Criminal investigations against former/ current MECs of Free State provincial government

214. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

Whether any criminal investigations are in progress against any (a) former or (b) current members of the executive in the Free State provincial government; if so, (i) who is being investigated and (ii) what is the nature of the investigation in each case? N223E

The MINISTER FOR SAFETY AND SECURITY:

(a) Yes.

(b) Yes.

(i) Three persons are involved, in three investigations. One investigation has been finalised, whilst investigations in the other two cases are ongoing. The one case in which the investigation was finalised, was handed to the Director of Public Prosecution for a decision. It is deemed inappropriate to provide the names in respect of ongoing investigation or where the decision of the Director of Public Prosecution is being awaited, as the case is *subjudice*.

(ii) The complaint in one case is of fraud and corruption, and the other two cases corruption.

President's announcement *re* recruitment of new SAPD members

232. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

Whether, in view of the President's announcement that there would be 152 000 active police officers on duty in the SA Police Service by 2006, the process of (a) recruitment and of (b) providing the necessary skills to the agencies has commenced; if not, why not; if so, what (i) time-frames are envisaged for the recruitment of specific numbers of personnel and (ii) are the further relevant details? N266E

The MINISTER FOR SAFETY AND SECURITY:

(a) Yes, recruitment has commenced.

(b) Yes, training has commenced.

(i) Recruitmentwill be done over the Medium Term Expenditure Framework (MTEF) period 2004-05 to 2006-07.

(ii) Negotiations to secure additional training facilities and funds are currently underway and further details will be available as soon as these have been concluded.

Ondersoek na moontlike fonds vir slagoffers van misdaad

245. Mnr F BEUKMAN (New NP) vra die Minister vir Veiligheid en Sekuriteit:

Of hy of sy departement die moontlikheid van 'n fonds vir die slagoffers van misdaad ondersoek; so nie, waarom nie; so ja, wat die tersaaklike besonderhede is? N280A

(Translation of Afrikaans question follows):

[Investigation into possibility of fund for victims of crime

245. Mr F BEUKMAN (New NP) asked the Minister for Safety and Security:

Whether he or his department is investigating the possibility of a fund for the victims of crime; if not, why not; if so, what are the relevant details? N280E]

The MINISTER FOR SAFETY AND SECURITY:

No, the South African Law Reform Commission, has the mandate of the Justice Ministry to conduct the investigation which is named as "A compensation fund for victims of crime, restorative justice and victim empowerment". The SA Police Ser-

vice has participated in this investigation under the auspices of the Ministry for Justice's Terms of Reference. In the light of this, it is not necessary for the Ministry and Department for Safety and Security to duplicate this function.

Maatreëls ter verbetering van veiligheid van motoriste op N2 tussen Kaapstad/ Gordonsbaai

246. Mnr F BEUKMAN (New NP) vra die Minister vir Veiligheid en Sekuriteit:

Of daar enige nuwe maatreëls ingestel is om die veiligheid van motoriste op die N2 tussen Kaapstad en Gordonsbaai te verbeter; so ja, watter maatreëls? N281A

(Translation of Afrikaans question follows):

[Measures to improve safety of motorists on N2 between Cape Town/ Gordon's Bay

246. Mr F BEUKMAN (New NP) asked the Minister for Safety and Security:

Whether any new measures have been instituted to improve the safety of motorists on the N2 between Cape Town and Gordon's Bay; if so, what measures? N281E]

The MINISTER FOR SAFETY AND SECURITY:

Yes, the following measures have been instituted to improve the safety of motorists on the N2 between Cape Town and Gordon's Bay:

- an additional 18 police officials have been allocated to the local emergency response services: flying squad and an additional ten vehicles were allocated to ensure enhanced response and increased police visibility;
- specific operational instructions to police the five major highways were developed;
- an additional 45 call-takers to be utilised in the SAPS 10111 centre were appointed to ensure enhanced service delivery and speedy response;
- partnerships between the SAPS, provincial traffic police, local traffic police and city police were strengthen through the integration and joint planning of duties in order to stabilise and improve the crime situation on all major highways; and
- discussions with role-players within the JCPS cluster environment took place to develop long-term solutions and strategies.

Verwydering van opgehoopte sand in Gordonsbaai-hawe

309. Mnr F BEUKMAN (Nuwe NP) vra die Minister van Openbare Werke:

Of haar departement die verwydering van opgehoopte sand in Gordonsbaai-hawe as 'n prioriteit hanteer; so nie, waarom nie; so ja, wat die tersaaklike besonderhede is? N346A

(Translation of Afrikaans question follows):

[Removal of accumulated sand in Gordon's Bay harbour

309. Mr F BEUKMAN (New NP) asked the Minister of Public Works:

Whether her department is handling the removal of accumulated sand in the Gordon's Bay harbour as a priority; if not, why not; if so, what are the relevant details? N346E]

The MINISTER OF PUBLIC WORKS:

Yes, the Department of Public Works does regard this service as a priority. The cost to attend to this project is estimated at R4 200 000 and the department is in the process of identifying funds. Should no funds be available this financial year, the department will prioritise it for the 2005-06 financial year.

Parliamentary villages: comprehensive insurance cover against damage caused by fire/hail

341. Mr D K MALULEKE (DA) asked the Minister of Public Works:

Whether all parliamentary villages have comprehensive insurance cover against damage caused by fire and hail; if not, why not; if so, who is the underwriting company? N381E

The MINISTER OF PUBLIC WORKS:

No. Treasury regulations 12.1.1 and 12.3.1 stipulates that "subject to the provisions of this regulation, or any other legislation or agreement, the state will bear its own damages and accident risks and be responsible for all claims and losses of state property where these arise from state activities by an official who is liable in law and who is or was employed by an institution and if the state suffers a loss or damage and the other person denies liability, the accounting officer must, if deemed economical, refer the matter to the State Attorney for legal action, including the recovery of the value of the loss or damage".

QUESTIONS

For written reply:

VIP protection to former Haitian President, Jean-Bertrand Aristide

53. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

(1) Whether the SA Police Service VIP Protection Services will provide protection to former Haitian President, Jean-Bertrand Aristide; if not, who will do so; if so, what are the relevant details;

(2) (a) which foreign VIPs have received protection services from the SAPS VIP Protection Services, (b) how many personnel members were involved in each case, (c) for what periods were such services provided (i) in 2003 and (ii) during the period 1 January 2004 up to the latest specified date for which information is available and (d) what criteria are used to determine who receives such protection services? N55E

The MINISTER FOR SAFETY AND SECURITY:

(1) Mr J B Aristide, former President of Haiti, is being protected by the SA Police Service whilst in South Africa and has been accorded a protection package normally allocated to a former President.

(2) (a) Foreign VIPs who have received protection from the SAPS VIP Protection Services are as follows:

— Heads of State/Government and spouses

— Deputy Heads of State/Government and spouses

— Foreign Ministers and Deputy Ministers

— Ministers

— Heads of international organisations

(b) and (c) The details as requested are deemed to be operational in nature, and I therefore regret not being in a position to divulge the information, as this could constitute a security risk.

(d) In terms of the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996), the SA Police Service is responsible for the provision of protection services to VIPs. A policy was subsequently developed to provide protection based on a risk assessment and Cabinet, on 17 September 1997 approved the Risk Management Support System for VIPs (RIMAS). Foreign dignitaries who visit South Africa are accorded the same level of normal VIP protection as their South African counterparts unless a manifested threat against the visiting dignitary has been confirmed by the mandated intelligence agencies, whereupon appropriate counter-measures are implemented to neutralise such threat.

Amount allocated per province *re* Scarce Skills Fund

219. Mr R COETZEE (DA) asked the Minister of Health:

In respect of each province, (a) what total amount was allocated in the 2004–05 financial year in respect of the Scarce Skills Fund, (b) which categories of posts qualify for funding from this fund and (c) which categories of posts were receiving funding for this purpose as at the latest specified date for which information is available? N253E

The MINISTER OF HEALTH:

The table below reflects the situation in this regard.

(a)

Province	*Amount allocated for 2004–5 for scarce skills allowance (R)*
Limpopo	61 599 000
North West	30 599 000
Mpumalanga	12 635 532
Gauteng	82 000 000
Free State	19 658 409
KwaZulu-Natal	38 500 000
Northern Cape	4 000 000
Eastern Cape	26 488 934
Western Cape	55 572 914
Total	331 053 789

(b) Medical and dental specialist, dentist, medical officer, pharmacist, pharmacologist, dental technician, psychologist, dietitian, nutritionist, occupational therapist, physiotherapist, radiographer, speech therapist and professional nurse (only these categories of nurses operating theatre, critical/intensive care, oncology).

(c) The following categories of posts were receiving the allowance on 30 June 2004: medical and dental specialist, dentist, medical officer, pharmacist, pharmacologist, dental technician, psychologist, dietitian, nutritionist, occupational therapist, physiotherapist, radiographer, speech therapist and professional nurse (only these categories of nurses operating theatre, critical/intensive care, oncology).

Amount allocated per province *re* Rural Fund

220. Mr R COETZEE (DA) asked the Minister of Health:

In respect of each province, (a) what total amount was allocated in the 2004–05 financial year in respect of the Rural Fund, (b) how many persons are currently receiving money from this fund and (c) how many persons have moved to work in rural areas since this fund was established? N254E

The MINISTER OF HEALTH:

The table below reflects the situation in this regard.

Province	*(a)*	*(b)*	*(c)*
Limpopo	74 000 000	5 902	0
North West	42 401 000	3 391	0
Mpumalanga	22 800 000	2 071	0
Gauteng (no rural hospitals)	0	0	0
Free State	6 264 425	785	0
KwaZulu-Natal	115 500 000	2 434	0
Northern Cape	8 441 000	205	4
Eastern Cape	76 014 673	8 190	0
Western Cape	3 639 624	314	0
TOTAL	349 060 722	23 292	4

QUESTION

For written reply:

Eenvormige toepassing van Staatsdiens se bevorderingsbeleid

177. Mnr S SIMMONS (Nuwe NP) vra die Minister vir die Staatsdiens en Administrasie:

(1) Of, met verwysing na 'n sekere mediaberig (besonderhede verstrek), die Staatsdiens se bevorderingsbeleid eenvormig toegepas word; so nie, waarom nie;

(2) of haar departement enige stappe gedoen het of stappe beoog om te verseker dat die Staatsdiens se bevorderingsbeleid eenvormig toegepas word; so nie, waarom nie; so ja, watter stappe? N210A

(Translation of Afrikaans question follows):

[Uniform application of Public Service promotion policy

177. Mr S SIMMONS (New NP) asked the Minister for the Public Service and Administration:

(1) Whether, with reference to a certain media report (details furnished), the policy on promotion in the Public Service is being applied uniformly; if not, why not;

(2) whether her department has taken or plans to take any steps in order to ensure that the policy on promotion in the Public Service is being applied uniformly; if not, why not; if so, what steps? N210E]

The MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION:

(1) It should be borne in mind that the promotion of employees in the Public Service is strongly influenced by the overarching policy that regulates the filling of posts.

The latter policy entails that all vacancies in the Public Service are to be filled by means of advertising. This requirement is applied uniformly throughout the Public Service, but departments may within their own discretion decide on the extent and scope of the advertising initiative and the entry requirements for a vacancy. It is accepted practice in employment law and approaches that an employee has no right to be promoted and that the filling of posts is the prerogative of the employer. The fact that posts in the Public Service are advertised and that employees must consequently compete with other candidates, underpins the aforementioned practice. The position expressed by Mr Louwrens in the relevant media article is thus quite correct. It is however a requisite as determined by *inter alia* the Labour Relations Act, 1995, and the Employment Equity Act, 1998, that all candidates should be assessed in a fair and consistent manner. In this regard, specific measures and processes have been prescribed in the Public Service to facilitate compliance with this requisite.

(2) As regards the claim in the media article that departments do not apply the policy consistently, I am not aware of any large-scale malpractices applied by departments. Studies in the past as well as anecdotal evidence have, however, shown that shortfalls do exist in the efficiency of the selection practices applied by departments and various steps have been taken to address the situation. This included *inter alia* the development of generic competency frameworks for senior and middle management levels that will inform the selection criteria to be used as well as a "Recruitment and Selection Toolkit" which the Office of the Public Service

Commission has issued to departments. In addition, the South African Management and Development Institute also presents on an ongoing basis training to supervisors and managers in staff-selection techniques.

Students trained/passed *re* SITA Information Technology & Information Systems Training Scheme: cost

270. Mr J W LE ROUX (DA) asked the Minister for the Public Service and Administration:

(a) How many students (i) have been trained in respect of the SITA Information Technology and Information Systems Training Scheme, (ii) have passed the examinations and (iii) have been placed in the private sector and (b) what is the cost to train a student? N306E

The MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION:

(a) (i) 362 students were trained.

