TUESDAY, 24 APRIL 2018

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PROCEEDINGS OF THE NATIONAL ASSEMBLY

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The House met at 14:05

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

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON ENVIRONMENTAL AFFAIRS – MARINE SPATIAL PLANNING BILL

The CHIEF WHIP OF THE MAJORITY PARTY moved that the Report be adopted.

Motion agreed to.

Report accordingly adopted.

MARINE SPATIAL PLANNING BILL

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(Second Reading Debate)

IsiZulu:

IPHINI LIKANGQONGQOSHE WEZEMVELO: Awungincede ngamanzi. Ngiyabonga.

English:

Hon Speaker, hon members, South Africa is a maritime nation with jurisdiction over one of the largest exclusive economic zone in the world. It is uniquely surrounded by three ocean spaces that is the Atlantic, Indian as well as the Southern ocean.

IsiZulu:

Manje lokhu-ke kusikhombisa ukuthi thina siyizwekazi elinone kakhulu ohlangothini lwamanzi. Uma ngithi amanzi ngisho amanzi olwandle ...

English:

... or coastal areas.

IsiZulu:

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Ngoba-ke ulwandle luyifa elimangalsayo siyaphoqeleka ukuba sihlale siliphethe kuhle kwezikhali zamaNtungwa ukuze thina nezizukulwane esizayo zikwazi ukuhlomula kulolu lwandle. Lomthetho-ke uxoxa ngabo bonke abathintekayo emsebenzini yolwandle noma kuma-coastal areas. Sithi le- ...

English:

... marine spatial planning ...

IsiZulu:

... ayiqoqele ndawonye bonke abantu, uHulumeni, izimboni, ochwepheshe mabasebenzisane ukuze basho ngazwilinye ukuthi leli fa elilapha olwandle noma elilaphaya kwama-coastal areas lisetshenziswa kanjani ukuze lihlale liphephile, livikelekile ukuze lingashabalali. Kafushane, lomthetho uzoqinisa ukusebenza emanzini ethu kungabi kukampunzi edla emini.

English:

The integrity of the marine and coastal environment needs to be preserved through a multisector integrated management approach that promotes development while at

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the same time contributing towards our developmental agenda. Marine spatial planning is a key component of Operation Phakisa. We believe that the objective of the ocean economy can only be achieved through the implementation of an overarching integrated governance framework that will maximise sustainable socioeconomic benefits while ensuring adequate ocean environmental protection. Therefore the main aim of this Bill is to place great emphasis on the need for an integrated approach toward ocean governance.

IsiZulu:

Sibheke ukuthi bonke abathintekayo basebenze ngokubambisana ukuze amathuba omnotho nawo abe ngaphezu kwalokhu okulindelekile.

English:

That is maximum benefits.

IsiZulu:

Lomthetho uzoqinisa ukulawula wokusebenza emanzini ethu.

English:

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The Bill also seeks to allow for the identification and reduction of conflicts between human users and nature. This is precisely what the Marine Special Planning Bill seeks to achieve.

IsiZulu:

Mangike ngenze nje umfanekiso ukuze kucace kuthi bha, uNgqongqoshe u-Zokwana, ukudotshwa kwezinhlanzi ezilaphaya emanzini kulawulwa ngumnyango wabo. uNgqongqoshe uBaba u-Mantashe, kunezimbiwa olwandle ...

English:

... that is oil and gas.

IsiZulu:

Ungqongqoshe u-Hanekom ubhekene nalokhu esikubiza ngokuthi i-ocean tourism kunye neminye iminyango emininingi. Futhi uNgqongqoshe uNgcukumane naye uyangena ngasohlangothini lochwepheshe njalo njalo. Izikhondlakhondla ezifana no-Sea Harvest, Oceana, I & J nabo bayalusebenzisa ulwandle, nabanye abaningi. Yibo-ke laba esithi mabahlangane bakhulume ngazwilinye ukuze

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umsebenzi uqhubekele phambili ngaphandle kokuphazamiseka. Ngamanye amazwi, sakha ubudlelwane nabo bonke abathintekayo ekusetshenzisweni kolwandle. Yingakho sithi senza i- Marine Spatial Planning.

English:

We are bringing together multiple users of the ocean to make co-ordinated decisions on the usage of marine resources sustainably.

IsiZulu:

Ngiyethemba kusobala bha okuyinhloso yalo mthetho ophambi kwaleNdlu.

English:

We hereby table the Marine Spatial Planning Bill to the National Assembly for approval, for further processing in Parliament.

IsiZulu:

Ngiyabonga kakhulu Somlomo. [Ihlombe.]

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Mr M P MAPULANE: Hon Speaker, hon Members of Parliament and fellow South Africans, it is with great pleasure to present the committee report and to participate in the debate on the Marine Spatial Planning Bill today. Today is a culmination of an extensive and tedious parliamentary process which saw the committee crisscrossing the length and breadth of our beautiful Republic over a period of three months from July to September 2018; from George in the Western Cape to Port Elizabeth, East London, Idutywa, and Port St Johns in the Eastern Cape; from Port Nolloth in the Northern Cape to uMfolozi Local Municipality and Durban in Kwazulu-Natal; and back to Saldanha Bay in the Western Cape and finally here in Parliament.

All of this exercise we conducted in the fulfilment of our constitutional injunction of involving and soliciting the views of our people in the process of lawmaking. I therefore stand before this august House to report that this draft legislation contains the views of the affected communities. What we present today here this afternoon is a product of robust inputs and discussions by people from all walks of life in our country, comprising local

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subsistence and commercial farmers; knowledgeable South Africans; highly rated scientists; researchers and planners at different levels of the public. This Bill has been meticulously processed by the Portfolio Committee of Environmental Affairs.

Another important aspect of the public hearings that we held on this Marine Spatial Planning Bill was the active participation of the relevant members of the provincial legislatures as well as local councillors in the true spirit of intergovernmental relations. I therefore would like to take this opportunity and thank Members of Parliament serving in the Portfolio Committee on Environmental Affairs from all the parties for their dedication and commitment during this exhaustive process of public hearings that we conducted.

What is the essence of the Marine Spatial Planning Bill? The oceans have become an attractive economic expansion opportunity as land resources are under increased pressure from a variety of activities taking place in the land space. The ocean has become a new economic frontier, holding the promise of immense resource wealth and great

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potential for boosting economic growth, employment and innovation. The ocean is increasingly recognised as indispensable for addressing many of the global challenges facing the planet in the decades to come: From food security and climate change to the provision of energy, natural resources and improved medical care. This new growing focus on the ocean is driven by a combination of population growth, dwindling natural resources, sluggish economic growth in many traditional sectors, responses to climate change and pioneering technologies.

Thus, the long-term potential for innovation, employment creation and economic growth offered by the maritime industries is impressive. However, the potential of the oceans to harness these opportunities is dependent on how we deal with its current challenges of overexploitation of the marine resources, pollution, declining biodiversity and climate change.

We see this Bill as another frontier through which to carry forward the ideals encapsulated in the Operation Phakisa. The ocean economy is essential to the future welfare and prosperity of humankind generally and for us

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specifically as South Africans, being surrounded by the two massive oceans, that is, the Atlantic and the Indian oceans. It is a key source of food, energy, minerals, health, leisure and transport upon which hundreds of millions of people depend. However, new activities are emerging that are reshaping and diversifying maritime industries, and the maritime industry landscape is poised to undergo a profound transition besides the long considered transition of shipping, fishing and offshore oil and gas.

The long-term potential for innovation, employment creation and economic growth offered by maritime industries is impressive. However, economic activity in the ocean is also characterised by a complex variety of risks that need to be addressed. Foremost among them are those related to ocean health from overexploitation of marine resources, pollution, rising sea temperatures and levels, ocean acidification and loss of biodiversity. Unsustainable use of the ocean and its resources threatens the very basis on which much of our welfare and prosperity depend. Realising the full potential of the

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ocean economy, therefore, will demand responsible, sustainable approaches to its economic development.

It is in this respect that the Food and Agriculture Organisation of the United Nations explicitly stated that human development activities have seriously challenged the resilience of the marine and coastal resource base. For example, 87% of the global fish stocks are fully and overexploited, thereby seriously threatening the sustainability of the marine biodiversity and ecosystems.

The potential of the oceans to meet sustainable development needs is enormous. From the beginning of the United Nations Conference on Environment and Development process in Rio de Janeiro in 1992, particularly the Agenda 21, the Johannesburg plan of implementation reaffirmed in the outcome document of the Rio+20 Conference. However, this potential can only be realised if the ecological health of oceans are maintained and restored, considering the ongoing trends of exploitation and degradation of marine and coastal ecosystem that shows endeavours to date have been insufficient and that more needs to be done.

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The inability so far to deal with these pressures, especially in the economic exclusion zones, in an efficient and effective manner is attributed in large part to what is historically a sector-by-sector management of marine activities. Much as a response to growing pressures, recent years have seen a significant increase in the number of countries, including ours, putting together frameworks for better ocean management within their economic exclusion zones, EEZs. The ocean has truly become an attractive economic expansion opportunity as land resources are under increased pressure due to a multiplicity of competing demands.

We therefore urge the department, in addition to this Marine Spatial Planning Bill that they have introduced, to pursue efforts to develop an all-encompassing oceans law that will seek to harness all the opportunities and potential identified by Operation Phakisa.

Therefore, the main purpose of the Marine Spatial Planning Bill as introduced is to provide a statutory basis for the implementation of marine spatial planning for South Africa. This means that the main purpose can be

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summarised as part of developing and implementing a shared marine spatial planning system to manage a changing environment that can be accessed by all sectors and users of the ocean.

This Bill applies to South Africa's territorial waters, which is 12 nautical miles, 1,85 km from the base line the exclusive economic zone, the expanded continental shelf and the territorial waters, including the exclusive economic zones in the Prince Edward Islands.

Ms H O MKHALIPHI: Point of order Speaker! Can a member take a question?

Mr M P MAPULANE: Well, after completing my speech, hon Speaker.

Ms H O MKHALIPHI: He is a coward.

Mr M P MAPULANE: I have to finish my speech first, hon Speaker. Now, ocean—based tiny marine plants are estimated to produce over half of the oxygen that we, and all other land animals, breathe. The ocean water serves

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as a huge sink for carbon dioxide, having the capacity to absorb vast amounts of the greenhouse-warming gas carbon dioxide, and thus have helped to buffer human-caused global warming and climate change. Similarly, oceans control temperatures and weather. It is therefore of vital importance to look after our oceans and to control and manage the activities taking place in the ocean space in order to preserve it for future generations to come. It is therefore in this regard that I would kindly like to invite the House to pass the Marine Spatial Planning Bill as processed by the committee. Thank you very much.

The SPEAKER: Are you now prepared to take a question? [Laughter.] Hon Hadebe! I see the hon Mapulane is not interested.

Mr T Z HADEBE: Chairperson, South Africa views the Ocean Economy as the critical sector that will implement Operation Phakisa. This focal viewpoint is on the premise that our country has not exploited and unlocks its ocean economic potential. Through Operation Phakisa the focus is on unlocking the economic potential of South Africa’s oceans, which could contribute up to R177 billion to the

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GDP by 2033 and create between 801 million direct jobs.

Therefore, there is no surprise to see that in terms of Operation Phakisa the crafting of the ocean governance legislation is regarded as key performance indicator, especially the drafting of Marine Spatial Planning Legislation.

The Marine Spatial Planning is necessary to ensure that sustainable economic growth is achieved while the marine environment is protected. Currently, there are numerous unco-ordinated, overlapping activities and an increased use of ocean resources, which had negatively impact on the sustainability and benefits of ocean goods and services to the South African economy. It is no doubt that the sectoral approach to marine regulation has largely evolved in a policy vacuum.

Therefore, it was prudent that the Minister of Department of Environmental Affairs needed to deal with the issue of ocean governance as a priority, hence the Minister gazetted the draft Marine Spatial Planning Bill for public comment under government notice no.347 on 24 March

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2016. The public comment process was supposed to be concluded in 60 days after the Bill was gazetted. The Bill lapsed with the recess of Parliament and was revived by the National Assembly on Tuesday, 27 February 2018.

The Marine Spatial Planning, MSP, is a public process of analysing and allocating the spatial and temporal distribution of human activities in the marine areas to achieve ecological, economic, and social objectives that usually specified through political process.

When we perused the draft MSP Bill, we found that it was poorly drafted. One would not help but wonder if the draft was submitted for public comment in order to comply with Operation Phakisa key performance indicator instead of it being a well thought out piece of legislation.
To mention a few most concerning issues on the MSP Bill, the clause that sought to effectively trump or undermine all other legislation when it relates to Marine Spatial Planning.

There were also a number of errors and shortcomings in the definitions section which created a dark cloud on how

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the proposed legislation was to be activated and implemented.

Equally concerning, there appears to be very little opportunity for interested and affected parties to object to the development of the overarching Marine Spatial Plan, and in fact the Bill does not contain any internal appeal procedure. It worth noting that during public hearings of the MSP Bill, the fishing communities on the coastal land were very suspicious about true intentions of the process.

The fishing communities have witnessed how little respect given to their inputs in respect of previous adopted policies and Fishing Rights Allocation Process, although through robust engagement in the portfolio committee, we have seen many safeguards entrenched in the final document.

At same time suggestion to strengthen the Bill were rejected. The proposal to formulate clause 12(1) of the Bill that required a marine spatial framework and a marine area plans to be tabled by the Minister in order

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such marine spatial framework or marine area plans to be considered by the relevant parliamentary committee was overruled. According to the State Law Adviser the inclusion of such clause would have the effect of interfering with the powers of the executive as contemplated in the Constitution.

Nevertheless, effective Marine Spatial Plan will result in lower co-ordination costs between government departments enhanced investment climate and most importantly ensure sustainable use of marine resource. Thank you, Speaker. [Applause.]

The SPEAKER: Hon members can we please lower the voices, it is okay to talk but just lower the voices.

Mr Z R XALISA: Madam Speaker, any debate or discussion about the Marine Special Planning Bill cannot happen without a serious understanding of the current challenges facing fishing and coastal communities throughout the country. While a bill of this kind could have gone a long way in providing a framework for the empowering communities ensuring a black ownership and creating jobs.

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It, instead, splits up our oceans for exploitation by different fractions of capital, multinational fishing co-operations and mineral and petroleum companies wanting to exploit the resources beneath the ocean floor. We do note that the Bill and the framework system it plans to put in place aims to take into account the environment. Yet, even that if fails to do properly.

However, most importantly this Bill fails to take into consideration the most important stakeholders, the people of the coastal communities of South Africa. Fishing communities and communities in general up and down our coast lines have not been properly consulted in the formation of this Bill and what it turns to achieve. There is nothing to ensure that the way of life and means of survival for fishing communities, which is already under threat from multinational fishing companies, will be secured or that an alternative form of economic activity will be provided.

Beyond the smoke and mirrors we know that the primary purpose of this Bill is to allow for the exploration of mineral resources that lie beneath our oceans. The

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consultation process in the drawing of this Bill was extremely problematic and ignored the inputs of fishing communities. So, what assurance do we have that consultation for the marine spatial planning framework which is foundational to the implementation of this Bill will be any different?

Government wants the mineral resource of this ocean to be exploited by the fundamental question that who will own the resources and who will they benefit. The ocean economic can contribute up to R1 77 billion to the economy. Will communities get ownership rights once the seabed is exploited and the resources extracted. Will communities be guaranteed sustainable job creation in the exploitation of the seabed and extraction of resources?

If the fishing industry is anything to go by; the answer is no. A small-scale fisherman continues to lose out on fishing rights which are given to fishing companies instead of them, while at the same time not getting employed by the fish companies that are stealing their jobs and the way of life. While this Bill uses phrases like development of the ocean economy and economic

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growth, jobs are not mentioned once and the reality is that neoliberal capitalism does not acquire economic growth with job creation.

Meaning that the 177 billion will supply the profit for companies and our people will be left with crumps. However, like in all societies. This government is a government of the ruling class, and the ruling class in this country is a white monopoly capital. Therefore, the EFF rejects this Bill.

Mr N SINGH: Hon Speaker, I did not serve on this particular committee, but having heard the last three speakers from different political parties, it seems they are at cross-purposes in terms of the consultation process that was engaged upon.

Having said that, our oceans create the air we breathe, they absorb the carbon dioxide we emit, they regulate the earth's temperature, and most importantly, they provide us with a source of food. If we therefore plan the use of our oceans without taking into due and careful consideration the fact that they are our very own life-

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support systems, we jeopardise our very own existence. It is therefore critical that we seize the opportunity before us as we embark on effectively legislating our marine space so that we get it right. Decisions made at this juncture will have serious repercussions, not only for us, but for our future generations, as well.

The Living Blue Planet Report of 2015 informs us that global populations of fish species which are used and consumed by humans have been reduced by over 50% since the 1970s. Populations of fish that constitute up to 60% of the daily protein intake in coastal communities are in sharp decline. The question is, Why does this happen?

While it is essential to have a legislative framework to deal with the protection of marine coastal areas, I think it is important for us not to allow subsistence fishermen and line fisherman to get caught in the net in the name of conservation. What I have seen and what I have heard from having attended a few meetings of subsistence fishermen is that these very stringent regulations should really apply to those trawlers that come out onto our

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seas and take away tons of fish. However, it is the small fishermen on the coastline also get caught in this net.

We need to ensure that they have sufficient protein for themselves. We need to ensure that when they catch fish, they are able to sell fish to provide some income and support for their families. So, we must not throw the baby out with the bathwater, in this regard.

Of concern, also, is the plastic pollution - over 5 trillion pieces of plastic weighing over 250 000 tons that litter our oceans. Seabed mining is on the increase, and we really need to question whether some of these explorers should be given the kind of licences that they are being given. This will become an environmental crisis in the medium to long term. So, we will have to think hard and think clearly about who we allow to exploit our oceans and how we allow that to happen.

All in all, we support this legislative framework that is before this House today. Thank you, hon Speaker.

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Mr A M SHAIK EMAM: Hon Speaker, hon members of this House, the NFP welcomes the report of the Portfolio Committee on Environmental Affairs on the Marine Spatial Planning Bill. It is clear that extensive work with and engagement between the portfolio committee and the public at large took place in order to arrive at where we are today, where we want to make the necessary amendments.

What is very clear is that the ocean provides an opportunity to create massive amounts of jobs. This is over and above the fact that it is an industry which caters for gas, fishing, transport, and minerals, etc.

We acknowledge that it is the responsibility of the state to protect our assets, and in this particular case, the ocean, itself. It is the opinion of the NFP that the Bill intends to do just that. If achieved, it can only benefit the country and its people, both economically and socially.

Measures being put in place can yield maximum positive spinoffs with engagement with different role-players. However, the NFP wants to emphasise the need to protect

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the small-scale fishing industry. I would like to refer particularly to Durban, where a very great number of people survive on the fishing industry. It is their sole source of income. Despite fishing there for decades, if not, for more than a century, recently, they have been deprived of that opportunity. The piers have been closed down to them and, as a result, they are not able to earn a living in the fishing industry, upon which they so totally depended on.

The other problems facing us are the serious challenges in terms of pollution. While I'm at it, I would like to respond to our colleague from the EFF, who wanted to know what the volume of water in the ocean was. It is, indeed, about 1,37 billion cubic kilometres. That is the volume of water in all our oceans.

