportunity and thank the parties who have made declarations with regards to this Bill. And therefore, we will proceed with the voting, hon members, and the question is that the Bill be agreed to. [Interjections.]

Question put: That the Bill be agreed to.

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

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON FINANCE ON  
OVERSIGHT TO NORTH WEST PROVINCE ON 21-22 OCTOBER 2025, DATED 04  
NOVEMBER 2025**

Ms S NDHLOVU: Hon Chairperson, allow me to switch off my video. I just wanted to show my face. Thank you.

The CHAIRPERSON OF THE NCOP: Okay, that's fine. Thanks.

Ms S NDHLOVU: Thank you, Chairperson, and greetings to your good self, hon Deputy Chairperson, and our Chief Whip and all the colleagues on the platform and the public, I stand here before this august House to present the oversight report of the Select

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Committee on Finance to the North West Province that took place on the 21 to 22 October 2025. Hon Chairperson, the Sixth Term Legacy Report recommended, amongst other things, that to function effectively, the current committee needs to work better focusing on issues affecting provinces more than the Sixth Term committee has been able to do. Two, should interact with the Auditor-General. Three, should co-operate more with the provincial committees and needs to organise visits to the provinces more in the Seventh Term than it has happened in the previous term of Parliament. Hon Chairperson, as part of adopting these recommendations, the select committee engaged with the National Treasury on 28 February 2025 and the North West offices of the Auditor-General and the Provincial Treasury led by the MEC, Ms Kenetswe Mosenogi on 8 April 2025 and 15 April 2025 respectively.

The engagement covered the state of provincial finances, the provincial audit outcomes and budget performance outcome for the departments and public entities. The purpose of this engagement was to enhance the committee's oversight role over provinces in the interest of intergovernmental fiscal relations and co-operative governance and ensure fiscal sustainability. The committee also sought to better understand the provincial

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legislative and other issues that require its representation in the national spheres of the government. Hon Chairperson, this engagement highlighted a concerning state of the North West province financially and in terms of service delivery. Amongst other things, the committee's observations were the failure of the province to collect much needed revenue and recover debt, persistent underspending in the last three years, poor financial management and failure to implement consequences management, serious backlog in delivery of infrastructure and maintenance in the province, that none of the North West entities received clean audit outcomes in 2023-24, failure of the government and noncompliance with the Public Finance Management Act where most entities do not have a functional board, internal audit units, chief executive officers and or chief financial officers, while some entities did not submit annual financial statements in the last four years, and that even with the support of various stakeholders, some entities still obtained disclaimer audit findings.

Hon Chairperson, on the overview of the North West public entities, there are six public entities, that is the North West Gambling Board, the North West Parks and Tourism Board, the North West Development Corporation, the Mmabana Arts, Culture

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and Sports Foundation, the North West Housing Corporation and the North West Transport Investment. In total, according to the Provincial Treasury, the North West Province transferred R611 million to public entities in 2023-2024, and all of them were below the expected spending threshold of 91,67%. In 2023-24, none of the entities received clean audit outcomes.

The select committee observed that the performance of public entities depends largely on the stability of the leadership and effectiveness of governance structures, but most entities in the province operate without substantive boards, substantive CEOs and CFOs and internal audit committees, and that leads to a regression or stagnation of audit outcomes. In summary, Chair, the Auditor-General reported that for entities to function and execute their mandate effectively, there is a need for robust oversight, sound financial management, functioning governance and strategic direction with clear priorities.

For the first time in five years, in 2024-25, three North West entities, including their subsidiaries, obtained clean audit. Two received unqualified audits with findings. Two received qualified audit findings. Four were disclaimers. And three did not submit annual financial statements. The Auditor-General

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recommended intensified support for the group, ... [Inaudible.] ... including the North West Parks and Tourism Board, which continues to obtain this disclaimer audit obtained and the Northwest Transport Investment group that has a backlog of annual financial statements submissions. Hon Chairperson, the report makes several summary reports of the following bodies: the Provincial Treasury, the Auditor-General, the Mawana Nursing College, the Department of Health, and the Department of Public Works and Roads.

I implore all members, especially those from the North West, to go through the report and attend to the matters during their oversight or constituency visits to the province. The committee's observation and recommendation, Chair, the committee notes with concern that while public entities have been identified as catalysts for growing their provincial economies, creating much needed jobs, and generating revenue, many of these entities struggle to collect revenue due to operate at a deficit, are not functionally sustainable, and heavily depend on government transfers to fulfil their mandate, spend the bulk of their budget on employee-related costs, and operate without functioning government structures.

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Having inspected various sites, the committee is concerned about systematic governance and financial discipline issues affecting multiple entities and departments in the province. The recurring project delays cause overruns and weak accountability. The committee recommends that strong emphasis should be placed on implementation of concrete timelines, improving internal control, exploring diversified revenue streams, repurposing underutilised assets, and ensuring robust oversight with clear accountability for all parties involved.

While serious challenges remain with some entities still getting disclaimer, audit, opinion, and have a backlog of annual financial statements submissions.

The committee welcomes the Auditor-General's 2024-25 audit outcomes, showing that for the first time in five years, three North West entities, including three subsidiaries, obtained clean audits while two received unqualified audits with findings. The committee acknowledges the Provincial Treasury and support to the provincial department and entities. The committee recommends that the province must adequately utilise the support provided by the Provincial Treasury, the National Treasury, and the Auditor-General to improve audit outcomes and service

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delivery. Hon Chairperson, NCOP delegates, I represent the report today of the select committee for your consideration and adoption. Thanks, Chair.

Adv Inkosi M NONKONYANA: Deputy Chair and hon members, the Eastern Cape has nothing to declare. Thank you.

Ms M G DHLAMINI: Deputy Chair, nothing to declare from Free State. Thank you.

Ms J S MANANISO: Deputy Chair, Gauteng has nothing to declare.

Ms M BILLY: Deputy Chair, the province of KwaZulu-Natal has got no declaration.

Mr M F MOKWELE: Deputy Chair, as Limpopo, we are covered by the Chair. Therefore, we've got nothing to declare. Thank you.

Mr M P SIBANDE: It is hon Sibande. Mpumalanga has nothing to declare, Chairperson.

Mr S P MABILO: The Northern Cape has no declaration to make.

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Ms T I LEGWASE: Deputy Chairperson, the North West, we don't have any declaration. Thank you.

Mr F J BADENHORST: No declaration. Thank you, Chair.

Question put: That the Report be agreed to.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much. That concludes the voting. And I can report that all nine provinces voted in favour of the Bill. And therefore, the report is adopted in accordance with Section 65 of the Constitution. [Interjections.] The hon Chief Whip?

The CHIEF WHIP OF THE NCOP: Chairperson, on a point of order: I thought that you were calling for declaration, not voting.

The DEPUTY CHAIRPERSON OF THE NCOP: Oh, sorry. We shall now go on to the voting. Thanks for reminding me, hon Chief Whip. That is why you are there. All right. We shall now go to the voting on the Report. We'll start with Eastern Cape again.

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

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

**CONSIDERATION OF REPORT OF JOINT STANDING COMMITTEE ON DEFENCE  
AND PORTFOLIO COMMITTEE ON DEFENCE AND MILITARY VETERANS ON  
OVERSIGHT VISIT TO VARIOUS MILITARY BASES AND SOUTH AFRICAN  
NATIONAL DEFENCE FORCE DEPLOYMENTS ALONG THE SOUTH AFRICAN AND  
ZIMBABWEAN BORDER IN LIMPOPO PROVINCE, 13 - 17 OCTOBER 2025,  
DATED 14 NOVEMBER 2025**

Mr P A PHALA: Good morning, hon members. I hereby submit the report of the oversight visit by the Joint Committee on National Security - the oversight visits to military facilities and border deployments. The report arises from an oversight visit undertaken by the Joint Standing Committee on Defence and the Portfolio Committee on Defence and Military Veterans to the Limpopo Province from the 13th to 17th October 2025. The purpose of this visit was to enable the two committees to assess the operational capabilities, challenges, and the morale of our SA National Defence Force, SANDF. This aligned specifically with the constitutional mandate of the joint standing committee to make recommendations on the state of preparedness of our SA National Defence Force soldiers.

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The committees visited three strategic significant areas:

Firstly, it was the Air Force Base Makhado, which houses South African primary combat aircraft fleet; secondly, it was the 15 SA Infantry Battalion in Thohoyandou, whose members recently returned from deployment in the Democratic Republic of Congo under Operation Thiba, where we sadly lost 14 of our brave soldiers; and lastly, hon Chair, is SA National Defence Force border safeguarding deployments along the South African and the Zimbabwean border. These sites were deliberately selected because they speak directly to force readiness, external deployment, and territorial integrity, which are the three core pillars of our national security.

At the Air Force Base Makhado, the committee's focus was on the fighter capability of the SA Air Force. The visit was especially important given the long-standing concerns regarding reduced funding allocation, declining flying hours, and challenges related to aircraft maintenance. The committee were informed that the Gripen fighter aircraft, which formed the backbone of South Africa's air combat capability, were due for a mid-life upgrade in 2024. But this upgrade has not taken place due to lack of funding. This has placed the fleet at operational risk. More broadly, the Air Force is struggling to achieve required

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flying hours, faces critical skill shortages, and remains constrained by lengthy lead times for spare parts. This also results in highly skilled pilots, air traffic controllers, and technicians to leave the Air Force.

During the facility inspection, the committee observed aircrafts that have been grounded for extended periods and were partially dismantled while awaiting spares. Of particular concern was the confirmation of cannibalization, where parts are removed from one aircraft to keep another operational. The practice, driven by desperation, is unsustainable and compromises long-term capabilities. The committee expressed grave concern that the low level of serviceability ... [Interjections.] ... of fighter aircraft caused largely by funding constraints stand in direct conflict with the 1996 White Paper on Defence, which called for a modern and technologically advanced military. Amongst the key recommendation arising from the visit is the need for ring-fenced funding to maintain a minimum and a viable fighter capability, as well as agent engagement between the Department of Defence, the National Defence Force, and the Parliament. At 15 SA Infantry Battalion, the committee engaged extensively with soldiers who recently returned from the DRC after deployment under Operation Thiba. This engagement was critical in assessing

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the SA National Defence Force's ability to conduct complex, large-scale military operations, and fulfilling Parliament's constitutional obligations to report on morale. The soldiers shared deep concerning accounts of their deployment. They reported severe shortcomings in operational capabilities, including shortage of ammunition, tents, uniform, boots, vehicles, and basic equipment. Some soldiers indicated that they had been forced to procure their own boots, tents, and even bed frames. Vehicles deployed to the DRC were reported to be in poor condition, and accommodation, kitchen facilities, and food provision were described as inadequate.

These shortcomings raised serious concerns about the SA National Defence Force's current capability to sustain complex external deployments. The committee noted that the absence of essentials undermines operational effectiveness, soldiers' morale, and false credibility. The key recommendation emerging from this engagement is the urgent adoption of the Back-to-Basics approach, ensuring that soldiers are properly equipped before deployment.

On border safeguarding operation, the final component of the visit focused on border safeguarding along the South African-

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Zimbabwean border, specifically around the Beitbridge border, where SANDF plays a central role in protecting territorial integrity under Operation Corona. While many role-players, such as police and Border Management Authority are involved, the SA National Defence Force remains the primary entity responsible for border safeguarding. In essence, only the SANDF patrol the long stretch of borderline between the border post. The committee observed firsthand that the current deployment is severely overstretched. Only two SA National Advance Force platoons are responsible for guarding approximately 55 kilometres of the border, which is clearly inadequate. There is a pressing need to increase the number of the SA National Advance Force units deployed along the borders. The committee further noted the high prevalence of cross-border crime, including smuggling, trafficking, and movement of stolen vehicles. A concern was raised about informal villages such as Ha-Tshirundu, which emerged along the border and function as a hub of organized criminal activities and illegal crossing. The border environment is characterized by collapsed fencing, poor road infrastructure, inadequate facilities for deployed soldiers, and severe equipment shortages.

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Whilst Defence Intelligence has deployed drones, the committee observed a lack of widespread technical technology such as section-level drones, unmanned aerial vehicles, and ground-based radar system, despite availability of such technology within the country. Hon members, I want to repeat this, that we have the technology, but these technologies are not utilized. The key recommendations in this area include increasing South African border deployment from 15 to 22 subunits, ring-fence the funding of border safeguarding technology, and enhance co-ordination to curb organized crime and prevent the proliferation of unlawful settlement along the borders.

In conclusion, hon Chair, this report underscores the central importance of SA National Defence Force to South Africa's national security. The committees are of firm view that current levels of low funding in conjunction with suboptimal management are actively undermining the SANDF's capacity to effectively contribute to the national security. The overarching recommendation of the report makes it clear that the SANDF is at crossroads. There must either be a significant sustained funding intervention, or the defence ambition will be permanently adjusted downwards. The committees do not support the latter. Central to the way forward is the Back-to-Basics approach,

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prioritising essential equipment for soldiers, parity on defence direction, the responsible disposal of noncritical assets with funds returned to the Department of Defence, and procurement reforms to the military operation. This brings us back to question raised by the former Minister of Defence: What Defence Force do we want for South Africa? Only one policy will provide the way forward and will be able to answer this question, structure and fund the SA National Defence Force accordingly. The Joint Standing Committee will continue to push for urgent policy clarity and turning around the SA National Defence Force. But we also call upon both Houses of Parliament to focus more on defence and national security. I hereby submit this report, hon Chair. Thank you very much.

Debate concluded.

Question put: That the Report be agreed to.

[TAKE IN FROM MINUTES]

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

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CONSIDERATION OF REPORT OF SELECT COMMITTEE ON CO-OPERATIVE  
GOVERNANCE AND PUBLIC ADMINISTRATION ON OVERSIGHT VISIT IN TERMS  
OF SECTION 106 OF THE LOCAL GOVERNMENT - MUNICIPAL SYSTEMS ACT  
OF 2000 TO MADIBENG LOCAL MUNICIPALITY - DATED 25 NOVEMBER 2025

Mr T M KAUNDA: Hon Deputy Chairperson, greetings to the Chairperson of the National Council of Provinces, NCOP, hon House Chairpersons, the Whippery and Chief Whip, the programming Whip and all delegates of the NCOP and South African Local Government Association, Salga. Hon Deputy Chairperson, this is the report relating to the Madibeng Local Municipality. The background is that the primary objective of the oversight visit was to interact with the internal and external stakeholders and solicit their opinions on procedural substantive matters related to the invocation of section 106 of the Local Government Systems Act of 2000 in Madibeng Local Municipality.

The second objective of the oversight was to conduct sight visits to water treatment plant under the Madibeng Local Municipality and the national Department of Water and Sanitation plant.