(ii) 322 students passed the examination.
The 40 students that were unsuccessful at passing ISS assessments were retrained as call centre agents and placed in the gateway call-centre where they currently work on a contract basis.

(iii) The placement-rate for the students is as follows:

Private sector: 12 (3%)
SITA: 55 (15%)
Government departments: 71 (20%)
Seeking employment: 107 (30%)
Negotiations with Universal Services Agency to employ from the 107 students are at an advanced stage. Students still in training for workplace experience: 117 (32%)

(b) The training cost per learner was R87 500 if a personal computer (PC) was included and R81 000 without a PC. The training cost included a monthly allowance (stipend) of R3 000.

Total cost of publicity/promotions/ information displays/entertainment to mark occasion of budget speech

292. Mr R S NTULI (DA) asked the Minister for the Public Service and Administration:

(a) What was the total cost to her department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of her budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by her department? N328E

The MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION:

(a) The total cost to the department is anticipated at being in the region of R38 000.

(b) (i) Invitations were printed at a cost of R22 645.

(ii) No cost was incurred by the department in this regard specific to the budget debates as materials used are those used by the departments at exhibitions and events throughout the year.

(iii), (iv) and (v) No cost was incurred by the department in this regard.

(vi) On the days of the budget vote debates in both Houses, luncheons were hosted in Parliament paid for

by the department. Invoices for these have not yet been received from Parliament, but it is anticipated that this amount will be in the region of R15 000 for the two luncheons.

(c) Such expenditure on communication serves as an avenue for the promotion of understanding of the policies of government in general and the specific policies of the ministry. Such events present an opportunity for interaction with stakeholders between the executing authority, elected representatives and departmental officials and are aimed at promoting participatory democracy. The communication that occurs at such gatherings enables the Minister to assess where obstacles to and problems with service delivery occur and enable her to take appropriate measures.

QUESTIONS

For written reply:

Case of sexual harassment against ambassador

33. Ms C-S BOTHA (DA) asked the Minister of Foreign Affairs:

Whether, acting as the appeal authority in the disciplinary hearing of a certain ambassador (name furnished) who was found guilty of molesting several Indonesian women in 2001 and of the sexual harassment of a certain person (name also furnished) in November 2003, she took into consideration, in overturning the findings of guilty by the presiding officers, the (a) corroboration of the evidence of the said person regarding the positioning of the ambassador and this person where the alleged acts of sexual harassment took place, (b) resultant finding by the presiding officers that the testimony of the ambassador was unreliable and therefore improbable, (c) unsubstantiated version of the said ambassador with regards to his allegations of a bigger conspiracy against him and of him being framed by sinister forces and (d) statement under cross-examination that the said person and her colleagues had reported acts of sexual harassment against the ambassador without being coerced to do so; if not, (i) what factors were taken into consideration and (ii) on what grounds did she dismiss each of the above factors; if so, on what basis did she come to a different finding from the presiding officers? N33E

The MINISTER OF FOREIGN AFFAIRS:

The member has taken this matter to the Public Protector. I therefore suggest she awaits the results from the Public Protector.

Recognition of Jean Bertrand Aristide as President of Haiti

41. Mr D H M GIBSON (DA) asked the Minister of Foreign Affairs:

(1) Whether the Government still recognises Mr Jean Bertrand Aristide as the President of Haiti; if so, on what grounds does it do so;

(2) whether any restrictions will be placed on the (a) political activities and (b) movement inside and out of South Africa of Mr Aristide while he is resident in South Africa; if not, why not; if so, what are the relevant details of such restrictions;

(3) (a) what was the total cost to the taxpayer as at the latest specified date for which information is available of all activities related to the granting of access to South Africa to Mr Aristide and (b) what is the total estimated cost to the taxpayer of hosting Mr Aristide for the duration of his stay;

(4) whether the Government decided to wait until after the election to announce that it would allow Mr Aristide to reside in South Africa; if so, why? N43E

The MINISTER OF FOREIGN AFFAIRS:

(1) Yes, the Government recognises President Jean Bertrand Aristide as the legitimately elected President of Haiti.

(2) There will be no restrictions, apart from those dictated by reasons of security.

(3) The financial upkeep of President Aristide and his family will be done in accordance with the standards and procedures laid down for a Cabinet Minister in South Africa, while the security assessment will be done on an ongoing basis by the security establishment.

(4) No.

Jean Bertrand Aristide: application for asylum in SA

42. Mr D H M GIBSON (DA) asked the Minister of Foreign Affairs:

(1) Whether Mr Jean Bertrand Aristide has applied for asylum in South Africa; if not, (a) why is Mr Aristide being allowed entry into South Africa and (b) in terms of which legislative provisions is Mr Aristide being allowed entry and residence in South Africa; if so, (i) on what date was the application received and (ii) what decision has been taken regarding that application;

(2) whether the visitor status given to Mr Aristide is for a fixed period; if not, why not; if so, what are the dates between which Mr Aristide will be allowed to remain in South Africa;

(3) whether the provisions of the Refugees Act, 1998 (Act No 130 of 1998), which prohibit access to South Africa by persons suspected or guilty of human rights abuses and criminal activities, have been strictly observed in allowing Mr Aristide entry into South Africa; if not, why not; if so, what legal advice did the Government obtain regarding the legality of allowing Mr Aristide to reside in South Africa;

(4) whether the Government has requested France and/or America to provide funds to cover the cost of Mr Aristide's stay in South Africa; if not, (a) why not and (b) what is the total estimated cost per month of hosting Mr Aristide; if so, what amount (i) was requested from and (ii) has been granted by these countries to assist in covering the cost of Mr Aristide's stay;

(5) whether South Africa will incur any cost in respect of transporting Mr Aristide to South Africa; if not, who will bear the costs; if so, (a) what provision is being made to transport Mr Aristide to South Africa and (b) what is the total estimated cost involved? N44E

The MINISTER OF FOREIGN AFFAIRS:

(1) President Jean Bertrand Aristide has not applied for asylum in South Africa.

(2) President Aristide, his family and aids will be treated as foreign distinguished guests of the State. The admission of President Aristide and his family are dealt with in terms of section 31(2)(a) of the Immigration Act 13 of 2002.

(3) Kindly see (1).

(4) Cabinet received a formal request from the Caribbean Community (CARICOM) through the Chairperson of the African Union (AU), President Joachim Chissano, for South Africa to accommodate President Jean Bertrand Aristide of Haiti in our country.

The South African Government acceded to this request. We did not think it appropriate to ask somebody else to pay.

(5) We do not know. He was transported by courtesy of the SA National Defence Force.

Applications to court to reduce number of awaiting-trial prisoners

267. Mr J SELFE (DA) asked the Minister of Correctional Services:

Whether any head of prison or other person in charge of a correctional facility has applied to court in terms of section 63A of the Criminal Procedure Act, 1977 (Act No 51 of 1977), to reduce the number of awaiting-trial prisoners; if not, why not; if so, (a) in respect of which prisons or correctional facilities has this section been invoked and (b) what was the result in each case? N303E

The MINISTER OF CORRECTIONAL SERVICES:

Section 63A of the Criminal Procedure Act, 1977 (Act No 51 of 1977), was invoked at the following correctional centres as per province with the following results:

Province	*Correctional centres*	*Number of applications*	*Number of amendments*
Western Cape	Goodwood	1	0
	Pollsmoor admission	6	0
	Pollsmoor females	4	0
Total		11	0
Free State and Northern Cape	Grootvlei	8	0
	Hennenman	7	2
	Upington	29	28
Total		44	30
Gauteng	Johannesburg Medium A	2 943	0
Total		2 943	0
Eastern Cape	Port Elizabeth/St Albans	145	45
	King William's Town	30	5
	Graaff-Reinet	5	5
Total		180	55
KwaZulu-Natal	Durban	528	528
	Dundee	87	87
Total		615	615
Limpopo, Mpumalanga and North West	No information received	0	0
Total		0	0

The following reasons were received as reasons for applications not being made:

(a) The process takes very long, in some cases more than three months.

(b) By the time the applications have gone through the process the applicant has already either been released, sentenced or already paid his/her bail.

(c) The presiding judges have already taken the option of section 63A of the Criminal Procedure Act, 1977 (Act No 51 of 1977), into account before the person is placed in a correctional centre.

(d) Some of the courts are not interested in this option.

Doctors/nurses/health professionals emigrating from/immigrating to SA

273. Mr R COETZEE (DA) asked the Minister of Home Affairs:

How many (a) doctors, (b) nurses and (c) other specified health professionals (i) emigrated from and (ii) immigrated to South Africa in each of the latest five years for which information is available? N309E

The MINISTER OF HOME AFFAIRS:

(i) Emigrated

Year	*1998*	*1999*	*2000*	*2001*	*2002*
Doctors, including specialists	117	83	105	94	128
Nurses	133	117	147	196	135
Pharmaceutical professions	42	39	24	47	52
Dental professions	13	12	31	27	14
Veterinary sciences professions	12	4	10	12	8

(ii) Immigrated

Year	*1998*	*1999*	*2000*	*2001*	*2002*
Doctors, including specialists	28	39	22	17	67
Nurses	10	1	4	5	6
Pharmaceutical professions	1	5	2	4	1
Dental professions	0	1	2	4	1
Veterinary sciences professions	0	0	1	1	2

Information for 2003 is not yet available.

Total cost to department of publicity/ promotions/information displays/ entertainment to mark budget speech

295. Mr C M MORKEL (DA) asked the Minister of Correctional Services:

(a) What was the total cost to his department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of his budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by his department? N331E

The MINISTER OF CORRECTIONAL SERVICES:

(a) R48 810,65

(b) (i) Nil

(ii) Nil

(iii) R3 180,16

(iv) R17 000,42

(v) Nil

(vi) R28 630,07

(vii) Nil

(viii) Nil

(c) The department has an obligation to inform public of correctional matters and to conjure support amongst important decision makers and other stakeholders, including service providers. After the Budget Vote Speech, a number of Members of Parliament, as well as some service providers, were invited to Goodwood Correctional Centre for an information session. Lunch was provided at the occasion.

Rehabilitation of ERPM mine dumps south of Reiger Park

322. Mr J P I BLANCHÉ (DA) asked the Minister of Minerals and Energy:

(1) Whether her department has ensured that the ERPM mine dumps south of

Reiger Park are being rehabilitated in compliance with the (a) relevant legal requirements, (b) stipulation that no water pollution is caused above or below ground level due to the activities of the mine and (c) stipulation that all open shafts are sealed off in accordance with legal requirements; if not, why not; if so, what are the relevant details;

(2) whether sufficient funds have been made available to rehabilitate the recycled area of the Cason dump, the Angelo dumps and the dumps created with the recycled waste material; if not, what is the position in this regard; if so, what are the relevant details? N360E

The MINISTER OF MINERALS AND ENERGY:

(a) Yes.

(b) No, underground water in the mine is polluted. This water could rise to surface and decant into the Klip River in approximately six years time. The matter is being dealt with by an interdepartmental committee appointed by Cabinet to consider issues relating to underground mine water in the Witwatersrand.

(c) Yes, shafts are either sealed, or secured depending on whether they may be required for use in the future.

Arrangement with Department of Justice for assistance with ID applications at magistrates' offices in rural towns

333. Mr E W TRENT (DA) asked the Minister of Home Affairs:

Whether her department will investigate the possibility of entering into an arrangement with the Department of Justice for assistance with ID applications at magistrates' offices in rural towns; if not, why not; if so, what are the relevant details? N372E

The MINISTER OF HOME AFFAIRS:

No, as no provision is made in the Identification Act, 1997, for any third party to perform identity document-related functions on behalf of the department. To protect the integrity of the Population Register and to safeguard identity documents, it is imperative that such functions only be performed by trained officers of the department.

Oorweging van wetgewing *re* elektroniese identiteitsdiefstal

353. Mnr C H F GREYLING (Nuwe NP) vra die Minister van Binnelandse Sake:

Of wetgewing soortgelyk aan die VSA se *Identity Theft and Assumption Deterrence Act* in verband met elektroniese identiteitsdiefstal, oorweeg sal word; so nie, waarom nie; so ja, wat die tersaaklike besonderhede is? N393A

(Translation of Afrikaans question follows):

[Consideration of legislation *re* relectronic identity theft

353. Mr C H F GREYLING (New NP) asked the Minister of Home Affairs:

Whether legislation similar to the USA's *Identity Theft and Assumption Deterrence Act* in respect of electronic identity theft will be considered; if not, why not; if so, what are the relevant details? N393E]

The MINISTER OF HOME AFFAIRS:

The department will endeavour to obtain a copy of the said Act in order to study the contents thereof. Legislation to protect identity information will always be considered, as identity fraud is a major cause of concern.