We cannot overemphasise that the oceans industry is also being exploited by major industry, by major role-players that also have a monopoly. I think the time has come for us to deal with this appropriately. Unless we take drastic measures to protect the small-scale fisherman and stop allowing this large, white monopoly fishing industry

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to continue controlling the ocean industry, our people are going to continue to suffer.

The NFP supports the Bill tabled here, today. Thank you.

Adv A DE W ALBERTS: Speaker, this Bill endeavours to create an holistic and systematic approach to the management of marine-based resources. It is a laudable objective and, given the increasing availability of technology to ascertain what resources are actually available, it is of great importance to ensure planning has made it possible to enhance economic activity while, at the same time, protect the marine environment.

Having said this, however, I have a few matters that deserve to be highlighted. Firstly, while the Bill envisages an approach to maritime spatial management that is multidimensional and multidepartmental, a valid question arises on whether the government can co-ordinate, as required. Our experience is that many departments still operate in silos and this will inevitably lead to the failure of policy objectives, in this regard.

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Afrikaans:

Tweedens, bestaan daar die wesenlike gevaar dat die regering die voorgenoemde wet kan misbruik om te oorreguleer of regulasies te gebruik vir politieke agendas. Ons het reeds gesien hoe Sekunjalo Investment Holdings ’n marine kontrak onder vreemde omstandighede gekry het. Baantjies vir boeties mag nie op enige wyse toegelaat word nie. Regulering mag net plaasvind indien dit werklik nodig is en dan moet dit tot ’n minimum beperk word.

English:

Thirdly, while due spatial data is normally acquired from outside satellite sources, it will be worthwhile involving the Department of Trade and Industry to investigate public-private partnerships for the development of the country’s own satellite capability and capacity. Newer, cost-effective technology allows for the development of such local capacity.

Afrikaans:

Vierdens, gegewe die omgang van misbruik en besoedeling van die mariene omgewing moet die beskerming daarvan

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voorrang geniet. Dit beteken, enersyds, dat beter polisiëring van ons kuslyne moet plaasvind. Daar is te veel onwettige vissersbote in ons waters. Andersyds, moet ons binnelandse stappe neem om die verspreiding van plastiek in die marine omgewing wat endemiese afmetings aangeneem het, wel behoorlik te verhoed. Hiervoor is goeie koördinering tussen departemente en die publiek nodig.

English:

Lastly, the rights of people who are culturally linked to the marine environment - like the fishing tradition of Coloured communities - must be protected and not sold out to large industry. If anything, companies should enter into partnerships with them.

Afrikaans:

Indien die regering dienslewering gebalanseerd kan implementeer sonder oormatige regulering het die voorgenome wet baie potensiaal om ekonomiese voordele te ontsluit en die marine omgewing na behore te beskerm. Dankie.

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Ms D CARTER: Speaker, Cope agrees that in the South African context, the oceans that border our Eastern, Western and Southern shores and beyond have become an important environment and means for significant economic growth and expansion. Cope agrees with objective to grow and expand the oceans economy.

After all, we are in desperate need of sustained and meaningful economic growth following a decade of induced stagnation that has seen unemployment, poverty and inequality rise and per capita income decline.

Speaker, as such, we are in agreement with the need to provide a statutory and co-ordinated basis, a framework for the development and implementation of multisectoral marine spatial planning so as to manage and promote sustainable economic opportunities and development in a co-ordinated, integrated and sustainable manner; to ensure good oceans governance; and to give effect to our international obligations in the waters under our control.

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But Speaker, the need for co-ordination appears in this Bill to have focused more on the need for harmonisation and co-ordination between national government departments and somewhat lacking in providing institutional mechanism that facilitate communication and collaboration between national government and government at provincial and local level.

Now, there also appears to be a worrisome concentration of power in this Bill in national government. We know how the concentration of power and authority has led to abuse and corruption in the past.

Now Speaker, coupled hereto is the questionable capacity of the state to meaningfully implement good intention legislation and to ensure that the benefits of progressive legislation are not captured by already empowered elite at the expense of the majority as highlighted in the recent High Level Panel Report.

Speaker, it is with these reservations that Cope supports the Bill. Thank you.

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Mr R K PURDON: Hon Speaker, hon members, this Bill is a planning Bill to facilitate integrated planning by all relevant departments. The Bill seeks to achieve alignment through engagement and consultation with the relevant planning bodies not to regulate but to force government departments to work together.

This is a multiple sector Bill that does not supersede sectors. This legislation aims to facilitate good ocean governance and provide for the mapping and understanding of the physical, chemical and biological processes as well as the opportunities in and threats to the ocean.

The Bill applies to South Africa’s territorial waters that are 12 nautical miles from the baseline, the exclusive economic zone, which is 200 nautical miles from the baseline, the extended continental shelf and the territorial waters around the Prince Edward Islands.

It is important to note that South Africa is listed as a United Nations Educational, Scientific and Cultural Organisation, Unesco, participant. This obligation requires us as a country to adhere to international

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oceanic environmental obligations. The challenge therefore, is to balance these obligations with the goals set out in Operation Phakisa. Operation Phakisa has set its sights on creating more jobs from ocean resources through activities such as seabed mining, oil and gas exploration, coastal sand mining, shipping and of course fishing.

Hon Speaker, our committee travelled the length and breadth of this country facilitating public hearings. There was much confusion with the Bill but most of the issues raised were related to the Department of Agriculture, Forestry and Fisheries. There was also much suspicion from communities who don’t trust the government.

Communities also took the opportunity to vent their frustrations on a number of local government issues not even related to the Bill. These frustrations came to a head in Saldanha Bay where a local fisherman, Mr Cloete, and I quote:

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> We are sitting with a department [DAFF] causing more trouble for our communities than providing solutions. How can we talk about protecting marine resources and then let those like us dependent on them to make a living, languish in poverty?

The sad fact is that many of our coastal communities are languishing in poverty. I urge the Department of Agriculture, Forestry and Fishing to address these issues and to communicate its responses to the relevant communities.

Hon Speaker, to achieve the objectives of this Bill, a National Working Group on Marine Spatial Planning has to be established comprising of competent officials from the relevant departments responsible for defence, fisheries, energy, environmental affairs, mineral resources, transport to name but a few.

Now, I emphasise the word competent because competency has been a rare commodity in some of these departments of late. While the intentions of the Bill are good, we must question this government capacity to implement it.

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There are many other coastal countries which have similar Acts such as Norway. Norway has achieved much success by balancing an increase in shipping with oil and gas mining and a vibrant fishing industry.

We must learn from Norway but we must accept that Norway is a small rich country. Its central administration is highly concentrated and well co-ordinated. Its research institutions are well funded and have substantial capacity to carry out the research needed for integrated oceans management. Even under these conditions, they have found found implementing Marine Spatial Planning a huge challenge.

So, Madam Speaker, the objectives behind the Bill are positive. The Bill will go a long way in mitigating differences between environmentalist and developers. It is aimed at ensuring a unified governmental approach towards our oceans, a resource that we simply cannot live without.

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The ultimate end is to make the government work together for the betterment of our people for now and generations to come. The DA supports this Bill. [Applause.]

Mr Z S MAKHUBELE: Hon Speaker, Deputy President, hon Ministers, Deputy Ministers, hon members, the Bill was necessitated by the existing constraints on effective integrated and co-ordinated management of the ocean. The inability of the government to deal with the existing pressure on the marine space in an effective, timely way was attributed in a large part to what is historically a sector by sector management of marine activities. The Operation Phakisa provided the much needed impetus to this Bill to manage conflicts in the Ocean space.

Amongst the substantive issues raised was for the Bill to be anticipatory in nature and flexible to the ocean resources, for example, the desalination of seawater to mitigate the impact of ongoing drought in South Africa, as well as wave energy concerns were also raised about the legal status of existing permits, rights, licences and authorisations. And whether the Bill was underpinned by climate change considerations.

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All these substantive issues and concerns were thoroughly engaged by the Committee. The Bill, as presented in the House is a product of thorough and robust discussion with affected local communities, key stakeholders and all affected and connected parties and hence there is little controversy around this particular Bill.

Xitsonga:

Nawumbisi lowu wu endleriwa leswaku tindzawulo ta mfumo leti nga na xiave eka migingiriko ya le lwandle ti tirhisana swin'we. Tindzawulo leti landzelaka ti fanele ku kunguhata swin'we leswaku tindhawu ta le lwandle ti ta tirhisiwa njhani: Ndzawulo ya Swicelwa, Ndzawulo ya Vurimi, Swihlahla na swa Tihlampfi, Ndzawulo ya Vutleketli, Ndzawulo ya Mbangu na Vupfhumba, Ndzawulo ya Vusirheleri, Ndzawulo ya Eneji, Ndzawulo ya Sayense na Thekinoloji, Ndzawulo ya Nhluvuko wa Tindhawu ta le Makaya na Mpfuxeto wa Misava, Ndzawulo ya Vulanguteri bya Matirhelo na Nkambelo ku Katsa ni Mafambiselo eHofisini ya Presidente na Ndzawulo ya swa Mabindzu na Vumaki. Loko nawu lowu wu nga si pfampfarhutiwa, ndzawulo yin'wana na yin'wana a yi tiendlela swa yona leswi hi xilungu swi vuriwaka leswaku...

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English:

...they were working in silos.

Xitsonga:

Lwandle ri na mitirho yotala leyi endlekaka enrzdeni ka rona siku na siku. Hi mikarhi yin'wana mitirho leyi yi tlula na leyi endlekaka emisaveni, xikombiso, vuceri bya swicelwa, vuphasi bya tinhlampfi, mahlaluko na swin'wana. Hikwalaho ku fanele ku va na ku twanana leswaku i ndhawu yihi ya lwandle yi fanelaka ku tirhiswa ku endla yini leswaku eku heteleleni ku tekeriwa enhlokwenim...

English:

...economic, social and environmental interests of the country.

Xitsonga:

Tindzawulo ta mfumo leti vuriweke laha hanhla ti ta simeka tikomiti leswaku va kota ku fikelela swiboho leswi nga ta endla leswaku ntirhisano lowu hi vulavulaka hi wona wu endleka hi ntwanano.

English:

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Let me re-emphasise to the House that the Marine Spatial Planning Bill, MSP, Bill was conceived to stem out the individual sector planning in the ocean, which is no longer viable and hence the need to co-ordinate planning in South Africa's ocean space and optimise sustainable growth.

Sectoral ocean governance practices did not follow a plan-based approach and regulation within sectors and has little or no consideration of the policies and plans of other users or sectors that may be conflicting or compatible, thereby requiring co-ordination. Establishing boundaries for management and planning efforts were most often based on political considerations and not necessarily meaningful from an economic, ecological or social perspective. Thus, the purpose of the Bill is to create a marine spatial planning system that promotes growth and is facilitated by a co-ordinated planning across multiple sectors in the quest to move away from the fragmented, sector by sector management approach.

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The DEPUTY MINISTER OF ENVIRONMENTAL AFFAIRS: Speaker, thank you to the members that have participated and also for supporting the Bill.

One does note the concerns that have been raised. I heard you Chair, the concerns that you have raised and we promise to address that. I just want to say to hon Singh and hon Shaik-Emam, indeed, there is a great need for us to balance issues of conservation and people. Sometimes it does become a bit unfair where we seem to be prioritising conservation as opposed to the needs of the people. So, we would look at some of those issues. It is an ongoing process. Thank you very much for the support.

Debate concluded.

Agreed to.

The SPEAKER: I had wondered whether you were fast asleep. The Bill will be sent to the NCOP and indeed, we note the objections of the EFF.

Ms H O MKHALIPHI: Speaker! That is an insult to the EFF.

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The SPEAKER: Not at all.

Ms H O MKHALIPHI: It is.

The SPEAKER: It's a statement of fact.

Ms H O MKHALIPHI: You and I have resolved on this thing, let us not go there, and please withdraw.

The SPEAKER: Really! Have we resolved? I wonder where I was.

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON HEALTH – NATIONAL HEALTH LABORATORY SERVICE AMENDMENT BILL

The CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, we again move that this Report be adopted by this House.

Agreed to.

NATIONAL HEALTH LABORATORY SERVICE AMENDMENT BILL

(Second Reading debate)

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The MINISTER OF HEALTH: Hon Speaker, hon members of the House, good afternoon. At the dawn of democracy the National Laboratory Services like many other services under apartheid were highly fragmented, disjointed and extremely unequal. There was little access to laboratory services for people living in the former homelands.

The Department of Health then came up with a new model of one integrated seamless laboratory services to give access to all citizens on an equitable basis. A network of laboratory called the National Health Laboratory Services was then brought into being in 2000. Unfortunately, despite the good work done by the National Health Laboratory Services, it started experiencing serious financial instability. This instability emanated mostly from non-payment by provinces but as well as other administrative and managerial problems. So serious were the non payments that the NHLS stated losing highly skilled personnel with rare skills.

In a desperate bid to stand to tide, the Director-General of the national Department of Health refused to give conditional grants for laboratory services to the

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offending provinces and instead paid the money directly to the NHLS.

Before redirecting this money to the NHLS, the Director-General of Health wrote to the Portfolio Committee of Health, the Auditor-General's Office and the Treasury to inform them of her intention and the reasons why. But, despite this action, the Auditor-General was still unimpressed and said that R300 million sent to NHLS was unauthorised expenditure.

The NHLS financial instability likewise, was about to compromise the capability of eminence structures like the National Institute for Communicable Diseases, NICD, the National Institute of Occupational Health, NIOH, and the National Cancer Registry, NCR.

It was also compromising teaching, training and research in the fields of pathology and microbiology. This is because the model of NHLS we are seeking to change today was such that all these institutions and functions are funded from revenue generated from services rendered by NHLS and paid for through the fee for service model.

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We worked very hard to enforce financial stability by changing the Boards, having numerous meetings with provinces, writing letters to Head of Departments, HODs of provinces, writing letters to MECs and at the present moment, the NHLS is in good financial shape. However, we believe this state of affairs which is good, is temporary because we are afraid that provinces may regress again in their commitment to pay. Hence what we are asking Parliament to do today is to order through legislative means the following major issues which we believe will solve the financial instability of NHLS:

The NHLS leadership and governance structure;
The funding model of NHLS; To redefine its role as a compulsory supplier of health laboratory services for province; and to redefine its service provider for laboratory services to the country rather than a business entity more interested in collection of fees.

Hence the proposed amendments will reduce the Board by cutting its membership by 50% to make it more efficient and effective. It will also remove the condition whereby provincial representatives are compulsory members of the

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Board. It will provide for greater representation of specialised business, audit legal and public skills amongst the Board's membership. It will discontinue the fee for service model for revenue generation except in the case of lower volumes and high cost. To provide for the removal of the National Institute of Communicable Diseases, the National Institute of Occupational Health and the National Cancer Registry, all together with their assets, liabilities and employees from the National Health Laboratory Services to make them standalone entities funded directly from the fiscus.

Furthermore, to fund training, teaching and research directly from the fiscus. We believe that NHLS will be stabilised. Thank you.

Mr A F MAHLALELA: Deputy Speaker, hon members and distinguished guests, in June 2017, the Minister of Health tabled a National Health Laboratory Services Amendment Bill before this Parliament. The Portfolio Committee on Health called for public submissions. The committee only received one written submission from

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Nehawu and we invited Nehawu for a presentation which took place on 15 August and 13 September 2017.

Historically, laboratory services were fragmented and nonexistent in the former homeland areas with an exception of KwaZulu-Natal. As a result of provinces such as Limpopo, Mpumalanga, Eastern Cape and North West had difficulty in accessing these services. The largest component of the public laboratory services was the SA institute for medical research which became insolvent in 1998 due to poor payments from provinces. As a result of poor laboratory services, government realised that there is an urgent need for greater equity in healthcare and thereby within laboratory services as well as for uniform and co-ordinated laboratory services.

As a result of these challenges, the health sector decided to amalgamate services comprising the SA institute for medical research, the provincial and homeland laboratories established an entity called the National Health Laboratory Services, NHLS. Though the NHLS achieved its objectives of which it was created for namely; equity in access to laboratory services, capacity

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with respect to the ability of recruitment of specialised skills in previously disadvantaged communities, becoming a platform for teaching training and research related laboratory services including the training of registries and to build and sustain a network of pathology health needs of South Africa.

Regardless of these achievements, NHLS continued to face numerous challenges such as leadership in governance, poor management and accountability, funding whereby it uses fee revenue to fund national functions, services versus business, interface between the NHLS and the external stakeholders including managing reconciliations, gate keeping and debt management as well as poor internal controls and policies. These challenges are currently as we speak; negatively undermining the good efforts made by NHLS since its establishment in 2000, and has now started to impact negatively on service delivery.

Key clauses in the Bill are first and foremost clause 2 which seeks to amend section 3 of the Act by making the Preferential Procurement Policy Framework Act to be applicable to the service. Clause 4 which seeks to amend

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section 5 in order to make it clearer that it is the duty of the service to provide training of its staff members only while clause 5 seeks to replace section 7 and provide for the composition of the board of the service in order to deal with the issues of leadership and governance.

The board which will be composed mainly of the individuals who have extensive experiences in various fields such as; public health, diagnostic laboratory services, epidemiology, legal matters, commerce, finance, auditing, economic matters, etc. In order to address the funding of the NHLS, clause 13 of the principal Act seeks to replace section 17 of the Act by providing the Minister - in consultation with the Minister of Finance - to prescribe a financing mechanism for the service. These also provide for funding to be appropriated by Parliament as opposed to the current arrangement whereby funds are appropriated through the Divisions of Revenue which then get given to provinces as conditional grants.

When provinces are unable to provide payments to the service it then becomes difficult to provide services

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needed, hence the issue that the Minister is raising. The issue being that when realising that the Director-General tried to say that she wanted to pay direct to the service and the Auditor-General declare that direct payment without going through provinces as irregular expenditure. It is in this context therefore, that we agree that we need to change that arrangement so that Parliament is able to appropriate funding for this service so that we are able to make sure that there is stability in the funding.

The current amendments also empowers the Minister to make regulations regarding amongst others; anything that must or may be prescribed in terms of this Act. The Bill has no direct financial implication in respect of its implementation. The new funding model moves away from an efficient fee for service reimbursements system and offers significant benefits for provincial health departments. With regard to the co-mandate of providing pathology services to the public health sector test will be based on current co-structures through a capitated model of reimbursements and through this model provincial

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departments are expected to save approximately R900 million.

Therefore, these amendments seek to improve accountability and ensure NHLS financial sustainability. National Health Laboratory Services will then be able to provide quality cost effective diagnostically services in a timely manner and ensures that it is sustainable in a long term. Therefore, we want to take this opportunity to thank all hon members as we table this Report for the efforts that they've put into making sure that as a committee we are able to process this Bill and there was unanimity from all of us members of various political parties that this Bill is necessary so that we are able to create stability in the NHLS.

The Committee deliberated on the Bill and as a result of that deliberation had inserted some amendments of which some were informed by the submission made by Nehawu during the public hearing such as the inclusion of labour in the board. The committee also emphasised an urgent need for total overall of the funding model and as a result of these, we are urging National Treasury together

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with the national department to come up with a suitable and sustainable funding model for NHLS as opposed to the current model which has proven to be unsustainable and create lots of instability to the service.

Therefore, Deputy Speaker, on behalf of the portfolio committee we hereby table this Report in relation to the National Health Laboratory Services Amendment Bill as amended and agreed unanimously by the committee for consideration and adoption by this honourable House. Thank you very much. [Applause.]