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The committee had to make the following observations: Firstly we recognised that the select committee has noted that the MEC of Co-operative Governance and Traditional Affairs in the North West instituted an investigation in Madibeng Local Municipality on 15 July 2025 in pursuant to the request by the Minister of the Department of Co-operative Governance and Traditional Affairs in terms of section 106(4) of the Municipal Systems Act. The Minister's request was motivated by the referral of a complaint by a whistleblower in terms of Protected Disclosures Act of 2000, while allegation acts of maladministration and wrongdoing were made against the municipal officials and related persons. Pursuant to the receipt to the referral by the Minister the select committee has noted the North West MEC of the Department of Co-operative Governance and Traditional Affairs tabled the notices of intervention in terms of section 106 of Local Government: Municipal Systems Act to the Chairperson of that National Council of Provinces and formally communicated to the Minister of Finance and the Minister of Co-operative Governance and Traditional Affairs.

The select committee has noted during the engagements with the Chief Whips of political parties that the designation of the

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investigators in the municipality on 15 July 2025 was publicised.

The select committee has also noted that on 15 July the MEC of Co-operative Governance and Traditional Affairs formally convened a session with councillors and management officials of Madibeng Local Municipality. Noting that the MEC for Co-operative Governance and Traditional Affairs has granted an extension of 30 days to the investigator to complete investigation and present the report to the select committee.

The select committee has also noted that local municipality still facing challenges related to governance, service delivery, financial management, lack of accountability, consequence management, administrative instability, absence of early warning systems and none tabling of section 46 and section 47 reports as required by the Local Government: Municipal Systems Act of 2000.

In terms of the opinions of the stakeholders, the select committee has noted the general concerns raised by internal and external stakeholders in relation to political interference, high vacancy rate at senior management levels, lack of service delivery, the use of private consultants, delays in completing projects, backlogs with contractors, poor road infrastructure

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and lack of employment opportunities for women, youth and people with disabilities.

The select committee has noted the serious concern that the municipal manager who is supposed to be the custodian of the administrative integrity has been suspended more than twice.

The select committee has also noted with serious concern the shocking approval of 14 nonexistant boreholes authorised by the chief financial officer. The select committee is of the opinion that this institute financial misconduct and corruption as defined in section 171 of the Municipal Finance Management Act which demands immediate investigation and consequence management.

The select committee also noted that the code of conduct of councillors promulgated under the Municipal Systems Act has been violated repeatedly.

The select committee has further noted the intervention in terms of section 106 of Local Government: Municipal Systems Act of 2000.

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The select committee has also noted despite multiple indicators of council nonperformance in terms of reference do not explicitly frame oversight failure as primary focus area limiting findings to maladministration statutory obligations and malpractices.

Hon Deputy Chairperson the select committee has further noted the North West Co-operative Governance and Traditional Affairs to be able to follow up on the issues raised. The select committee has noted that the terms of reference highlight unprocessed internal forensic and audit reports. The select committee has also noted during the Brits Water Treatment Works Upgrade Project that initially the Madibeng Local Municipality was to implement the project and the municipality reported geopolitical technical and administrative challenges. At the time a decision was taken to appoint the Magalies Water to be an implementing agency.

The select committee has noted during the sight visit to Letlhabile Waste Water Treatment Plant that the contractor appointed to the project abandoned the sight following a dispute with the municipality related to the contract amount after the contract has been entered into. The contract was subsequently

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terminated, and the procurement process therefore had to be restarted to appoint the new contractor.

It is for these above reasons and the observations that the committee wishes to table the following recommendations to the NCOP. Firstly, that the National Council of Provinces notes the invocation of section 106 of Local Government: Municipal Systems Act of 2000 in Madibeng Local Municipality, that the National Council of Provinces notes 90 days period of investigation by the investigator has already lapsed and the MEC of Co-operative Governance and Traditional Affairs has granted 30 days extension for the completion of investigation, that the North West MEC of Co-operative Governance and Traditional Affairs should immediately once the investigator has completed the investigation table a report to the municipal council and the National Council of Provinces as well as the North West provincial legislature that in line with the commitments and resolutions made during the 2025 Local Government Indaba, the North West Provincial Department of Co-operative Governance and Traditional Affairs, the Bojanala District Municipality and the Madibeng Local Municipality should in the spirit of co-operative governance and intergovernmental relations develop municipal action plan to deal with findings and recommendations emanating

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from the report on these investigations conducted in terms of section 106. That the North West MEC of Co-operative Governance and Traditional Affairs should within 21 days after adoption of this report by the National Council of provinces table previous forensic investigation reports in terms of section 106 of Local Government: Municipal Systems Act.

That the North West MEC of Co-operative Governance and Traditional Affairs should as part of the executive accountability and legislative compliance table section 47 report to the National Council of Provinces as per requirement of the Local Government: Municipal Systems Act.

Lastly that the Select Committee on Co-operative Governance and Public Administration should during the 2026 Parliamentary Second Term conduct postintervention impact assessment on the implementation and findings and recommendations emanating from the report on investigations conducted in terms of section 106 of Local Government: Municipal Systems Act of 2000 in Madibeng Local Municipality. As part of the collective responsibility, we are now tabling this report for your consideration. Thank you, hon Deputy Chairperson.

*Declaration of vote:*

Mr F J BADENHORST: The Western Cape notes the report and is in favour with the adoption, Chair. However, these oversight visits are critically important in ensuring that local government functions properly, as it is the sphere of government closest to the people. Madibeng is a clear example of a provincial government failing to utilize the legislation at its disposal to create mechanisms to promote good governance.

Section 47 of the Municipal Systems Act, which requires annual reports on the state of local government to be tabled, provides the MEC with an opportunity to identify challenges and failures within municipalities so that corrective measures can be implemented to ensure residents receive basic services. These sections 47 reports are fundamental to the implementation of mechanisms provided for in Section 105 of the Municipal Systems Act. Through these mechanisms, the MEC can introduce financial checks and balances to prevent the type of financial mismanagement that occurred in Madibeng. Furthermore, Madibeng is also an example of where political leadership has not been held accountable in terms of Section 32 of the Municipal Finance Management Act.

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The section provides for personal liability where officials or political office bearers make financial decisions that result in unauthorized, irregular, fruitless or wasteful expenditure. As the National Council of Provinces, we have a responsibility to ensure that legislation governing local government is implemented consistently, not selectively based on political affiliation, but uniformly across all municipalities. Thank you.

Question put: That the Report be agreed to.

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

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

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON CO-OPERATIVE GOVERNANCE AND PUBLIC ADMINISTRATION (TRADITIONAL AFFAIRS, WATER, SANITATION AND HUMAN SETTLEMENTS) ON CONSIDERATION OF FORENSIC INVESTIGATION CONDUCTED IN TERMS OF SECTION 106 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT OF 2000 IN BITOU LOCAL MUNICIPALITY: DATED 3 DECEMBER 2025**

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Mr T M KAUNDA: Hon Deputy Chairperson, during the Sixth Administration, the Western Cape MEC for Department of Local Government, Environmental Affairs and Development Planning tabled to the then Chairperson of the National Council of Provinces, the Report on Forensic Investigation conducted in terms of section 106 of Local Government Municipal Systems Act in Bitou Local Municipality.

On 25 of November 2025, the current Select Committee on Co-operative Governance and Traditional Affairs, Public Administration, Water and Sanitation and Human Settlements had a virtual engagement with the Western Cape Department of Local Government, Environmental Affairs and Development Planning to consider the report on forensic investigation in Bitou Local Municipality.

These were the observations made by the select committee: Firstly, we noted the select committee has noted that the Department of Local Government, Environmental Affairs and Development Planning instituted section 106 forensic investigation following a tip-off by a whistle-blower alleging corruption and fraud in the municipality.

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The select committee also noted that the forensic investigation at municipality started in December 2017. The select committee has noted that the allegations included conflict of interest and municipal officials and councillors who failed to declare their business interests.

The select committee has noted that in July 2018, the Western Cape Minister of Local Government, Environmental Affairs and Development Planning designated external investigators to conduct an investigation in Bitou Local Municipality in terms of section 106(1). The select committee has also noted that the investigators concluded the investigation on 20 March 2019, and a forensic investigation report with findings was ...

[Inaudible.]

... [Inaudible] ... the following recommendations to make:

[Inaudible] ... the District Municipality, South African Local Government Association and Bitou Local Municipality should in the spirit of co-operative governance and intergovernmental relation during the 2026 financial period ensure the implementation of the findings and recommendations thereof.

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That the Executive Mayor of Bitou Local Municipality should after 21 days that the National Council of Provinces has adopted this report provide the Select Committee on Co-operative Governance and Public Administration with the progress report on the outcomes of disciplinary process with focus on consequence management, financial recovery and improvement of internal control systems and action plan to deal with the findings and recommendations.

That the Western Cape SA Police Service should after 21 days that the National Council of Provinces has adopted this report provide the Select Committee on Co-operative Governance and Traditional Affairs with progress report on case numbers, CAS 14/04/2018 and CAS 42/09/2018 related to investigations.

That the Auditor-General of South Africa should after 21 days that the National Council of Provinces has adopted this report provide the Select Committee on Co-operative Governance and Public Administration with progress report on the findings and recommendations referred by the Department of Local Government, Environmental Affairs and Development in the province.

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That the Select Committee on Co-operative Governance and Traditional Affairs jointly with the relevant portfolio committee in the Western Cape Provincial Legislature conduct during the 2026 Parliamentary First Term, Post-Section 106 Forensic Investigation Impact Assessment in Bitou Local Municipality. Members can go through the other recommendations.

Lastly, the select committee is calling upon all role-players in the Bitou Local Municipality accountability ecosystem to support, monitor, and oversee the implementation of the recommendations emanating from the forensic investigation in the drive towards achieving wholesale good governance and service delivery. I therefore submit hon Chairperson and deal with the last report, if you permit me to complete the three reports.

The DEPUTY CHAIRPERSON OF THR NCOP: Yes, hon Kaunda, you may go ahead and present the last report.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON COOPERATIVE GOVERNANCE AND PUBLIC ADMINISTRATION ON POST-INTERVENTION IMPACT ASSESSMENT OF THE IMPLEMENTATION OF SECTION 139 (5) OF THE CONSTITUTION IN KGETLENGRIVIER LOCAL MUNICIPALITY: DATED 25 NOVEMBER 2025**

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Mr T M KAUNDA: Hon Deputy Chair, on Kgetlengrivier Local Municipality, the committee during the Sixth Administration, the then North West MEC of the Department of Co-operative Governance and Traditional Affairs tabled on 23 July 2023 a mandatory notice of intervention in terms of section 135 (5) of the Constitution, read together with the section 139 of the Municipal Finance Management Act, MFMA, and section 154 (1) of the Constitution, notifying the then Chairperson of the National Council of Provinces of the decision of the Provincial Executive Council to intervene in Kgetlengrivier Local Municipality.

After tabling, the then Chairperson of the National Council of Provinces referred in terms of Rule 101 of the National Council of Provinces the mandatory notice of intervention in Kgetlengrivier Local Municipality to the then, the Select Committee on Co-operative Governance and Traditional Affairs. On 24 October 2025, a Multi-Party Delegation of the current Select Committee on Cooperative Governance and Public Administration Traditional Affairs, Water & Sanitation and Human Settlements conducted oversight visit to Kgetlengrivier Local Municipality.

The following were the observations that were made by the committee. The select committee has also noted that the triggers

that necessitated the invocation of mandatory intervention in the local government municipality in terms of section 138 and 140 of the MFMA include:

(a) failure to make payments to creditors as and when due. (b) outstanding creditor balance exceeding the threshold of 2% of the municipality's budgeted operating expenditure as per Municipal Finance Management Act.

The select committee has during oversight visit noted with serious concerns the state of the local municipality in terms of ineffectiveness of section 139, noncompliance with timeframes, lack of credible monitoring framework, lack of measurable outcomes in roads maintenance, solid waste management and cemetery services, pothole-ridden roads, lack of comprehensive road infrastructure recovery plan, lack of accountability for underperforming contractors, operating without sufficient compactor trucks, unlicensed landfill sites, unchecked illegal dumping across Derby and Koster, lack of development of regional landfill site, dependency on private contractors.

The select committee has during the engagement with Chief Whips of political parties noted with great concerns that the

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implementation of the Financial Recovery Plan by the appointed Administrator has not yet yielded positive results. The Select Committee has noted that major challenge facing the local municipality which impact on capability to implement the Financial Recovery Plan include filing of vacant critical senior management positions of the municipal manager, chief financial officer, director of corporate services, technical services and infrastructure, risk and the supply chain management, in terms of which is informed by the category of this municipality.

In terms of service delivery, the select committee welcomed the completion of the RDP Housing Project. However, noted that the Local municipality is still facing challenges related to aging infrastructure, road construction, potholes, water losses and poor revenue collection. The select committee has noted during the oversight visit with great concern about the absence of the appointed administrator.

Despite the above-mentioned institutional capability and service delivery challenges, the select committee has however noted the progress reported by the local municipality in terms of dealing with major government creditors, Eskom, SA Revenue Service, Sars, Magalies Water, the Auditor-General, and other private

sector creditors, setting up the structure and functionality of the Cash Management Committee, establishing Financial Recovery Plan, FRP workstreams and FRP technical steering committees, ensuring the functionality of Municipal Public Accounts Committee, MPAC; establishing the FRP Political Oversight Committee, updating unauthorised, irregular, fruitless and wasteful, UIF&W registers which have led to the write-off on unauthorised and fruitless and wasteful expenditure for the 2018-19 and 2023-24 financial year.

The select committee therefore recommends as follows: That the National Council of Provinces notes the invocation of section 139 (5) of the Constitution in Kgetlengriver Local Municipality. That the North- West MEC of Provincial Treasury in collaboration with the MEC of the Department of Cooperative Governance and Traditional affairs should provide the North West Provincial Legislature, the Local Municipality and National Council of Provinces with timeframes, terms of references and qualifications of the appointed Administrator, quarterly reports and termination.

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That the NCOP notes that the progress report should be furnished to the select committee. I therefore submit hon Chair on behalf of the collective leadership of the select committee.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Kaunda, now that you have presented all three reports, hon delegates, what I'm going to do is I'm going to ask for provinces if they have declarations. If provinces have declarations, could you please raise your hand, the leader of provincial delegations. If I don't see any hands, and if you want to make a declaration, please raise your voice so that we can try and streamline this process as agreed to by the Whips Forum. Are there any provinces that would like to make a declaration on the Sixth Order? I see the hand of hon Badenhorst.

Mr B S MABEBO Hon Chair, hon Mabebo from North West.

The DEPUTY CHAIRPERSON OF THE NCOP: Okay, I don't see any other hands. Hon Badenhorst, your declaration on the Sixth Order.

