REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 26 NOVEMBER 2019

1. The Council met at 14:03.

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

3. [14:04] Notices of motion.

4. [14:15] Ms D G Mahlangu moved without notice: That the Council-

   (1) notes that 25 November marks the United Nations' (UN) International Day for the Elimination of Violence against Women, which is an occasion for governments, international organizations and non-governmental organizations to raise public awareness of violence against women;

   (2) further notes that this also marks the beginning of the 16 Days of Activism for No Violence against Women and Children Campaign, which starts from 25 November to 10 December to highlight the scourge of gender based violence and the brutality that continues to face many women and children across the globe;

   (3) takes this opportunity to join the nation and the rest of the world in lending a voice support to rally our nation to condemn in the strongest possible terms the brutality that many women and children, especially girl children continue to face in this country; and

   (4) expresses its support to the 16 Days of Activism for No Violence against Women and Children Campaign.

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

5. [14:17] Ms H S Boshoff moved without notice: That the Council-

(1) notes with concern that after 6 years the Mpumalanga International Fresh Produce Market is nowhere near completion as there is not even a structure on site, except the foundations;

(2) also notes that the budget for this project has been reduced by over R200 million which may again lead to further delays;

(3) further notes that Mpumalanga's unemployment rate stands at 42.5%;

(4) calls on the MEC for Finance and Economic Development to do everything in his/her power to prevent further delays with this project to ensure Mpumalanga's economy is stimulated and afford those without work employment at this construction; and

(5) recognises that by the end of 2018, the Western Cape's expanded unemployment rate was 23.1%, 14 points below the national average, with 29 000 new jobs created last year, demonstrating the province's ability and will to govern well.

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

6. [14:22] Mr J J Londt moved without notice: That the Council-

(1) congratulates the Mossel Bay Municipality rugby team on winning the South Western Districts (SWD) municipal challenge series;

(2) also notes that hierdie nuwe reeks was vanjaar vir die eerste keer gehou nadat South African Rugby Union (SARU) die SWD unie gevra het om die loodsprojek te bestuur.Die kompetisie was baie goed ondersteun deur gemeenskappe van regoor die Tuinroete asook 'n span vanuit die Sentraal Karoo;

(3) further notes that gedurende die kompetiese het die Mosselbaai munispalitiet, verskei besighede en gemeenskappe hande geneem met die spelers om die sukses te bewerkstellig;

(4) also states that Mosselbaai munisipaliteit het in die finaal die George munispalteit verslaan om die eerste munispale uitdaagreeks se gemeenskapbekerafdeling te wen. Ek versoek dus dat die huis hul gelukwensing en dank oordra aan die gemeenskappe, die besighede asook die munisipale rolspelers wat bydraes gelewr het vir die suksesvolle kompetisie; en

(5) thanks all participating teams and coaches for the commitment they have shown throughout, with a special acknowledgement and congratulations to the team from Mossel Bay for ensuring the bragging rights is theirs for the next year.

[(1) congratulates the Mossel Bay Municipality rugby team on winning the South Western Districts (SWD) Municipal Challenge Series;

(2) notes that this new series was held for the first time this year after the South African Rugby Union (SARU) requested the SWD Rugby Union to manage the pilot project. The competition was very well supported by communities from across the Garden Route, as well as a team from the Central Karoo;

(3) further notes that during the competition, the Mossel Bay Municipality, various businesses and communities joined hands with the players to ensure the success of the project;

(4) also states that the Mossel Bay Municipality defeated the George Municipality in the final to win the Community Cup Division of the first Municipal Challenge Series. I therefore request the House to convey its congratulations and thanks to the communities, the businesses, as well as the municipal stakeholders who contributed to the successful competition; and

(5) thanks all participating teams and coaches for the commitment they have shown throughout the tournament, with a special acknowledgment and congratulations to the Mossel Bay Municipality team for ensuring that the bragging rights are theirs until the next competition.]

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

7. [14:24] Ms M N Gillion moved without notice: That the Council-

(1) notes that after 24 years at The Soul City Institute for Social Justice, nine of which were served as the Chief Executive, Ms Lebogang Ramafoko will leave the organisation at the end of the year;

(2) further notes that Ms Remafoko's journey with The Soul City Institute for Social Justice, began just after the new democracy in 1994 when she was appointed as one of the many activists who championed the Institute's social justice and community outreach programmes that are geared towards using a combination of mass media, social mobilisation and advocacy to improve the quality of life and health of young women and girls and the communities they live in; and

(3) takes this opportunity to pay homage to Ms Lebogang Ramafoko for her indelible contribution at the Soul City Institute for Social Justice and the role that she played to leading an organization that has shaped the lives of many South Africans, especially young girls.