QUESTIONS

For written reply:

SAPS lacking experience needed to deal with child trafficking

116. Adv C B JOHNSON (New NP) asked the Minister for Safety and Security:

(1) Whether, in light of a study done by the Institute of Security Services (ISS) which alleged that the SA Police Service often lacked the experience needed to deal with child trafficking and that many such cases were handed over to Interpol, SAPS officers are equipped and trained to deal with cases of child trafficking; if so, what are the relevant details; if not,

(2) whether the SAPS intends retraining officers for these specialised investigations; if not, why not; if so, what are the relevant details? N148E

The MINISTER FOR SAFETY AND SECURITY:

(1) In our statutes, we do not have an act on trafficking in children. The Children's Bill published in *Government Gazette* no. 25346 of August 2003 contains a chapter on trafficking in children. Once it is passed, all the measures enquired about will be taken care of. The relevant details hereof will be announced after the Bill has been passed in Parliament.

However, our common law covers crimes like abduction and kidnapping. Statutory offences relating to children are dealt with in terms of the Child Care Act, 1983 (Act No 74 of 1983).

(2) Our members do receive the necessary training in all respects.

Contravention of section of Act No 68 of 1977

186. Mr J SELFE (DA) asked the Minister for Safety and Security:

(1) Whether any investigations were conducted by the SA Police Service into the alleged contravention of section 18(e) of the Identification Act, 1997 (Act No 68 of 1997), in April and/or May 2004; if so, (a) what was the nature of the alleged offences, (b) who were the alleged perpetrators of such offences, (c) how many members of the SAPS were involved in the investigation into these alleged offences and (d) how many person-hours did this involve;

(2) whether the dockets in respect of these alleged offences have been concluded; if not, why not; if so, (a) when were they concluded and (b) what became of the dockets? N220E

The MINISTER FOR SAFETY AND SECURITY:

(1) Yes, two investigations were conducted.

(a) The nature of the alleged offences was the altering of ID documents for fraudulent bank transactions.

(b) The alleged perpetrators were Mr P. J. Mokoena and Mr I Letseng.

(c) One SAPS member was involved in the investigation.

(d) Sixty-four person-hours were involved in the investigation.

(2) Yes, two dockets were concluded.

(a) During May 2004.

(b) Both perpetrators were charged and both dockets are at court.

SAPS involved in investigation/ surveillance of persons suspected to be connected to Al Qaeda

187. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

(1) Whether the SA Police Service has been involved in the investigation or surveillance of persons suspected to be connected to the Al Qaeda terrorist organisation; if not, why did the national police commissioner make such a statement to the *ad hoc* Committee on Safety and Security; if so, how many persons were involved;

(2) whether any persons have been apprehended in this regard; if not, why not; if so, (a) by whom, (b) how many and (c) what are the further relevant details;

(3) whether such persons have appeared in court; if not, why not; if so, what are the relevant details;

(4) whether these persons posed any threat to security during the April 2004 elections; if so, what are the relevant details? N221E

The MINISTER FOR SAFETY AND SECURITY:

Cabinet was briefed on Thursday, 17 June 2004 at the Justice, Crime Prevention and Security Cabinet cluster meeting with the details concerning the statement made by National Commissioner Selebi. The particulars provided by National Commissioner Selebi were correct and related to issues regarding alleged international terrorism. No further statements regarding the matter will be provided in public.

Renovation of Island Rock camp in greater St Lucia area

233. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

(1) Whether the SA Police Service is renovating the Island Rock camp in the greater St Lucia area; if so, (a) what is the purpose of this camp, (b) what is the cost of these renovations, (c) when was permission granted for renovations to be done and (d) who gave such permission;

(2) whether the renovations are being carried out by the Department of Public Works; if not, why not; if so, what are the relevant details;

(3) whether the relevant environmental legislation was complied with during this process; if not, why not; if so, what are the relevant details? N267E

The MINISTER FOR SAFETY AND SECURITY:

(1) to (3) The premises in question were utilized by the erstwhile Security Branch of the then SA Police Force since the 1970s. They were subsequently inherited, together with other assets, by the current Intelligence Services Division of the SAPS.

Issues relating to the infrastructure and intelligence gathering methodology by intelligence services are normally dealt with by a competent parliamentary committee, namely the Joint Standing Committee on Intelligence.

Increase in criminal activities around post office boxes in Rooihuiskraal, Centurion

234. Mr K J MINNIE (DA) asked the Minister for Safety and Security:

(1) Whether there has been an increase in reports of criminal activities around post office boxes in Rooihuiskraal, Centurion; if so,

(2) whether any charges have been laid in this regard; if so, what are the relevant details;

(3) whether any additional measures are

being taken by the SA Police Service to prevent further such incidents; if not, why not; if so, what measures? N269E

The MINISTER FOR SAFETY AND SECURITY:

(1) No, there has not been an increase in criminal activities around post boxes in Rooihuiskraal. Crime statistics also indicate no general increase in criminal activities in Rooihuiskraal.

(2) Even though no increase of criminal activities have been reported around post boxes in Rooihuiskraal one case of attempted murder was reported that took place on the road adjoining the post boxes.

(3) Crime-prevention patrols undertaken by both the crime prevention component of the station, as well as normal patrols, concentrate on public areas such as post office boxes, shopping centres and other areas where members of the public congregate. The inception of sector policing, when applied in the station precinct, will concentrate delicated resources in the specific area as well.

Salaries/conditions of employment of SAPS members under review

258. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

(1) Whether the (a) salaries and (b) conditions of employment of SA Police Service members are currently under review; if not, what is the position in this regard; if so, what are the relevant details;

(2) whether he intends discussing the matter with the Minister of Finance; if not, why not; if so, (a) when will such discussions take place and (b) what will be the nature of such discussions? N293E

The MINISTER FOR SAFETY AND SECURITY:

(1) and (2) The salaries and conditions of employment of members of the SA Police Service are matters which are currently under investigation. This investigation has produced some preliminary results which will be shared with the National Treasury and Department of Public Service and Administration during a proposed task team meeting for this purpose. It is envisaged that the meeting will take place in the near future.

QUESTIONS

For written reply:

Special joint teams to target/focus on serious crimes to apprehend top 200 criminals in the country

259. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

Whether, in view of the President's announcement in his state-of-the-nation address on 21 May 2004 that special joint teams will be set up to target and focus on serious crimes with the immediate objective of apprehending the top 200 criminals in the country, these task teams are in place; if not, (a) why not and (b) when will they be put in place; if so, what are the relevant details?

N294E

The MINISTER FOR SAFETY AND SECURITY:

Yes, joint teams are in place and are concentrating on various crime categories, i e contact crimes, property-related crimes, commercial crimes, crimes depending on police detection and organised crimes.

Total cost of publicity/promotions/ entertainment to mark occasion of budget speech

288. Adv P S SWART (DA) asked the Minister for Safety and Security:

(a) What was the total cost to his department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of his budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs; and (c) in what way did this expenditure improve service delivery by his department?

N324E

The MINISTER FOR SAFETY AND SECURITY:

(a) R54 585,69: An SAPS exhibition stand was assembled in the foyer of the Old Assembly on the occasion of my budget speech in the National Assembly on 22 June 2004. Limited costs specifically related to my budget speech were incurred by the SAPS, as existing promotional material and equipment were used by SAPS members to erect the exhibition display. The cocktail function held in support of the Vote amounted to approximately R15 000.

(b) (i) R600,00: No promotional items or printed material were produced for the specific purpose of the Budget speech. The promotional material distributed to members of Parliament at the exhibition stand was part of existing stock produced for the firearms project, among others. The promotional material which was distributed included the following items:

Promotional item	*Total distributed*	*Cost*
Key holders	200	R400
Pamphlets on the firearms project and drugs and substance abuse.	500	R200
TOTAL		R600

(ii) None

(iii) None: No equipment or personnel were hired. All equipment used for the exhibition and personnel to

build the exhibition was available within the SAPS.

(iv) R5 551,41: One vehicle was used to transport members and exhibition material from Pretoria to Cape Town. One air-ticket (R3 668) to Cape Town was purchased for the Sub-section Head for SAPS Exhibitions. The latter was necessary as the mentioned officer conducted an exhibition at the Public Service day event in Pretoria two days prior to the Budget Vote of the Minister.

(v) None: No venue was hired.

(vi) R15 000 for entertainment of Members of Parliament and public servants at a function to mark the occasion of the budget speech in the National Assembly.

(vii) SAPS Music service was provided at the evening of the Vote at the cost of R22 400.

(viii) (aa) 12 Hours overtime payment for four SAPS personnel allowing for Weekend travelling and erecting the exhibition amounting to R1 913,28.

(bb) Diverse funds used for the building of exhibition amounting to R250.

(cc) Travel accommodation and subsistence allowance paid to four members of staff amounting to R8 871.

(c) The information displayed and communicated through the exhibition to the Members of Parliament, media or public servants was placed so as to allow them to gain first-hand information on initiatives that Government had embarked on in an effort to improve the safety and security of all people in South Africa. In turn, it is believed that persons who have been empowered with this information will be able to further inform all sectors of society of these initiatives during their mediated and unmediated interaction with the public at large. Relevant information and insight was provided on topics relating to drugs and substance abuse and the Firearms Control Act, as well as on what the SAPS has managed to achieve in the last 10 Years of Freedom and that which remains a challenge in the next 10 years. In terms of the *Batho Pele* principles it is considered essential to service delivery that the public at large (which includes Members of Parliament, the media and public servants) is afforded an insight into the workings of Government/the Department of Safety and Security/the SAPS. Awareness initiatives such as these definitely contribute to service-delivery.

Total cost of publicity/promotions/ entertainment to mark occasion of budget speech

291. Dr J T DELPORT (DA) asked the Minister for Justice and Constitutional Development:

(a) What was the total cost to her department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of her budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by her department? N327E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(a) R90 194,38

(b) (i) R50 151,86

(ii) R4 124,52

(iii) No costs

(iv) R6 316 (air transport of four staff members from the national office via Kulula.com).

(v) No costs since we made use of the 'Marks Building restaurant.

(vi) R1 050 for the media breakfast and R22 552 for the after-budget function.

(vii) R6 000.

(viii) Not applicable.

(c) The abovementioned was aimed at the dissemination of information and marketing of the department and its functions to Members of Parliament, the legal fraternity and the media. It was obviously also an opportunity to establish where we can improve on our service delivery.

Beskerming van sekere persoon deur SAPD

331. Mnr T D LEE (DA) vra die Minister vir Veiligheid en Sekuriteit:

(1) Of hy of die SA Polisiediens deur 'n sekere persoon (naam verstrek) genader is om dié persoon en sy familie te beskerm; so ja,

(2) of dié persoon of sy familie dreigemente ontvang het; so ja, (a) wat die aard van sodanige dreigemente was en (b) uit watter oord dié dreigemente gekom het;

(3) of beskerming wel aan dié familie gegee word; so nie, waarom nie; so ja, watter vorm dié beskerming aanneem? N370A

(Translation of Afrikaans question follows):

[Protection of certain person by SAPS

331. Mr T D LEE (DA) asked the Minister for Safety and Security:

(1) Whether he or the SA Police Service has been approached by a certain person (name furnished) to provide protection to this person and his family; if so,

(2) whether this person or his family has received any threats; if so, (a) what was the nature of such threats and (b) from where did these threats originate;

(3) whether protection is being provided for this family; if not, why not; if so, what is the nature of this protection? N370E]

The MINISTER FOR SAFETY AND SECURITY:

The question concerns the safety of an individual and his family. It is not in the public interest to publicly disclose private information regarding the safety of persons whose lives may be under threat, especially when methods of policing may be involved or police action may be hampered by the disclosure of such information. The SA Police Service is constitutionally obliged to prevent crime and each case is dealt with on its own merits.

Communication to applicants of grounds for refusal of application for firearms license

338. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

(1) Whether the grounds for the refusal of an application for a firearms license (a) are currently communicated to applicants and (b) will be communicated to applicants in terms of the provisions and regulations under the Firearms Control Act,

2000 (Act No 60 of 2000), that will come into effect on 1 July 2004; if not, why not; if so, what are the relevant details;

(2) how many applications have been (a) received and (b) refused since 1 January 2003;

(3) whether the current owner of a firearm whose application for a firearms license is refused in terms of the new provisions and regulations of the Act will be compensated; if not, why not; if so, by whom;

(4) whether a transitional period will be put in place regarding the provision on the 200 rounds of ammunition; if not, what must the owners do with such ammunition; if so, what are the relevant details? N377E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a) Yes.