*Declarations of Vote:*

Mr F J BADENHORST: Hon Deputy Chair, this declaration is specifically with regards to the report on the Bitou Local

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Municipality. I also have a declaration for Kgetlengriver Local Municipality, which I will do at your request when you are ready. Hon Chair, the investigation highlights the very essence of co-operative governance and the reason for this department's existence. The section 106 investigation in Bitou has been ongoing since 2017. Yet those implicated in the report, despite criminal cases having been opened, have still not been brought to justice.

When corruption and mismanagement are uncovered in local government, every department involved must fulfil their mandate to ensure that residents receive basic services. Our committee should summon the SA Police Service to account for the delays in finalising the section 106 investigation and to ensure that those who waste public funds are held accountable.

Deputy Chair, Bitou also serves as an example of what can be achieved when provincial governments properly utilise legislation that promotes good governance and transparency. At the same time, Bitou illustrates why the DA introduced the Municipal Threshold Bill to stabilise coalitions and prevent single-member parties from holding municipalities hostage.

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Unstable kingmaker coalitions have resulted in municipalities being plunged into disarray with residents left without water, as seen in cases such as Knysna very recently at the moment. These coalitions often serve only the selfish interests of individuals seeking personal enrichment rather than the needs of communities. Thank you, Chair.

Mr B S MABEBO: Hon Chairperson, as the ANC we accept our ...  
[Inaudible] ... commitment ...

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Mabebo, sorry to interrupt you. Can you switch off your video so that we can hear you clearly. Your voice is not coming through very clearly.

Mr B S MABEBO: Hon Chairperson, as the ANC we accept our unequivocal commitment to ethical leadership, clear governance and protection of public resources entrusted to the democratic state. The ANC as the leader of society and the custodian of the constitutional project does not tolerate corruption, maladministration or abuse of power, in any sphere of government.

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We approach the findings of the section 106 Forensic Investigation in Bitou Local Municipality with fairness, clarity and ensured guidance by the values of accountability, integrity, transparency, and service to the people. The committee notes with serious concern that the forensic investigation uncovered widespread government failures, including abuse of municipal resources, violation of supply chain management, prescripts, failures to declare business interests, weak internal controls of dishonest conduct by certain senior officials and political office bearers.

These actions undermine the developmental mandate of the local government and stands in direct contradiction to the values and principles of the ANC. The committee further notes that the potential delays finalising discipline process, criminal investigations, and civil recovery efforts have weakened up confidence and delayed justice. The ANC is clear that wrongdoings regardless ...

The DEPUTY CHAIRPERSON OF THE NCOP: As you round up hon Mabebo.

Mr B S MABEBO: As I round up, the committee therefore ...

[Inaudible] ... support for the team and ... [Inaudible] ... of

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all findings and recommendations emanating from the forensic investigation. This includes financial recovery, disciplinary and criminal accountability, and sustained oversight by all relevant stakeholders. [Inaudible] ...co-operative governance and decisive leadership the ANC remains committed ...

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, hon Mabebo. Your time has expired.

Mr B S MABEBO: Thank you very much, Deputy Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you. Are there any other provinces that would like to make declarations on the Sixth Order? We don't want to leave anyone behind. I don't see any other hands, and I don't hear any other voices. So that closes ...

Ms K R MOLOKOMME: Hon Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP: Is there is there somebody that's trying to speak?

Ms K R MOLOKOMME: Yes, it's hon Molokomme.

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The DEPUTY CHAIRPERSON OF THE NCOP: Are you making a declaration, hon Molokomme?

Ms K R MOLOKOMME: Yes, I just want to check if we are making declarations for the Kgetlengriver Local Municipality. Can I do that with the same report?

The DEPUTY CHAIRPERSON OF THE NCOP: No, we are dealing with the Sixth Order. Do you have a declaration on the Sixth Order?

Ms K R MOLOKOMME: Oh, okay. I'll come on the Seventh Order.

Question put: That the Report be agreed to. (Seventh Order)

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

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

*Declarations of vote on 8<sup>th</sup> Order:*

Mr F J BADENHORST: Chair, this municipality is an example of a provincial government that has failed to fulfil its

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constitutional mandate to support local government in terms of section 154 of the Constitution and section 105 of the Municipal Systems Act. The terms of reference for the administrator are missing in action, MIA. The administrator has no executive authority, raising the question of how the functioning of the municipality is expected to improve.

Kgetlengrivier has been subjected to repeated section 139 interventions since 2010, which clearly demonstrates that the province failed to implement section 105 mechanisms to strengthen governance, failed to give proper consideration to section 47 reports or may even had failed to compile these reports altogether.

When the local community in Koster stepped in through a court order to assist Kgetlengrivier Local Municipality in repairing the wastewater treatment plant, why did the political leadership once again attempted to sabotage service delivery? Instead of supporting a functioning system, civil society was sidelined and local communities that were strengthening local government were removed.

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I am fully aware of the Intergovernmental Monitoring, Support and Interventions Bill currently before Parliament. However, local government does not have the luxury of time. We urgently need clear regulations, timelines and guidelines to ensure that findings from section 47 reports are implemented through section 105 mechanisms. This will give real effect to section 154 support and reduce the need for section 139 interventions.

Where section 139 interventions are unavoidable, strict timelines, reporting requirements and accountability measures must be enforced to ensure that interventions result in real improvements and not prolonged failure. I thank you.

Ms K R MOLOKOMME: Deputy Chair, the ANC knows the postintervention impact assessment of the implementation of section 139(5) in Kgetlengrivier Local Municipality. The introduction of local sphere of government becomes central to government configuration. It is proximity to the people that the coal face gives advantage for a direct link to the masses. Responsible policies for transformation are effectively channelled in this sphere of government. The local government has direct contact with communities and the needs of those communities differ with priorities.

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Kgetlengrivier Local Municipality is one of the seven municipalities that are in a serious material breach of their obligations to provide basic services and to meet their financial commitment hence the revocation of section 135 to strengthen service delivery, sound administration and increase compliance with the Public Finance Management Act.

It is worth noting that there is a notable improvement after section 139 intervention in the same municipality and also the sound financial management, building state capacity service delivery, project planning and local economic development project, putting people first and progress on financial recovery plans, but the main priorities of municipality recovery plans.

It is reported that the municipal manager has finalised the investigation report on 2023-24 unauthorised, irregular, fruitless and wasteful expenditure, and those subsequently written off by the council on its special sitting on 21 October 2025. The reduction is mostly on nonbest items and interest on overdue accounts from Eskom, the SA Revenue Service, Sars, and Airports Company South Africa, Acsa, due to cash flow problems.

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There is a notable significant progress in municipal financial accounts. Also, the municipal public account committee has concluded its work on the Unemployment Insurance Fund, UIF, and also the ... [Recording stopped.]

Question put: That the Report be agreed to.

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

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

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRADE ON OVERSIGHT VISIT TO LIMPOPO 31 JULY - 1 AUGUST 2025, DATED 3 DECEMBER 2025.**

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON ECONOMIC DEVELOPMENT AND TRADE ON OVERSIGHT VISIT TO THE EASTERN CAPE AND WESTERN CAPE PROVINCES 20 - 24 OCTOBER 2025 DATED 3 DECEMBER 2025.**

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Ms H S BOSHOFF: House Chair, I want to ask if I may, with your consent, switch off my video for bandwidth.

The HOUSE CHAIRPERSON (Mr D R Ryder): Yes, of course, chair, please proceed.

Ms H S BOSHOFF: Thank you. Hon House Chair, hon members, I wish to table a consolidated report of the Select Committee on Economic Development and Trade, arising from its oversight visits to Limpopo, Eastern Cape and Western Cape provinces during 2025. The committee conducted oversight in Limpopo from 31 July to 1 August 2025, with a focus on the Musina-Makhado Special Economic Zone, and in the Eastern Cape and Western Cape from 20 to 24 October 2025, focusing primarily on industrial development, infrastructure, readiness, governance and intergovernmental coordination, particularly within the Nelson Mandela Bay Metropolitan Municipality.

The report reflects the committee's assessment of the effectiveness of public expenditure, the performance of key industrial and economic development interventions, and the extent to which these initiatives contribute to inclusive economic growth and job creation. In Limpopo, the committee

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found that progress at the Messina Makada Special Economic Zone remains severely limited, with significant infrastructure gaps, governance challenges and co-ordination failures. continuing to undermine implementation and investor confidence.

In the Eastern and Western Cape, the committee noted that while strategic assets such as the Coega Special Economic Zone continue to play an important role in investment and employment, persistent infrastructure backlogs, municipal capacity constraints and policy uncertainty are placing pressure on industrial sustainability and job retention. Similar concerns were raised regarding infrastructure decay, tourism safety, and the operational challenges faced by key state entities.

The committee concluded that across all provinces visited, weaknesses in governance, infrastructure provision and intergovernmental co-ordination continue to constrain economic development outcomes, despite substantial public investment. Hon House Chair, this consolidated report was considered and unanimously adopted by the Select Committee on Economic Development and Trade on 3 December 2025 and is now tabled for consideration and adoption by this House.

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Before I thank you, Chair, I would just like to take this opportunity to thank all the committee members of the Select Committee on Economic Development and Trade for their committed assistance during the past year, and I look forward to 2026, to robustly engage again. I thank you.

Debate concluded.

*Declaration of Vote on Ninth Order:*

Ms M DHLAMINI: House Chair, please allow me to switch off the video.

The HOUSE CHAIRPERSON (Mr D R Ryder): Indeed, thank you. Please proceed, hon Dlamini.

Ms M DHLAMINI: House Chair, I support the tabling and adoption of the Select Committee on Economic Development and Trade Oversight Visit to Limpopo from 31 July to 1 August 2025, focusing primarily on the Musina-Makhado Special Economic Zone. The Select Committee observed that the Musina-Makhado SEZ remains strategically located and well aligned with the ANC government's key priorities on industrialisation, regional integration and the African Continental Free Trade Area.

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Moreover, its potential to stimulate manufacturing, mineral beneficiation, agro-processing, and logistics in Limpopo remains significant. However, the select committee found that the progress in implementation has been unacceptably slow at Musina-Makhado SEZ critical bulk infrastructure, including roads, water, sanitation and electricity is largely not in place.

Construction projects have stopped. Township establishment processes remain incomplete and environmental authorities continue to face legal and administrative challenges. These delays have undermined investor confidence and delayed job creation.

House Chair, based on the findings, the select committee recommends strengthening political and administration oversight, particularly by the provincial executive authority, with improved coordination across all three spheres of government.

There is an urgent need to fast-track infrastructure delivery, finalise township establishment and environmental processes, and clarify the development model of the SEZ, including exploring structured public-private partnerships to reduce fiscal risk and accelerate implementation.

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The transparent and meaningful community engagement must be prioritised to ensure and secure social licenses and ensure inclusive development. We also support the report, Chair.

Thanks.

Question put: That the Report be agreed to.

*Voting:*

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

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

The HOUSE CHAIRPERSON (Mr D R Ryder): Hon delegates, let us now move to the 10th Order. Remember, the 10th Order is related to the oversight visit to the Eastern Cape and the Western Cape by the same committee. It was covered in the same report. Before we proceed to voting, hon delegates, I would like to give provinces an opportunity to make their Declarations of Vote in terms of Rule 86, if they so wish.

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Once again, a maximum of three minutes per declaration; and once again, can I ask for a show of hands for those wanting to declare. Hon Dlamini is quick off the mark again. So, you are first again, please, hon Dlamini, on behalf of the Free State.

*Declaration of Vote on Tenth Order:*

Ms M DHLAMINI: House Chair, we are dealing with the Eastern Cape and Western Cape report. Am I correct, Chair?

The HOUSE CHAIRPERSON (Mr D R Ryder): That is correct, indeed. Thank you, hon Dlamini.

Ms M DHLAMINI: My referral previously, on the previous report of the ANC, was based on the province; not national. I know very well that nationally it is GNU; I don't need to be reminded, hon Badenhorst. The ANC supports the tabling and adoption of the Select Committee on Economic Development and Trade oversight visit, a report of Eastern Cape and Western Cape by the chairperson on the said dates.

The select committee observed several positive developments in both provinces. There are pockets of industrial capability, export-oriented firms and special economic zone-linked

initiatives that demonstrate the potential of localisation, manufacturing and value chain participation to support economic growth and employment.

Be that as it may, the select committee identified persistent structural challenges in both provinces. These include uneven industrial development across regions, constrained infrastructure, energy, insecurity, capacity installation within implementation and slow turnaround times of regulatory approvals in some instances.

The impact of national programs was weakened by poor co-ordination between spheres of government and limited monitoring of outcomes. We, therefore, call upon the relevant stakeholders to ensure that they close gap in terms of the identified weaknesses in these two provinces. The select committee findings underscore the need of stronger co-ordination between national, provincial and local government.

The ANC support this report and its recommendations as they are consistent with ANC commitments to industrialisation, inclusive growth, job creation and the protection of South Africa's productivity capacity. I think you, House Chair.

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Question put: That the Report be agreed to.

*Voting:*

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

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

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON SOCIAL SERVICES  
ON THE LIST OF RECOMMENDED CANDIDATES TO SERVE ON THE  
INDEPENDENT TRIBUNAL FOR SOCIAL ASSISTANCE APPEALS, DATED 03  
DECEMBER 2025**

Ms D W FIENIES: Hon House Chair, it is my honour to present before the House the Report of the Select Committee on Social Services on the recommended candidates to serve on the Independent Tribunal for Social Assistance Appeals, as referred to the committee by the Chairperson of the NCOP. This report arises from our constitutional responsibility to ensure that appointments to key institutions of social justice are made in accordance with the principles of transparency, fairness and accountability.

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Hon House Chairperson, the consideration of these appointments is guided by section 18 of the Social Assistance Act, Act 13 of 2004, as amended. The section provides that the Minister must, after consultation with the Parliament, appoint an Independent Tribunal comprised of appropriately qualified persons, as may be prescribed, to serve as members of the tribunal to consider appeals against decisions of the agency. This provision is not merely procedural. It is a cornerstone of administrative justice within our social protective system. It ensures that the beneficiaries of social grants among the most vulnerable in our society have access to a fair, independent and impartial appeals mechanism, when they believe their decisions by the SA Social Security Agency, Sassa, have been unjust.

On 3 December 2025, the Department of Social Development briefed the select committee on the list of candidates recommended for appointment to the Independent Tribunal. The department assured the committee that the selection process has been conducted in line with prescribed requirements, considering professional qualifications, experience, ethical standing and representativity. This process, hon members, reinforced public confidence in the institutional integrity of our social assistance system.

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The composition of the tribunal after due consideration, the committee supports the Minister's recommendations and concurs with the appointment of the following candidates, the tribunal is to be composed as follows: 12 legal practitioners to provide expert legal interpretation and ensure procedural fairness; nine medical practitioners to offer professional opinions on medical and disability-related appeals; and one technical skills civil society member to bring a community-based perspective and practical insight into the appeals process. Together, these appointments bring a balanced combination of legal, medical and social expertise essential to the fair adjudication of appeals.