Ms L V JAMES: Deputy Speaker, the National Health Laboratory Service, NHLS, provides laboratory and related public health services to over 80% of the population through a national network of laboratories. However, the NHLS has raised serious governance concerns. The NHLS still has an acting CFO and numerous senior positions which remain unfilled. Key positions should be filled with officials who have the appropriate competencies to improve service delivery.

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We were shocked by the corruption and fraud allegations which were reported on last year, which led to the resignation of the CEO and CFO and other key senior officials just before their disciplinary hearings. Irregular expenditure also rose to 900 million which impacted negatively on service delivery to over 80% of the population, many of whom solely rely on the NHLS. These are some of the reasons that lead to the amendment of this bill.

The National Health Laboratory Service Amendment Bill provides for additional protection measures and aims to ensure clean governance. There is no room for fraud and corruption in the NHLS, and the Bill aims to ensure that the NHLS provides much needed assistance to the 80% people relying on accurate results for proper diagnosis and management of their illnesses.

Hopefully this amending Bill will also lead to the enforcement of payments to the NHLS by provinces for services rendered to them, which has been a big problem in the past. The Minister of Health in consultation with Minister of Finance will make sure that this service has

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adequate funding to be able to fill its mandate. We support this Bill and the amendments. Thank you. [Applause.]

Dr S S THEMBEKWAYO: Hon Deputy Speaker, at a fundamental policy level, the EFF is in agreement with the amendments proposed by the National Health Laboratory Service Amendment Bill. The administration of the National Health Laboratory Service, NHLS, has been in shambles for a while, due to poor leadership but also due to an unclear legislative framework through which the service ought to be governed.

This Bill, if applied properly, will eliminate those legislative inconsistencies and bring the laboratory service in line with the rest of the public service in terms of governance frameworks. The insistence that the board must become the accounting authority of the service, with clearly defined functions, will eliminate most of the maladministration that this service has been embroiled in for the past few years.

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We know for a fact that it was for this poor management at the laboratory service that auditors, Sizwe-Ntsaluba-Gobodo found irregular expenditure of more than R1 billion last year. Of this irregular expenditure: R574,9 million paid for expired contracts; R209,6 million paid for contracts that exceeded the delegation of authority; and R195m paid to suppliers without contracts in place.

Minister, this happened right under your nose, and to this day, we do not know what consequences there were for people responsible. We may have the best available legislative mechanism to prevent corruption and maladministration, but if we have inherently incompetent people in positions of authority - if we have those whose DNA is wired in corruption as is the case with your comrades in the ANC - we will always have these instances of public money disappearing, often without consequences for those who steal.

The amendments to strengthen the governance mechanisms at the laboratory service will require political to appoint qualified people who have zero tolerance towards

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stealing. For this reason, we also welcome the strengthening of the application of the Public Finance Management Act and the Preferential Procurement Policy Framework Act, provided for in the amendments herewith proposed.

We would like, in particular, to see a more stringent insistence that services required by the laboratory service be procurement from mostly young black professionals, without any apology. We cannot persist in having services as critical as those provided by the laboratory service wholly controlled by white companies. We do have black scientists here who are suffocated by whites in these industries.

Our preferential procurement policy must be unambiguous in demanding the promotion of young black scientists in the fields of diagnosing and monitoring diseases. Further, the training of laboratory personnel, as provided for in the amendment Bill, must focus on training and giving scholarships to exclusively young black people. We know the tendency of the scientific industry of camouflaging the whole industry. [Time

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expired.] The EFF supports the broad spirit of the Bill, and we will be here to ensure that these get implemented at a practical level. Thank you. [Applause.]

Mr N SINGH: Thank you hon Deputy Speaker. I was not going to take a place by force.

Deputy Speaker, the National Health Laboratory Services provides all the tests used for diagnosing and monitoring diseases among state patients and is thus considered the backbone of the health service.

It also provides tests to the private sector including some highly specialised tests that the private providers do not offer.

Yet, the last few years that we had have seen the NHLS handicapped by a string of challenges, which include a leadership crisis, worker strikes and the provincial bad debts, which run into billions of rands!

In 2014, the province of KwaZulu-Natal owed the service approximately R3 billion and Gauteng province R900

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million. No entity can sustain itself with such an outstanding debtor's book.

So this Bill necessarily seeks to amend the National Health Laboratory Services Act, 2000 in order to improve governance, accountability and financial sustainability of the NHLS.

Importantly the amendment, which seeks to include the Preferential Procurement Policy Framework Act and which thereby makes the provisions of that Act applicable to the NHLS, will also provide that the Board of Service is the accounting authority of the service, and that such Board which is now broadly representative accounts to the Minister of Health.

Deputy Speaker, the importance of the NHLS does not permit it the leisure of being plagued by allegations and reports of mismanagement, corruption, maladministration, accounting and expenditure irregularities.

The services it provides are vital not only for South Africa and its citizens but also for the entire region.

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We have seen that recently during the West African Ebola virus outbreak, and the NHLS played an important role in that regard.

Moving forward, the IFP would like for the NHLS to steady itself in terms of getting its internal processes right, and for the provinces to timeously settle their accounts with the service.

Also hon Minister, I'm aware that there are a number of private service providers, and maybe in instances like this when we have challenges with the NHLS, in terms of providing a cost effective service, then partnerships should evolve between the private service providers and the NHLS.

However, in all the IFP supports the report and the Bill. Thank you Deputy Speaker.

Mr A M SHAIK EMAM: Thank you hon Deputy Speaker. The intergration of the National Health Laboratory Services was initiated to provide a single quality laboratory service to all our people, particularly the poorest of

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the poor, which for decades we all know have been deprived of quality healthcare in South Africa due to the apartheid regime. Hon Deputy Speaker, the NHLS has always been experiencing difficulty particularly as a result of limited resources.

However, I want to add hon Deputy Speaker, and I'm glad the Minister is here. It is not only the National Health Laboratory Services that has a challenge in terms of budget. It is clear that each and every province in terms of its health budget has a shortfall of about R2 billion, and yet we are expected to provide a quality healthcare services to the poorest of the poor.

Deputy Speaker and the Minister here I want to add, if you take some of the provinces - not even taking into consideration the debts, the amounts of money that people are unable to pay. They owe a lot of money to service providers, and unless we can deal with this issue in terms of the budget allocations to the Department of Health nationally, we are going to have a crisis at some point in time.

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Now – ja you want to talk about the Western Cape, I can talk about the Western Cape. If you talk about corruption it is here. There is no doubt. If you talk about the poor quality of the healthcare services it does exists. Absolutely! I can tell you that I get a call every other day of my life of the poor healthcare services in the Western Cape.

Do you know why we have a problem Deputy President? We have a problem because of the system that the Minister and the national department do not have the power and the mandate to deal with the provinces. So what do the provinces do? They take the rich, they serve them, they take the poor they dump them and they give them poor healthcare services.

Right now, at this very moment I'm still waiting for a person to return from a clinic in the Western Cape being there from five o'clock in the morning in his queue. So what service are we talking about?

Coming back to my speech hon Deputy Speaker, the issue of vacancies is really a serious challenge. However, as the

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NFP we think the mechanisms that are being put in place in terms of the amendments would then results in the health laboratory services being able to function optimally together, with resources and be able to provide that quality healthcare services to all our people.

Because, up to now people turn to be waiting at hospitals for the results, which generally takes 48 hours to 72 hours for it to come.

So the NFP support this amendment. We think it is in the good interest of all South Africans. Thank you very much. [Applause.]

Mr W W WESSELS: Thank you hon Deputy Speaker. The FF Plus does support the amendments to this Bill, but we do have to emphasise the facts hon Deputy Speaker, that no Amendment Bill will completely solve the problems that we are facing at the National Health Laboratory Services.

The National Health Laboratory Services have deteriorated to such an extent that we went from one financial year

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where we had the R273 million surpluses to in a year almost a billion rand deficit.

I know hon Deputy Speaker it is not only because of the outstanding debts from provinces, that is a huge problem and it is being addressed by the Amendment Bill.

However, hon Deputy Speaker the corruption and financial mismanagement that has been allowed to continue for many decades at this institution has gotten us into this problem.

We cannot allow the deterioration of this very important function to continue. We have to act, and hon Minister we need consequence management. It has become second nature for the thieves of public money to resign when disciplinary action is started against them. This happened at the National Health Laboratory Services as well.

Criminal charges should be laid. There must be consequences for those who steal the public's money. We

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cannot continue on this road of money being wasted. We need to appoint.

Hon Minister, the Amendment Bill gives you the power to appoint competent board members, who is then the accounting authority. Without competent board members who appoint competent officials who are dedicated to get this institution running again, we will not solve the problem with this Amendment Bill.

We need consequences. We need staff with skills. We need to prioritise training and development. We need to prioritise equipment in the laboratories, which we currently do not have. With sound financial management that is possible, but when your Director of Procurement is more interested in his own pockets than procuring the necessary equipment, it will never happen. Thank you hon Deputy Speaker we do support the Amendment Bill.

Ms D CARTER: Deputy Speaker, the importance of a National Health Laboratory Service, NHLS, was thrust into the public domain following the recent Listeriosis outbreak.

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Deputy Speaker, by all accounts the NHLS undertakes 80% of all pathological diagnostic services in the country; provides all the tests used for diagnosing and monitoring diseases amongst state patients; and provides tests to the private sector including those of a specialist nature that the private sector do not offer.

Clearly, the NHLS plays a pivotal role in our public and environmental health sector. The broad intent of the Bill is to amend the National Health Laboratory Service Act in order to improve governance, accountability and financial sustainability of the service.

Deputy Speaker, the 2016-17 audit of the service shockingly revealed in this regard: Irregular expenditure of more than R1 billion; a deficit of R1,8 billion; and debts primarily in the form of monies owned by provincial health departments in excess of R6 billion.

In 2017, the CEO and CFO were suspended pending disciplinary action and the subsequent acting CEO resigned after a short while; the head of internal audit, the SCM and facilities manager resigned in the face of

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disciplinary charges.

Deputy Speaker, the efficacy of the proposed amendments to the National Health Laboratory Services Act, though welcomed, will be judged by whether we see an improvement in the governance, accountability and financial sustainability of the service. The COPE supports the proposed amendments but will monitor the implementation thereof.

Ms E R WILSON: Deputy Speaker, while the DA supports any amendments which are designed to strengthen governance in a failing system, we cannot be distracted from reality. There is a big difference between cosmetic surgery and heart surgery, as the Minister knows.

Cosmetic surgery uplifts and corrects the visual perception of a situation outwardly. Cosmetic surgery essentially hides outward flaws - some real and perceived. It does not, however, deal with the inside - it cannot change from what comes from within.

In reality, the situation in the Department of Health on

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the inside requires heart surgery, not cosmetic surgery. The lack of governance in the department is like a vessel that has ruptured and is spewing corruption, lack of financial performance and management and failure in key focus areas throughout the entire body. It is badly in need of intensive care.

The serious lack of governance, particularly in provinces, has created a failing health system that affects the majority of the poor and vulnerable.

How Minister, does Limpopo Province get R1,7 billion in the red? How is it that Letaba Hospital spews black waste into the Letaba River for 6 months and nothing is done to correct it? The MEC thinks she is a rule unto herself. Thirty doctors were employed in Vhembe for the National Health Insurance Pilot Project, which is what they advised was necessary.

Despite them being paid salaries for those doctors, in this year, via the NHI grants, all 30 have been laid off by the MEC because they are no longer required. Over 400 NGOs contracts were not renewed, putting 15 000 home

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based careers jobs and 1 000s of poor and vulnerable patients at risk despite you, Minister, calling the MEC to stop the process.

The situation at Mafikeng Hospital was beyond comprehension. No boiler working, no hot water, new mothers sleeping on the floor in maternity, mould growing on the walls and blood collection vials lying out in the open. No wonder the locals call it the "Hospital of Death."

Let's not forget the R38 million Mediosa fiasco and there are more. Ignoring the situation there and laying the blame firmly on the lack of governance and corruption at the door of the provincial structures is not good enough, Minister. You are the accounting officer at the end of the day. Ignoring the situation there and not holding the MEC and his cronies accountable has resulted in a volatile and horrible situation.

The same applies to Life Esidimeni. It is pointless amending Bills to ensure good governance when they are out rightly ignored and you, Minister, do nothing to

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correct them.

The department, which includes the National Health Laboratory Service, has over R1 billion in fruitless expenditure, over R16 billion in accruals from the last financial year and faces R28 billion worth of malpractice claims. It is already been forced to pay a billion – a clear indication that this department is in cardiac arrest.

The NHLS owed suppliers R833 million at the end of October 2017. While they have managed to pay off R213 million of that debt, the question remains: How under your watch, Minister, did they get into this position? The DA supports the amendments to the Bill, but Minister, let's quit with the cosmetic surgery and get real. The health system is in need of life support or a heart transplant. No amount of lipstick, blush or mascara will help. What you need is a boat load of this. Get to the bottom of the problem, get rid of the piles of mess and stop the haemorrhaging.

The DA will not sit back and watch the poor and

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vulnerable suffer, when we know the situation. With proper planning and care can be quickly resuscitate under their watch. I thank you. [Applause.]

Ms C N NDABA: Hon Deputy Speaker, hon Deputy President, hon Ministers and Deputy Ministers, hon members and...

IsiXhosa:

...nabahlali baseMzantsi.

English:

I thought hon Wilson was going to respond to the corruption that was raised by hon Emam with regards to Western Cape. I think you were confused. Here, we are debating a Bill and not a Budget Vote. I am not sure what your lipstick or tissue papers you were raising here for what? What does that have to do with the Bill? [Applause.]

Yes, now listen where we are coming from with the National Health Laboratory Services. There is no doubt that the National Health Laboratory Service, NHLS, is of paramount importance to the country's public healthcare

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system. The work performed by this strategic institution is not a nice-to-have, but rather an integral part of our country's public healthcare system. I will go so far as to state that the entire health system is fully dependent on the NHLS and without it the health system will collapse.

Efficiency and effectiveness of both clinical and public health functions including surveillance, diagnosis, prevention, treatment, research and health promotion are influenced by reliable laboratory services. Laboratories provide confirmatory diagnosis and improved management of disease, essential public health information and disease surveillance. In fact, without an effective laboratory service patient diagnosis and care is often compromised, expensive drug treatments are squandered, diagnoses are missed and information about public health is inaccurate. It is also impossible to measure the true effectiveness of interventions and to conduct accurate disease surveillance.

As we all know, prior to our democratic dispensation, there were 14 separate health departments, one for each

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racial group: black, the so-called coloured, Indian and white and one for each nominally independent apartheid homeland which resulted in fragmentation, duplication and differential funding of the different healthcare systems which created racial inequality in access, in the training of healthcare workers and in conditions of employment.

The same applied to the provision of diagnostic laboratory services, which were provided at a provincial and homeland levels with specialised services offered at university level. However, with the ushering in of the new dispensation in 1994, the entire system had to be reconfigured to better service the needs of the new South Africa. The entire system has to be dismantled in order to create a unitary, comprehensive, equitable and integrated national health system as envisaged in the ANC's 1994 National Health Plan which sought to build a system based on the provision of health and not only on medical care; on redressing the harmful effects of apartheid healthcare services; on establishing new norms, ethics and standards; on providing a voice for healthcare workers; on securing effective community participation;

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on delivering efficient and compassionate care; on respecting the rights of providers and beneficiaries and on reducing the burden of disease affecting the health of South Africans.

Hon Speaker, the intention of the National Health Laboratory Service Amendment Bill is to amend the National Health Laboratory Service Act, Act 37 of 2000, so as to define certain expressions and to amend or delete certain definitions; to make the Preferential Procurement Policy Framework Act, Act 5 of 2000 applicable to the National Health Laboratory Service; furthermore, to adjust the objects and duties of the National Health Laboratory and to strengthen the governance and funding mechanism of the NHLS, and to provide with the matters connected there with.

It plays an integral role in the implementation of the NHI. Under the NHI, pathology services will be provided in line with the National Health Act, Act 61 of 2003 which requires setting, monitoring and enforcing of quality control standards applicable to pathology services to ensure patient safety. NHI will cover a

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package of pathology services delivered at different levels of care and as defined by the National Health and Laboratory Services Act.

Today, the NHLS is the largest diagnostic pathology laboratory service in South Africa, with approximately 268 laboratories across South Africa's nine provinces, which services 80% of South African population.

Whilst the NHLS had achieved certain objectives, such as consolidation and strengthening of laboratory services, infrastructure, improvement in access and offers high quality teaching, training and research structures, it was the overall funding model, leadership and governance of NHLS that created problems and challenges for the public entity, and as such, began to undermine the good efforts made by NHLS over the years.

NHLS Amendment Bill proposes that a new funding model clause to be inserted, which relate to financial model, governance and oversight to the NHLS principal Act. On the proposed amendments, the reimbursement of laboratory services currently occurs through a fee-for-service, FFS

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model. A strong criticism of the NHLS's use of the FFS model is that, tests are conducted as a means of revenue generation and not from an appropriateness of need for care perspective. In addition to this, NHLS has experienced continued difficulty in receiving regular payments from all provinces for debt owed for services rendered by it.

As means of mitigating the ongoing challenges related to the funding of the NHLS, the committee proposes that the Minister of Health, in consultation with Minister of Finance, should determine a mechanism to ensure sustainable funding, to enable effective and efficient funding of NHLS. In addition to this, it is envisioned that NHLS will receive its funding through Vote 16. In other words, funds for the NHLS should be appropriated directly from Parliament, as opposed to the current model where they receive money from provinces through the Division of Revenue Act.

On issues of governance and functionality of NHLS, the proposed amendment on Clause 5 of the Bill seeks to strengthen the governance of the NHLS and accountability

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thereof by substituting Section 7 for new Section 7 with a stronger Board. In relation to the composition of the board of the NHLS, the committee is of the view that subsection (d) which states that the NHLS board should comprise of three representatives of provincial departments, after consultation with the National Health Council. It should be deleted as the inclusion of these three provincial representatives will be a costly exercise and an administrative burden to the entity.

The proposal to delete provincial representatives and just have health professionals is premised on the view that the NHLS is a national asset, and as such, the board members should equally comprise of individuals who will represent it at a national level, and not through their respective provinces.

On matters relating to leadership, Clause 7 of the Amendment Bill seeks to amend Section 9 of the principal Act by substituting Subsection 1 so as to empower the Minister to appoint the Chairperson and Vice Chairperson from the members of the Board excluding the executive members of the Board. The board is the accounting

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authority of the Service, reporting directly to the Minister of Health. The board, which is expressed in the insertion of section (2) of the Amendment Bill, is accountable to the Minister.

These amendments, Madam Speaker, will go a long way in rectifying some of these challenges, but more importantly, in positioning the NHLS for the future.

IsiZulu:

Ngikhuluma ngeNHI njalo.

English:

Let us remind ourselves that the NHLS plays an important part in many disease control programmes and must never be ignored or taken for granted. An effective laboratory service requires an effective leadership team, sufficient people and financial resources; and effective systems and processes. These are the foundations of a well functioning and efficient laboratory service, and the new proposals are aimed at achieving exactly that for the NHLS.

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The ANC supports the Bill and I thank you. [Applause.]

The MINISTER OF HEALTH: Hon Deputy Speaker, I have no doubt that we needed the amendments of this Act to change the funding model for NHLS. I wish to take this opportunity to thank all the parties for supporting the Bill, even though one member here opted for dramatics rather than debate.

Sepedi:

Ka Sepedi re tla re o swerwe ke malopo. [Laughter.]