(b) In terms of Regulation 89 of the Firearms Control Regulations, 2004 the following;

"Any police official taking an administrative decision in terms of the Firearms Control Act, 2000 which may detrimentally affect the rights of a person must —

(a) immediately when the decision is made, record in writing the reasons for the decision;

(b) append his or her signature, together with the date, to the reasons; and

(c) without delay notify the persons concerned in writing of the decisions stating the reasons referred to in paragraph (a) and the date and place where the decisions was taken."

(2) (a) A total number of 134 031 firearm licences have been received since January 2003.

(b) A total number of 45 561 firearm licences have been refused since January 2003.

(3) If a current firearm licence holder's application to renew his/her licence is refused, no compensation will be paid for such a firearm. The firearm owners will be given the opportunity to:

- Sell the firearm to a dealer.
- Sell the firearm to another individual.
- Export the firearm permanently to another country to be sold.
- Have the firearm deactivated, in which case the device will not be deemed as a firearm.
- Hand it over to the SAPS for destruction.

(4) No transitional period is required for the possession of more than 200 rounds of ammunition. The limitations for the possession of 200 rounds of ammunition is only applicable to firearm licence holders who have been issued with firearm licences in term of the firearms control legislation.

Implikasies van Wet No 60 van 2000 vir wapenversamelaars

351. Mnr C H F GREYLING (Nuwé NP) vra die Minister vir Veiligheid en Sekuriteit:

Of die bepalings en regulasies van die Wet op die Beheer van Vuurwapens, 2000 (Wet No 60 van 2000), wat op 1 Julie 2004 in werking tree, enige implikasies inhou vir wapenversamelaars; so ja, wat die tersaaklike besonderhede is? N391A

(Translation of Afrikaans question follows):

[Implications for collectors of arms of Act No 60 of 2000

351. Mr C H F GREYLING (New NP) asked the Minister for Safety and Security:

> Whether the provisions and regulations of the Firearms Control Act, 2000 (Act No 60 of 2000), which come into effect on 1 July 2004, will have any implications for collectors of arms; if so, what are the relevant details? N391E]

The MINISTER FOR SAFETY AND SECURITY:

Yes, in terms of section 17 of the Firearms Control Act, 2000 (Act No. 60 of 2000), a private collector must be a member of an accredited collectors association before he/she collects firearms. The firearm applied for must be approved for collection by an accredited collector's association. The firearm must be stored at the place specified in the licence. The firearm may only be displayed in accordance with the safety measures as prescribed in regulation 16 of the Firearm Control Regulations, 2004.

Rate of intimate femicide in SA

352. Mr C H F GREYLING (New NP) asked the Minister for Safety and Security:

> (1) How many women were killed by their intimate partners in (a) 2002 and (b) 2003;
>
> (2) whether any steps have been taken to reduce the rate of intimate femicide in South Africa; if not, why not; if so, what steps? N392E

The MINISTER FOR SAFETY AND SECURITY:

(1) Neither the crime code list nor the crime administration system at present employed by the SA Police Service provides for information pertaining to how many women were killed by their intimate partners.

(2) Yes. The domestic violence programme of the SA Police Service is designed to protect victims of domestic violence from suffering further at the hands of their abusers. Since intimate femicide relates to "the killing of females by an intimate partner", these initiatives should impact positively on reducing rates of intimate femicide.

The domestic violence programme initiatives include the following aspects:

- The issuance of policy directives to support the implementation of the Domestic Violence Act 1998 (Act No 116 of 1998), in the form of National Instruction No 7/1999.
- The provision of ongoing training to develop the skills of members in the implementation of domestic violence legislation and SAPS policy.
- Partnerships with government departments and organisations of civil society have produced supportive tools for the protection of victims of domestic violence, such as a directory of services for referrals.

The National Instruction (NI) provides for procedures that police members have to follow in order to protect victims and reduce the risk of further harm. These include responding with speed to reports of domestic violence incidents, securing the domestic violence incident scene, the seizure of weapons, the arrest of the abuser and accompanying the victim when collecting their personal property. The NI also indicates other assistance that can be provided to the victim such as assistance to access shelter and medical care. Securing alternative residence and medical care should reduce the risk of fatality to the victim. Police stations are encouraged to develop a network for referrals that can be made for victims by, for example, developing a list of available local services.

Training on domestic violence has been ongoing since September 1998. During

the course of this training the content has been improved to include social context training which is geared at sensitising members to the complex nature of domestic violence cases and inculcate (amongst other matters) an appreciation of the need to provide victims with information on available services. These services include counselling, shelter and legal advice. A domestic violence training package that contains both social context issues and is aimed at providing more in-depth training on practical skills for handling domestic violence cases is being finalised.

Other government departments have also produced tools for the protection of victims which include the following;

- A directory of services that was developed by the Department for Social Development and National Network on Violence Against Women and made available to police stations in 2000. This directory was reviewed to include updated information on indications of complaints mechanisms for the various service providers in domestic violence matters. It was issued by the Department of Social Development in the first quarter of 2004. Services featured in the directory include counselling, shelter services and legal advice services. Some counselling services are also geared at early interventions such as perpetrator counselling for those who only demonstrate emotional abuse. Contact details for police stations, courts and other service providers are included in the directory.
- An interdepartmental domestic violence package was developed under the leadership of the National Prosecuting Authority and launched in March 2004. This training package provides for procedures to be followed by the police, prosecutors, social workers, health workers and correctional service officials in the protection of victims and the making of referrals that reduce risks of their being repeatedly victimised. The training material also addresses such issues as the development of safety plans for victims.
- The Department for Social Development launched minimum standards for shelter policy and strategy in December 2003.

The partnership with Business Against Crime (BAC) presents an example of community-based initiatives that aid station capacity. The BAC trains volunteers drawn from local communities who provide victim support services at some stations. Community-based victim support initiatives at police stations are similarly supported by other NGOs and social workers. Although these victim support services are generic, they should impact positively for all victims including domestic violence victims.

Various gender-based violence awareness initiatives targeted at members of the public are an integral part of the domestic violence programme. Partnerships with traditional authorities, community and religious leaders are aimed at affirming positive values for domestic violence prevention. In addition public awareness initiatives are also geared at providing knowledge on what constitutes domestic violence and highlighting services that are available to victims. This is aimed at enabling members of the public to recognise risks and take steps when faced with various forms of domestic violence.

SAPS: administrative capacity to implement new firearm regulations

354. Adv C B JOHNSON (New NP) asked the Minister for Safety and Security:

Whether the SA Police Service has the administrative capacity to implement the

new firearm regulations; if not, what is the position in this regard; if so, what are the relevant details? N395E

The MINISTER FOR SAFETY AND SECURITY:

The SA Police Service is implementing the firearms control regulations as from 1 July 2004. Since 2001 the SAPS has embarked on a structured process to establish capacity countrywide for the implementation of the firearms control legislation.

A designated firearms official model was implemented countrywide which included the appointment of 837 designated firearms officers to deal with all administrative procedures in relation to the firearms control legislation. An amount of approximately R63 million has been expended on logistical resources to support the administrative process required by legislation.

The development of enhanced functions within the SAPS information technology systems to address new processes as contained in the firearms control legislation has been completed. To date a total number of 1 894 persons have been trained and registered to perform function on the system.

Mediaberigte *re* hooggeplaasde SAPD-lede wat uitstel van inwerkingtreding van Wet No 60 van 2000 verwelkom

355. Adv C B JOHNSON (Nuwe NP) vra die Minister vir Veiligheid en Sekuriteit:

(1) Of hy ingelig is oor mediaberigte (besonderhede verstrek) waarin beweer word dat hooggeplaasde lede van die SA Polisiediens aangedui het dat hulle dit sal verwelkom indien die inwerkingtreding van die nuwe bepalings en regulasies van die Wet op die Beheer van Vuurwapens, 2000 (Wet No 60 van 2000), uitgestel word; so ja,

(2) of bogenoemde die inwerkingtreding van die regulasies nadelig sal beïnvloed; so ja, wat die tersaaklike besonderhede is? N396A

(Translation of Afrikaans question follows):

[Media reports *re* high-ranking SAPS members welcoming postponement of implementation of Act No 60 of 2000

355. Adv C B JOHNSON (New NP) asked the Minister for Safety and Security:

(1) Whether he has been informed of media reports (details furnished) in which it is alleged that high-ranking members of the SA Police Service had indicated that they would welcome the postponement of the new provisions and regulations of the Firearms Control Act, 2000 (Act No 60 of 2000); if so,

(2) whether the abovementioned will have a detrimental impact on the implementation of the regulations; if so, what are the relevant details? N396E]

The MINISTER FOR SAFETY AND SECURITY:

(1) and (2). I know of no high-ranking SAPS members who would have been happier with a postponement of the implementation of any aspect of the Firearms Control Act, 2000 (Act No 60 of 2000). As it were, everything was in place for 1 July 2004 for the Act to take effect.

QUESTIONS

For oral reply:

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*29. Moulana M R SAYEDALI-SHAH (DA) — Defence. [Col 373]

*3. Mr G SOLOMON (ANC) — Justice and Constitutional Development. [Col 379]

*18. Adv C B JOHNSON (NNP) — Justice and Constitutional Development. [Col 383]

*45. Rev K R J MESHOE (ACDP) — Safety and Security. [Col 387]

*21. Mr N B FIHLA (ANC) — Correctional Services. [Col 392]

*24. Mr D H M GIBSON (DA) — Foreign Affairs. [Question standing over.]

*22. Mr D V BLOEM (ANC) — Correctional Services. [Col 398]

*31. Mrs S M CAMERER (DA) — Justice and Constitutional Development. [Col 401]

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*2. Ms N M MAHLAWE (ANC) — Justice and Constitutional Development. [Col 423]

*12. Mr P J GROENEWALD (FF Plus) — Safety and Security. [Col 427]

*7. Ms F HAJAIG (ANC) — Foreign Affairs. [Question standing over.]

*41. Mr R JANKIELSOHN (DA) — Safety and Security. [Col 428]

*8. Mr O BAPELA (ANC) — Foreign Affairs. [Question standing over.]

*26. Mr W J SEREMANE (DA) — Foreign Affairs. [Question standing over.]

*9. Ms M H MPAKA (ANC) — Foreign Affairs. [Question standing over.]

*46. Mr S N SWART (ACDP) — Correctional Services. [Col 429]

*10. Ms K R MAGAU (ANC) — Foreign Affairs. [Removed]

*33. Mr J SELFE (DA) — Correctional Services. [Col 430]

*11. Mrs M M MAUNYE (ANC) — Foreign Affairs. [Question standing over.]

*28. Moulana M R SAYEDALI-SHAH (DA) — Defence. [Col 431]

*17. Mr S B NTULI (ANC) — Defence. [Col 432]

*27. Mr W J SEREMANE (DA) — Foreign Affairs. [Question standing over.]

*34. Mr J SELFE (DA) — Defence. [Col 433]

*25. Mr D H M GIBSON (DA) — Foreign Affairs. [Question standing over.]

*42. Adv H C SCHMIDT (DA) — Defence. [Col 434]

*43. Adv H C SCHMIDT (DA) — Defence. [Col 435]

Questions transferred for oral reply in accordance with Rule 117:

■1. Ms C-S BOTHA (DA) — Foreign Affairs. [Written Question No 33] [Removed]

■2. Mr D H M GIBSON (DA) — Foreign Affairs. [Written Question No 41] [Removed]

■3. Mr D H M GIBSON (DA) — Foreign Affairs. [Written Question No 42] [Removed]

■4. Adv A H GAUM (NNP) — Justice and Constitutional Development. [Written Question No 106] [Col 436]

■5. Mr J SELFE (DA) — Safety and Security. [Written Question No 186] [Removed]

■6. Mr R JANKIELSOHN (DA) — Safety and Security. [Written Question No 187] [Removed]

■7. Mr D H M GIBSON (DA) — Justice and Constitutional Development. [Written Question No 222] [Col 438]

■8. Mr R JANKIELSOHN (DA) — Safety and Security. [Written Question No 233] [Removed]

■9. Mr K J MINNIE (DA) — Safety and Security. [Written Question No 234] [Removed]

■10. Mr G R MORGAN (DA) — Defence. [Written Question No 238] [Col 438]

QUESTIONS

For oral reply:

PEACE AND SECURITY

(Cluster 1)

NPA findings *re* disparity between courts in convictions for sexual offences

*6. Ms F CHOHAN-KHOTA (ANC) asked the Minister for Justice and Constitutional Development:

(1) With reference to the National Prosecuting Authority's audit which revealed that during the period January 2002 to November 2003 the national conviction rate for sexual offences in all regional courts was 42% and 62% in specialised sexual offences courts, what are the causes of this disparity;

(2) whether her department has taken or intends taking any steps to address this disparity; if not, why not; if so, what steps? N418E

THE MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Thank you, Madam Speaker. With reference to the National Prosecuting Authority's audit which revealed that during the period January 2002 to November 2003 the national conviction rate for sexual offences in all regional courts was 42% and 62% in specialised sexual offences courts. I should read the reply. You can tell that I knew. Sorry. My reply is as follows: a number of sectors influenced the establishment of specialised sexual offences courts. Histori-

cally the conviction rate in sexual offences has been low. There are a myriad of reasons for this. Rape, like all other crimes, must be proved beyond all reasonable doubt. More often than not, it is the voice of the accused against that of the complainant, without any corroborative evidence. Trauma, shame or ignorance often leads to evidence being destroyed, contaminated or not collected at all. Furthermore, certain procedural and evidentiary rules, particular to sexual offences, are often not complied by the SA Police Service and the prosecuting authorities. In addition to this, the myths and stereotypes surrounding sexual offences lead to many complainants not being believed and cases resulting in not guilty verdicts. Some sexual offences complainants also experience secondary victimisation in the criminal justice system. This often results in them withdrawing cases before they go to trial.