The committee endorsed the following legal practitioners: Ms Leso, Mr Lessing, Mr Mabuli, Ms Mashiane, Ms Moonsamy, Mr Pato, Ms Kuzwayo, Ms Zulu, Mr Nevondwe, Ms Kara, Mr Nkele and Ms Phale. The medical practitioners: Dr Kgomo, Dr Khanyile, Dr Poe, Dr Putuka, Dr Nyilende, Dr Khumalo, Dr Lugongolo, Dr Ngozo and Dr Mzana. The civil society member is Ms A F Masters.

The committee's observations and reflections, hon House Chairperson, the committee commends to the department for the thoroughness of its recruitment process and for striving to ensure diversity, regional representation and gender balance

among the candidates. We are satisfied that the individuals recommended possess the requisite qualifications, integrity and professional experience to uphold the tribunal's mandate. This process presents a critical step in strengthening the administrative justice framework for social assistance. It also aligns with government's broader commitment to protecting the rights and dignity of all social grant beneficiaries, particularly persons with disabilities, older persons and children in need of care.

Hon House Chairperson, in conclusion, the committee's recommendation today is not simply about filling vacancies, it's about restoring trust in the appeals system, enhancing fairness in social service delivery and affirming the state's duty to protect the vulnerable. The establishment of a competent and Independent Tribunal will ensure that no South African is unjustly deprived of the constitutional right to social assistance due to administrative error or delay. The Select Committee on Social Services therefore recommends that the National Council of Provinces adopt this report and approve the list of recommended candidates for appointment to the Independent Tribunal for Social Assistance Appeals.

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Hon House Chairperson, allow me to close by expressing appreciation to all committee members for their diligence and to the Department of Social Development for their co-operation and commitment to transparency. Together we continue to uphold the spirit of our Constitution, that South Africa belongs to all who live in it, united in our pursuit of social justice and human dignity. I so table the report for consideration. I thank you, House Chairperson.

Debate concluded.

Declaration of vote made on behalf of Limpopo.

*Declaration of vote(s):*

Mr M F MOKWELE: No, no, thanks very much, House Chair, if you can allow me to switch off the video. House Chairperson, thanks very much for affording me the opportunity once again. Hon House Chairperson, hon members and fellow South Africans, this declaration affirms the committee's considered recommendations regarding the list of candidates proposed for appointment to the Independent Tribunal for Special Assistance Appeals.

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In accordance with the provision of the Social Assistance Act, Act 13 of 2004, as amended, House Chair, the committee received a referral from the Chairperson of the National Council of Provinces together with the letter accompanying the list of recommended candidates to fill the existing vacancy on the tribunal. On 3 December 2025, the Department of Social Development provided a comprehensive briefing to the committee on the recommendation, section 18 of Act mandates that the Minister, after consultation with the Parliament, appoints the Independent Tribunal composed of appropriately qualified persons to adjudicate on appeals against the decisions of the agency.

Having thoroughly reviewed the referral, the briefing and the full list of the recommended candidates, comprising qualified legal medical practitioners and the technically skilled civil society members, the committee concurred without reservation.

This endorsement constitutes the Parliament's formal consultation as required by law, granting the Minister the mandate to proceed with the appointment to ensure the tribunal's effective functioning in upholding fair social assistance.

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This declaration, House Chair, as a mandate for the implementation of the reported recommendation, the committee affairs the proposed composition will enhance the tribunal's capacity to deliver impartial expert decisions, thereby advancing the arts objective of accessible and equitable social assistance. We urge prompt action to fill this vacancy and strengthen the South African social safety net. As the African National Congress, we support the report. I thank you, House Chairperson.

Question put: That the Report be agreed to.

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

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

**CONSIDERATION OF REPORT OF JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON THE CONTRAVENTION OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS: THE DEPUTY PRESIDENT OF RSA: THE HONOURABLE PAUL MASHATILE, MP**

**And**

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CONSIDERATION OF REPORT OF JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON ALLEGED CONTRAVENTION OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS: HONOURABLE

IAN CAMERON, MP

And

CONSIDERATION OF REPORT OF JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON ALLEGED CONTRAVENTION OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS: HONOURABLE WINDY TIMOTHEUS DAVID PLAATJIES, MP (ATCs, 4 DECEMBER 2025, P 9)

And

CONSIDERATION OF REPORT OF JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON ALLEGED CONTRAVENTION OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS: HONOURABLE IAN CAMERON, MP- CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON

POLICE

And

CONSIDERATION OF REPORT OF JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON ALLEGED CONTRAVENTION OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS: HONOURABLE

FADIEL ADAMS, MP

Mr J H P BRITS: Hon House Chair, I am presenting five reports of the Joint Committee on Ethics and Members' Interests. I will

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present only a summary of each report. The comprehensive reports were published in the announcements, tablings and committee reports, ATCs, and were circulated to all members. The first report is a report on the Deputy President of the Republic of South Africa, the hon Paul Mashatile.

Hon George Michalakis, the Chief Whip of the DA, lodged a complaint against the Deputy President, hon Paul Mashatile. The reason for the complaint was an article in the *Daily Maverick*, dated 23 November 2024, in which Mr Hein Jooste, the security boss for the alleged diamond scheme fraudster, Louis Liebenberg, stated that he attended a meeting at the Deputy President's home at Waterfall Estate in November 2023, where he was instructed to select a diamond as a gift for the Deputy President, who has acknowledged the gift to his wife. The complainant stated that a gift to a member's spouse must be disclosed by the member in the confidential part of the register and called upon the committee to ascertain whether the hon Mashatile disclosed the gift that his wife received.

The hon Mashatile stated to the committee that he had on more than one occasion confirmed that Mr Liebenberg gifted his wife with a diamond. However, after it was received, his office had

the diamond appraised to determine its value so that it could be declared. However, during the process of determining the value of the diamond, it came to light who Mr Liebenberg was, and the member then immediately instructed the head of his office to submit the gift to the National Prosecuting Authority. Currently, the diamond is in the possession of the National Prosecuting Authority. The value of the diamond was not disclosed to the committee.

The committee perused the confidential part of the member's disclosure and noted that the gift to his wife, that is the diamond, was not disclosed. Also, the fact that the member indicated that he had the diamond valued and only intended to disclose it after the valuation was obtained, was rejected by the committee. The committee held the view that the member had to disclose the gift, and the actual value of the gift could have been disclosed later. That is what ethical behaviour requires. The committee also noted that the diamond was surrendered on 5 December 2024, which did not affect the fact that he was liable to disclose the diamond in terms of the code when his wife received the diamond. The committee found that the member breached item 13(3)(f) with item 16(1)(a)(2) of the code. The committee therefore recommends to this House that the

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penalty of a reprimand in house and a fine of R10 000 for a first offence be imposed.

With regard to the second report - a report on the hon Ian Cameron, Dr Mary de Haas, a member of the public, lodged a complaint against the hon Ian Cameron, a member of the National Assembly. The Office of the Registrar received the complaint on 21 July 2025 for an alleged breach of the code on ethical conduct and members' interests. The complainant stated that during an interview with *Newzroom Africa* on 25 June 2025, the member made unsubstantiated accusations about a whistleblower, a certain Patricia Mashale. The complainant stated that she believed that the member's perceived hostility towards Mashale is linked to exchanges between Mashale and the member on social media.

The committee noted that the member's comment during the interview was in line with a question put to him by the journalist. He shared the matter that transpired on social media, wherein Patricia Mashale spread incorrect information about the threat and risk assessment and incorrect information, which stated that he met with Dumisani Khumalo. The committee also noted that the member did not make unsubstantiated

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accusations about the alleged whistleblower, Patricia Mashale. He referred to an incident that indeed happened. The content of the video footage does not support the allegation, as contained in the complaint against the member.

The committee found that the complainant is a liar regarding his resignation. By mutual arrangement, he remained in the office until the end of June 2024 to finalise outstanding political matters. He also stated that he served his month's resignation notice in line with sections 38 and 37 of the Basic Conditions of Employment Act.

The member raised the concern that his personal employment information was assessed and disclosed without his permission. The committee noted that the member is not a party to the email correspondence attached to the complainant's affidavit, wherein the alleged fraud is committed. The committee accepted the explanation by the member that he resigned as per the letter dated 12 June 2024, but that he remained available until the end of June 2024 to allow for a proper finalisation of matters in the Office of the Mayor.

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Further, the member received his June 2024 salary in line with the notice of resignation as provided for in sections 37 and 38 of the Basic Conditions of Employment Act. The committee found that the complaint is unfounded and that the member did not breach the code.

With regard to the fourth report - the report on the hon Ian Cameron in his capacity as the chairperson of the Portfolio Committee on Police, Mr Chakale Mahlatsi, the First Deputy General Secretary on behalf of the Police and Prisons Civil Rights Union, Popcru, lodged a complaint against the Chairperson of the Portfolio Committee on Police, hon Ian Cameron. The Office of the Registrar received the complaint on 28 May 2025.

The complainant stated that following the acquittal of eight members of the VIP Protection Unit, which is attached to the Deputy President of the Republic of South Africa, the member lambasted the internal disciplinary processes of the SA Police Service. The complainant stated that on 7 May 2025, the member conducted an interview with *Newzroom Africa* TV in his capacity as the chairperson of the Portfolio Committee on Police, during which he characterised the verdict of the acquittal of the eight VIP Protection Unit members as shameful and immoral. He also

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referred to the eight members as criminals. It is shielding the acquitted officers by blocking the disciplinary proceedings and delaying accountability.

The complainant alleged that the member abused his position as the chairperson of the Portfolio Committee on Police by usurping functions and roles that are not within his purview. The complainant stated that the member should not be allowed to metamorphose the portfolio committee into a tribunal to run a public trial on this matter and peruse his political agenda. The complainant asked that the matter be investigated and that the member must be relieved of his duties as the chairperson of the Portfolio Committee on Police.

The member stated that he did not act in breach of the Code. He stated that his conduct was consistently aligned with the standards and obligations of the code. The member further stated that his comments were made in the fulfilment of his constitutional oversight duty under section 55(2) of the Constitution. He submitted that this section obliges members of Parliament to ensure accountability by the executive and state organs, including the police service. He further stated that in the tweet that he posted on the X social media platform, the

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term thugs while forceful was contextually applied to describe violent and unlawful behaviour captured on camera. It was not a generalised slur against the SA Police Service, but the specific condemnation of clearly identified misconduct.

The member stated that he remains supportive of law enforcement officers who serve with integrity. He further stated that his statements did not bring Parliament into disrepute, but that it was consistent with the principles of openness, honesty and leadership required under Item 3 of the code and aimed at upholding public trust. The committee noted that the transcript of the interview shows that the member engaged in the interview at a time when the portfolio committee was not yet officially briefed by the SA Police Service on the matter.

The member stated this clearly in the interview. The comment, therefore, made by the member during the interview cannot be seen as an extension of work that was before the portfolio committee. The member also stated that it does seem that the Presidential Protection Services and the SA Police Service is almost like a political Gestapo. The member cannot rely on section 35(2) of the Constitution, as this section relates to mechanisms that the National Assembly must put in place to

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ensure that the executive is held accountable. By referring to Popcru as shielding the members of the protection unit without being privy to the matter or having received a briefing before the portfolio committee, the member brought Parliament into disrepute when using social media. The committee, marked by a majority vote, found that the member breached items 5(1)(c), (e), and (f), as well as item 9(1) of the code, read with item 16(1)(c) of the code.

The committee noted that it is not the member's speech that is being curtailed. It is not the fact that he engaged in an interview or the fact that he tweeted. It is the usage of certain words and the fact that he criticised Popcru and the disciplinary hearing without being appraised of the facts of what transpired at the disciplinary hearing. He stated that according to the SAPS disciplinary process, it is a courageous assault and innocent victim. He made this statement without knowing the reasons why the eight VIP Protection Services protectors were acquitted. The committee noted that the member did not have to use the word Gestapo to make his point.

He stated in the interview, and I quote, "So, it does seem like the Presidential Protection Services and the South African

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Police Services is a bit of a police services on their own, almost like a political Gestapo or political police service just for a few elite persons." If the member did not use the word Gestapo, there would be no derogatory or discriminatory association to what he was saying. The committee recommends to the House to impose all of the following penalties: One, a reprimand in the House, and two, that the member be cautioned to exercise greater keen virtue in interviews and public statements.

Regarding the fifth and last report - the report on the Hon Fadiel Adams, hon George Michalakis, the Chief Whip of the DA, lodged a complaint against the Hon Fadiel Adams of the NCC in the National Assembly. Hon Adams posted on Facebook, which post contained a screenshot of an email which was drafted by a DA staff member. His post included the email, mobile and telephonic details of the staff member. The member's Facebook post was captured, and I quote, "As the NCC fights tooth and nail for your housing rights. Look who objected to it. Know your DA people."

At the time when the complaint was lodged, the post was already shared by at least 244 social media users. The staff member

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deposed to an affidavit, which confirms the content of the affidavit by the complainant. In response to the complaint, the member stated, and I quote, "When I took that screenshot, I was unaware that I had captured sensitive information. I apologise profusely if anyone was offended." The committee noted that the member acknowledged that he captured the information in the screenshot when he posted it on Facebook. By posting the personal information of a staff member of a political party on Facebook, the member published the personal information of another person without that person's consent.

The dissemination of personal information by the member was reckless and irresponsible. Item 9(1) of the code requires that social media usage must not bring Parliament into disrepute. By placing internal parliamentary communication on Facebook, the member did not maintain public confidence and trust in the integrity of Parliament and thereby engender the respect and confidence of what society needs to have in Parliament as a representative institution, as required by Item 5(1)(e) of the code. The Committee also noted that the Hon Adams is not the first offender. The Committee found that the member breached Item 5(1)(e) as well as Item 9(1) of the code, as contemplated in Item 16(1)(c) of the code.

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The committee recommends to the House to impose all of the following penalties: One, a reprimand in the House, and two, that the member enter an apology in the House for placing personal information about a staff member on his social media post. Three, that the member must be suspended from his seat in Parliament and Parliamentary debates and committees for a period of 20 Parliamentary days. Four, that the member's salary and allowances be reduced by an amount equal to 20 Parliamentary days.

In conclusion the committee wishes to state that the integrity of Parliament requires that members should uphold the highest ethical standards and persistent disregard for the code will attract progressively harsher penalties. To this end, the committee has resolved to initiate a comprehensive review of the Code of Ethical Conduct and Members' interests. This review will focus on strengthening enforcement mechanisms, updating provisions relating to digital conduct and enhancing deterrence for repeated violations. Details of the public participation process will be announced in early 2026. Lastly, I would like to thank the members of the committee. I thank you, hon Chair.