English:

From where I was sitting, I do not know whether she was waving a toilet paper or crepe bandage or whatever. I also got confused hon Ndaba. I was wondering whether we are debating a laboratory Bill here or what. Anyway, I am sure she has got a right to say that.

Hon Deputy Speaker, I want to assure this House that sometimes we undermine ourselves as a country. Despite all the problems that NHLS has got, its components like NICD are still world class. During the time Ebola, there

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was not a single country in the whole of SADC that could diagnose Ebola. All the work was done at NICD under NHLS and all the Ministers of SADC came here to ask for help. Even now, during listeriosis, all the Ministers of SADC were here and acknowledging that it is only NICD under NHLS that can help them because they do not have the capacity and the skill to do the things that those institutions are doing.

So, I would like to take this opportunity and invite specifically Members of Parliament in the Portfolio Committee on Health to pay a visit to the NICD in Sandringham at Johannesburg to see the quality, skills and the capacity that is there, so that we must stop undermining ourselves as a country.

Debate concluded.

Second Reading debate –

National Health Laboratory Service Amendment Bill.

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON TRANSPORT – NATIONAL LAND TRANSPORT AMENDMENT BILL

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There was no debate.

The Chief Whip of the Majority Party: Deputy Speaker, I move:

That the Report be adopted.

Motion agreed to.

Report accordingly adopted.

NATIONAL LAND TRANSPORT AMENDMENT BILL

(Second Reading debate)

The MINISTER OF TRANSPORT: Hon Deputy Speaker, hon Deputy President and hon members, transport plays an important dual role in the economy, both as a direct provider of services and a catalyst for economic integration, redistribution and development. As such, it is a sector that cannot be allowed to lag behind. Therefore, it is important that government reassert the role of transport

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by enhancing and catalysing economic development through the provision of high quality transport infrastructure and services to support economic growth, reduce costs and ensure access and seamless mobility.

The National Land Transport Amendment Bill is thus proposed within the context of South Africa being a developing state in its aspirations that relies on transport to support government's development agenda.

This Bills seeks, amongst other things, to make provision for electronic hailing, which is called e-hailing, of taxis, thus enable operators to operate with an application as well as to empower the Minister to prescribe requirements, standards applicable and offences for the use of e-hailing technology; to provide for provinces to conclude new contracts for public transport services in areas where municipalities do not comply with the prescribed requirements; to empower national government to conclude contracts in exceptional circumstances where there are gaps; and to streamline the administrative arrangements for operating licences and

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for temporary licences to be obtained over the counter by a shortened procedure.

These amendments are also facilitated by the experiences we have had as a country since the promulgation of the main Bill. This Bill will ensure that we transform the South African landscape to be in line with the fourth industrial revolution, which is characterised by the sustainability of innovation, automation and sophisticated processes which are at the root of successful industrial strategies.

A strong, well implemented and well operated public transport system, given these amendments we are making, is not far from the horizon of our future provided of course we have the political will to drive these transformative measures. The Bill before you provides a basis for a better response to the current challenges that face the South African public transport industry. It is therefore important that we all work together and consider the way forward for a better South Africa and Africa in general. I say so because the financial burden of inadequate public transport system is experienced by

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all especially those who are already captive or are using the system, particularly the working class and the poor.

Although the solutions provided here may seem manageable, they hold great impact for improved public transport and for a South Africa that belongs to all those who live in it regardless of their race, gender and economic status.

I therefore urge this House to support and adopt these amendments. Thank you very much, Deputy Speaker.

Xitsonga:

Manana D P MAGADZI: Xandla xa Xipikara, Xandla xa Presidente na vachaviseki va Yindlu leyi yo chaviseka, ndza mi xeweta eka ndzhenga wa namuntlha. Xosungula ndzi lava ku khensa vatirhikulobye lava hi nga tirha swin'we eka Nawumbisi lowu wa swa vutleketli laha Afrika-Dzonga.

English:

The National Land Transport Bill was referred to the portfolio committee in May 2016. The committee called for public hearings during September of the same year. Post the hearings, the committee made further amendments and

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requested Parliament to further call on the second round of public hearings to deal with the amendments which were proposed during the first public hearings. The hearings were then conducted in 2017. The further public hearings dealt with the transport authorities as proposed during the public hearing that will be implemented throughout the provinces.

The object of the Bill, amongst others, accommodates e-hailing - electronic hailing - as it has been as said by the Minister; it seeks to modify the public transport industry; to regulate and monitor hired vehicles; and provides regulatory powers to the MECs in terms of the transport authority. These are amongst other in terms of the object of the Bill.

The strategy to improve public transport in the Republic of South Africa, have been developed over the years which demanded a relook into the legislative matters so as to be at par with the international prescripts and some of the developments which are happening. High speed rail services, bus rapid transport and new applications as indicated with the electronic hailing that are used as

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part of innovation, are but other things that the industry has been looking into and therefore for them to be synergised and integrated into the broader aspect of the transport strategy had to be legislated for.

The operators of the public transport such as rail, buses and taxis have been operating in silos and with the advent of these legislations as amended, the Minister will be able to co-ordinate and remedy some of the situations as properly indicated to by the stakeholders.

The promotion of accessible, affordable and safe transport which include nonmotorised transport to all persons in the Republic particularly those with disabilities, are some of the aspects which the amendments seek to look into. The need to focus on dealing with the special planning and developments especially in the rural areas are at the centre of this amended Bill. The designs and infrastructure should be in such a way that they are adaptable and can be able to take into cognisance people with special needs.

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The legislation has taken into cognisance developments such as e-hailing applications which are used by institutions such as Taxify, Ubber and Zebra Cabs. This has brought the industry into disrepute. If we could recall there have been several disputes which had to be dealt with in Cape Town and Gauteng province. We believe that with this legislation, as proposed, the stakeholders will be able to agree because it is about the routes, fares and it is about the licences where some of the industry users believe it is skewed to those who are using applications, Apps, as compared to those who are using meters. The stakeholders have also raised efficiencies, pricing and safety. These are the things we believe that once regulations are put in place they will be able to take cognisance of.

The metros, some in the Western Cape and in Gauteng, have been having transport authorities. We believe that for us to bring transport authority to be legislated at provincial level, we will be able to assist seamless integration, optimisation and proper planning of infrastructure in all the provinces because public

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transport cannot stop at the boarders but has to provide to everybody who is there.

The Bill as proposed is amending section 23 of the Legal Succession to the SA Transport Services Act, Act 9 of 1989. It also amends the Road Transportation Act, Act 74 of 1977 and it repeals section 22, section 26(a) and section 27 of the National Land Transport Act, Act 5 of 2009.

Hon members, we must always remember that transport, in particular public transport, anchors economic and social development in any country. This Act is striving to heed the call of the National Development Plan to enhance and make sure that communities are able to get accessible and transport that is able to manage all their daily lives. We believe that hon members will be able to support this Bill. I thank you.

Mr M S F de FREITAS: Deputy Speaker, the National Land Transport Amendment Bill was introduced to cater for new developments within the land transport sector and to provide for issues that have come to the fore since the

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implementation of the National Land Transport Act in 2009.

This includes the provision related to accessible transport, electronic hailing, or e-hailing, services, contracting arrangements for public transport, and the clarification of the functions of the three spheres of government. The Bill also promotes and supports nonmotorised transport, thus recognising the diversity of land transport mobility.

Since the introduction of e-hailing systems in South Africa, there has been violence, intimidation and even deaths because of legislative deficiencies in this area. This Bill will now create certainty and be a main contributor to ending the violence between metered taxis and e-hailing taxis. The Act provides that in the case of electronic hailing services, vehicles are hailed or prebooked electronically using an e-hailing or technology-enabled application.

The regulatory entity may specify the area for picking up passengers, and this will ensure that e-hailing taxi

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operators operate within a confined area, allowing space for other taxis to operate in that same area. The Bill provides that the e-hailing application must have the facility to estimate fares and distance, taking into account distance and time, and must communicate the estimate to passengers in advance electronically. It must communicate the final fare at the conclusion of the trip and provide the details of the taxi driver. This will ensure that the passenger is provided with the full details of the trip in advance. A passenger armed with this information will greatly improve their personal safety in a taxi.

No e-hailing software may now be provided to taxi operators that do not hold a valid vehicle licence or permit or whose licence has lapsed or even been cancelled. This will ensure that e-taxis are on the road legally. New e-hailing-related offences will carry a maximum of R100 000 or a maximum of two years imprisonment should an e-taxi be found to be guilty of an offence. This will ensure that regulations are adhered to.

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This Bill is innovative in that it now considers all mobility as transport. Nonmotorised transport now also includes walking, cycling, and animal-drawn vehicles and wheelchairs, irrespective of whether they are motorised or not. We are very excited that now provinces and local authorities have more of a direct say about their transport needs. A province may pass legislation or enter into an agreement with municipalities to provide land transport services within their respective powers and functions. A provincial entity must at least be responsible for the planning, co-ordination and facilitation of land transport functions in the province and prepare a provincial land transport framework. They must co-ordinate between municipalities with a view to ensuring the effective and efficient execution of land transport in the province and the promotion of their own legislation. They are now able to liaise with other national and provincial government departments, bringing together all the key players.

The implementation of provincial integrated development strategies and public transport strategies is now in the hands of provinces, which must give special attention to

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rural areas. They must focus on less-capacitated municipalities or those that do not fulfil their responsibilities from a transport service delivery perspective. The provincial entities must manage the movement of people and goods within its jurisdiction by co-ordinating these movements and develop, operate and maintain a land transport information system. At last, provinces will be able to take responsibility for their land transport issues. Co-ordination and intermodal planning between various local authorities can now be done provincially, so the transport becomes seamless, irrespective of which municipality they may be in. I thank you.

Ms N NOLUTSHUNGU: Deputy Speaker, the National Land Transport Amendment Bill primarily seeks to consolidate the bus rapid transit, BRT, system. The reality for millions of workers and poor people is that, 24 years after democracy, commuters are still subjected to long journeys in minibus taxis that are not roadworthy. Many leave their homes whilst it is still dark in the early morning only to come back in the dark again, leaving their children to raise themselves.

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This sums up a black worker’s life: Workers come from a typical township and earn poverty wages, whilst spending their lives commuting. Even worse, commuting in itself is a danger to one’s life because of an overcrowded and badly maintained public transport system. To consolidate a BRT system within the current apartheid spatial framework where townships are reserved for blacks far from work and whites in suburbs close to work is not only narrow and short sighted but a deliberate effort by the ANC to retain and perpetuate the apartheid spatial and economic legacy.

The only way to consolidate land use for transport purposes is within a framework where the state is the custodian of all land. [Interjections.] This will then enable the state to plan the economy, transport, human settlements and general land use, which will allow workers to move closer to work, students closer to schools, and recreation facilities closer to homes, thus enabling black families to live and raise their families in a stable environment. This is one of the main reasons why we must expropriate land without compensation and why we must do it now.

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The other issue the Bill seeks to address is the Uber transport system. Because the ANC lacks sophistication, they are failing to recognise that the Uber phenomenon is simply a fragment of capital reorientation. Uber is nothing but a new way of exploiting workers and extracting profit without paying tax or abiding by the regulations. [Interjections.] Whilst amending the Bill to place Uber and other similar services in the same category as metered taxis is commendable, meaning Uber drivers will need operating licences and that criminal records of Uber drivers are now checked by those issuing operating licences, which will help prevent the rape and kidnapping and passengers, these amendments will not solve the fundamental issue around Uber and the violence we have seen between Uber drivers and metered taxis.

At the heart of this violence is the exploitation of workers by capital. Uber has successfully used the fact that it is a new technology that does not fit into old definitions of “employer” and “employee”. Up until today, Uber claims that it is not an employer but rather a technology that connects drivers to clients. The extraction of labour for profit makes Uber an employer.

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Last year, a Commission for Conciliation, Mediation and Arbitration, CCMA, hearing ruled that Uber is an employer and should therefore be bound by labour regulations, but the exploitation of Uber drivers continues. It will continue until this House legislates for the protection of workers in an economy that is constantly changing.

In order for the EFF to support this Amendment Bill, a number of changes should be made.

The DEPUTY SPEAKER: Hon member, I am afraid your time has expired.

Ms N NOLUTSHUNGU: We cannot dispute the fact that rail in the South African context should be found ... [Interjections.]

The DEPUTY SPEAKER: Hon Nolutshungu ...

Ms N NOLUTSHUNGU: However, the National Land Transport Act does not extensively deal with rail in an integrated public transport system. I thank you. [Interjections.] [Applause.]

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IsiZulu:

Nk H O MKHALIPHI: Sekela Somlomo, awusamniki nje imizuzu emibili okungenani ...

English:

... as a maiden speech?

IsiZulu:

Kodwa uqhoke uthayi obomvu. [Ubuwelewele.]

USEKELA SOMLOMO: Kuhluleke wena ukubonisana laphaya ebeninikezana khona izikhathi ngingekho mina. Qhubeka Jobe.

English:

Mr K P SITHOLE: Deputy Speaker, this Amendment Bill arises out of the need to cater for new developments arising since the National Land Transport Act came into operation in 2009.

It seeks to address and make provision for various forms of nonmotorised and accessible transport, a revision of the contracting arrangement for public transport, the

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streamlining of the administrative arrangement for operating licences, the provision of e-hailing services, and the insertion of new definitions. The Bill also seeks to expand the powers of Ministers and MECs to authorise regulations and to provide for additional ministerial functions such as the promotion of safety of passengers in vehicles, as well as pedestrians.

"Accessible transport" and "nonmotorised transport" have been inserted, and local government will have to implement universally accessible transport. Provinces can now conclude new contracts in municipalities, most importantly so that scholar transport services can now be effectively governed and monitored. The Bill removed the requirement that the provincial land transport framework must be updated every two years and now requires such updates to take place only once every five years.

Taxi recapitalisation, which has been a total disaster, will now be amended for clarification, and we welcome the provision and requirement that established that new vehicles must not have a capacity of less than 80% of that of the vehicle being replaced. Provision for a code

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for taxi operators and drivers by the Minister is also most welcome. Drivers for e-hailing services such as Uber and Zebra Cabs must have an operating licence, and the provision in the Amendment Bill that allows the Minister to regulate information on e-hailing applications such as routes, fares, and details of the driver must be welcomed.

Additionally, the IFP wants to see a co-ordinating body established and for all e-hailing services to be represented on this working body in order to establish good cross-platform working relationships and safe spaces in which differences can be resolved. The IFP supports both the report and the Amendment Bill. I thank you.

Mr A M SHAIK EMAM: Hon Deputy Speaker, at the very outset, allow me to say that the National Freedom Party supports the report of the portfolio committee on the National Land Transportation Amendment Bill tabled here today. The National Freedom Party is satisfied. A lot of work has gone into this. There was lots of deliberation and the portfolio committee has engaged with the public.

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I think what is very important is that this Bill seems to improve the transport system in South Africa. We all know that one of the challenges that the public transport system in South Africa has is aggravated by the fact that many of our people have to live huge distances away from where they actually work.

We all know that this was orchestrated pre-1994 when our people were forcefully removed. Our people had to work in the urban areas and only go home once in six months or once in a year. That has put a lot of pressure on the public transport system.

To add to this, whilst this amendment will go a long way in improving the quality of service in terms of the transport, a lot still needs to be done to ensure that the quality is maintained at any given time. What we seem to find quite often is that minibus taxis generally appear to not want to comply or adhere to strict conditions. I think we need to get them to understand that this is public lives at risk and that they have to comply and ensure that the vehicles are in a good roadworthy condition, that the drivers are well equipped

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and well trained, especially in emergencies. And we seem to have a problem with that over a period of time.

The electronic hailing system must be welcomed. I want to add that there is a problem with Uber and Taxify. The problem is, whilst they are conducting their affairs and business and earning money in South Africa, at the expense of our people, they do need to comply. What we find more often than not is that the drivers of a lot of these vehicles are foreign trained. They do not comply with our standards and licensing requirements in South Africa. We are hopeful that these amendments that we are putting in place will try and alleviate those challenges that we face.

We also need to create an equal society and opportunity for all public service operators. The National Freedom Party ... [Interjections.] ... No, the DA cannot give you an equal society because they only want to promote the rich and the famous, not the poorest of the poor.

The DEPUTY SPEAKER: Hon Shaik Emam, I have noticed that you have noticed that your time is finished.

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Mr A M SHAIK EMAM: They had the opportunity for years and they never did it. How are they going to do it now? Tell me. They cannot. The National Freedom Party supports the Bill tabled here today. Thank you very much.

Afrikaans:

Adv A D ALBERTS: Adjunkspeaker, die wetsontwerp is ’n aanpassing van die bestaande wetgewing, ten einde die bepalings van die openbare vervoerstrategie en aksieplan van 2007 meer volledig te implementer, en nuwe ontluikende sake te hanteer.

English:

The amendments are mostly technical in nature, with the public good in mind. However, the true value of the law is always in its proper implementation. Therefore, the success of these amendments will be measured by the following factors in general.

Firstly, the actual building of public transport infrastructure, further to the current projects like the BRT projects and Gautrain in Gauteng, and the proper co-

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ordination between all the role players and the various governmental levels.

Afrikaans:
Tweendens, die beskerming van vervoerverskaffers en passasiers, deur behoorlike regulering en polisiëring. Te veel mense verloor hulle lewens op treine en in taxis.

Derdens, die balansering van regulasie aan die een kant en die beskerming van die vryemark aan die ander kant, ten einde meer werk te skep.

English:
Lastly, the effective management of all transport modes in a transparent and professional manner. Much needs to be done in this respect. For example, while the Passenger Rail of South Africa, Prasa, is supposed to ensure that the largest portion of the population have access to public rail transport, the numbers indicate that Prasa has lost half of its passengers in less than a decade. The number of bus passengers has not risen significantly either, which means private taxis are now the backbone of public transport. So, it is quite ironic that the free

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market is saving the developmental state in providing the necessary transport services because there is a huge vacuum in the operation of government, in this respect.

Afrikaans:

Ons het ook kennis geneem van die gebrek aan ’n raamwerk om toekomstige tegnologiese ontwikkelings te bestuur. Die toekoms gaan ons vinnig inhaal soos verskeie groot firmas ekperimenteer met nuwe vorms van vervoer. Uber is alreeds gevorderd in die skep van hommeltuie, bekend as “drones” in Engels. Die hommeltuie kan dan mense vervoer en nie net pakkies nie.

Verskeie motorvervaardigers is ook besig om vlieënde motors te ontwikkel. Die implementering is dalk ’n end verder in die toekoms, maar intelligente selfbesturende motors is vandag ’n realiteit en dit vereis regulering eerder vroeër as later.

English:

Therefore, we will probably have to revisit this legislation again, sooner than we think. The robots are here and they are intelligent. We must ensure that we use

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them wisely to benefit all commuters in South Africa. Thank you.

Mr W M MADISHA: Deputy Speaker, this Amendment Bill to the National Land Transport Act, as we understand, is largely driven by technical considerations, to ensure that policy has been correctly encapsulated in the law, and to iron out problems that have arisen in giving effect to the Act, since its enactment in 2009.

Cope welcomes the decision to expand the definition of metered taxi services, to include electronic hailing applications. We view this as a progressive step in the face of change and progress and we trust that this step will go some way to ensure harmony within the taxi sector and a cessation of the violence we have witnessed.

Public transportation plays a critical role in the lives of the people of South Africa and more so, the poor and the impoverished sectors of our society.