With regard to the second question, sexual offences courts have been established with the following objectives: reduction of secondary victimisation — and I think we have succeeded in this case; regarding in the turnaround time for the finalisation of cases; improving the conviction rate; increasing the reporting rate. Every sexual offence court comprises of at least the following: two specialised trained prosecutors, victim assistant services, a judge or magistrate, specialised courts — in other words, the requisite equipment and intermediate support services, as well as legal aid. It is because of the above-mentioned specialised personnel, equipment and services that cases are investigated more thoroughly. This result in the fact that all prosecutors, witnesses and complainants are more prepared at the time of trial, resulting in more effective and efficient prosecutions. This in turn results in higher conviction rates.

Sexual offences cases that do not fall into the jurisdiction of a specialised sexual offences court are prosecuted in the normal regional courts. The conviction rate in these courts is 42%, in comparison to the 62% that we experience in the specialised courts. These normal courts do not have any specialised personnel services or equipment. It is the intention of the National Prosecuting Authority to provide specialised equipment, such as CCTV systems, to a number of normal courts hearing sexual offences cases, to improve services to complainants. Continuous training will be provided in the specialised area to ensure a high level of service delivery. [Time expired.]

Ms F I CHOHAN-KHOTA: Madam Speaker, you can see why we like our new Minister. The Minister is entirely correct to say that sexual offences are probably one of the most difficult types of cases in which to secure convictions. It is true to say that the specialised courts have resulted in enormous amounts of successes, particularly, in the conviction rates. What we have at the moment in our justice system is of course both an excellent model and a mediocre one. When it comes to our ordinary regional courts, as the Minister was outlining, specialised equipment, courts and facilities are made available in specialised courts, but not in our ordinary regional courts. This basically means that you have this big differential between the conviction rates in your ordinary regional courts, as opposed to the sexual offences courts, that are specialised. But the real recipe to success . . .

The SPEAKER: Order, hon member, your time is expired and yet you have not asked a question.

Ms F I CHOHAN-KHOTA: Could I ask the Minister complete the answer then?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Yes, indeed, specialised courts are successful precisely because they are properly equipped with the right personnel, with the right technical facilities, such as the CCTVs. I think more importantly, we are gaining a lot of experience of managing matters relating to rape and thus increasing the conviction in these courts. I actually think that this

is a very good first in South Africa and it is a model that is being considered by other countries, including developed countries.

Mrs S M CAMERER: Thank you, Madam Speaker. Yes, the DA certainly supports the roll-out of the sexual offences courts because they really do work. We applaud the work that is being done to roll out the courts at this point. However, I would like to interrogate one aspect of this issue and that is the alleged 62% conviction rate. As I understand it, this only applies to cases that eventually do get heard and does not take account of the large number of cases that are withdrawn in these courts. I would like to draw the Minister's attention to the pioneer sexual offences court in Wynberg. There are four sexual offences courts there. In one of them, all of the cases were withdrawn. In another, it was 57% and in another it was 46% of the cases. In Moretele 46% of the cases were withdrawn. In Port Elizabeth in one of the two sexual offences courts, 66,7% of the cases were withdrawn. In another 50% were withdrawn. In Klerksdorp 77% of cases were withdrawn. What is the reason for this and what can be done about it? [Time expired.]

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Yes, it is indeed a concern but the hon member is aware that there is a lot of stigma around sexual offences across cultures in our patriarchal society. Invariably women do feel the pressure and do withdraw such cases before the courts. I am of the view that with increased consciousness about rights, women will take advantage of the remedies that are there for them. Also, I don't want to be a sangoma but there is also the other side of the coin. Some allegations against persons who have committed crimes get withdrawn because they are not truthful. We don't know what the real answer is. It is a matter that we need to look into and follow up. [Interjections.]

Mr S N SWART: Thank you, Madam Speaker. Hon Minister, the ACDP is similarly concerned with the high incidence of sexual offences and the apparent low rate of prosecution in the regional courts, particularly given that according a report by the NPA, sexual offences are widely acknowledged as an underreported category of crimes. One of the good news parts is the roll-out of the specialised sexual offences courts and the Tuthelezi project which has an 81% conviction rate. Can the hon Minister give us an indication whether the Tuthelezi project where certain aspects such as interdepartmental development and binding protocols for all role-players and the implementation of prosecutor guided investigations will be further rolled out to other courts in South Africa, to increase the conviction rates of the sexual offences courts?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: You know I hope that sexual offences courts are an intermediary measure. I hope that we will come to a stage in time when our courts would be able and have the full capacity to handle all kinds of crime. This is an important point that I need to make. Having said that, courts services being our core competency, it is our responsibility to make them function efficiently as is expected. With regard to interdepartmental protocols and workings together, we are far advanced as the cluster. I am not quite used to the acronyms. They say JSCCP. It is the cluster that involves Justice, the Police, Home Affairs — and I will be reminded of others. I am still new. That cluster is far ahead in developing working mechanisms for efficiency. In some instances, indeed, we are considering some kind of protocols.

Mrs S M CAMERER: Thank you, Madam Speaker for that opportunity. I wonder if the Minister could clarify one issue. We have been informed by various people in her department that, on the one hand, there are 48 sexual offences courts; then they told us that there were 52 — but also that they intend to have 56. We were briefed during the budget briefings in our portfolio commit-

tee by a senior magistrate who was there to represent the regional magistrates, who said that the roll-out of these courts was merely a publicity stunt. It was just ordinary courts being renamed, with no staff trained and no equipment introduced, because of the lack of resources. I wonder if you could clarify that. Is that the Minister's view or are these genuine sexual offences courts? We in the DA would like to see them properly equipped and properly staffed.

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: You will recall, hon member that the President did, in his last state of the nation address mention that we will designate — and I use the word "designate" — because it could refer to new infrastructure, but it could also be designating existing courts as sexual offences courts. I think here it must be understood that they are designated and then equipped appropriately for the purpose of dealing in a specialised manner with this particular crime. I think it is correct to say that we are considering designating or putting up new infrastructure for such courts.

Steps to address HIV infection rate in SANDF

*29. Moulana M R SAYEDALI-SHAH (DA) asked the Minister of Defence:

(a) What specific steps will be taken to address the fact that a recent Aids project showed that 89% of soldiers in the SA National Defence Force tested were HIV positive, (b) why has he consistently maintained that the rate of infection is 20% when all other available evidence indicates that the overall infection rate is closer to 40% and above and (c) how will South Africa be able to meet its defence responsibilities in the light of the United Nations' requirement that troops engaged in peacekeeping missions be HIV negative? N490E

The MINISTER OF DEFENCE: Thank you, Madam Speaker. The Aids project referred to in this question and which was reported to have revealed 89% of the soldiers in the SANDF were HIV-positive is not an accurate reflection of the infection rate in the SANDF. The members who were tested were not a random sample of the SANDF. The position is that last December we launched the Phidisa project through which we opened two clinics — one at I Military Hospital and later on my then deputy opened a second clinic at VII SAI Mtubatuba. To these clinics we invited members of the SANDF with their families to come and get tested at their own accord. The record would then indicate how many families have voluntarily tested, how many members of the SANDF and their dependents. On an annual basis there will be an analysis of the results of these voluntary testing. The figures involve both members of the SANDF and their dependents. There was a complete misunderstanding on the part of the press and a complete misinterpretation of what in fact happened there. As things now stand, we are bound to open another two clinics — one in Umtata and the other one will be in Bloemfontein. We will be inviting larger numbers of members of the SANDF and their families to continue with that project. It will provide us with more information to be able to tackle the situation. I'd like to assure the members that it is an utter fallacy and misrepresentation to suggest that 89% of the members of the SANDF were HIV and Aids infected. The reliable figures remain the figures, which I have tabled before this House, as between 17% and 22-23%. That is what remains and that reflects even the infection rate across society.

Moulana M R SAYEDALI-SHAH: Thank you, Madam Speaker. Hon members, even if we go by the inconclusive and conservative estimate of 23% or 29%, or whichever, provided by the Minister of Defence, the fact is that this remains a matter of great concern and it needs urgent attention. There are severe implications in financial terms due to the high medical costs, lost productivity as per the given estimate of about 23%. We are

looking at over 338 000 valuable working days, which are likely to be lost per year, as well as dreadful human costs. It certainly compromises the operational capacity and efficiency of the SANDF, as well as the fitness level of its personnel. But most importantly, it threatens our national security, the security of the people of this country, whose taxes are used to service the billions of rand given to the Defence Budget. Bearing in mind the gravity of the situation, can the hon Minister of Defence kindly explain his immediate plan of action to remedy the situation, in order to ensure the security of our country and to see that the South African taxpayer gets value for money?

The MINISTER OF DEFENCE: The first point that I should make to the House is that the suggestion of some 89% infection rate creates an unfortunately wrong and unfounded impression, that the national defence force is inefficient. The hon Minister, I mean the hon member . . . [Interjections.] Apologies, he is a religious man, so I wanted to say, the hon minister of religion . . . [Laughter.] The hon member was at the briefing made to the committee last week and there a proper picture was tabled. It shows the level of health in the SANDF that is far from inefficient. As a matter of fact, you ask what we are going to do to deal with this issue. Phidisa, first of all, is a medium-term project to deal with this issue. I have just said now that we will be setting up a further two clinics. We are going all out to make sure that we have fuller information of what is happening in the SANDF. That enables us to intervene in terms of making sure that the health of our members is kept at the requisite standards. In the recruitment area everybody undergoes comprehensive testing and I have dealt with this matter before the House to indicate why we needed that comprehensive testing, so that we are able to intervene and render members G1 K1. With regard, unfortunately, to the fact that when members are already in the SANDF and there is infection that has already happened, we have programmes of attending to them, including home care. There is an incredible amount of resources that we are pouring in there. This Phidisa project, for instance, is run with the support of those who are collaborating with us and who are not part of the national Budget.

Mr S HUANG: Madam Speaker, hon Minister, following from your response and the giving of facts regarding the number of people tested for HIV and Aids, that regarding our men and women in uniform in the SANDF, of the 56 947 uniformed soldiers only 129 members or 7,8% of them had tested HIV-positive. I would like to take this opportunity to advise the DA asking members' questions to, before they make a noise in the House, to please get the right information and not directly insult our uniformed soldiers and their dignity. Can the hon Minister give us the order of the priorities? [Applause.]

The MINISTER OF DEFENCE: As I understood it, the hon member firstly advised the DA how to approach this matter. I concur with that. [Applause.] I thank you for the advice, Sir.

Mrs P DE LILLE: Thank you, Madam Speaker. Minister, the statistics leaves me cold. It is meaningless. We like to throw statistics around in this country. It is more important if you would tell us what kind of treatment is provided to HIV-positive soldiers. Do they have to pay for it themselves? Is there a special programme to help them? HIV/Aids is a disease that has no cure but it is treatable. So I think what is important, is how we treat the HIV-positive soldiers so that they can continue to live a normal life and to continue to serve this country.

The MINISTER OF DEFENCE: Well, I agree with the hon member. We must do everything to assist the people. You are making a very important statement. You say that it is not curable. We, of course, have not carried out research as the SANDF to find medicines for this disease. We are helped by

the national Department of Health. Lots of research is done at the present time. [Interjections.] A lot of research is done at present. [Interjections.] And that research, both from our side and from other international sources show that we are not finding an answer to that problem. What I am dealing with is the conditions of those of our members in the SANDF who are ill. If there are medicines available, the hospitals provide them with it. This Phidisa project is an attempt to get our people together and persuade them to come forward and provide us with information. We can attend to those cases that may be treated, whether it is parasitic diseases or other diseases. We cannot do more than what international research into HIV and Aids is doing. Once we have detected that certain members are affected, we are able to evaluate their condition and deploy them in accordance with their health status. If their situation deteriorates, we then also adjust their deployment and in some cases as I have already said, we reach a point where we find that the facilities inside the SANDF — if we feel that they are not friendly enough for particular cases — we do support home care. We are doing everything that can be done. Phidisa, in fact, is dealing with the members of the families of SANDF members. We are not just looking at the soldier. We are looking at the soldier and his family.