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The HOUSE CHAIRPERSON OF THE NCOP (Mr D R RYDER): Thank you very much indeed. Sorry, I am not sure what happened to the video link there. Thank you, hon Brits, as I interrupted you while you were plugging your future events and advertising. Hon Delegates, that brings the tabling of the reports to a close. Before we proceed to voting on the Twelfth Order, a reminder is that the Twelfth Order relates to the Deputy President of the Republic of South Africa, hon Paul Mashatile. I will allow provinces the opportunity to make their declarations of vote in terms of Rule 86, if they so wish. With a maximum of three minutes per declaration. Once again, any provincial delegation leader wanting to make a declaration should show their hand, please. Hon Mokwele, your hand is first up.

*Declaration of vote on 12<sup>th</sup> Order:*

Mr M F MOKWELE: House Chair, once again for affording me the opportunity. Maybe upfront, Chair, just to say that, indeed, we welcome the declaration as presented by the Co-Chair on Ethics and Members' Vote.

But, Chair, the African National Congress has always placed the highest regard on the need to advance the ethical and developmental state that has the capacity to respond to the

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needs of the people. Our society is confronted by various social ills, which have impacted the ethical fibre of our nation. It is for this reason that the African National Congress has placed its renewal, hon Phala, and that of the society as the primary objective of placing our people and nation on the strategy to realise the aspiration of the Freedom Charter and the Constitution.

Mr M BILLY: We have lost you, Mokwele.

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R RYDER): Hon Billy, order, please! Hon Mokwele, please continue.

Mr M F MOKWELE: It is for this reason that the ANC has advanced the professionalism of the state as entailed in the National Development Plan and is currently in motion in the government. Over the years, the ANC has had to lead the nation in taking major ethical questions that pose a risk to our effort in building a better life for all. Successive Presidents of the ANC in the government have appointed various commissions to tackle matters that expose the lowering of the ethical guard or bring about the ethical and developmental state, as we all know that

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what the current President has done on the issue of Madlanga Commission and others.

It is the ANC that has a step-aside policy. It is the only party that has a step-aside policy. And this change in gear of the renewal programme of the ANC is not only about the ANC, but it's about the people of South Africa.

Maybe, Chair, just go straight to the matter that affected the Deputy President. As the ANC, this experience will serve as a lesson for the public community to always be conscious of the gift they receive, as occasionally received during their work. The ANC supports observation and the findings and the penalty of the ethical committee to ensure that we uphold the highest standard of ethical conduct within the government, irrespective of who is involved. I thank you, Chairperson.

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R RYDER): Thank you, Limpopo Province, for that declaration. Hon Delegates, are there any other declarations? I see no indication of such, and we shall now proceed to the voting on the Twelfth Order. Please can I ask the table staff, as usual, if you can remove the music chime from that timer, and then we proceed with our business

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uninterrupted. We proceed with the voting on the Twelfth Order, and I call on provinces to cast their votes. When called upon, please, Heads of Delegations must indicate whether they vote in favour, against, or abstain from this particular report.

Debate concluded.

Declaration of vote made on behalf of Limpopo.

Question put: That the Report be agreed to.

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

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

**CONSIDERATION OF REPORT OF JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS ON ALLEGED CONTRAVENTION OF THE CODE OF ETHICAL CONDUCT AND DISCLOSURE OF MEMBERS' INTERESTS: HONOURABLE**

**IAN CAMERON, MP**

*Declaration of vote on 13<sup>th</sup> Order:*

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Mr M F MOKWELE: Chair, thank you very much once again for the opportunity, as we indicated earlier, that we will always, as the Ethics Committee, make sure that we are always principled. But the principle we should uphold in the Parliament is the promotion of freedom of speech and political debate. But the exercise of freedom of speech should be a circumspect of the right of others.

The depletion of conduct of the protection of police officers and the Deputy President as the ... and use of a gesture which is derogatory for its nature, for its association with Nazi Germany, to make a police force that enforced the death of many Jews during the Holocaust is not acceptable. The Chairperson of the Committee has a standing to interrogate evidence in the Parliament without being derogatory. The member must be cautious to exercise greater care in future interview and Parliament statement. That is why, Chair, as we have indicated, we support the recommendation by the Ethics Committee. I thank you.

The HOUSE CHAIRPERSON OF THE NCOP (Mr D R RYDER): Thank you very much, hon Mokwele, for your declaration on behalf of your province. Hon Delegates, I see no other indication of a desire to declare. Thank you very much.

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We will now proceed to voting on the 13th Order. I will call upon provinces to cast their votes. Once again, when called upon, Heads of Delegation must indicate whether they vote in favour of the report, against it or if they abstain.

Debate concluded.

Declaration of vote made on behalf of Limpopo.

Question put: That the Report be agreed to.

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

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

*Declaration of vote on 14<sup>th</sup> Order:*

Mr M F MOKWELE: Chairperson, it is the matter that involves the hon Windy Timotheus David Plaatjies. The allegation against hon Windy Timotheus David Plaatjies is that he unduly benefited due to the matter related to his resignation and service at the

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Central Karoo District. They are unfounded and he was not part of the process related to the ethical breach.

A member received, in June 2024, a salary in line with the notice of the resignation as provided for in section 37 and section 38 of the Basic Conditions of Employment Act of 1997. That is why we are also supporting the findings of the committee. I thank you.

Question put: That the Report be agreed to.

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

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

*Declaration of vote on 15<sup>th</sup> Order:*

Mr M F MOKWELE: Chairperson, on the matter that involves hon Cameron, as I have indicated, the committee has found the complaint as brought in by Dr Mary is unfounded. The member did not breach the code. Challenges impacting our society require greater conscious by all role-players to ensure that confidence

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and public representatives are upheld and the public and public representatives to base allegations on substantive evidence. They must not just bring evidence without having the substances. That is why we say we fully support the report. Thank you.

Question put: That the Report be agreed to.

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

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

*Declaration of vote on 16<sup>th</sup> Order:*

Mr M F MOKWELE: Chair, I think this is the matter that involves hon Fadel Adams. On this matter, the ANC supports the observation, the findings and the penalty of the act committed to ensure that we protect the decorum and the integrity of Parliament in our conduct as public representatives. The exposure of the personal information of functionality of political parties is the major issue which infringes on the rights and privacy of staff. We call on all Members of

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Parliament to always understand that our conduct has a direct impact on the society.

Social media is currently posing various opportunities and risks for our society, and we need to always promote responsible use of social media respecting the privacy and the rights of everyone. Therefore, that is why as the ANC we are saying we support the findings. I thank you.

Question put: That the Report be agreed to.

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

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

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON AGRICULTURE, LAND REFORM AND MINERAL RESOURCES ON OVERSIGHT VISIT IN MPUMALANGA,**

**FROM 10 - 12 SEPTEMBER 2025**

**AND**

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CONSIDERATION OF REPORT OF SELECT COMMITTEE ON AGRICULTURE, LAND  
REFORM AND MINERAL RESOURCES ON OVERSIGHT VISIT IN ALEXANDER  
BAY, FROM 21 - 25 SEPTEMBER 2025

Mr M G MODISE: Good afternoon, House Chair, good afternoon to all hon members on the platform and colleagues behind the scenes. If you agree, I'm going to focus on the recommendations of both reports, so that I do not waste time. I need to know if you agree.

The house CHAIRPERSON (Mr D R Ryder): We are happy with that, thank you, as you wish Hon Modise.

Mr M G MODISE: Thank you so much, Chair. We'll start with the recommendations from the report of Thungela Mineral Resources in Mpumalanga. Whilst we present this report, we must also indicate that some of the recommendations have been overtaken by events as they would have been met from the time the recommendations were made to today, as we presented this report before the before Parliament.

However, we must also indicate that as the committee, we feel that Thungela Resource Limited undermines both the committee and

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Parliament and to a larger extent the people of South Africa. And that will come back and present a comprehensive report before Parliament during the debates around this issue of Thungela. What they're doing is a serious undermining.

However, in terms of the recommendation from the report as per the visit to Thungela, the committee is aware of the limits of its oversight role in terms of the private sector. Still expresses species dissatisfaction with the systematic exclusion of the Trust community members from the Corporate Social Investment, CSI and the Social and Labour Plan, SLP initiative listed by the representative of the Thungela Resource Limited.

It is unlikely that the reason cited that the wards of on which the SLP are forecast and the community selected for CSI support is cast in stone to such a degree that there was no way that the Trust could benefit from the economic exploitation of the farm that ancestors occupied and on which their ancestors were buried.

The community was forcibly removed and relocated away from the farm in the apartheid era but has since been able to reconstruct the family history and institute the second-generation claim,

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having continually engaged with the current owners of the farms... [Inaudible.] ...environment in the exploitation or the mineral resources of the farm.

While the community acknowledges that the second-generation claim have not been verified and therefore, Thungela limited, does not by any legislative requirement have to include the trust in any of its economic activity.

The committee was certain to see that the communities with no historical link Goedeheop were involved in the CSI and SLP project, but not the trust. And the committee felt that the to some extent, the situation resembled past practices where the occupiers of land were displaced in favour of industries.

Members also informed Thungela Resource Limited that when they engage with the traditional leadership of mining affected communities, they get a sense that the community engagement only takes place when it's required of the mining company and that there is no real interest in the views or the request coming from the community engagement forums.

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With this background, the committee urged the Thungela Resource Limited to reconsider whether the trust we play any part in future SLP or CSI investment in post mining project.

Secondly, the Committee resolved to communicate the request of the Trust clarity of the future of the Hope for Shaft proposal to the Department of Mineral and Petroleum Resources and report back to the trust when the answer has been received.

Thirdly, the trust requested that Parliament clarifies with its application to second-generation claim. While the trust did not highlight the fact that they did not reside on the land that is claimed, the detail will be included and the committee will request input from the Commission of the Restitution of Land Rights and Parliament, Constitutional and Legal Services for clarity.

The Committee was encouraged by discussion about the new approach in mining practice, which entailed partnering artisanal minds with established mining sector companies to exploit mineral deposits that may not be economically viable for large companies to exploit but could be attract opportunities for smaller mining companies.

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The Committee resolved to engage Thungela Limited Resource and the department in order to discuss the possibility of developing a joint mining proposal for Hope for Shaft to ensure small scale miners' benefit.

The Committee further recommended that such ventures should be pursued more often as there is a need for smaller mining companies to be empowered to join the sector rather than the current situation where smaller deposits are exploited by illegal miners.

Lastly, the committee resolved to study the Land Court judgement and Land Access Movement of South Africa, LAMOSA, rulings in order determine what legislative action are possible in order to allow the commission to process-second generation clearing land claims, with the due consideration for the fact that outstanding first-generation should be still prioritized.

The Committee resolved to engage with the department executive in order to discuss a way forward with implementing the parliamentary legislative amendments initially required in the LAMOSA judgment for which the time limit has lapsed. Thanks, Chair, on the first report.

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On the second report, I would also go straight to the last part of the report, and this report is the one of the Alexander Bay in Port Nolan in the Northern Cape, where, we also found lots and lots of problems, and unfortunately in the manner that we're doing, Members of Parliament don't get to understand what is really happening on the ground and would be voting without really understanding the gist of the issues of on the ground.

I'll also focus on the last part of the recommendation to save time. And it says that Section 83(14) finally introduced the 200 million supplied by Alexkor, Certificate of Compliance, COC as part of the deeds of settlement. It reads as follows:

Alexkor shall contribute necessary finance and capital up to a maximum of 200 million for the joint operation of the joint venture, which shall be expanded both with respect to the land and the sea operation according to the development plan approved by the joint board on recommendation by the executive committee.

The allocation of the maximum amount of 200 million between land and sea operation shall be made with due regard to the maintenance of an income stream from sea operations in order to subsidize the land operations during its development phase, but

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also due to regard to the principles set out in clause 83,12 thereafter the Richtersveld Mining Company, RNC, and Alexkor will be subject to clause 83 (15,4) contribute towards expenses according to the respective participation interest.

The clause clearly do not introduce any further reference to Residents' Management Company, RMC liability as a result of this contribution. It referenced the fact that Alexkor is eligible to recover 51% of this money from its share of the income generated as highlighted in the discussion of the previous clause.

Lastly, the clause that 8,3 (14) subjected applies for paying off debt as a result of additional financing. That clause reads that clause 8,3,15,4 repayment of such additional finances and interest shall be made from the pooled income and the Pooling and Sharing Joint Venture, PSJV, before calculating and should be PSJV be dissolved for any reason other than the exercise of the option mentioned in the clause 8,3,16 and 8,3,17.

The balance of such additional finance and interest shall be paid as debt from the pooled income, available before distribution to the parties and shall not be obliged to contribute to the repayment of additional finance other than

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through its shares in the pooled income or assets acquired through the pooled income.

The final one, the major concern here is that the way in which the liability of recovery of additional debt and interest from loans taken out, top of the 200 million it's reference, is exactly how Alexkor COC Board has described raw material consumption, RMC liability during the past oversight.

It is very specific reference to pooled income before the calculation. What needs to be clarified is whether Alexkor, COC and PSJV had entered into additional debt.

Past annual reports of Alexkor during the period of settling the land claim indicate that Alexkor submitted the Medium-Term expenditure Framework application to Treasury for an amount of approximately 550 million during the 2011, an amount of 350 was approved by the National Treasurer. This amount has been earmarked for settlement of the cost for right of occupation of residential properties, taxes that may include value added tax, VAT, environmental and post-retirement liabilities.

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In terms of the allocation, Alexkor to settle all outstanding liabilities from its cash resources, that allocation is therefore not considered to be a loan to the PSJV, which will trigger 8,3, 15,4. I therefore submit House Chair. Thank you so much.

*Declaration of vote on 17<sup>th</sup> Order:*

Ms S L SITHOLE: House Chair, as the ANC we are fully conscious of the responsibility to reverse the unjust legacy of the past in order to build a democratic, equal and a truly prosperous society as guided by the preamble of the supreme law of the Republic. The preamble of the Constitution acknowledges the injustice of the past and commit to heal the divisions of the past.

The historic efforts as enshrined in our Constitution is translated into action by our country's legislative framework in terms of the restitution of land rights for rightful claimants who were forcibly removed from their land and thereof robbed of their birth right. Land restitution as part of the broader land reform programme remains a critical imperative to restore rights to land and dignity, build asset base for previous previously

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marginalised and enhance economic production. For the ANC, this is a non-negotiable apex priority.

We noted that the entire process of land restitution has stalled due to the complexity of the claim disputes and land value. It is for the above reasons that the Commission on Restitution of Land Rights, as well as the Office of the Valuer-General were established. We note that the commission has not fulfilled the objective of settling all the previously land claims that were done in 1998 or the so-called first order claim. It is said that the transfer of land to claimants has slowed down and at the current rate the commission would complete the claims after more than two decades.