The extent to which such South Africans can use the social and economic opportunities available to them is

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largely dependent on their mobility. A creation and maintenance of integrated transportation systems that are free from delays, crime and safety problems, play a critical role in improving our economic productivity as a nation.

Efficient and effective systems of public transportation are critical to our social and economic development initiatives. I point this out because, whilst supporting this Amendment Bill, Cope is concerned about the ability of government at all spheres to give effect to our legislative order and ensure an efficient, effective and integrated public transport system. Thank you very much.

Mr T S MPANZA: Hon Deputy Speaker, the Deputy President and hon members. I am sure you have noticed that most of the portfolio committee members are wearing a red tie and we are following in the footsteps of our Minister whom you can’t separate with the red colour and I think we all know why.

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The ANC-led government has been at the forefront in developing infrastructure which is conducive for economic ... [Interruptions.]

The DEPUTY SPEAKER: What is the order about? Just hold on hon Mpanza.

Ms H O MKHALIPHI: But hon Mpanza is a member of the South African National Civic Organisation, SANCO.

The DEPUTY SPEAKER: Hon member!

Ms H O MKHALIPH: He must not claim an easy victory.

The DEPUTY SPEAKER: Please, please, take your seat.

Ms H O MKHALIPH: SANCO doesn't wear any red colours. It is only the EFF in South Africa that wear red colours.

The DEPUTY SPEAKER: Hon member, take your seat.

Mr T S MPANZA: The ANC had committed itself to reverse the spatial inequality and ensure safe reliable and

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effective modes of transport to contribute to the economic development.

The ANC-led government view the infrastructural development as a vital on promoting accessibility and economic growth in the country. The Department of Transport is mandated to lead an integrated, reliable, and a safe transport system through planning, developing and coordinating transport policies.

The apartheid spatial development still persists to be a reality even beyond the democratic dispensation. The majority of our masses still live in the outer periphery of economic hubs. The ANC, Ready to Govern Policy document had alluded that apartheid as a system of segregation has resulted in towns and cities where the poor live furthest from work, shops and facilities and where masses of poor people are locked into rural slums. This is inequitable, inefficient and expensive. As a result of this, communities mainly remain excluded from economic participation in the main stream economy and contribution in the economic development.

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The 54th ANC National Conference has declared that infrastructural development and transportation network have a significant role on attracting investment and economic stimulation.

The purpose of the National Land Transport Act, Act 5 of 2009 remain primarily to further the process of transformation and restructuring system of National Land Transport System initiated by the Transition Act. It further consolidates land transport functions and locates them to all spheres of government.

The obligation of the Department of Transport is to create a responsive infrastructure to nature inclusive growth. It is the bedrock of economic stimulation, development and connects people and goods to market.

Outcome six of Medium-Term Strategic Framework has laid basis for transport to play a vital role as a catalyst for social development, economic development, safe and more accessible public transport system.

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Since its inception, the National Land Transport Act, Act 5 of 2009 has made a significant in routes to provide the initiation and development of public transport strategy in 2007. It has also made some significant in routes in consolidating transport system in all spheres of government. However, there are technical aspects of the act that needs serious attention.

The National Land Transport Amendment Bill seeks to deal with ambiguities on concepts and give a clear definition on the meaning to curb misinterpretation. The Minister has been granted the authority and power to make regulations on the process of offering alternatives to operators.

The setting of fees, determination of colour coding on vehicles, and give requirements on timeframe for vehicles as well as the accessibility of transport has remained a fundamental constraint. The new section on the Bill is inserted to the principal act to promote the accessibility of transport.

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The provincial and local spheres of government are given responsibilities to make contracts with each other to strengthen the capacity. The Bill seeks to promote intermodal planning committee to be established and must facilitate the level service agreement with the Passenger Rail Agency of South Africa, PRASA.

Municipalities will keep the registration information of the vehicle and the Bill promotes that this will not be a national competency. The Bill proposes that National Public Transport Regulator be given new duties to deal with passenger complaints and this will help effectively to curb further delays to commuters and stakeholders grievances. Therefore, the National Land Transport Amendment Bill seeks to meet the National Development Plan, NDP, goals. The NDP requires department to be efficient, competitive and responsive to economic infrastructure network.

The Bill has managed to make significant in routes in creating conducive environment for modernisation of transport system and improving service delivery in particular to the poor and the working class of our

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society, thus ensuring a better life for all South Africans. The ANC supports this Bill. Thank you, hon Speaker.

Mr C H H HUNSINGER: Deputy Speaker, once finally approved, this Act should leave passengers, commuters and travellers in South Africa in a better off situation, especially with regard to safety. Service providers should experience a more viable commercial environment and each of the three spheres of government should expect an improved state of integrated public transport.

This is the Bill that determines the crucial operating space between service providers which in its functioning should allow for an enabling economic environment since it prescribes the criteria and requirements to municipalities and provinces and the relationship with national transport related control and powers.

This updated version of the rushed 2009 Act should be judged with regard to safety and risk exposure of public transport users. While many lives were lost and injuries scores during this 10-year period of no proper

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arrangement between taxis, buses, rail and lately also Uber like service providers. This is also the Bill that host potential for meaningful integrated public transport networking.

The opportunity to alleviate congestion on roads and the chance to extend the usage life of road services by discouraging heavy freight loads on our roads in favour of Ri a Vaya. This Bill was sadly totally ignored. This is happening while Statistics SA clearly reflects tumbling numbers in rail freight usage as well as long distance passenger trips.

The DA remains concerned about municipalities and regulatory entities that are not held to account for their inefficiencies. Of these the Bus Rapid Transit, BRT, programme is but one example. From 2005-2017, more than R41 billion has been spent on public bus service provision in thirteen cities.

Upon analyses, it appears that amongst these, some have less than 50% expenditure ability with very little to show after twelve years. Clearly, urgent leadership

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intervention is needed since billions simply get transferred irrespective of the value return to citizens.

The location of the authority function in the provincial sphere is crucial and aspects are most important for future BRT development, something which will allow the institutional model to function more effectively. While the taxi recapitalisation programme of 2006 was aimed at changing the way the mini bus taxi industry should operate, rivalry is frequent with death and bloodshed. This is due to the continued lack of a proper regulatory regime and let it be known that the recapitalisation programme is directly responsible and can be blamed for the growing financial hardship amongst taxi bus owners.

In the same way as deferred infrastructure maintenance makes fixing things later more expensive. The deferred plans are a genuine debt burden on future generations. It is important to realise that each crisis urge to new complexities which could have been avoided if it was not for outdated solutions and shallow like thinking.

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The DA will support and follow the final phase of this Bill with great interest and we remain committed to influence thinking towards improving mobility for all in an open fair and diverse opportunity society. I thank you.

Mr M P SIBANDE: Hon House Chairperson, hon Deputy President, hon Ministers and hon members, the ANC's Strategy and Tactics document of 2007 eloquently states that in order to achieve development and a capable state to promote a socioeconomic agenda we need a state that has the ability to translate broad objectives into programmes and projects to ensure their implementation. The same sentiments found expression in the 53rd Mangaung conference where the conference reaffirmed the strategic role of infrastructural development as a driver of economic stimulation.

The National Land Transport Act of 2009 — actually this Bill is long overdue because it started long ago — was introduced due to the need for the proper co-ordination of the transport system in South Africa. The Act furthers the processes of transformation and restructuring of the

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national land transport system. It further consolidates all land transport functions located under spheres of government.

IsiZulu:

Mgcinisihlalo, ngalesi Sichibiyelo somthetho Wezokuthutha kwezokuHamba Phansi siqonde ukulungisa umthetho uba uhambisane nesikhathi samanje nangakho konke okwenzekayo kusukela umthetho uqala ukusebenza. Ngalo mthetho siphokophele ukuchibiyela eminye imithetho nezokuthutha ukuze ihambisane nomthetho omkhulu ikakhulukazi lapho kunokushayisana kwemithetho khona ukucacisa noma ukuhlaziya imihlinzekelo eyehlukene noma ukuxazulula izinkinga eziqhubekayo kusukela kwaqala ukusebenzo komthetho kanye nokunikeza ukuba wonke umuntu osebenza ngokuthutha umphakathi abe nelayisensi yokusebenza futhi abe nezimpawu ezibonakalayo ukuze kugwenye izinxushunxushu kanye nodlame kufaka nalabo abanezinkontilaki ezingaphansi kwezinkampani eziqashwayo zokuthutha umphakathi.

Ngawe Mgcinisihlalo, kukhona into engisafuna ukuyilungisa la. Ezinye izikhulumi ebezikhuluma la bezikhuluma engathi

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sizokhangisa izinhlangano zamatekisi njengo-Uber nani nani. Cha, asisho njalo. Sithi noma ngabe wubani kufanele abe nelayisensi.

English:

We don't promote that people should operate without licences. They must have licences.

IsiZulu:

Yilokho ebengifuna ukucacisa kakhulu. Ngithanda ukulibheka ngaphandle kokungabaza ukuthi kunezinhangano ezifana ncamishi nenkodlo yodado ethi *Unomtobhoyi.* I-National Land Transport Act ehlongozwayo ihlose ukugwema ukungqubuzana kweminye yemithetho efana ne-transport authority ikakhulukazi kulesi sifundazwe sase-Western Cape okungangokuba lapha e-Western Cape sisabhekene nenselelo eyabhangelwa wumthetho wenye inhlangano ngaphansi kwe-transport authority. Bakha ama-Bermuda roads phecelezi imigwaqo esingayibiza ngokuthi isibonelo njengo-Eastern Boulevard Highway.

Ngalo mthetho siqonde ukunikeza amandla athize ezifundazweni ukuze kuqedelwe izivumelwano zezomsebenzi

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wezokuthutha ikakhulukazi uma kufanele balekelelwe omasipala abadonsa kanzima kanye noma ukuba bangenelele ukuba bahlanganise omasipala abasondelene ukuba babe namandla kwaba futhi basebenze ngokuzimela. Futhi-ke siqonde ukwenza amandla ikakhulukazi kaNgqongqoshe ukuba enze imithetho futhi ethule izindlela nezinhlelo zokuphepha futhi kuvumele ukuthi uNgqongqoshe ukuba angenelele ekulekeleleni omasipala kanye nezifundazwe ikakhulukazi lezi ezisantulile. Nokucacisa inqubo ebekiwe kanye nezidingo komasipala ukuba bangene ezinkontilakini zezomsebenzi wokuthutha umphakathi nokucacisa noma ukuhlaziya imihlinzekelo eyehlukene noma ukuxazulula izinkinga eziqhubekayo kusukela kwaqala ukusebenza komthetho kanye nokuzinikeza ukuba wonke umuntu osebenza ngokuthutha umphakathi abe nelayisensi yokusebenzisa futhi abenezimpawu – ngiyakuphinda lokho – ukuthi abe nezimpawu.

English:

I will repeat this because I want to reiterate and emphasise that the Bill seeks to reinforce transport efficiency and contribute to economic development. The

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Bill also seeks to modify the transport industry to be in line with international best practices.

IsiZulu:

u-ANC uyawusekelo loMthethosivivinyo. [Ihlombe.]

English:

The MINISTER OF TRANSPORT: Hon House Chair, let me start by thanking all those who supported this Bill; some of them very eloquently. Thanks to the chairperson for having led the process of discussing this Bill in the portfolio committee.

I want to say to hon De Freitas that, indeed, the interventions that he said we are making in relation to e-hailing and the licensing of taxis are important, including the colouring, so that whether its Uber or Taxify, they are all recognisable. That's also important in promoting the safety of passengers.

To the hon member of the EFF, the colour red belongs to the SA Communist Party, SACP, and the SACP alone. [Interjections.]

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IsiZulu:

Ngicabanga ukuthi ... [Ubuwelewele.]

English:

Ms H O MKHALIPHI: Order, Chair.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, will you take your seat please? Why are you rising, hon member?

Ms H O MKHALIPHI: I'm rising on a point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): What is the point of order?

Ms H O MKHALIPHI: The point of order is that there is no communist party in South Africa. They are the yellow communists. That's why you belong to the ANC with the yellow t-shirts. The red colour belongs to the EFF. You must come this side, hon Minister. Come this side. [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): That's not a point of order, hon member. Please take your seat. Hon member, please take your seat. Hon member, take your seat please. That's not a point of order. Continue, hon Minister.

The MINISTER OF TRANSPORT: So says a former member of the SACP in eThekwini. [Interjections.] Hon Chair ...

Mr N S MATIASE: House Chair, point of order.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, please take your seat. Yes, hon member, what's the point of order?

Mr N S MATIASE: Can Blade Nzimande take a question?

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, are you prepared to take a question?

The MINISTER OF TRANSPORT: Unfortunately I do not have time, Chair. I'm only left with 59 seconds.

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Mr N S MATIASE: You're a coward!

The HOUSE CHAIRPERSON (Mr C T Frolick): Will you take your seat, hon Minister. Hon member, the Minister is not prepared to take a question. Hon Chauke?

The MINISTER OF TRANSPORT: I hear a number of points made by hon ... [Inaudible.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, will you ... I just want to find out from hon Chauke why he is rising.

Mr H P CHAUKE: The point I am making is that the hon member from the fighters addressed the hon Minister as Blade Nzimande .. [Inaudible.] There must be respect and decorum. The decorum of the House and respect to members is very important.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, hon member, thank you. Hon members ...

Ms E N NTLANGWINI: On a point of order, Chairperson.

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The HOUSE CHAIRPERSON (Mr C T Frolick): No, I'm still dealing with this point please. Let us address each other in a respectful manner and let's not use our first names and surnames when addressing each other, hon member Matiase. Why are you rising, hon member?

Ms E N NTLANGWINI: Thank you very much, Chair. Unlike Chauke who is power hungry and position hungry, the hon Blade Nzimande is not power hungry. That's why he's ... [Inaudible.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, take your seat. Hon member, take your seat. Take your seat please. Continue, hon Minister.

The MINISTER OF TRANSPORT: Hon Chair and hon members, whilst I agree with a number of points made by hon Nolutshungu of the EFF, as other members have also said, an efficient public transport system is integrally linked to the transformation of apartheid's spatial settlement patterns. There's no doubt about that. We agree with the fact that the Uber system is indeed exploitative.

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However, I also think that it's not enough that we just simply attack the taxis.

IsiZulu:

Masingawahlaseli amatekisi. Masisebenze nawo ngoba akhona la ezweni lakithi.

English:

Instead, let's even support some of their campaigns, like the Hlokomela campaign which led to the reduction of taxi crashes by 10% in the last festive season. So it's very important ...

IsiZulu:

... ukuthi sisebenze nabosomatekisi bakithi singabajikijeli nje ngamatshe kuphela.

English:

Hon Hunsinger or umsinga, which is the easy way we refer to you in the portfolio committee because your surname is unfortunately rather difficult, we agree with you about the use of rail. That is why, amongst other things, I have taken the interventions that I've made in

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transforming and laying a basis for transforming the Passenger Rail Agency of SA, Prasa, into a functional urban commuter rail-based system, so that we begin to shift from road to rail as the foundation of our public transport system. Thank you very much.

Debate concluded.

Bill read a second time.

The HOUSE CHAIRPERSON (Mr C T Frolick): Before I move to the next item I want to recognise a delegation from the student representative council of the University of Venda in the gallery. Welcome to the National Assembly. [Applause.] I hope your visit is a fruitful one.

RECOMMENDATION FOR REMOVAL OF COUNCILLOR OF INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA, ICASA

(Consideration of Report)

There was no debate.

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The Chief Whip of the Majority Party moved: That owing to court processes that are still pending, the Report on Recommendation for Removal of Councillor of Independent Communications Authority of South Africa, Icasa be referred back to the committee for further consideration and report.

Motion agreed to.

Report accordingly referred back to the Portfolio Committee on Communications for further consideration and report.

CONSIDERATION OF LEGISLATIVE PROPOSAL TO AMEND THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE ACT NO 1 OF 2011,

(Consideration of Report)

Mr F BEUKMAN: Hon House Chairperson, hon Deputy President, hon members and fellow South Africans, thank you very much for the opportunity to introduce on behalf of the Portfolio Committee on Police the Report of the

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portfolio committee that is requesting the permission of the House in terms of Rule 273(1) for the introduction of a committee Bill in the House namely; the Independent Policing Investigative Directorate amendment Bill 2018.

The Report was adopted unanimously by the portfolio committee on 21 February 2018. In terms of section 2066 of the Constitution of the Republic of South Africa, provision is made for the independent police complaints body established by national legislation that must investigate any alleged misconduct or things committed by members of the police service. The legislation that governs the mandate of the independent complaints body is the Independent Police Investigative Directorate Act 1 of 2011.

The Constitutional Court ruled in 2016 that certain provisions of the said Act are unconstitutional following McBride and the Minister of Police case and the court directed that the amendment rectifying the lacuna in the Act be effected before 5 September 2018. The executive responsible for bringing legislation to the House in relation to the Independent Policing Investigative

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Directorate lies with the Minister of Police and functionally with the Civilian Secretariat for Police.

Towards the end of 2017, it became patently clear to the portfolio committee that the executive and the Civilian Secretariat for Police would in terms of legislative timelines and executive procedures not being to table ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T FROLICK): Hon Beukman, would you just take your seat please. Hon members, is there is problem there at the back? The hon members at the back; is there a problem? Can you just lower the noise level in the House please? I can hardly hear the hon member here. Continue hon Beukman.

Mr F BEEUKMAN: Thank you House Chairperson. Towards the end of 2017, it became patently clear to the portfolio committee that the executive and the Civilian Secretariat for Police would in terms of legislative timelines and executive processes not being to table the envisaged draft bill in time to reach the 5 September 2018 deadline of the Constitutional Court.

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As part of its oversight mandate, the Portfolio Committee on Police raised the matter in writing in November 2017 with the Minister of Police, the Civilian Secretariat for Police and Independent Policing Investigative Directorate and proposed that the committee proceed with the committee Bill to ensure that the deadline of the Constitutional Court is adhered to.

The Minister of Police supported the proposal and there were no objections from the Civilian Secretariat for Police and the Independent Policing Investigative Directorate. Subsequently, the necessary advice and consultations with the parliamentary legal aid advisors took place on the process to be followed.

House Chairperson, if the House supports the adoption of the Report this afternoon, the process to embark on a legislative process to amend the Independent Policing Investigative Directorate Act of 2011 will commence. In a nutshell, the amendment will provide for aligning the IPID Act with the Constitutional Court judgement; provide for great independence of the Executive Director of IPID in fulfilling his obligations and mandates and provide

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for legal certainty on the process of suspension and removal of the Executive Director. Furthermore, provide for the exclusion if the laws and codes governing the public service in relation to the removal of the Executive Director of IPID.

House Chairperson in conclusion, the portfolio committee believes that it is important that the legislature adhere to the timeline set by the Constitution Court and therefore we call on the support of all political parties to support the Report. I thank you.

There was no debate.

The Chief Whip of the Majority Party moved: That the House, in terms of Rule 273(3), give permission that the legislative proposal be proceeded with.

Declaration(s) of Vote:

Mr Z N MBHELE: The DA is pleased to support this resolution to obtain the approval of this House for the introduction of the committee Bill that would amend the Independent Policing Investigative Directorate Act, IPID

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so that it complies with the ruling of the Constitutional Court in its judgement strengthening the independence of the department's director.

This is an important and much needed reform against the backdrop of past political interference in the IPID and current attacks on the institution. Our support is in line with the DA's long standing position of the need to firewall some of our most important institutions against political capture and interference in order to buttress and fortify our Constitutional democracy.