Mr V B NDLOVU: Ngiyabonga Somlomo. Bengicela ukubuza kuMhlonishwa ukuthi njengoba kubonakala sengathi balapha ku-34% abangaphilile kanti izolo sizwe ukuthi labo bantu uma bebonakala ukuthi banjalo kufuneka bayekiswe ukusebenza, ngabe bayekiswa sebekuliphi ngempela izinga? Ezingeni lapho sebebonakala ukuthi bagula kakhulu noma bayekiswa kusaqala ukutholakala ukuthi bayagula na?

The MINISTER OF DEFENCE: Mangithi-ke njengoba bengizama ukusho lapha, uma sesitholile ukuthi umuntu akaphilanga kahle, kumele-ke simthathe simuse endaweni lapho sizokwazi ukuthola ukuthi empeleni noma-ke engaphilanga kahle umzimba wakhe umnika amandla alingene ukwenza miphi imisebenzi — bengicela ukuthi laba bantu bahlale phansi, ngiyabonga [Uhleko.] Uma sesitholile ukuthi umuntu unamandla okwenza miphi imisebenzi, sibasebenzisa kuleyo misebenzi abangakwazi ukuyenza sibe futhi sibasiza ngokubanika imithi leyo esingaba nayo engabasiza. Uma kubonakala ukuthi isimo somuntu siya ngokuya bucayi, sibenzisa imisebenzi abangakwazi ukuyenza kodwa-ke kufika isikhathi lapho kutholakala khona ukuthi umuntu usekhinyabezeke kakhulu, akasakwazi ukuqhubeka kahle. Abanolwazi bayabheka bese beseluleka ukuthi lo muntu akasafanelanga ukuthi aqhubeke nomsebenzi. Yilapho-ke esizo-bakhipha khona ezindaweni abasebenza kuzo sibagcine noma sibase emakhaya sibelaphe sihlangane nemindeni abaphuma kuyona. Akukho muntu ovele achithwe nje ngoba kuthiwa ephethwe yilesi sifo.

Translation of isiZulu paragraphs follows:

[Mr V B NDLOVU: Thank you, Speaker. My question to the Minister is: since the figure of those who are ill is estimated at 34% and since we were told yesterday that once it is noticed that people are in that condition, they should be stopped from working, at what stage then are they stopped? Is it done when they show signs of serious illness or immediately it is discovered that they are ill?

The MINISTER OF DEFENCE: What I was trying to say is that once we have discovered that a person is not well, we should send that person to a place where it will be established what duties his body can afford to perform. Can these people sit down, please. Thank you. [Laughter.] When we know what tasks the person can afford to perform, we shall use them on those tasks while we assist them with whatever medicines we can afford to give them. Once a person's health shows signs of deterioration, we should put him on easier tasks until such time that he cannot go on working properly. At that stage the professionals can assess a person and advise

us to stop him from working. It is at that stage that we can remove them from the workplace and either keep them, or return them home and, in collaboration with their families, help them with treatment. No one's services should just be terminated simply because he is suffering from this disease.]

Backlog experienced by courts *re* maintenance matters

*3. Mr G SOLOMON (ANC) asked the Minister for Justice and Constitutional Development:

(a) What is the current backlog experienced by the courts pertaining to maintenance matters and (b) what initiatives are planned by her department to bring the backlog under control? N415E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: The current data on backlogs pertaining to maintenance matters is not readily available, but the samples of statistics obtained so far indicate that an increased effort to reduce maintenance case backlogs by the appointed of the maintenance investigators, maintenance prosecutors and maintenance clerks has resulted in the reduction of backlogs compared to the period before the appointment of these officials. The maintenance matters for investigation were characterised by long delays of up to a period of a year. With the appointment of the 56 initial maintenance investigators, this record was reduced to almost three months. The additional appointments of 72 maintenance investigators in April has seen the numbers been reduced further to a cycle time of two months. We have undertaken awareness campaigns regarding maintenance and as a result more women are applying for these grants. More maintenance cases can therefore be expected. In an effort to address the influx of maintenance inquiries, as well as the backlogs being experienced at present, the department has prioritised the additional appointment of 140 maintenance investigators, 100 maintenance clerks and 70 maintenance prosecutors. Various other initiatives are also being planned and implemented by the department, in order to assist and bring the backlog under control. Indeed in consistency with Treasury directives, the department is establishing projects to improve efficiency and accountability in the management of trust moneys. It is hoped that the skills will be transferred from the private to the public sector. The infrastructure of banks, retail outlets and post offices will be used in addition to a national call centre, which will be established soon. The Department of Justice has developed partnership agreements to track down maintenance defaulters. A family court blueprint was developed and is being implemented in order to strengthen the services to the public through a holistic family court concept.

Mr G SOLOMON: Thank you, hon Minister. Hon Minister, it is common cause that the incidence of maintenance avoidance and defaulting leading to domestic violence are inordinately high in disadvantaged sections of our society. In the same breath, it is also common cause that the Department of Justice has been working flat out since 2002 to meet the challenges of this social problem that not only undermines the social dignity of women and children, but denies them their fundamental rights and also pushes them deeper into poverty. You have mentioned a number of initiatives taken to deal with the matter. I am also aware of many more. Applications for maintenance often result in both civil and criminal charges in court. It is unfortunate though that maintenance matters in court are usually tagged onto the end of the criminal and civil court roles, resulting in many postponements. What are presently in place and what is your department planning to provide legal aid and prioritise these cases?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: The issue of dealing with maintenance matters efficiently is prioritised in the Department of Justice. It is a key issue. You will understand

that from a justice point of view, it is a way of dealing with issues of poverty and allowing access of justice to the poorest of the poor — in this case the women of this country. We indeed will provide legal aid and we will prioritise maintenance matters, as we think this is a very important area and we have to have more successes. You should be aware that we have a pilot project at the maintenance court in 15 Market Street, which is indeed very successful. I think it is a model that we should follow throughout the country.

Mrs S M CAMERER: Thank you, Madam Speaker. I am very glad, on behalf of the DA, to support the measures that have been introduced and we are very glad to hear of the increased number of maintenance investigators. But, I am sure that the Minister has been recently to 15 Market Street, where she would have seen very long queues of women waiting for maintenance, notwithstanding the measures that have been announced. If the Minister goes to any maintenance court around the Cape, she will see long queues of women waiting throughout the winter — very often without shelter in the rain. I wanted to ask the Minister: what is being done to improve the operation of the maintenance payment system that she announced to the committee when she briefed us. She indicated that the Department of Justice was very focused on alleviating poverty through improving the maintenance system. She gave the example of a woman who has to spend a R160 in transport to go and collect R200 of maintenance. This could be changed through a better-automated system. Could let us know what is being done? How far down the road you are towards completing the installation of the system? When will it be completed in order to assist in this way?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Hon member, I don't know when last you went to Market Street. I was there quite recently. It is amazing. I really wish you could go and see the innovation there. There are no queues. It is fully computerised and properly manned — as "man" in "manus", and not as in gender — and very efficient. More or less two weeks ago the Director-General and court services visited other areas where we want to expand our experiment at Market Street. I wish you would visit that. Indeed, we really have prioritised the matter and I think we will be able to report on progress properly in the beginning of next year, when Parliament reopens.

Mr S N SWART: Hon Minister, the ACDP shares the view that whilst much progress has been made in improving the maintenance system since the introduction of the new Maintenance Act in 1999, deficiencies and backlogs in the system have resulted in many women losing confidence in the criminal justice system, with the result that they and their children are deprived of a maintenance income. One of the crucial aspects relates to the tracking down of fathers and husbands who refuse to pay maintenance. The ACDP therefore welcomes the appointment of further maintenance investigators. We are concerned that many of them are appointed on an *ad hoc*, contractual basis, with their appointments extended every few months. The question is: when is expected that the necessary regulations and policies pertaining to maintenance investigators will be finalised to facilitate their permanent appointment, and in so doing, assist in the tracking down of fathers and husbands who refuse to pay maintenance?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Those that are appointed are actually appointed permanently. Yesterday when we were debating about women and the progress made by women, the Minister of Home Affairs raised an issue and I also elaborated on it. Society must come in partnership with us. In truth, we must introduce new values, new norms and new standards within our communities. Communities should be concerned about violence against women, about abrogation and failure of our male counterparts

to maintain and look after their families. What I can say to you is that I look forward in the next five years to have more of ordinary people being in partnership with the state and helping us. I would like to see community workers themselves bringing to light deficiencies in service provision on the ground. I hope that will also include areas of justice.

Plans to speed up transformation process in judiciary

*18. Adv C B JOHNSON (NNP) asked the Minister for Justice and Constitutional Development:

Whether any plans are in place to speed up the transformation process in the judiciary; if not, why not; if so, what plans? N477E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: In the past ten years, a number of conceptual papers have been produced by various sectors of the justice system relating to elements of transforming the justice system, including the judiciary. I have appointed an advisor to examine all these proposals and produce a comprehensive, consolidated document, which will inform our strategic vision for transformation. There are subprogrammes, each with time-frames, focusing on various transformation issues. The work of the Department of Justice, including all other departments is informed by national imperatives, and transformation is a key goal of the state. Access to justice and transformation of the judiciary has been key areas identified by the department and to this end, programmes have been designed to meet these two goals. The most prominent of these are the rationalisation of high courts and the redemarcation of magistrate districts. That superior courts legislation is currently before Parliament, while new magisterial districts in areas still demarcated in terms of the apartheid order are proclaimed on an incremental basis. The process initiated to foster alignment and integration of the Magistrates' Commission with the Judicial Service Commission to enhance judicial independence, is also under way. These are the real programmes that we have undertaken.

Ms C B JOHNSON: Thank you, Madam Speaker and thank you, hon Minister. Minister, if one looks at the bench and much progress has been made to get more female lawyers and more black lawyers to the bench, I think at last count only three of the higher courts were not headed by either a female or someone from a previously historically disadvantaged background. Given that the legal profession to date has traditionally been white dominated and male dominated, it obviously is so that female lawyers and black lawyers in particular, are highly sought after in the private sector, is anything being done by the department to make the bench more attractive? Many of these people can leave their practices because of financial reasons. What is done to make the bench more attractive to female lawyers and previously disadvantaged lawyers?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: There are many presumptions made why in fact we have less black males and less females on the bench. That is why I am saying that I would like an informed basis to draw up a strategic plan for us to move forward. What we have now are scattered all over and are bits and pieces of conceptual papers around transformation. Hon member, we should be concerned as a nation. Yesterday I cited Charlotte Maxeke who in 1919 called for more women to be appointed as magistrates. She had a reason for that. These women should have dealt with young people in trouble with the law. Over the years women have raised this as a concern and in this regard I cited the Malibongwe Conference. This is the 21st century and we only have 13% of our judges that are women judges. It is a very big concern. It is a matter that we will pay particular attention to and we will work in a collective manner, in consultation with others, but firmly move for correcting the imbalances that exist.

Ms V MERUTI: Thank you, Madam Speaker. Minister, in light of the recent conference and launch of the South African Chapter of the International Association of Women Judges, where they adopted their constitution and one of their objectives is to address the barriers which interfere with the full participation by women in the legal system in order to expand the number of women at all levels of the judiciary, so that the judiciary may accurately reflect the demographics of the society it serves.

My question is: how does the Department of Justice intend to promote and develop programmes to support the transformation process in the judiciary, if we look at that constitution?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: I am pleased that the women have actually begun the process themselves. I have made an undertaking that I will support them. I learned something at that particular conference. One of the women said that the power for appointment of women to the bench is through you indirectly. And she said to me on a public platform, that I was the one who finally endorsed acting appointments. Names are recommended and I as the Minister am the one who finally has to choose. I then, obviously, had this discussion with the Chief Justice and the heads of court and we all agreed that we would make sure that we have more women appointed as acting judges. Immediately, I went back to my office and I found a long list of white male acting judges proposed by one judge president. I then phoned him and said to him that I did not want to give him a formal note, but could he please find the names of women, so that I could endorse his recommendations. In this case time had already elapsed and I had to. You won't believe what happened next. The judge president for November found the names of eight women. Look around for a province where in November there will be eight acting women judges. The truth of the matter is that the reason that women are not visible is because of the stereotypes and we know what the problems are with issues of consciousness around gender matters. Indeed, I will help them, but I have also learned that the ball is also in my court.