We further note that currently there are 6 139 outstanding first generation claims and the implication as encapsulated in the strategic plan, the Department of Land Reform and Rural Development their outstanding pre-1998 claims would cost up to approximately R46 billion excluding the running cost of the commission. This places the government in a predicament that constrains the ability to accelerate land reforms and resolve the historic grievances.

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During our oversight it emerged that some of the land under claim has a long history of mining activities without benefit happening to the community. It is ... [Inaudible.] ... co-operating citizens for companies that are extracting natural resources to not only capture value for themselves to pursue profit maximisation ... [Interjections.] ... Okay, I see that my time is up. As the ANC we support the recommendations of this report and propose for more radical solutions. Thank you very much, House Chair. [Time expired.]

The HOUSE CHAIRPERSON (Mr D R Ryder): Thank you very much, hon Sithole. I see no further indication of declarations. Hon delegates, we will now proceed to voting on the Seventeenth Order.

Ms S L SITHOLE: House Chair ...

The HOUSE CHAIRPERSON (Mr D R Ryder): Yes.

Ms S L SITHOLE: I am also doing the second one.

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The HOUSE CHAIRPERSON (Mr D R Ryder): Yes, we will get there shortly. You will be given an opportunity after we've voted. Thank you, hon Sithole.

Debate concluded.

Question put: That the Report be agreed to.

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

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

*Declaration of vote on 18<sup>th</sup> Order:*

Ms S L SITHOLE: House Chair, thank you very much once more for giving me this opportunity. The land restitution as part of the broader land reform programme, remain a critical imperative to restore rights to land and dignity and build asset base for the previously marginalised and enhanced economic production. For the ANC, this is a non-negotiable apex priority.

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We note that the Richtersveld claims remain the historic as the largest claim settled by the democratic government with liberation movement at the helm. The historic claim of roughly 185 000 hectares length is a testament to the abiding commitment of the ANC to reverse the painful legacy of colonising and apartheid in South Africa. We note, however, that various structures and subsidiaries were formed to manage the asset but the terms of this settlement are not implemented in full.

In addition, these structures are plagued by severe challenges in terms of the governance and functionality, which is a major source of concern. We further note that there is a long standing debt ... [Inaudible.] ... experience with the mining joint venture and challenges faced by the Communal Property Associations, CPAs, in securing the final transfer of funds owed by Alesco for payment of a rental agreement spending for more than 10 years. For this reason, our oversight is intensive in order to comprehensively resolve all the challenges in a balanced manner of posterity.

Accordingly, we covered the following entities: The Richtersveld Sida !Hub Communal Property Association, CPA; Richtersveld Agricultural Holding Company; Richtersveld Mining Company, which

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is Alesco joint venture; Richtersveld Property Holding Company and the Richtersveld Environmental Rehabilitation Company. In addition to the governance and the capacity challenges confronting the entity, there are also secondary challenges, including access to electricity and other socioeconomic infrastructure development services from the local municipalities.

We want to ... [Inaudible.] ... that these challenges are multifaceted and requires adequate co-ordination of different departments and spheres of government. As the ANC, we support the recommendations and resolution of the committee, particularly on the question of compliance and fulfilment of the condition of the deeds of settlement. It is our considered view that the district ... Okay, thank you very much, Chair. [Time expired.]

Debate concluded.

Question put: That the Report be agreed to.

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

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

**CONSIDERATION OF REPORT OF THE 68TH COMMONWEALTH PARLIAMENTARY ASSOCIATION CONFERENCE HELD UNDER THE THEME "THE COMMONWEALTH - A GLOBAL PARTNER" BRIDGETOWN, BARBADOS - 5 TO 12 OCTOBER 2025**

The HOUSE CHAIRPERSON: MEMBERS SUPPORT AND INTERNATIONAL RELATIONS (Mr B A Radebe): Thank you ... [Interjections.]

Mr M G MODISE: Happy birthday, hon Ryder, happy birthday ... [Interjections.]

The HOUSE CHAIRPERSON: MEMBERS SUPPORT AND INTERNATIONAL RELATIONS (Mr B A Radebe): ... thank you, House Chairperson Ryder. I've just shown myself that I'm not artificial intelligence, AI, I'm real Radebe. I'll request to close the video.

The HOUSE CHAIRPERSON: COMMITTEES (Mr D R RYDER): Thank you, hon Radebe, that is in order. And thank you, hon Modise, it's too late to buy me a present though.

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The HOUSE CHAIRPERSON: MEMBERS SUPPORT AND INTERNATIONAL RELATIONS (Mr B A Radebe): Hon Chairperson and the President ... hon Chairperson of the NCOP and the President of the Commonwealth Parliamentary Association, hon Mtsweni-Tsipane, Deputy Chairperson of the Council, House Chairperson: Committees, Chief Whip of the NCOP, permanent and special delegates of the NCOP, parliamentary staff led by Adv Phindela, and political of the NCOP ... and political staff led by Shandu, fellow South Africans, afternoon, dumelang, sanibonani.

I would like to preface this report by quoting Mahatma Gandhi who once said "be the change you wish to see in the world".

This timeless Council challenges Parliaments everywhere to lead by example in the service of democracy, peace and development.

It is in that spirit as alluded by Mahatma Gandhi that I rise to table the report of the Parliamentary Delegation to the 68th Commonwealth Parliamentary Conference for consideration and adoption by this House, following its ratification by the Parliamentary Group on International Relations, PGIR, on 10 December 2025.

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This report has been Announcements, Tablings and Committee Report, ATCd, and reflects the active attendance and participation of our Parliament and provincial legislatures whose delegation was led by our esteemed Chairperson of the Council, hon Refilwe.

Hon members, the ... [sound cut off for over five minutes, from 14:47:30 to 14:54:30] ... member of the Southern African Development Community, SADC, Parliamentary Forum in Durban, the P20 Arabela, the ... [sound cut off for nine seconds] ... as a team and ensure that we put South Africa at a high regard in the world. Thank you, Chairperson.

*Setswana:*

Ke a leboga

*English:*

The HOUSE CHAIRPERSON: COMMITEES (Mr D R RYDER): Hon Radebe, yes, and I think we all joined in, in the congratulations as you recommended. It would have been nicer to do it in person, but I did see lots of virtual hand clapping on the go. Thank you, hon Radebe.

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Debate concluded.

No declarations.

Question put: That the Report be agreed to.

Voting

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

THE HOUSE CHAIRPERSON OF THE NCOP (Mr B A Radebe): Thank you, hon Ryder for the opportunity you are providing me to chair the final lap of the 2025 parliamentary programme.

**FAREWELL SPEECHES**

[Sound cut off for one minute at beginning of speech]

The CHIEF WHIP OF THE NCOP (Mr K M Mmoeimang): ... on the protocol already observed during this session. We assemble today in the political calendar of our democratic Parliament, which makes the official closure of parliamentary business in 2025,

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therefore allowing hon members to return to their constituencies and join their families for Christmas vacation. This makes it compelling to exchange farewell messages after a hectic year since the establishment of the National Council of Province in the seventh administration in June 2024.

The sitting takes place amid rapid changes on the global and domestic fronts which has far-reaching political and socioeconomic challenges, which has implication for the state's capacity to accelerate socio-economic programme as envisaged in our Constitution. At the core of this shift is the deepening crisis of neoliberalism, which is accompanied by the ever-growing erosion of public trust in neoliberal democracy and its institution, the widening of wealthy nations of the north and the poorer countries of the south, the proliferation of geopolitical rivalries and conflicts, the escalating global migration crisis and the rise of populism across the worldwide political landscape.

As important as this year, we also have fond memories of the successful G20 Summit, which was hosted by our country despite the unprecedented and debilitating trade and diplomatic isolationist stance of the United States of America against

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other countries, South Africa. Despite the repeated efforts by the United States of America to discuss this isolation stance behind false claims of genocides against white Afrikaners, the truth remains that this signifies a renewed form of imperialism by the United States aimed at undermining South Africa's growing dominance and influence on the African continent and within the global political scape.

On the domestic front, economic stagnation continues to reproduce and entrench the apartheid colonial legacy of racialized and gendered poverty, unemployment, inequality. According to government statistics, women, youth, and rural populations are the most affected by poverty and unemployment.

There is no doubt that 2025 will be remembered as a pivotal year in our long journey towards a domestic society. It marked the first anniversary of the Government of National Unity following the historic elections of 29 May 2024, which coincide with the 70th anniversary of the Freedom Charter. The GNU is a reflection of the collective will of the people united in diversity. At the core of this decision is the deliberate choice of our people expressed through the ballot to prevent any single party from gaining an outright majority to form a government alone.

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House Chair, the acceptance of the election outcomes by the majority of political parties represented in our parliament and the subsequent formation of the GNU were not accidental forms of history, but an act inspired by decades of a collective heritage of unity among our people in the struggle against the system of white minority dominance and the vision of the Freedom Charter. In its first clause, the Freedom Charter declares: "The people shall govern, and no government can justly claim authority unless it is based on the will of all the people". For this reason, strengthening the GNU plays a key role in the resolution of the fifth ANC National General Council.

We do this aware that the GNU does not diminish political parties' ideological identities of the parties involved but instead promotes co-operation around the minimum platform of the Medium-Term Development Plan. One of the lasting qualitative changes that characterize the strategic direction of the Seventh democratic Parliament in this esteemed House is this increasing respect for decorum by all members across all political parties during debates, whether in select committees or plenaries.

House Chair, all parties and delegates in our council have demonstrated great maturity through tolerance and mutual respect

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during debates, whether in the select committee or House plenary regardless of how heated the issues are. On your behalf, I would like to express my sincere appreciation as the Chief Whip of the House who is at the far front of mediating conflicts to foster co-operation and consensus.

House Chair, ... [sound cut off for one minute] ...

... in February 2027. We will also be celebrating the 30th anniversary of the National Council of Provinces, formally inaugurated in February 1997. Accordingly, this plays a significant duty on us as an elected representative of the people to focus our work on evaluating the extent to which this institution has transformed our country.

Hon House Chair, before I offer my farewell and Christmas and new year greetings to all the members of this esteemed House, permit me to recognize on behalf of all members our collective deep appreciation and lasting memories of some of our remarkable and distinguished patriots who made significant and selfless contribution in the pursuit of this inclusive society we enjoy today. We lower our banner in honour of two of our own colleagues who passed away in the line of duty during the

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Seventh democratic Parliament, the late hon Mathilda Baines of the ANC and hon Zama Ngcobo of the MK party. These were dedicated servants of the people.

Chair, as we may recall, 43 years ago in 1982, the murderous SA Defence Force entered the city of Maseru in the mountain of Lesotho, where they maimed and killed 42 members of the ANC and citizens of Lesotho. We lower our banner in fitting memories of these heroes and heroines of our people and reassure them that their blood was not spilled in vain, but it has ... [Inaudible.] ... the tree of liberty that we enjoy today.

House Chair, I also wish to pay a fitting tribute to the late Nzwandile Piliso, the ANC's longest serving head of intelligence and a member of the ANC in the General Executive Committee from 1962 to 1985. He passed away on the 5 June 1996 at the age of 73.

We also lower our banner in fitting memories to Mama Nokukhanya Luthuli, who was the widow of the ANC President, General Albert Luthuli, a respected leader in her own right. She passed away on 16 December 1996, at the age of 92. At her funeral, President Nelson Mandela paid tribute to her contribution to the anti-

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apartheid struggle, noting she was one of the resilient women whose spirit could not be broken by the apartheid government. The tribute to Mama Nokukhanya Luthuli is especially meaningful in light of the recent inquest into the cause of her late husband, Chief Albert Luthuli's death - who was the president of the ANC. The inquest has concluded that contrary to claims spread by the apartheid security forces, Chief Albert Luthuli was indeed killed by them.

Hon House Chair, allow me to express my heartfelt message to all of you, the Deputy Chair, the Chairperson, the chairperson of committees and those who continue to play an instrumental role in the political management of the business of the council. We wish you a happy Christmas and a prosperous new year.

To our provincial Whips and party Whips, allow me to express my sincere appreciation of your hard work. Yours is the difficult task of ensuring the voice of the provinces and political parties in the management of the political business of this august House, central institution to which is the setting of the agenda for national democratic transformation.

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On behalf of the entire council, I want to express my deepest gratitude to parliamentary staff, the NCOP administration, the provincial liaising officers, and the staff of political parties for your unwavering dedication and vital work that support our council's work. Your behind-the-scenes efforts ensure that our council runs smoothly, making a meaningful contribution to the functioning of our democracy.

It would be a significant oversight if I did not thank the staff in the office of the Chief Whip. I'm currently genuinely grateful for your support and dedication to our Parliament, your ... [sound cut off for one minute]

Cllr P PHUKUNTSI (Salga): House Chairperson, in Cape Town, on 6 May 1996, the then President Nelson Mandela had this to say:

... hon members as the representatives of the people decided that open and accountable government would be reinforced by co-operative governance among all tiers. Thus we stride out along a new road in which the preoccupation of the elected representatives at all levels of government will be how to co-operate in the service of the people rather than competing for power which belongs not to us, but to the people.

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This message, nearly 30 years later, is befitting as local government representatives are marching towards the final days of our term of office and will, following the 2026 local government election, emerge with a new mandate from the electorate. It is hoped that, under the banner of the District Development Model, the remaining days of the 2021 electoral mandate will be dedicated to the service of our people, in co-operation with elected representatives from other spheres of government.

The South African Constitution enshrines the supremacy of the Constitution and the rule of law in South Africa. It is our view that local government has a key role to play in ensuring that the intent of the Constitution, as stated in the Preamble, is achieved. It is in all our hands to ensure that the intention of establishing a society based on democratic values, social justice, and fundamental human rights comes to fruition.

The year 2025 tested us on many scores but also reminded us of how important local government is. Being what it is, a foundation upon which our democracy has been built, together we have weathered challenges and celebrated successes. We came together to rededicate ourselves to our mission by strengthening

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municipalities and their potential role in delivering services to citizens, in fostering business development, and in enabling communities. If anything, 2025, now, as we look ahead to 2026, presents us with an opportunity to reaffirm our commitment to the spirit and vision of the 1998 White Paper on Local Government, to a developmental local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic, and material needs, and to improve the quality of their lives. Central to driving the spirit and vision of the White Paper on Local Government is ensuring that we build the capacity of municipalities to address the considerable challenges they face.

Hon House Chair, this is an opportune moment that requires embracing the collaborative nature of governance to strengthen the principle of intergovernmental relations, just as coalitions within local government have required us to call for dialogue, compromise, and shared accountability. The same must happen within national governance itself, as it comes to grips with the new reality of the Government of National Unity. Ultimately, our success will depend on our ability to collaborate across all levels of government.