In this regard we have made proposals for the firewalling of the National Prosecuting Authority NPA, Judicial Services Commission, SARS, Chapter 9 institutions as well as the positions of the National Police Commissioner and Inspector General of Intelligence. The period from March 2015 when the IPID Director was unlawfully suspended until September 2016 when the suspension was judicially overturned - a period that has now come to be known as the exile saw massive debt damage being inflicted on the capacity and staff moral at the IPID.

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There were unlawful suspensions, irrational staff transfers, either to other provinces or to positions for which they were not suited or qualified, worst of all, the alleged recruitment of SAPS from the crime intelligence division into the IPID.

Since what is now called the restoration, there have been massive effort to rebuild the organisation but the extent to damage during the exile were shown in both the 2016-17 audit outcomes and annual reports of the IPID. It should be noted that the IPID had been working on its own draft, IPID Amendment Bill but the reason that a committee Bill has become necessary is that with the Constitutional Court deadline looming in a few months; it has become evident that their Bill will not make it through both Houses of Parliament in time to be assented to by the President especially in light of the fact that this House will have an explicable eight week constituency period form mid-June to mid-August.

Just because the Ministers don’t want to come to Parliament for question sessions, it doesn’t mean that the rest of us don’t want to work either. However, the

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silver lining of this ... [Inaudible.] of government bureaucracy and Parliament quasi dereliction of duty is that it has enabled the novelty of using the mechanisms of the committee Bill to implement Parliament's key function of being a law making body and we should see more of this happening.

Just because the convention has been for the executive to draft and refer Bills to Parliament, it does not obviate the power or the need for laws to originate from Parliament itself as a multi party institution representing the will and aspirations of the South African people as a whole through the members of both its Houses.

We must always remember as parliamentarians that we are first and foremost public representatives and that part of our job is elevate the issues on the ground that we come to know about from oversight visits, constituency work and public complains received into the work of Parliament in the same way that provincial delegations of the NCOP are meant to represent the provincial interest in the debate, deliberations and decisions of that House.

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As we find ourselves in budget hearing seasons, let us apply this thinking particularly when it comes to money Bills and consider rationally and responsibly the amendments that will be proposed by members to the draft budget because this Parliament has the power to amend those money Bills in the interest of ensuring that they better serve the poor, disadvantaged and marginalised.

In closing, let us always remember that our democracy is only as strong as its institutions. In order to safeguard our democracy for future generations, we have a responsibility to see that their independence and legitimacy is upheld in line with the Constitution and other pinning values and principles as the supreme law of our land. Thank you. [Applause.]

Mr S P MHLONGO: The EFF hereby supports the Report on the amendment Act of Independent Policing Investigative Directorate, IPID which is a direct response to high court findings on lack of independence of the unit whose votes resides within the SAPS budget. Thanks to the bravery of the Executive Director of this division who simply took the Minister on review when he was compelled

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to succumb to scourge of corruption that we saw in the recent past.

The role of the unit in fighting corruption within SAPS remains unmatched with fewer resources at their disposal in the form of monetary and human personnel. Recent arrest of Captain KGB who was sentenced to 10 years yet spent only two years in prison and continued on police payroll with millions of intelligence life fund at his command could not be unearthed without the hard work of this unit.

Recent appearance in court former Police National Acting Commissioner, General Phahlane and irregular procurement of Food and Drug Administration, FDA services which threatened our national security could not be uncovered without hard work of this unit in breaking the back of corrupt syndicates preying on SAPS limited resources.

As EFF, we call upon treasury to review budget allocation to IPID as they remain ceased with high profile cases which is eating their limited budget allocation whist on

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one hand expected to implement Farlam Commission on findings of Marikana massacre.

Therefore in this regard, EFF supports the Report as it will better ensure full independence of IPID from SAPS. This is an indication of our strong abhorrence of corruption; hence we call on support of this Report. I thank you.

IsiZulu:

Mnu M HLENGWA: Ngiyathokoza Sihlalo, sanibonani ...

English:

... on behalf of the IFP, I would like to state at the outset that we support the proposed amendment to the Independent Police Investigative Directorate, the Ipid, Act regarding the provision of the Constitutional Court in the Constitutional Court ruling the matter between Robert McBride and the Minister of Police. It is our fundamental belief that our democracy is built on strong checks and balances and it is important to strengthen the capacity of the guard in this case being the Ipid. In an organisation such as the Ipid is that one of the extreme

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importance, as it is investigation driven as opposed to the former Independent Complaints Directorate which was complaints driven. It has made credible strides in ensuring accountability and was marked as a must on surveillance oversight over the SA Police Service and the Municipal Police service.

The core business of the organisation is to investigate cases of misconduct by members of the SA Police Service and the Municipal Police Service - one that this country in particular needs very much. Just yesterday, the reports that a member of the SAPS station at Skukuza in Mpumalanga was arrested for his alleged involvement in rhino poaching activities in the Kruger National Park is a point in case. Therefore, having a competent and discerning executive director is equally as important to ensure that the organisation has sufficiently capacitated to be able to deliver on its mandate. Having an executive director who is not only competent but also has independence and unhindered volition to operate freely in order to fulfil their mandate is in the best interest of the nation. Thus amending the Ipid Act to provide for greater independence of the executive director and to

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provide for legal certainty on the processes for suspension and removal of the executive director is also in the best interest of the organisation and its smooth and unobstructed running.

Hon Chairperson, ...

IsiZulu:

... kodwa sesikukhulumile konke lokhu kubalulekile ukusiqinisekise ukuthi nalo uPhiko LwamaPhoyisa Oluzimele oluphenyayo[Ipid] luyakwazi ukufinyelela kubantu bakithi. Enye yezinkinga ezikhona ukuthi sinezakhiwo ezinhle zokulawula izwe kodwa ezingafinyeleli kubantu, ikakhulukazi okuyibona abayithola bebhekene nokucindezeleka uma amaphoyisa angasawenzi ngendlela umsebenzi wawo. Ngakho ke asithi siwulungisa umthetho lo kodwa sibe siqinisekisa futhi ukuthi abantu bakithi okuyibona ngempela ngempela abadinga usizo lwayo i-Ipid nezinye izinhlaka zikahulumeni bayasondela kubona nokuthi ulwazi baluthole, ukuthi bafinyelela kanjani kubona lokho kusheshise. Ayikho into ebuhlungu ukuthi ajikiswe esiteshini samaphoyisa ngesizathu sokuthi amaphoyisa ngoba ongobhululu azovikelelana abantu bakithi bagcine

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bengasazizakalanga. Ngakho ke zonke lezi zinhlelo zinhle kodwa uma zingezukubasiza abantu bakithi angeke zifike ndawo. Ngiyathokoza Sihlalo.

Mr A M SHAIK EMAM: Hon House Chair, the NFP welcomes the introduction of the Ipid Amendment Legislative proposal to amend the Bill tabled here today. The amendment provides for a greater independence of the Ipid. Hon Chairperson, what is very clear is that the Ipid has a role and the responsibility to investigate the actions of malpractices or unlawful conduct by members of the SAPS. We must also mindful of the fact that police officers in South Africa have a very difficult task in terms of combating crime. In fact, they spend more time dealing with crime rather than preventing crime. That is as a result of the social economic conditions that we live a lot of which we inherited, but also as a result of the high employment rate, the domestic violence and abuse that we are faced with in our society, the brutality in which our people were treated for over a very long period of time. So, I think we need to look at all these things holistically if we want to deal with the issues and the challenges that are faced by the SA Police Service.

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Yes indeed, Chairperson, it has been a challenge, especially in terms of the independence of the Ipid, the way they function and interference. We are hoping that with these legislative amendments, it will give them greater power, greater authority, and greater independence so that they could function optimally and bring those culprits to book. However, we must also be mindful of the fact that by bringing in these legislative amendments it may create an environment for police officers in South Africa who for a very long period of time had been also abusing the power. It will create an environment where it will instil some sort of fear in them so that they will refrain from corrupt practices because that seems to be a serious challenge in society today. For that reason, the public doesn't have the confidence. So, we are hoping that these amendments will go a long way in also creating a more conducive environment for SA police Service's offices to work, but also to be mindful that in the event of them breaking the laws that they will be punished accordingly. It will also go a long way in instilling some confidence and some trust in the society as a whole in the SA Police Service. I think together, we might be able to fight crime in

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South Africa. The NFP supports the legislative amendments tabled here today.

Ms D CARTER: Chairperson, central to this matter is the criss question whether, in light of the applicable statutory framework the Ipid enjoys adequate structural and operational independence as envisaged by the Constitution to ensure that it is effectively insulated from undue political interference. Chair, we know what the answer to that is. It is no. We know that the answer is no, given the ruling of the Gauteng Division of High Court and as the subsequent confirmatory order of the Constitutional Court which informs the need to amend the Ipid Act. We know that the answer is no because at the time of the court's rulings the then Minister of Police was intent on unduly interfering at the Ipid by seeking to abuse his then powers, by endeavouring to suspend and institute disciplinary proceedings against the executive director of the Ipid. For nefarious ends, now it clearly showed to have been linked to a state capture project. We know that the answer is no, given the Constitutional Court's confirmatory order that the decision and actions of the Minister were invalid and must be set aside and

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that the provisions of the Ipid Act not be amended and the Public Service Act were constitutionally invalid.

Chair, the Cope supports the report of the Portfolio Committee on Police in the matter and the proposed Amendment Bill that seeks to ensure that the Ipid Act is aligned to our Constitution and the judgement of the Constitutional Court, to provide for greater independence of the executive director in giving effect to his obligations and mandate. To stop abuses by the executive for wrongful and corrupt ends and provide legal certainty and parliamentary oversight over the process for the suspension and removal of the Ipid executive director. The proposed bill which brings to an end and saw the chapter of abuse of executive power, the corrupt ends and gives effect to the judgement of the Constitutional Court is supported by the Cope. Thank you.

Declaration(s) of vote continued.

Mr J J MAAKE: Chairperson, I don’t think I need to say much. All the parties agree that the amendment to the Act is needed. All that we need to do is to implement the

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decision of the Constitutional Court. And as we all agree as parties, there is no need to grandstand about the issue.

There is one other alternative, as my chairperson said, that the whole Bill still needs to be overhauled. However, what we need to do now because there is a timeframe which is somewhere in September, might be to ask for an extension in order to overhaul the whole Bill; and that can only be done by the Speaker.

If we were to look at some of the duties that the Ipid has to undertake, we need to look at some of the causes of the funny behaviour of a minute number of officers. If there is a situation whereby an officer has been with the service for more than 30 years and there was never any promotion, wouldn't that create problems within the service? Therefore, promotions of police officers need to be looked into, and that might solve some of the problems that we have. The ANC definitely supports the Report. Thank you.

Motion agreed to.

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Permission accordingly given to the Portfolio Committee on Police to proceed with the legislative proposal.

ANC VETERAN AND CONSTITUTIONAL EXPERT, DR ZOLA SIDNEY THEMBA SKWEYIYA DIES AT AGE 75

(Draft Resolution)

Mr A F MAHLALELA: Chairperson, I move without notice:

That the House -

(1) notes with sadness the death of the ANC veteran, constitutional expert, diplomat and leader, Comrade Dr Zola Sidney Themba Skweyiya on 14 April 2018, at the age of 75, after a protracted illness;

(2) recalls that Dr Zola Skweyiya joined the ANC in 1956, and was an organiser until he went into exile in 1963 to Tanzania and later Lusaka, Zambia;

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(3) further recalls that he was sent by the ANC to the German Democratic Republic to study law, and that in 1978 he obtained an LLD degree from the University of Leipzig;

(4) remembers that he worked for the ANC in various offices and capacities and was responsible for setting up the ANC office in Addis Ababa, Ethiopia;

(5) further remembers that between 1982 and 1985, he represented the ANC at the Organisation of African Unity, OAU, before he was recalled to Lusaka to set up the ANC Legal and Constitutional Department;

(6) understands that he headed this department until 1990 in Zambia, and again until 1994 in Johannesburg, after his return to South Africa in 1990;

(7) further understands that on his return, he chaired the ANC Constitution Committee;

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(8) acknowledges that Zola served on the National Executive Committee of the ANC until 2012;

(9) further acknowledges that Zola played a critical role in the constitutional negotiations, not only in the Convention for a Democratic SA, Codesa process and committees, but also in engaging with ANC structures, the legal fraternity and other alliances and civil society;

(10) also acknowledges that:

(a) he became a Member of Parliament in 1994 and immediately assumed the position of Minister of Public Service and Administration; and

(b) in 1999, he was appointed as Minister of Social Development, a post he held for the next 10 years until 2009, and thereafter he was appointed as a diplomat to the United Kingdom;

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(11) appreciates the Joint Sitting called by Parliament of the Republic of SA on Thursday, 03 May 2018 to pay tribute to this stalwart; and

(12) conveys its heartfelt condolences to the his family and friends.

Agreed to.

DA HOLDS BIGGEST AND SUCCESSFUL FEDERAL CONGRESS AT TSHWANE SHOWGROUNDS

(Draft Resolution)

Mr R T HUGO: Hon Chairperson, I hereby move without notice:

That the House -

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(1) notes that over the course of 07 and 08 April 2018, the DA held a very successful federal congress, at the Tshwane show grounds;

(2) acknowledges that it was the biggest congress of the DA with a diverse group of over 2 000 delegates from across South Africa in attendance;

(3) further acknowledges resolutions of congress which promote freedom, fairness and opportunities in South Africa and its people, united in our diversity;

(4) congratulates the DA Federal Leader, the hon Mmusi Maimane, MP, for his unopposed re-election by the DA Congress; and

(5) celebrates the democratic processes that exist within South African politics, promoting one South Africa for all its people.

Agreed to.

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NATIONAL ASSEMBLY

TUESDAY, 24 APRIL 2018

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CALL FOR WORKERS TO UNITE IN CELEBRATION OF WORKERS' DAY

(Draft Resolution)

Mr N S MATIASE: House Chair, I move without notice:

That the House -

(1) notes that the EFF continues to call for workers of the world to unite;

(2) further notes that as workers there is nothing to lose but shackles of capitalism;

(3) also notes that in a week's time on 01 May 2018, workers from throughout the world will celebrate May Day as many have come to call it Workers' Day;

(4) acknowledges that the Day is dedicated to the struggle for the working class for ownership of the means of production and a socialist society that benefits all;

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(5) further acknowledges that to us who have a generational mission of economic emancipation, May Day is a day from which we draw strength and courage from the meaning it has had for billions of the working class and oppressed men and women, who have honoured this day before us throughout the world;

(6) also acknowledges that it is a day which reminds us of the previous successes of the working class struggle both on the continent of Africa and internationally;

(7) notes that the worthy struggle of land expropriation and total emancipation for which we are in, is a worthy struggle in the footsteps of many who have successfully waged it in the past;

(8) further notes that it is for this reason that we call on all workers to mobilise and reject the pathetic R20 per hour national minimum wage and labour law amendments which can only be

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described as vicious attacks on workers' constitutional rights; and

(9) also notes that we invite all workers and communities to Phuthaditjhaba Stadium in Qwaqwa to attend the EFF May Day rally to be addressed by the EFF Deputy President at which we are going to hoist high the only colour of the workers, the crimson red.

[Time expired.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon members, can we please make sure that we attend to time. When I remind you that you must round up, you must be able to do so. Are there any objections to the motion?

Ms E N NTLANGWINI: Yes, Madam Chair, the ANC objects in particular to paragraph seven. That is the only thing that makes us to object.

The HOUSE CHAIRPERSON (Ms A T Didiza): Thank you, hon member. Order, hon members!

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Ms L MATHYS: Chairperson, on a point of order ...

The HOUSE CHAIRPERSON (Ms A T Didiza): What is your point of order?

Ms L MATHYS: We will just like to put it on record that the ANC is objecting to what was raised ...

The HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon member. The objection has been well-noted and everybody who wants to know would have already heard.

SUBSTITUTION OF BUSES FERRING MEMBERS TO VILLAGES WITH KOMBIS DUE TO BUS STRIKE

(Announcement)

The HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon members! I know that some of you have been in the Chamber already. There is a situation with the transport for members to the villages. You know that there is a bus strike. We have arranged alternative transport which will start this afternoon. The times have not changed but the

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mode of transport will be kombis as opposed to buses. You know that tomorrow there is a shut-down due to this bus strike. So, in protection of the bus drivers, we have opted in consultation with the Department of Public Works that we will use kombis as opposed to buses. Thank you very much, hon members.

ANC STALWART AND MEMBER OF PARLIAMENT, NOMZAMO WINIFRED MADIKIZELA-MANDELA DIES AT AGE 81

(Draft Resolution)

Ms T C MEMELA: Chairperson, I hereby move without notice:

That the House -

(1) notes with sadness the passing of the struggle icon, a titan of the liberation struggle, the ANC stalwart and Member of Parliament, Mama Nomzamo Winifred Madikizela-Mandela at the age of 81, after a long illness;

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(2) recalls that Mama Winnie was one of the greatest icons of the struggle against apartheid who dedicated her life to the betterment of her people and worked for this realisation right until the end of her life;

(3) further recalls that her activism and resistance to apartheid landed her in jail on numerous occasions, eventually causing her banishment to the small town of Brandfort in the then Orange Free State;

(4) acknowledges that she kept the memory of her imprisoned husband, Nelson Mandela, alive during his years on Robben Island and helped give the struggle for justice in South Africa one of its most recognised faces;

(5) further acknowledges that she was an inspiration to both young and old who shared her vision of an egalitarian, prosperous and free South Africa;

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(6) recognises that she dedicated most of her adult life to the cause of the people and for this, she was known far and wide as the Mother of the Nation;

(7) understands that she embraced her role as a government Deputy Minister and a Member of Parliament with tenacity; and

(8) conveys its condolences to the Madikizela and the Mandela families on their loss.

Agreed to.

Ms ZAHRA ESSACK DEVELOPS ALGORITHM FOR SEARCHING FOR PLANETS OUTSIDE SOLAR SYSTEM

(Draft Resolution)

Mr N SINGH: Hon Chairperson, I hereby move without notice:

That the House -

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(1) recognises Ms Zahra Essack who developed an algorithm to search for planets outside the solar system which earned her a Master of Science, MSc Cum laude in Applied Mathematics, Astrophysics from the University of KwaZulu-Natal;

(2) further recognises that after matriculating from Westville Girls' High School in 2012, Ms Essack received two other degrees from the University of KwaZulu-Natal which included a Bachelor of Science and a Bachelor of Science Honours, both awarded summa cum laude, in 2016 and 2017 respectively;

(3) acknowledges that in addition to receiving the Dean's Commendation for eight consecutive semesters, Ms Essack was the top student at the College of Agriculture, Engineering and Science throughout her bachelor and honours degrees and she was the recipient of nine scholarships from UKZN;

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(4) further acknowledges that she is presently pursuing her doctorate at the Massachusetts Institute of Technology in the United States, supervised by Prof Sara Seager, a world leader in exoplanet research; and

(5) wishes this young lady all the best in her future endeavours especially those that she has expressed which include, that after attaining her PhD she hopes to return home to start a centre for excellence in exoplanets, and I am sure former Minister Pando would like this.

Agreed to.