Dr J T DELPORT: Madam Speaker, there is no doubt that we will court disaster if we push transformation beyond the limits of our resources. I am so glad to hear that the hon Minister is not talking like the hon member who asked the question, about merely appointing more females and more black people to the bench, but of an overall plan. May I impose on her that in that overall plan the emphasis must be to seek out the existing resources and to improve them? If we go about in the way in which we appoint magistrates at present, where simply gender and racial origins outweigh the other qualifications and experience, we will end up with disaster in our judiciary. So I request of the Minister to set out, for the first time, a proper transformation plan so that we know what it is all about. [Time expired.]

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: I am inclined to agree with you if I heard you correctly. Let me explain what then I would be agreeing with you about. I think it is our responsibility in this country with the kind of constitution that we have, and the new values that we are entrenching, that the stereotypical assumption of either being black or female equals incompetence, is wrong. If there is a need indeed for further training, it should be part of the package of development, in order for people to meet the challenges and be regarded as properly equipped. Having said that, I am certain that if anybody had seen me walking barefoot and poor in 1989 and said this would one day be the Minister for Justice and Constitutional Development, they would have told that it was a pipe dream. Because of a certain type of approach and consciousness, I was lifted up and am now a member of Parliament. Many of us wouldn't have been as

women, if indeed no effort was made. The same applies to the judiciary. I have seen fine women. I have seen women so articulate, so able in law. I have read unreported cases of some of the women. Quite profound in the manner in which they treat matters of the Constitution and with such depth and delicacy. In my view, whilst we do talk of training and capacity, it should not be an excuse for excluding women and black men from the judiciary. [Applause.]

Salary scales of metropolitan police/ SAPS members

*45. Rev K R J MESHOE (ACDP) asked the Minister for Safety and Security:

(1) Whether the salary scales of metropolitan police members are higher than those of the members of the SA Police Service; if so, what are the relevant details;

(2) whether the metro police are accountable to him; if not, to which Minister are they accountable; if so, why are the salaries of the metro police members higher than those of SAPS members? N506E

The MINISTER FOR SAFETY AND SECURITY: Well, as you know, Madam Speaker, I am also a newly appointed Minister. I was appointed in May this year and I will therefore appeal to the Ministers to treat me also with some measure of tender care, particularly the members of the House who represent the ANC. The metropolitan police resorts under local government structures that are responsible for determining their structure, their salaries and benefits. The SA Police Service, however, is responsible for the setting of training and policing standards. The size of the metropolitan, and its grading, influences the determination of salaries of the metropolitan police. A recent comparison regarding the salaries of the Johannesburg Metro Police and the SA Police Service revealed that the metro police get bigger pay cheques. The metropolitan police are accountable to the mayor of the particular town council and the respective provincial MEC for safety and security.

Rev K R J MESHOE: Thank you, Speaker and hon Minister. It is widely known that the SA Police Service has a much bigger workload and area of responsibility than that of the metro police. SAPS members are exposed to higher levels of danger when carrying out their duties, the fact that is clearly proven by the high numbers of police deaths in the line of duty. The loss of specialist SAPS personnel to the metropolitan police force that offers much higher salaries should be addressed. The Minister should negotiate to enable that equitable salaries are paid to SAPS members so that they are not lost to the metro police. That should also include a greater budget for equipment and training for our police. The ACDP believes that this would enable our police to provide a much better and efficient service to the community. In the light of many members that are lost to the metro police, what is the Minister doing to ensure that what attracts them in the metro police is addressed and in doing so ensure that their skills are there to address the high crime levels that we have in the country? If they are well resourced, they can do much better to reduce the crime levels that we have today.

The MINISTER FOR SAFETY AND SECURITY: Thank you, Madam Speaker. The first thing I want to do in response to the question by the hon member is to pay tribute to those policemen and women who continue to do the wonderful work they do to create conditions for safety and security in our country, despite of the many problems that they face. These problems include the matters that the hon member has so properly articulated. Indeed, what he has said is correct. What we are doing is that we continuously look at ways and means in which we can improve the conditions of services of our members so as to ensure, in the first instance, that, given the risks that they face, that they receive the commensu-

rate remuneration for the work that they do and that they are also subjected to training that is appropriate in terms of the mandate that they have to create conditions of safety and security in the country. We are currently involved in discussions with the Minister for the Public Service and Administration, as well as the Minister of Finance, to find a formula, which will address problems that relate to the salaries of our members within the SA Police Service.

Miss S RAJBALLY: Thank you, Madam Speaker. Hon Minister, we thank you for your initiative in trying your best in bringing peace and security in our country. Kindly let the House know whether more police officers are employed, especially in the KZN area where crime is still experienced daily? Is any recognition given by your department to the community neighbourhood watch?

The MINISTER FOR SAFETY AND SECURITY: This House has unfortunately agreed to a strategy that we have been spelling out over a number of years now. The first one was, when in 2002 I spoke about what we would do within the MTEF, dealing with the deployment of more human resources to the SA Police Service. We said that by the end of 2006 we would have more than a 152 000 officials relevant to this. But what we do all the time is that we do assessments in respect to what is happening in the country generally, and where a need arises for us to deploy more members in an area that is afflicted by high levels of crime, where there is violence and so on, is that we will deploy members on detachment from other areas and deal with that particular situation. When the situation normalises, we, of course, withdraw them. But we want to indicate — and I have been trying to do this in the House on a few occasions — that in the end it is not those numbers that are going to deal successfully with crime in this country. It is when we are able to mobilise more people, particularly from the affected communities to work with the police, so that they can provide us with the information that we want. Then we would be able to apprehend those who commit crimes where we live. We want to ensure that our people are mobilised by us particularly who are their public representatives, so that they participate in this kind of campaign. It is a campaign that belongs to all law-abiding citizens and peace-loving citizens of this country.

Mr R JANKIELSOHN: Thank you, Deputy Speaker. The metro police would not be necessary if the SA Police Service was able to carry out their tasks effectively. The poor salaries and conditions of employment of police officers lead to low morale and cause them to moonlight to support their families. This neglect of the SA Police Service by government negatively effects service delivery in South Africa where 200 000 citizens have been murdered and about 500 000 raped in the last decade. Minister, you have promised time and again to improve the conditions of employment and salaries of the SA Police Service members, especially those in the lower rank structures. Salaries of our policemen and women should be evaluated in a different category to other civil servants. When are SA Police Service members going to experience real material changes to their desperate situation on the ground?

The MINISTER FOR SAFETY AND SECURITY: Thank you very much. When your party, hon member, was composed of a very few members, they came here and supported the law that established the metropolitan police. If you believe that there is anything wrong with the metro police, I am sure that your party would also come together and ensure that . . . [Interjections.] Well, I am using the language he used. He said that it would not have been necessary to establish the metro police. I understand that to mean that, in fact, you are saying it is not necessary to have the metro police. [Interjections.] If you want a change, get your party, which has slightly more members now, to change this particular law that has put the

metro police into place. [Applause.] I am sure, you know as well as I do — both of us are new in this House — that you don't change laws here by just standing up and speak. There are processes and procedures. Follow those processes and procedures. The rest of your question deals with things that we are doing and which I have already indicated in responding to the other question. [Interjections.]

Adv A H GAUM: Minister, you have indicated to whom the metropolitan police is accountable at the moment. Is it your view that they should also be accountable to the national Minister?

The MINISTER FOR SAFETY AND SECURITY: Well, I don't know what you are asking me. It is my responsibility to implement the laws that we in this House adopt and the law as it stands, has created the metro police. I think is another matter, and it has nothing to do with our discourse in this House. [Interjections.]

Mr V B NDLOVU: Umhlonishwa ngizwa ekhuluma ngalaba abahlala emadolobheni ka-metro ukuthi kufanele babhekwe ngamaphoyisa ka-metro. Ngeke salekelelwa yini wumnyango thina esihlala emakhaya ukuthi nathi sibe nawo amaphoyisa na?

(Translation of isiZulu paragraph follows:)

[Mr V B NDLOVU: I have heard the Minister talking about those who live in metro cities that they should be served by metro police. Can we the people who live in rural areas not be assisted to have police as well?]

UMPHATHISWA WENKONZO ZOLULEKO: Hayi babwo sinawo amapolisa nasemaphandleni. Side savuma nokuba kukho izinto iindlela neentlelo ezinokubanga ukuba phaya emaphandleni babe khona abantu abangamapolisa bemiselwe ngokwemithetho yethu enxulumene neyobukhosi kwezo ndawo. Ndiqinisekile uyazazi ezo zinto. Masithethisane sibonisane ukuba singazenza njani na ezi zinto ukuze zisebenze. Kambe nangaphezu koko ngoku sinawo namapolisa abizwa ngokuba yi-sector police. Loo mapolisa ahlanganisa nala mapolisa angawo ekufuneka nesimo kanye emaphandleni.

(Translation of Xhosa paragraph follows.)

[THE MINISTER FOR SAFETY AND SECURITY: No sir, we do have police in the rural areas. We even agreed that there are arrangements and procedures that should be followed to put some police people in place in those areas who are governed by our local authority laws. I am sure that you are aware of those arrangements. Let us discuss and share ideas as to how we are going to implement those things to work effectively. On top of that we also do have police people that are called sector police. Those include the police that are located in rural areas.]

Amount spent on overtime payments over weekends

*21. Mr N B FIHLA (ANC) asked the Minister of Correctional Services:

(1) What amount was spent in the past financial year on overtime payments over weekends;

(2) whether he or his department has taken or intends taking any steps to address the situation regarding overtime; if not, why not; if so, what steps;

(3) whether his department intends recruiting more staff; if not, why not; if so, what are the relevant details?

N481E

The MINISTER OF CORRECTIONAL SERVICES: Madam Speaker, the reply to the question is: The department spent R813 718 318 on payment of overtime for weekend duty during the 2003-04 financial year. We do acknowledge that this is unsustainable. The department plans also to gradually convert to a seven-day, four-shift establishment. This would result in the following: two day shifts and two night shifts, as opposed to the current day shift and

two night shifts; security personnel working seven hours per day instead of the current eight hours per day; an additional 9 079 employment opportunities for persons interested in a career in the security service of the department. We will be recruiting these people to operate the additional second day shift. Specialised personnel rendering their services according to a system of flexitime over a seven-day period will include social workers, educationists, psychologists, nurses and technical personnel. There will also be increased periods of unlocked time for our inmates, resulting in increased time for presenting developmental programmes and for prisoners to receive visits from their families and friends. Sufficient time will also be created for the implementation of the system of three meals as required per section 8(5) of the Correctional Services, Act 111 of 1998.

The new system will be phased in over a period of three years. This is due to the complexities associated with the training and recruitment of personnel, as well as the implementation of a social assistance plan to assist current staff with the transition to the new system. In the phasing out of the current system and the phasing in of the seven-day systems, measures are also being put in place to ensure that employees are not adversely affected by the phasing in of the new system. Currently the Commissioner, the Deputy Minister and I are involved in ongoing discussions with all affected stakeholders, including union leadership about the necessity and benefits of the new system. As mentioned earlier, the establishment of the seven-day week will contribute to job creation. It will also assist the Department of Correctional Services to be compliant with the Labour Relations Act. There are also ongoing discussions with Treasury and the Minister of Finance in particular, about the financial implications of this migration to a seven-day week.

Mr N B FIHLA: Deputy Speaker, I would like to thank the hon Minister for his elaborate explanation and information on this very delicate issue of a strike. However, I would also like to understand the advantages and gains that we will get from a change of this nature. Why should there be resistance from the members when there are so many advantages in it for them, as you have elaborated before us today?

The MINISTER OF CORRECTIONAL SERVICES: Thank you very much, hon member. I think I have enumerated the benefits that will accrue to our members and the department over this change and migration to seven days. But, it will also make sure that we do not spend so much finance on overtime, and that we create jobs instead of giving this money for overtime.

Regarding the resistance you are talking about, hon member, we will be able to get to an agreement with the unions. I'm quite happy to report that, with the technical committee that I've put in place, it seems as if we are really journeying together to this migration system. At the present moment, I can assure you that there is no resistance; there's a lot of engagement between the department and the unions. Thank you.

Mr J SELFE: Deputy Speaker, we were informed that the Department of Correctional Services has a shortfall of about 13 500 staff members this year alone. So, we are delighted at the news that we can now release some money and that 9 000 new staff positions can, in fact, be found. I think that the overhauling of the overtime system will go a long way towards addressing this staff shortage. But, the real question is this: Is the Minister prepared to go all the way down the track and stare down the opponents of the system in Popcru and other unions who don't want the overhaul of the system? Is the Minister prepared to enforce the fact that Correctional Services is an essential service? And, is the Minister prepared to improve service conditions so that Correctional Services' officials do not have to work overtime simply to make ends meet? Thank you.