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

8. [14:25] Mr E Z Njandu moved without notice: That the Council-

(1) notes that a Khayelitsha pastor accused of raping three girls will stay behind bars until his next court appearance in February in the new year;

(2) further notes that Pastor Siyabulela Matini of the Worship of God Church made a brief appearance in the Khayelitsha Magistrates Court where the case was postponed until February 20, for further investigations;

(3) also notes that Matini faces three counts of rape of children between 10 and 14 years, with two of the children being siblings; and

(4) takes this opportunity to welcome the arrest of this Pastor and hopes that he will face the full might of the law for his perverted acts.

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

9. [14:27] Ms M L Mamaregane moved without notice: That the Council-

(1) notes with utmost sadness and grief the brutal and senseless killing of Ms Precious Ramabulana, a student at Capricorn TVET;

(2) further notes that Ms Ramabulana was brutally raped and stabbed 52 times in her sleep on the eve of the beginning of the 16 Days of Activism for No Violence against Women and Children Campaign, which started on Monday, 25 November and will proceed to 10 December to highlight the horrifying bane of gender based violence in this country; and

(3) takes this opportunity to condemn in the harshest terms this senseless and brutal murder of Ms Ramabulana.

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

10. [14:28] Ms S A Luthuli moved without notice: That the Council-

(1) notes the conduct of insurance companies over the past few years, who attract millions of black people to take up life and funeral policies with them, and then refuse to pay out when people die;

(2) further notes that Old Mutual has been the most notorious with this conduct, and were recently on the news for badly handling the funeral cover claims of the late Mr Sifiso Mtshali, which led the desperate family of Mr Mtshali to take the extraordinary steps of taking the corpse to Old Mutual offices; and

(3) acknowledges that there is a need to revise the law governing these funeral services companies.

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

11. [14:29] Mr S Zandamela moved without notice: That the Council-

(1) debates the shortage of water especially in the rural areas like Bushbuckridge Dr J S Moroka, Thembisile Hani and all other areas affected by drought.

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

12. [14:31] Mr M I Rayi moved without notice: That the Council-

(1) notes that commuters in Khayelitsha and Mitchells Plain have been left out of affordable transport access to the city centre, with at least 22 days of no trains and 179 days of no My City buses;

(2) further notes that it was still not clear when train services on the central line between Cape Town, Khayelitsha and Mitchells Plain would resume after being suspended earlier this month;

(3) also notes that the failure of the City to negotiate a new contract on the My City N2 Express is not only affecting ordinary workers but also job seekers who were given free rides to help them seek employment; and

(4) takes this opportunity to call on Prasa and the City of Cape Town to resolve the problems that are affecting this important service to our people as soon as possible.

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

13. [14:34] Mr S J Mohai moved without notice: That the Council-

(1) notes with profound sense of loss and grief, the passing away of the AmaXhosa King, King Mpendulo Zwelonke Sigcawu last Thursday, 14 November 2019 at the age of 51 years;

(2) further notes that King Sigcawu will be remembered for his relentless quest for unity of our people across ethnic, racial, gender and social status for the common good for all and his selfless service to our people for a better future;

(3) also notes that King Sigcawu lived and stood true to the fundamental African values of "Ubuntu" and human solidarity without fail till the end. By his deeds and lifestyle, he always saw himself as a humble servant of the people with unparalleled passion to uplift the poor, the vulnerable and the weakest; and

(4) takes this opportunity to extend its heartfelt condolences to the family of the late King, the AmaXhosa Royal Palace and the Eastern Cape House of Traditional Leaders and the entire nation. We share their loss and grief at this darkest hour.

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

14. [14:36] Mr M S Moletsane moved without notice: That the Council-

(1) Congratulates the South African National Soccer Team, Bafana Bafana, with their win against Sudan on 17 November 2019 at Orlando stadium.