APPOINTMENT OF TRUDI MAKHANYA AS THE ECONOMIC ADVISOR TO THE PRESIDENT

(Draft Resolution)

Ms S C MNCWABE: Chairperson, I move without notice:

That the House –

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(1) notes the appointment of Ms Trudi Makhanya as the Economic Advisor to the President of the Republic of South Africa;

(2) further notes that Ms Trudi Makhanya is the CEO of Makhanya Advisory Services and a former Deputy Commissioner at the Competition Commission of South Africa;

(3) recognises that Ms Trudi Makhanya is an experienced consultant, a lecturer and an Economic Strategist;

(4) acknowledges that Ms Makhanya holds an MBA and M Sc in Development Economics from Oxford University; a Master of Commerce, a Honours degree in Economics and a B Com Law in Economics which she obtained from the University of Witwatersrand; and

(5) congratulates Ms Trudi Makhanya on her appointment as it is in line with the founding

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principles of our Constitution, which emphasises the importance of gender equality and women empowerment.

Agreed to.

THE DEATH OF THE ANC VETERAN AND UNIONIST, MR ARCHIBALD MNCEDISI SIBEKO

(Draft Resolution)

Ms S R VAN SCHALKWYK: Chairperson, I move without notice:

That the House –

(1) notes with sadness the death of the ANC veteran and unionist Archibald Mncedisi Sibeko on 27 March 2018 in Manchester, United Kingdom, UK, after a long illness;

(2) acknowledges that Comrade Archie Sibeko joined the SA Railway and Harbour Workers Union, SARHWU, in 1936;

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(3) further acknowledges that with other trade unionists of the time, they later formed the SA Congress of Trade Unions, SACTU, laying the basis for the Tripartite Alliance which exists up to today;

(4) realises that Comrade Archie Sibeko later joined the Communist Party and the ANC;

(5) understands that he left the country as part of a Western Cape contingent and went for military training where he later became the Camp Commander at Kongwa, near Dodoma in Tanzania and participated in the Wankie and Sipelelo campaigns;

(6) recalls that Archie Sibeko was part of the Defiance campaign volunteers and was later arrested as part of the Treason Trial of 1956;

(7) further recalls that in addition to his political and trade union life, he also authored and co-authored five books, and

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received many awards, including the Order of Luthuli in Silver;

(8) remembers that upon the unbanning of the ANC, he returned to Cape Town and was elected Deputy Chairperson of the ANC in the Western Cape;

(9) further remembers that he continued to work in the trade union movement until he suffered a stroke in 1991, which forced him to return to the UK to be nearer his wife; and

(10) conveys its condolences to his wife, Dr. Joyce Leeson, his daughter Shula and other family members, and to all his comrades and friends.

Agreed to.

THE TREMENDOUS HONOUR BROUGHT BY THE ATHLETES WHO PARTICIPATED IN THE 2018 COMMONWEALTH GAMES TO SOUTH AFRICA

(Draft Resolution)

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Mr N L S KWANKWA: Chairperson, I move without notice:

That the House –

(1) acknowledges the tremendous honour and pride that our athletes, who participated in the 2018 Commonwealth Games in Gold Coast Australia, has brought to South Africa;

(2) notes that Team South African won 15 gold medals, 11 silver and 15 bronze medals placing the team's medal tally in sixth place with a total of 37 medals;

(3) further acknowledges the outstanding achievements by:

(a) Henri Schoeman who won South Africa's first gold medal when he won the men's triathlon;

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(b) Luvo Manyonga who brought home a gold medal whilst simultaneously breaking the Commonwealth Games record in the men's long jump; and

(c) Caster Semenya who above all other achievements broke the Commonwealth games record for the 1,5 km and also for breaking Zola Budd's 34-year South African record set in 1984; and

(4) congratulates Team South Africa and all athletes who have brought home medals from the Commonwealth Games and invite them to Parliament for a special ceremony to honour them for their outstanding achievements.

Agreed to.

The HOUSE CHAIRPERSON (Ms A T Didiza): I'm sure that Minister Xaso and all of us too must be very happy for all these achievements.

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BANKRUPT MPUMALANGA MUNICIPALTIES WHO ARE LED BY THE ANC

(Draft Resolution)

Ms H S BOSHOFF: Chairperson, I move without notice:

That the House –

(1) notes with concern that almost all ANC-led municipalities in Mpumalanga are allegedly running operating deficits, leading to four of them being totally bankrupt namely, Msukaligwa, City of Mbombela, Emalahleni and Lekwa;

(2) further notes that of the 17 local municipalities in the province, 11 are ostensibly not financially viable, namely, City of Mbombela, Thaba Chweu, Emakhazeni, Emalahleni, Dr J S Moroka, Msukaligwa, Mkhondo, Dipaleseng, Lekwa, Govan Mbeki and Chief Albert Luthuli;

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(3) recognises that Mpumalanga Local Municipalities have a debt of more than R8,6 billion of which R5 billion was contributed by household as a result of a failure to ensure revenue collection and the improvement of financial management;

(4) further recognises that under the ANC Mpumalanga Municipalities have been plagued by bullying and revenue collection crisis for several years, which has led to billions of rands worth of loss or written off revenue;

(5) recalls that where the DA governs, differences are being made, for example, there's significant financial improvement which have been made at the Nelson Mandela Bay Municipality;

(6) further recalls that residents of Mpumalanga deserve a total change with a DA government who will put their priorities first. Thank you.

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Objections noted.

MOROCCO MAKING A BID TO HOST 2026 WORLD CUP

(Draft Resolution)

Mr T RAWULA: Chairperson, I move without notice:

That the House –

(1) notes that Morocco made a bid to host the 2026 World Cup and that SA Football Association, Safa, President Danny Jordaan, has offered to play an advisory role;

(2) further notes that Morocco has been and still is illegally occupying a large part of Western Sahara, subjugating the people of Western Sahara and denying them the most basic of rights, that of self-determination;

(3) understands that Morocco has till today undermined all processes and efforts to restore

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occupied Western Sahara to its people, including a recent referendum, proving that Morocco is unwilling to allow for the decolonisation of occupied Western Sahara;

(4) further understands that the colonisation of Western Sahara is no different to the illegal occupation of Palestine by Israel;

(5) recognises that any support of Morocco's World Cup Bid or offer to advise in any way, is to condone and support illegal occupation of Western Sahara, and the denial of self-determination to the people of Western Sahara;

(6) calls on Safa, which was not only formed to promote football development, but also to rid racial division and oppression in society, not to support Morocco's bid;

(7) Safa must realise that Morocco does not associate with Africa unless it suits their illegal occupation of Western Sahara.

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The CHIEF WHIP OF THE OPPOSITION: Sorry, before the ANC, we object.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Steenhuzen, I asked all parties if there are any objections and nobody objected. Order! That can be sorted out between the Whips, but for now, I didn't hear any objections in the House.

THE PASSING OF THE ANC STALWART AND FORMER AMBASSADOR TO NIGERIA AND SWITZERLAND, MR GEORGE NENE

(Draft Resolution)

Mr M S A MASANGO: Chairperson, I move without notice:

That the House –

(1) notes with sadness the passing of the ANC stalwart and former ambassador to Nigeria and Switzerland, George Nene, on Saturday 7 April 2018 due to ill health;

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(2) acknowledges that George Nene was a liberation hero who is counted amongst those who kept the South African flag flying high in the process of carrying the role of South Africa on international platforms;

(3) further acknowledges that he is one of South Africa's top diplomats to be deployed to the United Nations, UN, when the country transitioned to democracy;

(4) recalls that Nene left the country after the 1976 uprisings to join the ANC's uMkhonto weSizwe military wing and underwent military training in the Soviet Union and Angola;

(5) further recalls that he rose through the ranks of the ANC and eventually became one of the top officials in the Department of International Relations, working directly under the leadership of the then ANC President, Oliver Tambo;

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(6) recognises that he also served as the ANC's main point-man in West Africa in the final days of the ANC's exile, and continued working there as High Commissioner to Nigeria before his UN posting;

(7) understands that after returning to South Africa, Nene became Deputy Director-General for Multilateral Affairs before taking over as the special advisor to the Minister of International Relations and Cooperation;

(8) believes that the country has lost a special patriot and career diplomat who dedicated his period in exile to mobilise our region and continent to secure the liberation of our country; and

(9) conveys its condolences to the family and friends of George Nene.

Agreed to.

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MINISTER OF FINANCE, NHLANHLA NENE, TO COME UP WITH SERIOUS TURN-AROUND STRATEGY FOR STATE-OWNED ENTITIES

(Draft Resolution)

Mr L M NTSHAYISA: Chairperson, I move without notice:

That the House –

(1) notes the intention of the Minister of Finance, Nhlanhla Nene, to come up with a very serious turn-around strategy regarding State-Owned Entities, SOEs;

(2) further notes that Mr Nene has realised that SOEs are eating into state funds;

(3) realises that Mr Nene has also noticed that the turn-around strategies by the various boards and management teams in the SOEs have failed;

(4) recognises that it has been revealed that SA Revenue Services, Sars, has not done well in

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tax collection, something to be thoroughly considered and corrected;

(5) appreciates the fact that debt default can be easily dealt with;

(6) notes that SA Airways, SAA, is the worst of these SOEs;

(7) further notes that in March 2017, SAA lost R5,6 billion, something that worries everyone in this country; and

(8) acknowledges that Eskom is a little bit getting better and that there is hope that things will change for the better, should this turn-around strategy be implemented and we hope that this SOE will be an asset to the country, and not a liability.

Agreed to.

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OFFICIAL ANNOUNCEMENT AND CELEBRATION OF THE BOLUBEDU QUUENSHIP

(Draft Resolution)

Ms B J MALULEKE: Chairperson, I move without notice:

That the House –

(1) notes the official announcement and celebration of the Balobedu Queenship under the queen-to-be, Masalanabo Modjadji, at the ceremony at Mokwakwaila Stadium outside Modjadjiskloof in Limpopo on 7 April 2018;

(2) further notes that Masalanabo would be installed as the Rain Queen Modjadji VII, after she turns 18, and having undergone the rites of passage for rulership and graduated from the Lobedu custom;

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(3) realises that the clan has been without a rain queen since the death of Rain Queen VI Makobo Modjadji, the mother of the new queen, in 2005;

(4) celebrates the first and only queenship in the country and on the continent, which is a unique royal leadership with a rich history that dates back over 400 years; and

(5) wishes the rain queen, Masalanabo Modjadji, success in her journey and rites of passage preparing her for the role of the Balobedu queenship. I thank you.

Agreed to.

The HOUSE CHAIRPERSON (Ms A T Didiza): Long live the queen!

THE PASSING AWAY OF KOUGA MUNICIPALITY MAYOR, ELZA VAN LINGEN

(Draft Resolution)

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Dr M J FIGG: Hon Chairperson, I move without notice:

That the House -

(1) notes that Kouga Municipality Executive Mayor, Elza van Lingen, sadly passed away on Thursday 19 April 2018;

(2) further notes that Mrs van Lingen was a DA Member of Parliament in the National Council of Provinces, NCOP, from 2009 to 2016;

(3) acknowledges that Mrs van Lingen was elected as the Leader of the DA in the NCOP in November 2009 and was re-elected in 2014;

(4) further acknowledges that the DA and the Houses of this Parliament will always remember Elza for her visionary leadership and for dedicating her life to serving every community she ever lived in; and

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(5) conveys its deepest sympathy and heartfelt condolences to the family and loved ones of Mrs van Lingen. [Applause.]

Agreed to.

AN HONORARY DEGREE AWARDED TO ESTHER MAHLANGU BY THE UNIVERSITY OF JOHANNESBURG

(Draft Resolution)

Mr C D KEKANA: Madam Chair, I move without notice:

That the House –

(1) congratulates mom Esther Mahlangu, who got an honorary degree from the University of Johannesburg for her Ndebele artwork;

(2) remembers that at the age of 10, she was taught homestead painting and beadwork of Ndebele and as a result she is getting this honorary degree from the University of Johannesburg;

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(3) recalls that some of the work that she has done ...

Can I have a clap of hands from the House, please? [Applause.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon member, you will be missing on, on your time.

(4) further recalls that at the age of 10, she was taught by her mother to paint but later she was invited as an international icon at the museum in London to come and display her art;

(5) recognises that later in South Africa, she was invited by BMW to decorate a BMW with this Ndebele art and later a 7 Series was done with a touch of this Ndebele art to an extend that she got a second invitation from Paris to come and display her art;

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(6) further recognises that at the museum exhibition in London, she was also as an international icon invited to come and display her Ndebele art;

(7) congratulates her.

[Applause.]

Agreed to.

TEAM SA CONGRATULATED FOR WINNING AT 2018 COMMONWEALTH GAMES

(Member's Statement)

Mr S M RALEGOMA (ANC): The ANC believes that sport promotes national unity through developing a united national pride transcending cultural, linguistic and racial barriers, as well as enhancing international relations and friendship. We therefore congratulate Team SA for bringing home 37 medals from the recently held 2018 Commonwealth Games on the Gold Coast of Australia. This is after Team SA ended in sixth position on the

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medals table by winning 13 gold, 11 silver and 13 bronze medals across a broad range of disciplines.

Amongst South Africa's top achievers were swimmers Tatjana Schoenmaker, Chad le Clos and Cameron van der Burgh, who achieved six medals combined, while sprinter Akani Simbine won the country's first gold medal in the 100 metres sprint. Runner Caster Semenya won gold for the 800 and 1 500 metres, while Martin Erasmus won South Africa's first Commonwealth wrestling gold medal in 60 years.

All South Africans are immensely proud of our team for the sterling performance that has placed the spotlight, not just on our sporting dexterity, but also on how our country is slowly beginning to create opportunities for all South Africans to realise their human potential. The ANC encourages South Africans to support the country's athletes and their governing structures to ensure even greater performance moving forward.

HIGH RATE OF FARM MURDERS CONDEMNED

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(Member's Statement)

Ms D KOHLER (DA): Fifty two murders a day, and virtually every day now there will be a very special type of murder that takes place in one of our rural areas. They are coldly and carefully planned and executed invasions characterised by sheer brutality. It can only be described as torture when a man is hung by his ankles and stabbed to death while his wife is being gang raped in front of him. That happened to a black farmer and his wife. Sometimes an electric drill is used to drill through the feet of an elderly white woman on a farm or a baby is raped to death, or an elderly Indian couple are so brutalised by three men, the tiny 45 kilogram wife dies of suffocation and the husband is still calling her name as he lies in intensive care unit, ICU. This is what is happening on our farms base, boiling water brutality without exception, including violence and torture of the most horrific kind.

Two weeks ago there were six farm attacks in a 72 hour period. These are the people who feed our nation. It has become very clear from my visits to various provinces

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that the SAPS Rural Safety Strategy is a dismal failure. Police have virtually no equipment that would enable them to apprehend these murderers. They are understaffed, underresourced and this in the face of the SAPS budget of some R90 billion. Our rural communities are isolated, they are terrified, they need the Minister's help but he can't even make it to the House. Show us he is more than the selfie-taking piece of fluff that preceded him and protect these people too.

CORRECTIONAL SERVICES DEPARTMENT OBJECTIVES OF CORRECTION AND REHABILITATION NOT MET

(Member's Statement)

Ms E N NTLANGWINI (EFF): Imprisoning people in a functioning society should never be just about punishing individuals who committed the crimes as we understand that the social conditions created over 350 years of colonial domination and apartheid has meant that many people have turned to crime out of desperation or because the only language they understand is the language of violence, which is a product. That is why we have the

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Department of Justice and Correctional Services but the question is how much correction and rehabilitation is happening in our correctional facilities so that those who have served their time can become functional members of society and not turn to crime again. The answer is that there is very little correction and rehabilitation.

One example of this is the three prisoners at Johannesburg Correctional Centre Medium C by the names of Sibusiso Jethro Khumalo, Barasa Mindo and Vincent Khahlela who since 2013 have been demanding their constitutional right to education but their demand continues to be ignored by department officials.

Therefore as the EFF we ask the Minister that these three prisoners in question be accepted into Adult Basic Education Training programme so that they can get the necessary skills to make an honest living once they are released from prison.

LAUNCH OF THE STATE-OF-THE-ART ALLIANZ MATHS AND SCIENCE CENTRE WELCOMED

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(Member’s Statement)

Ms L M MASEKO (ANC): Chairperson, the ANC has always been committed to reversing the unfortunate legacy inherited from the former education system in this country, which discouraged black learners from taking maths and science for matric. Black learners are now encouraged to take these subjects in order to change the situation and play a major part in helping their country to move forward.

We therefore welcome the launch of the state-of-the-art maths and science centre at the Diepdale Secondary School in Diepkloof, on Wednesday 18 April 2018. The nearly R1 million Allianz maths and science centre was created through a partnership between Allianz Group and the SA Medical and Educational Foundation. This will provide at least 1 000 Grade 8 to 12 pupils with access to facilities and resources aimed to increase hands-on learning and vocational skills.

These include renovated classrooms filled with new maths textbooks and can be accessed on tablets, smart

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whiteboards, light-emitting diode, LED, microscopes and life-sized models of the human body. This is a big step up for the school, which did not have even a single microscope in the past. Previously, pupils had to learn about chemical reactions and the human body from a textbook. The ANC is of the belief that we need to make science, maths and technology-related subjects more visible to the youth, in order to inspire them. I thank you.

SOUTH AFRICA TO REALISE MINING SECTOR AS GREAT CONTRIBUTOR TO ECONOMY

(Member's Statement)

Mr J A ESTERHUIZEN (IFP): Chairperson, it is stated that the Department of Mineral Resources' aim is to promote and regulate minerals in the mining sector for transformation, growth and development. Mineral Resources contribute approximately R380 billion per annum to our economy and it also contribute significantly to job creation. It is therefore essential that we protect and optimise what we have. Why then does the government have

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to pay mere lip service to beneficiation as exports of large quantities of raw materials from our shores are in fact nothing but further impediment to greater economic growth and jobs?

For example, the platinum used in the manufacturing of catalytic converters in the automotive industry although we do manufacture even export, we have the potential to become the biggest manufacturer of catalytic converters with the raw material available right here, yet we don't capitalise on this. We are simply not adding value to most of the commodities we mine right here in South Africa. The economy could benefit to a far greater extent from our mineral resources and out manufacturing and other local industries could have a competitive edge over their global rivals and this can greatly be achieved through greater regulation beneficiation. This is the kind of real radical economic transformation that South Africa requires. Thank you.

APPEAL FOR GOVERNMENT TO QUELL VIOLENCE AND POLITICAL PROBLEMS FACING DEMOCRATIC REPUBLIC OF CONGO

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(Member's Statement)

Mr N L S KWANKWA (UDM): House Chair, last year I asked a question for oral reply to former President Zuma about the steps South Africa has undertaken to try and quell the violence and the political problems facing the Democratic Republic of Congo, DRC. President Zuma committed South Africa to ensuring peace and stability in the Southern African Development Community, SADC, region by working hard to ensure that there is peace in the DRC.

Disappointingly, a couple of months after President Zuma responded to the question, the violence and the killing of political opponents in the Democratic Republic of Congo continues and still continues even today. The situation has deteriorated to the point where peace and stability in the region seems to be becoming a pipe dream primarily because authorities in the Democratic Republic of Congo have resorted to the use of deadly force to suppress protest for free, fair, credible and fresh elections which were part of the agreement entered into by President Joseph Kabila and various stakeholders from the DRC.

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As if this is not enough, recently their government made a unilateral announcement that they will be using an electronic voting system in the elections that are scheduled to take place on 23 December this year. The use of electronics in this fashion will disenfranchise many voters in the way where illiterate voters may find it difficult to use the systems thus leads to spoilt or wrong vote. Here is also the danger of possible manipulation of design of software that tracks and records votes may alter in the way which credible voters may exercise their vote. We have over the past couple of months be in touch with the number of stakeholders that are calling ... [Time expired.] ... for a dire and inclusive dialogue to occur before the elections take place. We want government to help with that. Thank you.