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It is important that we ensure our efforts are co-ordinated, rather than piecemeal, and are focused on delivery for the people of South Africa. Through strengthened intergovernmental relations, we will be better placed to align our plans, move beyond party political divisions, and advance the developmental agenda that our people so desperately need. Dismantling silos and fostering co-operation between national, provincial, and local government is crucial to resolving systemic challenges and improving service delivery.

The challenges facing municipalities are interlinked and require a single, concentrated effort. As coalitions increasingly characterise our political landscape at every level ... [sound cut off for one minute]

To my respected fellow local government leaders, traditional leaders, partners from civil society, and, most importantly, the communities that we serve, your resolve, your strength, and your vision have been our locomotives. The collaborative work we have done in 2025 has laid the foundation for even greater things in 2026.

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Allow me to once again to borrow from the words of former President Mandela when he said:

Never, and never again, shall the laws of our country render our people apart or legalise their oppression and repression. Together, we shall march, hand in hand, to a better future.

I thank you, hon House Chair. We wish everybody a Merry Christmas and a prosperous New Year.

The HOUSE CHAIRPERSON (Mr D R Ryder): House Chairperson, hon members, we are but a privileged few who are able to act as representatives at Parliament of those who participated in the most powerful democratic tool, the elections. This privilege also comes with great responsibility. We are here to do what is in the best interests of South Africans.

It should be this awareness that lies at the centre of our motivation and drive as we execute our duties here in the National Council of Provinces, especially when our tanks approach empty as the year draws to a close.

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2025 marked the first full calendar year of the Seventh Parliament and has allowed us as Members of Parliament to participate in a full parliamentary cycle, from the state of the nation address to the processing of the Medium-Term Budget Policy Statement. As a group, we have quickly learnt how to manoeuvre through the complexities of parliamentary processes.

As a DA team, along with our normal orientation, a number of new challenges presented themselves to our members, such as new roles as committee chairs and, of course, the dramatic shift from being an opposition party to being a cogoverning one, whilst retaining our oversight role.

This transition has come with steep learning curves and relationship complexities, which required discipline, maturity and a renewed focus on constructive oversight, ensuring that cogovernance never becomes co-option.

With the Budget playing such a key role in the way that the year unfolded, our finance team certainly stepped up and played active contributory roles to the processing of the Fiscal Framework and the success that the DA brought to South Africans against the proposed VAT hike.

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Our entire team rose to the occasion when the budget policy debates came around this year. With the experience of last year under the belt, members could take on the strenuous and compact debate period in their stride and deliver quality debate speeches for the DA and for South Africa.

This period, however, was a difficult one for us as a team, as one of our own, Paul Swart, lost his wife during this period. It was a profound loss for the Swart family and we all felt it.

Nonetheless, our team of 12 delivered over 70 quality speeches in the budget debates on the identified departments within the space of one month. Our team participated actively in many oversight activities, and it was during one of these visits that hon Nicholas Gotsell was brutally attacked, along with our ... [no audio] ... year.

Next year must be a time for better co-ordination, timeous planning, stronger communication and a new level of collaboration that drives the business of our House to new success through relevance to our provinces and to the voting public.

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The success in the past year is in large part due to the work being done behind the scenes by the many professional staff who support us as parliamentarians. To the administration of Parliament, all the way down the organogram, we see you. We thank you for your service and your service to our democratic project.

I would like to voice my gratitude to the researchers and the content advisors, the committee secretaries and assistants, the ushers in the Chamber, Parliament's drivers, the protection services and the SA Police Service members that are deployed in and around our precinct, to the service staff and the cleaners.

Many thanks also to the chefs and catering staff for ensuring that we are properly fed, even when we're working odd hours, the librarians, translators, Hansard team, the media wizards and the IT sorcerers, to member support for their incredible support and guidance role, and to the travel officers. You help us to do what we have to do, and we are so very grateful to each of you.

I'd like to pay a special tribute to the Table Staff, the questions office, and the small team in my office that continues

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to guide and support me, and ensures that our select and joint committees function optimally. I thank you.

I would like to thank the DA, National Council of Provinces support staff, and the researchers and question team for the work that they have done through the year in aiding us to continue to serve South Africans to the best of our abilities.

Hon members, not all who started the year with us are here today. We pause and pay tribute to our colleagues who have passed away. Their contributions will not be forgotten.

Permanent delegates to the National Council of Provinces, over the past year we've come to know each of you a little bit better, and I want to thank you all for the shared time. Whether we have been on the same side of a discussion or debate or on opposing sides, we have treated one another with respect. I appreciate the engagements, the opportunities to learn about and from each other, and the time to be human as we interact. Long may this last. We all want the best for South Africa. That should be our guiding light as we enter 2026.

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To my fellow presiding officers, I'd like to thank you for the collegiality, a year wiser, which certainly shows in the direction that we're moving in the NCOP.

I'd like to single out the committee chairpersons who have all done their absolute best to ensure that the work of Parliament is done, that Bills are passed, and that reports are prepared and processed. We have learnt so much from each other. We have achieved so much. Thank you for your great efforts and your kind co-operation and support.

To the small but dynamic DA team in the NCOP, we have created a culture that thrives and a bond that continues to grow. You have, without exception, performed your roles admirably and with decorum, vigour, a strong work ethic and a sense of acute responsibility to our constituents. You are all valued members of this team and I have no doubt that we will come back next year even stronger.

Lastly, hon members, I'd like to say to our families, friends, and loved ones, thank you for the support that you provide us, which enables us to spend so much time dedicated to working towards a better South Africa. We thank each and every one of

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you family members and loved ones who have shared your nearest and dearest with South Africa, and we look forward to spending quality time with you over the festive season.

2026 is an election year. It's going to be busy, but if we build on the foundation that the NCOP laid in 2025, success is in reach. Merry Christmas to each and every one of you. Happy new year. Travel safely. Rest and recover. Return with a full tank. Local government elections are just around the corner. I thank you.

Ms M MAKESINI: Hon House Chair, hon members of the Council, fighters, commissars and people of South Africa, we rise here today at the end of the 2025 parliamentary year not to congratulate this Parliament, but to expose the shameful failure of the so-called government of national unity, GNU, which has united, not our people, but united in terms of corruption, incompetence and betrayal.

This GNU has abandoned the working class and the poor. While they shake hands in an air-conditioned boardroom, our people are forced to live in sewage. Children wake up next to flowing human waste. Community ... drink water that has turned brown, unfit

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for human consumption. This is not service delivery. This is organised neglect.

A government that allows its people to live without clean water has no moral right to govern. A government that allows children to play in sewage has declared war on the future. The government, time and again, has chosen comfort over the conscious coalition ... over the community, and elitist stability over revolutionary change.

Municipalities have collapsed, infrastructure has decayed and accountability has dispersed. Yet, the GNU wants us to applaud them. They want us to believe that unity is in progress while the people of South Africa are drowning in filth.

As we approach this festive season at the end of the 2025 parliamentary programme, we must speak directly to the conscience of our nation. Fighters, commissars and South Africans, allow me to quote the words of our commander-in-chief, president Julius Sello Malema, who told us if you finish this festive season without giving something back to someone who deserves it, you must reflect deeply. If you still have clothes in your wardrobe from your high school days while millions go

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without clothing, you must understand that you are part of the problem. You are not part of the solution. If you are preparing a festive meal while your neighbour has nothing, invite them over. Share food with them. Share dignity. Make it easier this festive season for the poorest of the poor.

When children see others shining, eating nicely, celebrating, while they go hungry, their pain is deepened. However, when you invite them, you reduce the pain, you make them feel better and they will have hope for the future.

If we have disagreements with our parents ... [Inaudible.] ... or political opponents, let us not involve our children in our adult conflicts. Always protect the children of South Africa. We must never be subjected to trauma because ... our selfishness or our political battles or failure to govern. We must always think about them because they are the future of tomorrow.

The future of this country depends on how you treat the children of today. Let them grow with hope, confidence and dignity because ... [Inaudible.] ... a neighbour was good to them. I stand here today because my neighbours were good to me, and in return I choose to be good to them.

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Lastly, as we close this parliamentary year, I would like to remind our people across all nine provinces that they must have hope in the EFF. This is the only political movement that speaks without fear, that confronts power without compromise and that places the lives of the poor at the centre of government needs.

As such, we reject the GNU because the GNU also rejected the people of ... [No audio] ... remember as the voice that refused to be silent, let us protect our children and let us defend the poor. Let's restore the dignity of our people.

Merry Christmas. Enjoy ... with your family members. Let's meet to ... Be safe till we meet again in 2026. I thank you.

Ms L P MHLONGO: Chair, it the hon Mhlongo here. I will be taking over from the hon Mokoena, as she is not feeling well. With your permission, may I please switch off the video for connective purposes?

The HOUSE CHAIRPERSON (Mr B A Radebe): Yes, ma'am.

Ms L P MHLONGO: Thank you very much. Hon Chairperson, premiers, MECs, officials of Parliament, and fellow South Africans, as we

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bring this parliamentary year to a close, this House is obliged to reflect, not sentimentally but honestly, on the role it has played in advancing, or failing, the people it claims to serve. On behalf of the MKP, I acknowledge the staff members and officials of Parliament who have worked tirelessly under immense pressure. We see you, and we do appreciate you. Your professionalism, resilience, and discipline have carried Parliament even when politics have tested its integrity.

I must also place on record my appreciation to the Chairperson for her conduct in the House, particularly her consistent recognition of, and support for, women's leadership in a political environment that so often seeks to diminish women's authority ... [sound cut off for one minute] ...

... ability to speak freely, to act without fear, and to place the interests of the people above political convenience.

The National Council of Provinces was not created to be ceremonial. It was created to be protective, to safeguard provincial interests, and to shield the people of South Africa from the abuse of power, particularly when that abuse hides behind procedure, coalitions, and polished language. We were

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told that this year marked a new chapter, a Government of National Unity, a promise of stability and a promise of maturity. Yet unity quickly became arithmetic, consensus became a survival pact, and stability became a warning: Do not disturb those who are failing.

The MKP did not enter this House to be absorbed into comfort or impressed by inherited authority. We entered it as constitutional disruption, grounded in the liberation tradition of president Jacob Zuma who continues to remind this country that political power must answer to the people, not to the elite, markets, or fragile coalitions. This year, provinces burned whilst reports were merely noted, municipalities collapsed whilst task teams multiplied, and communities protested whilst Ministers perfected the art of explanation, still blaming legacy issues three decades into governance.

Parliament, instead of confronting the crisis, became fluent in avoidance. It spoke around collapse, its debates suffering from impressive vocabulary but limited urgency, and oversight was scheduled whilst communities scheduled funerals caused by the state's failure. Nowhere was the decay more visible than when the democratic order itself became negotiable. Rules were

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weaponised, neutrality was abandoned, and procedure was deployed not to protect democracy but to discipline dissent.

The MKP said it, and we repeat it now: Legitimacy does not come from numbers forced through fear, chaos, or exclusion. It comes from lawful, transparent, and courageous leadership. The entry of the MKP into the various Houses of Parliament caused discomfort. Let us be honest. It caused fear. To those who struggle to stand us, allow us to be clear: More fear is coming as the people of South Africa vote the MKP into municipalities across the country in 2026. The disruption you see today will look mild by comparison. If our presence in Parliament unsettles you, our presence in local government will blow you away.

I must also place on record a special acknowledgement of the Chief Whip of the MKP in the National Council of Provinces, the hon Mmabatho Mokoena. Her courage in standing firm against procedural unfairness, her boldness, and her fearlessness have proven that women, particularly black women, are a force that shapes and confronts power itself. Her leadership has strengthened this caucus and elevated the standard of parliamentary resistance.

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South Africans watched in disbelief as a clearly biased Speaker presided over the recent motion of no confidence against the IFP Premier Thami Ntuli, committing errors of judgement so grave that confidence in the integrity of the legislature was shaken. That moment confirmed what many already knew – that the ANC no longer holds its moral centre or its soul.

As we adjourn, let it be recorded clearly that the MKP under the leadership of president Nxamalala Zuma is not here to negotiate principles for proximity to power. We are here to rebuild a state captured by fear, complacency, and political cowardice. On behalf of the people of South Africa in the MKP delegation, I commit us to the work ahead. We thank you.

The HOUSE CHAIRPERSON (Mr B A Radebe): Thank you, hon Mhlongo, for your presentation. I have to make just one correction. In the NCOP, we have only one Chief Whip, and that Chief Whip is the hon Mmoiemang. There is no other Chief Whip, just him. The next speaker at the podium will be the hon Breedt, a delegate from the Free State. You have four minutes, ma'am.

*Afrikaans:*

Me T BREEDT: Agb Huisvoorsitter, kollegas, en vriende, dit is 'n voorreg om vandag, aan die einde van 'n lang en veeleisende jaar, 'n paar afskeidswoorde te kan rig.

As ek mag begin met 'n Bybelvers wat vir my hierdie jaar mooi opsom, uit Prediker 3:1: Alles het sy bepaalde uur, en vir elke saak onder die hemel is daar 'n tyd.

*English:*

There is a time to work, a time to persevere, and also a time to pause and to rest.

*Afrikaans:*

Eerstens wil ek opreg dankie sê aan my kollegas hier in die Parlement – oor partygrense heen. Hierdie jaar was nie altyd maklik nie. Oorsig en verantwoordbaarheid is selde eenvoudig, en ons almal weet dat antwoorde nie altyd so volledig of so oop was as wat ons dit sou wou hê nie. Maar tog, ten spyte van verskille, druk, en soms frustrasie, het ons oor die algemeen respekvol saamgewerk, en dit verdien erkenning.

*English:*

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I also want to extend sincere thanks to colleagues within my own party for the support, the teamwork, and the shared commitment to serve our people with integrity and purpose.

*Afrikaans:*

'n Spesiale woord van dank gaan aan die parlementêre personeel – die administratiewe personeel, die diensbeampies, die sekuriteit, die navorsers, die tolke, die skoonmaak- en tegniese spanne. Julle werk dikwels agter die skerms, maar sonder julle sou hierdie instelling eenvoudig nie kon funksioneer nie. Julle professionaliteit en toewyding word raakgesien en waardeer.

*English:*

Colleagues, as we approach the end of the year, I want to emphasise something very important. Rest is not a luxury; it is a necessity. We are entering a period of renewal because 2026 will be a demanding year, with the municipal election ahead of us. The work will intensify, the pressure will increase, and the expectations of our communities will be high.

*Afrikaans:*

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Daarom moedig ek elkeen aan: Rus regtig. Spandeer tyd met jou geliefdes. Herlaai fisies, emosioneel, en geestelik, want net 'n uitgeruste leier kan met wysheid en deernis lei.