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

15. [14:37] Mr A B Cloete moved without notice: That the Council-

(1) notes that access to water is increasingly becoming an urgent issue that need attention;

(2) also notes that the current drought across the country, but particularly in North West, Free State as well as in the Eastern Cape, could become the single most harmful situation that could affect our country not only environmentally, but also socio-economically;

(3) further notes the report about water security which was tabled in Parliament by the Minister of Water and Sanitation and Human Settlements, Ms Lindiwe Sisulu, which states that:

(a) South Africa's dam building programme is a decade behind schedule;

(b) faulty pumps are resulting in the loss of great amounts of water;

(c) leaks and poor water infrastructure leads to a tremendous loss of water each year and Mangaung Metro Municipality is a prime example where water is being lost through leakages, as much as swimming pool per minute, with no maintenance from the Metro;

(d) poor or dysfunctional sewage plants also result in large amounts of sewage flowing into rivers and dams; and

(e) the demand in many areas exceed supply and that water, which should be saved for later, is now used.

(4) also notes that as much as 41% of the country's portable water is being lost due to leakages, despite the "War on Leaks" project of 2015;

(5) acknowledges that municipalities are vital in ensuring that water is regarded as the single most valuable resource; and

(6) thus requests the Inter-Ministerial Committee on service delivery to:

(a) investigate and report on the impact and effect of water losses owing to leakages in municipalities; and

(b) calls upon the committee to present viable solutions that could be implemented by the different levels of government in order to ensure provision of safe and reliable water.

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

16. [14:38] Mr S E Mfayela moved without notice: That the Council-

(1) notes that a nurse was allegedly raped at a hospital in Northern KwaZulu-Natal on 3 November 2019;

(2) acknowledges that gender-based violence is out of control in South Africa and not even those who provide essential care giving services are safe from assault and rape;

(3) calls for the Minister of Police to work together with the Minister of Health and all relevant stakeholders to accommodate satellite Police stations at all state hospitals;

(4) further calls for these satellite stations to perform duties of safety in hospitals and to provide services for victims to open cases at hospitals when they come in for treatment after GBV or rape; and

(5) resolves that the government must do more to ensure safety in hospitals and that the perpetrator must be brought to book with speed.

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

17. [14:40] Ms M O Mokause moved without notice: That the Council-

(1) notes the brutal killings of a 14 years old in Rosedene, Upington;

(2) further notes that not long ago a similar incident occurred in Postmasburg;

(3) also notes that the absence of government intervention is worrisome;

(4) acknowledges that pupils and the entire school community cannot continue to be terrorised and losing their lives and nothing is being done; and

(5) calls on the Minister of Police and Minister of Basic Education to deploy police to schools not only adopt a Cop programme but also monitor and keep schools safe.

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

18. [14:41] Mr A A Arnolds moved without notice: That the Council-

(1) congratulates Lucinda Krige from Kraaifontein in the Western Cape, who has become the first woman in South Africa to qualify as a Chief Engineer in the deep sea trawling fishing industry.

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

19. FIRST ORDER [14:42]

Consideration of **Child Justice Amendment Bill** [B32B - 2018] (National Assembly – sec 75*)* and Report of Select Committee on Security and Justice thereon **(**Announcements, Tablings and Committee Reports, 20 November 2019, p 9).

Debate concluded.

Question put: That the Bill be agreed to.

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

20. SECOND ORDER [14:57]

Consideration of **Independent Police Investigative Directorate Amendment Bill** [B25-2018] (National Assembly – sec 75) and Report of Select Committee on Security and Justice thereon (Announcements, Tablings and Committee Reports, 20 November 2019, p 17).

Debate concluded.

Declaration of votes on behalf of the Economic Freedom Fighters.

Question put: That the Bill be agreed to.

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

21. THIRD ORDER [15:03]

Consideration of Report of Select Committee on Co-operative Governance and Traditional Affairs, Water and Sanitation and Human Settlements (Announcements, Tablings and Committee Reports, 5 November 2019, p 4) **Notice of Intervention issued in terms of section 139(1)(b) of the Constitution, 1996 in Fetakgomo Tubase Local Municipality, Limpopo Province**.

Declaration of votes made on behalf of the .

Question put: That the Report be adopted.

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

Report accordingly adopted in accordance of section 65 of the Constitution.

22. [15:10] The Chief Whip of the Council announced that Order 4 on the Order Paper is deferred.

23. The Council adjourned at 15:11.

P TYAWA
Acting Secretary to Parliament