ANC BY-ELECTIONS VICTORY IN UMDONI MUNICIPALITY WARD 16 AND MKHAMBATHINI MUNICIPALITY WARD 3 CELEBRATED

(Member's Statement)

Mr H V NYAMBI (ANC): The ANC appreciates the continued support from the people of KwaZulu-Natal displayed during

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the by-elections held on Wednesday 4 April 2018. The ANC registered landslide victories in Ward 16 in Umdoni Municipality and Ward 3 of Mkhambathini Municipality. The vacancies follow the passing away of ANC councillors. The ANC received 60,38% in Ward 16 of Umdoni and recorded 54,63% in Ward 3 of Mkhambathini.

The results confirm the people's confidence in the governing party and their movement - the ANC. Although the ANC lost Ward 2 of Jozini Municipality, we will work harder to show our people that the ANC cares and that they can trust that we will always place their needs first.

As the ANC we do not take this support for granted and call on the elected public representatives to work harder to resolve our people's problems. Ours is to continue serving our people with humility, and we dare not fail on this. We appreciate our people's support and thank them for their continuing trust in the ANC. Thank you.

The HOUSE CHAIRPERSON (Ms A T Didiza): Well, I can see hon Hlengwa and the hon Van der Merwe are smiling because

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the hon member was generous enough to also have recorded your win in Jozini.

URGENCY TO RESOLVE VIOLENCE IN NORTH WEST

(Member's Statement)

Mr S N SWART (ACDP): The ACDP, like many South Africans, is deeply concerned about recent violence and protest in the North West province that has seen widespread destruction of property after three days of violent protests to remove the North West premier. While we understand cause for the removal of the premier, most various allegations of corruption and maladministration, lawlessness in any form cannot be condoned.

To add to the problems in the province, the month long strike by health workers seems to be gaining momentum. The health services at the Mohlakeng Provincial hospital collapsed causing the military health services to be deployed. Just after the army sent in a team of nurses and doctors to assist at the provincial hospital, more health officials either joined the strike or were coerced

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to stayaway from work in various towns throughout the province.

In addition, the pharmaceutical depot which supplies all clinics and hospitals across the province was also closed as part of the strike. We understand the dissatisfaction of the striking health care workers and their various concerns following exposés, including that of R30 million paid to Gupta-related companies for the R180 million mobile clinic services, we cannot condone strike action which places lives at risk.

The ACDP therefore calls on national government to urgently resolve these issues in the North West province. We cannot allow the poorest of the poor to be deprived of much needed health services and must ensure that health services and nursery pharmaceuticals are made available. The lives of critically ill patients are addressed. I thank you.

AFFORDABLE RENTAL ACCOMMODATION

(Member’s Statement)

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Ms M F NKADIMENG: Chairperson, the ANC welcomes the recently launched R300 million Thembelihle Social Housing complexes as a shining example of building integrated mixed housing projects in the inner city. We believe that this assist in undoing the legacy of the apartheid racialized spatial planning.

This complex is situated in the Tshwane Central Business District, in Gauteng, and was launched on Tuesday, 17 April 2018 by the Minister of Human Settlements. It has 733 mixed type units, which provide affordable rental accommodation to over 2 000 people. This affords a wonderful opportunity for beneficiaries who now get to stay close to areas of work helps reduce the often high transportation costs that come with being located along the periphery of our cities.

This project also seeks to addresses the challenges of the gap market of people who earn between R3 500 and R15 000. The ANC will always commit itself to its promise of building human settlements that are able to accommodate the poor and rich, living side by side, and believes that is the way to go in building future human

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settlements. The ANC calls for all provinces to implement more projects of this nature in the near future to revitalise the inner cities. I thank you.

INADEQUATE SUPPLY OF CLEANING SERVICES TO THE PARKS

(Member's Statement)

Mr R W T CHANCE: Chairperson, the tenants of the Gauteng Industrial Parks, representing several hundred small businesses, are getting a raw deal from their landlord, the Small Enterprise Finance Agency.

More than 30 years after they were established, tenants' rights are being denied, by an ANC government which has demonstrated a callous and discriminatory attitude towards these businesses.

The tenants presented their plight to the Small Business Development Portfolio Committee in Parliament in 2015. Since then, negotiations with SEFA over the transfer of ownership of the parks have reached a stalemate.

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They last met in February 2017 and in May 2017 SEFA unilaterally stopped payments to a supplier of cleaning services to the parks, resulting in their conditions deteriorating to the point of becoming a health hazard.

Minister Zulu, in a written response to questions I posed to her in August last year, dodged the crucial questions of what her department and SEFA are doing to provide technical and business support to the tenants to facilitate the transfer of ownership.

Continued delays in resolving the Gauteng industrial parks impasse places the sustainability of the businesses in danger. This is yet another example of the ANC government's promises on job creation by small business being hollow and meaningless.

THE NEGATIVE IMPACT OF GOVERNMENT OFFICIALS

(Member's Statement)

Ms N V MENTE: Thank you, Chair. The mismanagement and incapacity of government negatively impacting on their

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lives, and in many cases it destroys them. This was the case of Miss Natali Duba who had been given a Funza Lushaka Bursary. This year, after completing her training, Miss Duba began working at a school in the Eastern Cape but despite working she was not getting paid her salary.

The reason was that the school and the Department of Higher Education and Training would not pay her, until she receives a placement letter from Funza Lushaka. Despite contacting Funza Lushaka and the Minister, she was unable to get her salary or a placement certificate. And she was forced to work without pay for over three months. It was because of the failures of the department to secure her placement letter that would have ensured she received her salary. That is why she then decided to approach the EFF.

Governance is not hard. What is required is capacity, hard work, and love for ones people. These are the values of the EFF and while we will continue to assist our people whether we are in government or not; just like we

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have assisted Miss Natali Duba to get her placement certificate.

How many other South Africans are suffering at the hands of Funza Lushaka and the Department of Higher Education and Training? Why must they beg after their hard work of passing and then getting a decent job?

CALLS FOR CALM IN THE NORTH WEST

(Member's Statement)

Mr H P CHAUKE: Chairperson, the ANC calls for calm following the recent protests in Mahikeng, North West and surroundings which brought the town to a standstill. The ANC commends President Ramaphosa for cutting his trip to London short and arrived to meet with the people of Mahikeng and the ANC alliance in order to find a solution to the protests. The fact that he had to cut his UK trip short shows leadership and respect to the people of North West.

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The ANC calls upon the residents to remain calm while issues are being addressed. We urge our people in North West to continue to be law-abiding, and not participate in violent actions anymore, especially not the destruction of property. The setting alight of the community property goes against the fight for better service delivery. It is only when we are calm and deal with the problem, that we can find sustainable solutions.

We can assure the residents of Mahikeng that the ANC-led government will go deep to the cause of their problems but we want to base our decisions on evidence and proper evaluations. The ANC led by President Ramaphosa will honour the commitment he has made ...

Setswana:

... baagi ba Bokone Bophirima re lo utwlile, re a tla kwa go lona.

RIOTERS ORDER THE POLICE NOT TO INTERFERE

(Member’s Statement)

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Ms C VISSER: House Chairperson, the ANC factional fighting in North West Province is being allowed to go ahead without being stopped by the police or the President.

The recent lawlessness has seen the SAPS forsake their constitutional mandate to protect citizens and their property. Police in the province are understaffed, undertrained and under-equipped to keep order and keep communities safe. The outlaw protestors are being allowed to dictate what goes on.

In the towns of Delareyville and Mahikeng police have stood back and watched the violent disorder which has included the following: Allowing rioters at tollgates to drag citizens from their vehicles and attack them; shooting teargas into a crèche, shooting rubber bullets at an elderly person; allowing protestors to break into, burn and loot private offices and businesses; letting thugs block a state prosecutor from entering a magistrate’s court and then allowing them to interrupt judicial proceedings of that court; and today, sadly a

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16-year old was shot and killed in Taung; today municipal buildings in Della Label Stella were set alight.

In these incidents we have seen rioters tell police not to interfere and to return to their offices, orders which the police have obeyed.

We have to ask, who is really in charge, the violent ANC factions or the SAPS who are unprepared to do what they are employed to do?

DEBT RATING SHOULD IMPROVE INVESTMENT IN THE COUNTRY

(Member's Statement)

Ms E M COLEMAN: Chairperson, the ANC welcomes the Rating and Investment Information's decision to affirm South Africa's long-term foreign currency debt rating at BBB and local currency debt rating at BBB+. We believe that this positive outlook is as a result of government's vigorous commitment to improve South Africa's investment, economic prospects, as well as its continuous diligent

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work on practical steps to provide the necessary policy certainty.

This rating will surely strengthen our development finance institution's ability to borrow internationally which will have a multiplier effect on local and regional investments. We believe that working in collaboration between governments, business; labour and civil society will continue to add value in yielding necessary interventions in positioning South Africa as an attractive investment destination, whilst also creating an enabling policy environment for inclusive economic growth.

Working together, as South Africans we can achieve he ANC is of the view that the rating action by R&I demonstrates that South Africans can work together to achieve remarkable outcomes. The ANC thank all stakeholders whose efforts ensured such positive ratings. Thank you. (Ke a leboga.)

APPEAL FOR GOVERNMENT TO QUELL VIOLENCE AND POLITICAL PROBLEMS FACING DEMOCRATIC REPUBLIC OF CONGO

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(Minister's Response)

The DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION: Madam Chair, I want to thank the hon Kwankwa for raising this matter. The SADC Organ on Politics, Defence and Security Co-operation meeting in Luanda as we speak, and I am convinced that the matter raised by the hon Kwankwa will no doubt serve on the agenda of that summit. Needless to say, we share in the concerns expressed by the hon member, including whether the environment in the DRC is conducive for the holding of free and fair elections. Thank you.

TEAM SA CONGRATULATED FOR WINNING AT 2018 COMMONWEALTH GAMES

(Minister's Response)

The MINISTER OF SPORT AND RECREATION: Hon Chair, I thank hon Ralegoma for congratulating Olympics Team South Africa 2018. Indeed, it is a proud moment for South Africa for the young people. The whole team demonstrated unity, enthusiasm and held our flag very high. Sport is

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key to nation building and enforcing international relations.

We welcomed them in Tshwane yesterday, to a heroes welcome as our ambassadors. The confidence, the love for their country and the fact that it is young people who come from different backgrounds who were given an opportunity, it is one thing that brings hope and inspiration to the rest of South Africans.

It is the work that we want to do to make sure that we identify more of that talent, develop it and also make sure that it is sustained into the future. We support hon Kwankwa's call for this august House to consider hosting them on a special occasion where members can congratulate them. I thank you.

SOUTH AFRICA TO REALISE MINING SECTOR AS GREAT CONTRIBUTOR TO ECONOMY

DEBT RATING SHOULD IMPROVE INVESTMENT IN THE COUNTRY

(Minister's Response)

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The MINISTER OF TRADE AND INDUSTRY: Chairperson, I want to respond to the hon Esterhuizen about beneficiation, the platinum value chain and the motor industry. Just to start off, what South Africa has done mostly is to put platinum amount to sub-straight, which is then further process the manufactured into catalytic converters.

That has been a high export value of the product because the platinum is valuable but actually low levels of value addition. Those products were very well treated in the Multi Industry Development Programme, less so in the Automotive Production Development Programme, but we have introduced the transitional arrangement.

What I can say is that in the new successive programme, which will be announced in this year, there will be a much bigger push on component manufacturing. However, when we look at component manufacturing, in particular the platinum value chain, we had to take account that there is a transition, from petrol-driven vehicles to other kinds of vehicles.

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The frontier industry in the platinum value chain is actually fuel cell technology. A lot of work has been happening on that, using that for small underground mining vehicles as well as small power stations in remote areas.

There has been a project by Science and Technology. There is manufacturing taking place in South Africa. So, I can assure you that we are working on the platinum value chain and its potential contribution in the motor industry.

On the statement by the hon Coleman, I wanted to say that the decision of the rating agencies is but one signal that the sentiment towards South Africa among international investors has improved dramatically. Most recently, I came across this during the Commonwealth Business Forum in London, where the dominant question is now: How can I get more involved in South Africa. It is now up to us to take that sentiment and to try to mobilise it into investments that will develop the productive forces on our country. Thank you very much.

[Applause.]

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THE NEGATIVE IMPACT OF GOVERNMENT OFFICIALS

(Minister's Response)

The MINISTER OF HIGHER EDUCATION AND TRAINING: Hon Chairperson, I agree with the hon Mente of the EFF that is shouldn't be that our graduates who are beneficiaries of the Funza Lushaka Bursary Scheme are not treated as very special graduates who support the education system to hone the talent of our country.

I would also say to the hon Mente that by assisting Ms Duba, she was doing the work that a Member of Parliament should do. I thought she would add to that, that the Funza Lushaka Bursary Scheme has been the most important intervention by the ANC-led government. It has benefited hundreds and thousands of talented young people to become key educators within the education system in South Africa. So I thank the member for having supported Ms Duba. Thank you very much.

AFFORDABLE RENTAL ACCOMMODATION

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(Minister’s Response)

The MINISTER OF HUMAN SETTLEMENTS: Hon Chairperson, I want to thank hon Nkadimeng with a complement, and say: Yes, indeed, it is a new dawn for people’s housing. The Thembelihle Social Housing that she spoke about was launched last week – the first one of its kind in South Africa – with 2 000 tenants of all racial groups, in the city centre, close to work and close to all facilities.

At the bottom of the social housing, there are crèches and playgrounds. For the first time, our children in South Africa will grow together, playing together, unless the parents influence them. We are indeed reversing the apartheid spatial planning. Thank you. [Applause.]

MATHEMATICS AND SCIENCE AS CRITICAL AREAS IN PREVIOUSLY DISADVANTAGED COMMUNITIES

SUPPORT FROM VOTERS FOR THE ANC

(Minister’s Response)

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The MINISTER SCIENCE AND TECHNOLOGY: House Chair, allow me to express my appreciation for the statement by hon Maseko, which spoke about the partnership that promotes Mathematics and Science as critical areas, especially in previously disadvantaged communities. I think we need to appreciate this and encourage more parents because it adds value and assists us with the future of the National System of Innovation, NSI, and especially with Maths and Science remaining critical areas for the next industrial revolution.

I think the other thing I need to highlight is the second issue that has been raised about voter support for the KwaZulu-Natal by-election. We appreciate the support from voters that continue to show their confidence in the ANC. [Interjections.]

This week, there are by-elections again, including that of Ward 92 tomorrow. We continue to urge voters to continue to sustain our democracy in local government. So, vote and vote correctly. Thank you very much.

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The HOUSE CHAIRPERSON (Ms A T Didiza): Six ministerial statements have been received. I'm sorry, hon Zulu. [Interjections.] Yes, hon member?

Mr H P CHAUKE: Chair, I thought it should be noted and we should complement the Ministers for performing very well, and we are very happy. [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Order!

Ms H O HLOPHE: We didn't get any position for this ... [Inaudible.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Hlengiwe, please ask for a point of order. Don't just speak. [Interjections.] Hon Steenhuisen?

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, I think it must be noted. Our job is to hold the executive accountable, not to be imbongis [praise singer] to the executive. [Interjections.]

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The HOUSE CHAIRPERSON (Ms A T Didiza): Well ... [Interjections.] Order, hon members! Actually, it goes against the grain, hon Steenhuisen, of what your member said when I said there are more Ministers. He said: "Well, that's good." It was applauding in another way.

Anyway, thank you very much Ministers, for your responses. [Interjections.] Yes, hon member?

Ms N V MENTE: Chair, I rise on a point of privilege.

The HOUSE CHAIRPERSON (Ms A T Didiza): What is the point of privilege?

Ms N V MENTE: Just the last person ... Can you give Comrade Pinky just to answer one of the statements? [Laughter.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Well, I think next time you will raise a statement which the hon member will respond to.

NOTICES OF MOTION

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Xitsonga:

Nkul X MABASA: Mutshamaxitulu, hi ku yimela Vandla ra ANC ndza susumeta leswaku eka ntshamo lowu landzelaka

Huvo yi njhekanjhekisana hi ...

English:

... the rampant increase in gangster-related killings and the spread of gangsterism in black communities, in particular – meaning African communities, Indian communities, and coloured communities.

Mr R W T CHANCE: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House debates the failure of the ANC government to develop small businesses in rural area like Dr J S Moroka and Thembisile Hani municipalities, noting that successful business communities are essential in creating jobs and

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restoring the dignity of many South Africans who live in absolute poverty.

Mr M N PAULSEN: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House debates the establishment of a state-run construction company that will address the dire need for housing of poor working-class South Africans.

Ms T A MFULO: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates accelerating and strengthening government intervention to mitigate the impact of the drought on the economic development and on job creation.

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Mr J A ESTERHUIZEN: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the IFP:

> That the House debates the high rate of port charges in South Africa, that they are prohibitive to trade and amongst the highest in the world with the Regulator finding, for example, that the port of Durban is 847% above the global average, in respect of container handling fees.

Mr A M SHAIK EMAM: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the NFP:

> That the House deliberates on the eviction of farm workers who have worked on farms all their lives and continue to be evicted after retirement.

Mr I A PIKININI: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

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That the House debates the development of an economic strategy that appropriately balances meeting our developmental objectives with that of promoting inclusive growth.

IsiXhosa:

Mnu N L S NKWANKWA: Mama ndidedwa namhlanje. Masiqale sijonge ukuba apha kuQoboqobo abantu bayalwa kuba urhulumente ngenxayokuba urhulumente akazizisi iinkonzo. Yinto leyo engohlukanga kuba naseMafikeng njengokuba sithetha nje yiloo ngxaki inye. Sithi ke siyi UDM ...

That the House debates the negative effect of cadre deployment and the failure by the current government to use a meritocratic system when employing people in government for service delivery.

Mr D C ROSS: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

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That the House debates the status of the 32 Working for Tourism projects, and particularly the reasons why 15 of these projects are currently stalled.

Mr N S MATIASE: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the EFF:

That the House debates the misery and the situation of rural women, the plight of poverty and exposure to gender-based violence, the tragedy due to absence of decent employment opportunities, and the lack of access to land and land ownership for sustainable family livelihoods.

Ms T P MANTASHE: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates the revival and strengthening of state-owned enterprises in order to deliver on their developmental mandates, through advancing key

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national objectives, particularly through providing economic and social infrastructure.

Mr H V NYAMBI: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates the prioritisation of measures to strengthen safety efforts in the mining sector.

Mr L M NTSHAYISA: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the AIC:

That the House debates the strategies to align education with growing the economy of the country, so as to improve employment and fight poverty.

Ms A TUCK: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

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That the House debates strengthening and supporting government interventions and initiatives aimed at addressing poverty experienced by South Africans.

Mr G A GROOTBOOM: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the DA:

That the House debates improving internal controls in the Department of Public Works to deal with issues such as ensuring that annual leave forms are captured timeously on the Persal system, thus avoiding leave not being recorded.

Mr T M NKONZO: Hon House Chair, I hereby give notice that on the next sitting day of the House I shall move on behalf of the ANC:

That the House debates building a broad front made of ethically, morally and politically astute activists to enhance moral regeneration, social cohesion and nation-building projects.

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The House adjourned at 18:23.

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