*English:*

I want to wish every party, every candidate, and every team strength and wisdom as preparations begin for the upcoming election. May your preparations be guided by honesty, accountability, and a genuine desire to improve the lives of the people we serve.

*Afrikaans:*

As ek terugkyk op die afgelope jaar, sien ek uitdagings – ja – maar ek sien ook groei, leer, en samewerking. Hierdie Huis bly 'n belangrike ruimte vir debat, toesig, en demokrasie. Mag ons in die nuwe jaar voortbou op wat goed was, leer uit wat moeilik was, en altyd onthou waarom ons hier is.

Laat ek afsluit met hierdie gedagte.

*English:*

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Blessed are those that work for peace, for they shall be called the children of God. May we continue, even in disagreement, to work for peace, dignity, and the greater good.

I wish you all a peaceful festive season, safe travels, renewed strength, and God's blessing for the year ahead. I thank you.

The DEPUTY CHAIRPERSON OF THE NCOP (Mr P Govender): Greetings to the hon House Chairpersons, the Chief of the NCOP, the SA Local Government Association, Salga, representatives. Hon members, at the outset, I wish to join the broader state, missionary and society at large in expressing our condolences to the families who lost loved ones and victims of the Verulam Temple collapsed that happened in the north of Durban.

Hon delegates, as we reflect on this past year, let us remember hon Ngcobo and hon Baines, members who once occupied seats in this House and shared their lives with us. Their absence now must serve as a reminder that we must use every moment of our lives to make our country a better place. The year 2025 for the NCOP has been a year of high-level programs and activities. We convened our first Africa Day Lecture of the Seventh Dispensation, where Prof. Eddy Maloka delivered the keynote

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address. And the deliberations that followed served as the launching pad for our P20 sectoral buildup activities. Deliberations focused on the potential of the Africa Continental Free Trade Area Agreement in driving Africa's economic transformation. In hindsight, it seems like this lecture foresaw the tariffs that would be imposed and the geopolitical tensions that were on the horizon, hence the need for strengthening South-South ties and seeking new trading partners. We also successfully convened the P20 Youth Parliament, which emphasized the importance of promoting youth in industrial sectors to create jobs on a mass scale. We convened the P20 Women's Parliament, which reiterated the importance of gender mainstreaming and highlighted the scourge of gender-based violence and femicide.

Hon delegates, allow me to pause here to reflect on gender-based violence and femicide, which is a pandemic in our country. In the recent study published by the Inter-Parliamentary Union, it found that women parliamentarians continue to face an onslaught of violence, which particularly targeted women in leadership positions. We must never allow the world to see what happened in the KwaZulu-Natal legislature this past Monday, where the female speaker and the female secretary of the legislature were

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manhandled and threatened by mostly men who are members of that legislature. I was an IFP member in the KwaZulu-Natal legislature for almost 20 years, serving in the opposition benches. The IFP deferred with the governing party on many occasions, but we debated with dignity and respected the decorum of the institution. We never resorted to the ugly scenes that played out on Monday. Let that never happen in the NCOP.

Hon delegates, as we rise today, allow me to express my gratitude to the hon Chairperson of the National Council of Provinces, Mtsweni-Tsipane, House Chairpersons, the Chief Whip, and all permanent delegates for your sterling work. Your leadership ensures that the voices of all provinces are represented in the parliamentary processes.

Hon delegates, I convey my sincere thanks to the secretary of the NCOP, the table staff, the ushers, the staff in my office for your continued support to me. I thank the maintenance and security personnel and the restaurant staff. Your efforts make the work of the procedure and all hon members much easier and I appreciate you all. Let's cherish the joy of being with our loved ones this festive season. As we celebrate, let us also remember those who are less fortunate, who face challenges and

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hardships every day. May our kindness bring hope and relief to those in need. I also want to thank my loved ones, my family for their support. I thank you once again hon members and wish you well over the festive season. Thank you, hon House Chair.

Mr B J FARMER: Hon Chairperson, hon members, fellow South Africans, I greet you in the name of Jesus Christ, our Lord and Saviour. As we reach the final sitting of the National Council of Provinces for 2025, we do so at the end of a year that has tested our resolve, sharpened our debates and reminded us why this House exists, to give voice to the provinces and to protect the dignity of our people.

This has not been an easy year. We debated issues of deep consequence, yet through these debates the PA remained consistent in one principle, politics must return to the people, not remain trapped in ideology, excuses or blame shifting.

This House conducted oversight visits that laid bare the realities on the ground, municipalities under strain, communities frustrated, workers unheard and service delivery collapsing where leadership is absent.

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We chose not to turn these findings into political theatre, instead we used them to ask how to fix what is broken, how do we govern differently, how do we act with urgency, courage, and accountability. The patriotic alliance believed that delivery is a responsibility.

We thank the Chairperson, presiding officers, House chairpersons, committee chairpersons, and parliamentary staff who ensured that this institution functioned despite pressure, tight schedules, and often difficult political moments. To our colleagues across parties, while we made this agree fiercely in this Chamber, we acknowledge the shared responsibility we carry to uphold the Constitution and serve South Africans with integrity.

Hon Chairperson, as we recess, let us remember that our people do not go on recess. They remain in informal settlements waiting for water. They remain in rural towns without economic opportunity. They remain in communities affected by crime, unemployment, and poor governance.

The test of this House in 2026 will not be how well we speak, but how decisively we act. The PA will enter the new year committed to stronger oversight, practical solutions, restoring

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law and order, and governance that includes all South Africans across race, age, and geography.

In closing, we extend our best wishes to all members, staff, and South Africans for a safe festive season. May we return in the new year rested, focused, and ready, not for politics as usual, but for politics that works. We owe our people nothing less. To all South Africans ...

*Afrikaans:*

... moenie baiza nie.

Mr M M PETER: For both my party and myself, the UDM to stand in this House as a bona fide child of South Africa soil, committed to our constitutional values, and accountable to the people who place us here, I'm deeply grateful for the opportunity to serve and to work alongside South Africans as they confront challenges that are increasingly shaped by developments beyond our borders.

Hon Chairperson, the realities facing our country cannot be separated from the global environment. The International Monetary Fund has estimated global economic growth at below 3% in 2024.

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With the development of economies facing rising debt and reduced fiscal space, this pressure is felt directly in South Africa through constrained public finances, persistent unemployment and widening inequality, underscoring the need for strategic and coherent engagement at both global and continental levels.

South Africa carries a particular responsibility in this regard. Our constitutional order and historical experience oblige us to advocate for the principles of Pan-Africanism, effective continental governance and a foreign policy that mirrors and advances our economy development objectives.

Our international engagement must translate into expand trade investment, industrial growth and job creation, ensuring that Pan-African solidarity works in tandem with tangible economic outcomes for our people. As we conclude, this parliamentary year, I wish to place a clear directive before this House. I hope to see a Parliament that is run in a pragmatic and efficient manner, where legislation is passed with sober minds and sober thoughts.

While we sit here because of different political parties and schools of thought, we must remain conscious that the decisions

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we take in this House shape the lives of the very people who entrusted us with their votes.

In conclusion, in this spirit, I reaffirm my commitment to serve the people of South Africa with integrity, discipline and respect for constitutional democracy.

*IsiXhosa:*

Uthando luzala uxolo, uxolo luzala ubunye, ubunye buzala isizwe. Ngoko ke, akukho nto iza kusimanya ingelulo uthando. Enkosi Sihlalo weNdlu.

The CHAIRPERSON OF THE NCOP: House Chairperson Radebe, fellow presiding officers, hon permanent as well as special delegates, the representatives of the SA Local Government Association, Salga, our management and staff good day. On behalf of the presiding officers, we take this opportunity to acknowledge the work done by this House over the past year in particular, and since the inception of the Seventh Parliament.

This year has been a spirited year of political expression, ideological contestation, meaningful oversight, public participation, and a focus on the passing of laws that can

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transform lives. As a defining feature of this democratic dispensation, delegates were cognisant of the priorities we set ourselves as this Seventh Parliament against the pressing challenges confronting the people we serve. Our energies were attendant to the lived experience of ordinary people in local communities across all our beautiful and diverse provinces.

We are thus pleased as presiding officers congratulate all permanent as well as special delegates, our speakers of legislatures on a job well done. We also take this opportunity to thank His Excellency, the President of the Republic of South Africa, His Excellency, President Cyril Ramaphosa as well as the Deputy President, who's the leader of government business, our Ministers and Deputy Ministers for their ready participation and responsive witness to this House, which made the NCOP a more effective and relevant instrument to serving the interests of our people. We also want to take this ... [Inaudible] ... our work would not have been possible as this NCOP.

Hon delegates, since the inception of the Seventh Parliament, and as we celebrate the 70th anniversary of the Freedom Charter, the NCOP was challenged to rearticulate its mandate in the eyes of our people in ways that restore confidence of a caring

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government for the people, by the people, with the people.

Whilst we come from different political parties representing different and even conflicting interests, the necessity of this Parliament constitutive of both Houses has been to forge common agenda in the spirit of national unity that sees substantial change and social transformation for a better life for all.

This meant positioning ourselves as a distinct and unique House, which ensures oversight that can translate into real challenge on the quality of lives of our provinces as well as our local communities. This included the fact of the national question, the fact of gender disparities, the fact of unequal economic opportunities, the fact of racialised and gendered poverty, which impacted on the prospective of self-determination, self-definition, and self-recovery.

To this reality, through the day-to-day business of committees, as well as the strategic programmes of the NCOP, sought to innovate through doing things differently and reframing of our environment in influencing the building of more capable, ethical, and developmental state. In this regard, we are I am pleased that sufficient questions to the executive and debates in the House on pertinent issues of provincial interest were

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central to a robust, critical and constructive engagement without fear, favour or prejudice.

The presiding officers will, in the new year, 2026, review closely the achievements, the setbacks, and areas of intervention for the period ahead of us. We'll also ensure the outcome of both local government week, as well as the provincial week, will be monitored and evaluated, ensuring that they receive the necessary urgency across all spheres of government.

On public participation, we also deepen and intensify this work of public participation in the upcoming 2026. We must, to this extent, take the opportunity to thank the provinces for ensuring that legislation that requires their input is properly considered, including engaging the views of public and stakeholders. We intend to continue to place more emphasis on the improvement of the processing of petitions, given petitions are an important instrument to ensure Parliament is more accessible and an instrument to strengthen accountability.

On lawmaking, we have ensured that we support the work of government through the consideration and approval of the critical budget instruments, including the Appropriation Bill,

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as well as the adjustments. It is our consideration and plan to improve the legislative process that delegates have been raising and review the transformative impact of the laws that we pass. I've had just now hon Peter touched on this matter, and also the member of the MK Party has briefly touched on this matter.

In so far as the international relations is concerned hon delegates, we wish to congratulate the President as well as government of South Africa for the successful hosting of the first G20 summit on African soil. Against all odds, yet again, South Africa proved to be at the epicentre of challenging both us and the world, that a more just order founded on solidarity, equality, and sustainability stability is possible. As Parliament, we managed to honour our obligations in terms of our international relations calendar of activities, including participation in the Brics Parliamentary Forum, the Commonwealth Parliamentary Association, the Pan-African Parliament, as well as the Southern African Development Community Parliamentary Forum, SADC PF and South Africa - European Union Bilateral Summit, SA-EU.

In addition, we are also pleased of the successful hosting of the P20 Summit of Speakers in Hermanus, Cape Town, as well as

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the recent hosting of the SADC PF in eThekweni. Thus far, we are looking forward to hosting the 69th Commonwealth Parliamentary Conference in 2026. Following the national Reconciliation Day, which we held yesterday, let us always be reminded ...

[Inaudible] ... a divided past from different streams of nations, emancipatory healing is possible, and a restructured society is a reality of the future. It is our individual and collective duty to defend, promote, and redefine ethics of reconciliation, social justice, and coexistence

Hon delegates, through these highlights and following this tireless year of the business of Parliament, on behalf of all the presiding officers, we wish you and yours a truly blessed and joyful festive season filled with warmth, love, laughter and cherished moments leading into a new year filled with peace, happiness and prosperity. We hope delegates as leaders of communities will share love, joy, and care with ordinary people without family support and those in need, as the same sentiments were echoed by hon Makesini.

We further hope sufficient time is given to rest, since our work involves a lot of traveling and time away from our families. To the Secretary of Parliament, Mr Xolile George, our Secretary to

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the NCOP, Adv Phindela, as well as the Secretary to the National Assembly, Mr Xaso, our management and staff of Parliament, and our office staff, we wish you restful and happy holidays, and we want to thank you for your dedication, commitment, and hard work.

As I conclude, I wish to extend my deepest gratitude from the bottom of my heart to Hon Radebe, hon Nonkonyane, hon Mokwele, hon Modise, hon Mabilo, hon Phala, hon Govender. I want to thank you for being a pillar of my strength. In my difficult times, you were a beacon of hope. And for that, I'll remain grateful for all the efforts. They may be small, you may not have noticed, but to me, it went a long way. And for that, I remain thankful and grateful. May God bless you in abundance. To all the women of the NCOP ...

*IsiXhosa:*

... ndithi malibongwe igama lamakhosikazi.

*English:*

Thank you for steering the ship and taking the baton forward. I thank you, hon members.

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The HOUSE CHAIRPERSON (Mr B A Radebe: Thank you, hon Chairperson of the Council. Can you give her a round of applause, please?

AN HON MEMBER: Thank you, thank you, thank you, thank you, thank you.

An HO MEMBER: I don't see it, I don't see it, I don't see it.

The HOUSE CHAIRPERSON (Mr B A Radebe: Thanks a lot hon Chairperson of the Council hon Ref. Now I've got the time ...

An HON MEMBER: Thank you, hon members, enjoy your festive season. Thank you very much.

The HOUSE CHAIRPERSON (Mr B A Radebe: Hey, hey, hey, I'm still in charge, hon Phala.

Mr P A PHALA: Oh, sorry.

The HOUSE CHAIRPERSON (Mr B A Radebe: All right, without further ado, I'd really like to appreciate the debate which you had today and the work which we have done throughout the whole year. I'd like to thank my fellow presiding officers in particular led

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by hon Ref, the Chief Whip of the Council, all the fellow delegates, the Salga representatives, plus all the stakeholders of the NCOP, because this year would not have been what it is if it was not for your wonderful input which you have made.

I would also like to thank the staff in my office, in particular, which is led by Mr. Thabang ... [Inaudible] ... for keeping up with me with the impossible demands which I usually make to them, I'd really like to say thank you. Go and rest well during this period, but must know that January is here, we've got a lot of work to do.

Without further ado hon delegates, I would like to thank the permanent delegates, MECs, all special delegates, and Salga representatives for availing themselves for the sitting. Hon delegates, that concludes the business of the day. The House is adjourned.

The Council adjourned at 16:09.