The MINISTER OF CORRECTIONAL SERVICES: Madam Speaker, the approach of this Minister is, firstly, not to enforce things but to make sure that there is discussion between myself and the members of my staff, as well as the unions that operate within Correctional Services. Secondly, I don't have to enforce the issue that we are an essential service because we are an essential service. So there is nothing to enforce in there at all. Thirdly, I don't stare people down but I talk to them because I come from the ANC. I communicate with people. I don't have the holier-than-thou attitude of staring people down. [Applause.]

Lastly, I don't think that — coming from a progressive organisation such as the ANC — I am there to make sure that I bash any union that is progressive, but I'm there to make sure that things work out well. The members of my staff are members of my staff first before they become union members. I think the journey that we have started with the unions is the journey that, I hope will, finish up with us changing to that system that we want, and that everybody will understand why we do it. So, Mr Selfe, if I have to be confrontational and stare anybody down, I would do that to the DA. [Laughter.]

Miss S RAJBALLY: Deputy Speaker, Minister, ngilapha phela, ngila [I am here, here.]. [Laughter.] Minister, my question is about a concern regarding women because it's Women's Month after all. On a recent visit to Westville Prison on 9 August 2004 — National Women's Day — I was saddened to see so many of our women in prison wasting their lives away for the crimes known to themselves and to the law. Can our hon Minister please kindly let us know what has been done in respect to a rehabilitation programme for our women in prison so that they can be released back into society?

UMPHATHISWA WENKONZO ZOLULEKO: Ndiyakubona, Mama. Bendiphazanyiswa nje ngabaya bantu baphaya kwela cala.

[The MINISTER OF CORRECTIONAL SERVICES: I can see you, hon member, but I was just distracted by those people over there.]

Thank you very much for your question. You really care about our women inmates who are in prisons. We also have that in our minds, that is we would like to see less and less women inmates in prisons, particularly those who still have young children with them. We would like to look into that matter and we are busy with it.

I think one of the things that we are trying to do is to make sure that when we talk about paroles and everything it really touches the women that are in prison. However, we'll also make sure that those who are there for economic-related offences and other things are dealt with quickly. It is difficult to deal very quickly with those who are involved in aggressive and violent crimes. But, regarding those who are there for economic-related offences, we will try our best to deal with their situation.

We are busy with rehabilitation programmes for women in prisons and our Deputy Minister has been visiting most of our female prisons to make sure that our programmes really touch the lives of those women. We are very sure that those we have seen so far are women who can contribute a lot to their communities, and some of them are not a risk to the societies they live in. So, this department appreciates your assistance and that of other members who really want to see a better life for all South Africans.

Mnu V B NDLOVU: Mhlonishwa uNgqongqoshe, ngisacela ukubuza ... umhlonishwa useqedile ukukhuluma nePhini lakhe? Mhlonishwa uNgqongqoshe, ngibuza maqondana nombuzo wesithathu ngoba angicoshanga kahle impendulo kuwona ukuthi kuzoqashwa kanjani? Kule mibuzo yomithathu, mina ngifuna ukwazi maqondana nalo wesithathu osekugcineni. Umhlonishwa sengathi angake achaze kahle asho nokuthi kuyophela nini, kube kuqalwe nini.

Translation follows:

[Mr V B NDLOVU: Hon Minister, I would like to know if the hon Minister has finished talking to his Deputy? Hon Minister, I am asking with regard to the third question because I did not get the answer clearly on how the recruitment will be done. Of the three questions, I need clarity on the third, the last one. If only the Minister could explain clearly and also mention when this will be completed and when it will have been started.]

[UMPHATHISWA WENKONZO ZOLULEKO: Tat'uVelaphi, ndiyabona . . . [Kwahlekwa.] Baw'uNdlovu, . . . [Kwahlekwa.]

[The MINISTER OF CORRECTIONAL SERVICES: Hon member Velaphi, I can see . . . [Laughter] . . . Mr Ndlovu, [Laughter.]]

But you are Bab'uVelaphi Ndlovu?

Yebo! Yebo! Bab'uVelaphi Ndlovu, mhlonishwa . . . [Yes! Yes, Mr Ndlovu, the hon . . .]

. . . ngokubhekisele kulo mbuzo uwubuzayo, wesithathu, ziphume kwakunyaka ophelileyo izibhengezo zezithuba ezikhoyo kwiiNkonzo zoLuleko. Simanxadanxada sihlengahlengisa zona ke ngoku. Sinemimandla yolawulo kwilizwe jikelele, apho ezi zicelo zihlengahlengiswa khona khon'ukuze size kuba nakho ukuqesha abantu.

EKroonstad kukho iqela lethu elitsha eliza kungena kwiNqanaba lesithathu, ukuze linyuke libheke phezulu apha kwiiNkonzo zoLuleko. Sijongene noko ke ngoku.

Singulo mbutho uphetheyo sasitshilo ukuba siza kudala amathuba emisebenzi. Senza kanye loo nto ke ngoku, Baw'uVelaphi Ndlovu. Enkosi.

Translation follows:

[. . . concerning your third question, the vacant posts in the Department of Correctional Services were advertised last year. We are busy trying to fill them now. We have areas of jurisdiction nationally, where these applications are handled, so that we can be able to appoint people.

In Kroonstad, we have a new group which is going to get into the third level, so that they can develop to higher ranks within the correctional services. We are concentrating on that at the moment.

We as the governing party, promised to create job opportunities. We are doing exactly that, Mr Velaphi Ndlovu. Thank you.]

Mrs S A SEATON: I am covered, Madam Speaker. Thank you.

*24. Mr D H M GIBSON (DA) — Foreign Affairs. [Question standing over.]

Number of prisoners escaping from Free State prisons

*22. Mr D V BLOEM (ANC) asked the Minister of Correctional Services:

(1) (a) How many prisoners escaped from prisons in the Free State in 2003, (b) what category of prisoners escaped and (c) from which prisons did they escape;

(2) whether he or his department investigated these escapes; if not, why not; if so, what are the relevant details;

(3) whether he or his department has taken any steps to rectify this situation; if not, why not; if so, what steps? N482E

The MINISTER OF CORRECTIONAL SERVICES:

(1) (a) During the period of January to December 2003, 34 inmates (prisoners) escaped from correctional centres (prisons).

(b) Categories of inmates

26 of the escapees were awaiting-trial detainees

One of the escapees was a maximum sentenced inmate

seven of the escapees were medium sentenced inmates

(c) Escapes occurred at the following correctional centres:

Groenpunt — 1
Virginia — 1
Lindley — 2
Odendaalsrus — 1
Ladybrand — 1
Heilbron — 1
Kroonstad — 7
Ventersburg — 19
Grootvlei — 1

(2)

Correctional Centre & total of escapes	*Category*	*Sentenced/ Unsentenced*	*Investigated: Yes/No*	*Dept. steps Against officials*
Groenpunt x 1: 2003.03.16	1	sentenced	finalised	Internal disciplinary steps against 8 officials — 1 written warning — 4 acquitted — 1 verbal warning — 2 reprimand letters
Virginia x 1 2003.03.13	1	sentenced	finalised	Internal disciplinary steps against 1 official — written warning
Lindley x 2 2003.03.13	1	unsentenced	finalised	Internal disciplinary steps against 2 officials — final written warning
Odendaalsrus x 1 2003.09.16	1	sentenced	finalised	Internal disciplinary steps against 6 officials — case withdrawn due to lack of evidence
Ladybrand x 1 2003.10.07	1	sentenced	finalised	Internal disciplinary steps against 1 temp. official — dismissed
Kroonstad x 5 2003.10.19	1	unsentenced	finalised	Internal disciplinary steps against 9 officials — 4 dismissed
Heilbron x 2 2003.10.30	1	sentenced	finalised	Internal disciplinary steps against 1 temporary official — dismissed
Kroonstad x 2 2003.11.12	1	sentenced	finalised	Internal disciplinary steps against 1 official — written warning
Ventersburg x 19	1	unsentenced	finalised	none (structural defects)
Grootvlei x 1 2003.12.27	1	sentenced	finalised	Internal disciplinary steps against 4 officials, 1 dismissed and 3 still pending

(3) Measures put in place to rectify mistakes:

- Removed high risk awaiting-trial prisoners to more secured Correctional Centres like Groenpunt, Maximum; Kroonstad Medium A; Odendaalsrus, Virginia and Grootvlei Medium A.
- All awaiting-trial detainees at Ventersburg were transferred to the above-mentioned centres.
- All high risk and high profile sentenced inmates were transferred to the above secured centres.
- Free State Security Plan for Escapes was compiled and is monitored by the regional office.
- A road show regarding escapes throughout the region was made by the Regional Commissioner with his Management team to sensitise corrections officials about the implementation of the Free State Security Plan, the impact of the escapes on the general public and the negative impact they have on the department.

Finalisation of Charter of Victims' Rights prior to 31/7/04 deadline

*31. Mrs S M CAMERER (DA) asked the Minister for Justice and Constitutional Development:

Whether any steps were taken to finalise a Charter of Victims' Rights prior to the 31 July 2004 deadline set by the President; if not, why not; if so, (a) what steps and (b) when will the Victims' Charter be ready to become a public document? N492E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Madam Speaker, the research and consultation on, and formulation of the charter have been finalised by the department. They were recently forwarded to me for perusal. As soon as I am satisfied with the contents, a Cabinet memo will serve before Cabinet for approval and this will actually happen quite soon.

Mrs S M CAMERER: Madam Deputy Speaker, Madam Minister, the fact is that the President gave an undertaking to the nation that this charter will be finished at the end of July, and this undertaking has, unfortunately, not been fulfilled. So South Africa's millions of victims of crime, and there are millions, are left with the impression that not only does the government fail to control crime but that it has failed to protect crime victims.

As a follow-up question, I would really like to know: In your estimation, when will this charter become a public document for comment by all parties? Over and above the rights and care that victims need, they should also be compensated.

Minister, you are the Chair of the committee that decides how the Criminal Assets Recovery Account (Cara), which now holds some R56 million or more, should spend this money. You indicated that some of it might well be spent on victims. I would like to know if you have reached a decision that victims of crime should be compensated out of this account and for how much?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Hon member, I think you are stretching it if you say that this delay has affected trust in government in this regard. But I must concede that there has been a delay. The delay is really my fault because I did read the piles of research documents that led to the draft of the charter. As the new Minister, I had to familiarise myself with the content of the proposals. I have made an undertaking that sooner rather later this will be a public document.

With regard to Cara, it is true that I chair the committee but I must say that the decision as to how we utilise that money is one that is decided upon by a collective. In fact, we are scheduling a meeting and we will be considering the matter quite soon. I am also mindful of the fact that people are quite anxious to know how the money will be used. As you know, I do have Cabinet colleagues with whom I have to consult in this regard.

Mr L T LANDERS: Deputy Speaker, would the hon Minister agree that the victims' charter constitutes a significant development in the ANC's transformation of our criminal justice system? Is it also the intention that the charter will seek to reduce, if not eliminate, secondary victimisation of victims in the criminal justice system? Is she able to tell this House whether, as part of a consideration of the draft, it is the intention to give consideration to the cost implications in the implementation of the proposed victims' charter?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Yes, indeed, we would like the proposals contained in the charter — in other words the content of the charter and the substance of the charter — to be implementable in a sustainable manner. Thus, one has to be very careful how it is crafted. I think that there are

important elements in that charter. Firstly, it raises awareness of rights of the victims and, secondly, it deals with the elimination of secondary victimisation.

What we are not going to do hon member, Sheila Camerer, is to create a huge meaningless institution around the charter. I think we have to be very cautious. The charter should be an enabling instrument and indeed it should address concerns of victims in a reasonable way. I really think that that's the direction we are following.

Black SAPS personnel trained/retrained to enhance capacity in AFIS/forensic sciences

*16. Ms A VAN WYK (ANC) asked the Minister for Safety and Security:

> With reference to the Information Systems Management, a technology framework that guides critical projects of the SA Police Service relating to the development and implementation of advanced technology in solving violent and organised crimes, (a) how many black SAPS personnel have thus far been trained or retrained to enhance capacity in respect of forensic science support and the automated fingerprint identification system (AFIS) and (b) how successful has AFIS been found to be in the combating, reduction and prevention of violent and organised crime? N435E

The MINISTER FOR SAFETY AND SECURITY: Hon Deputy Speaker, I normally like to look at people I interface with in these processes, but the hon Van Wyk is sitting directly behind my back, so I'll be disadvantaged to some extent. But let me just say that two of our projects benefit from our Information System Management. The first one is the forensic science laboratory and the second one is the criminal record centre.

Regarding the forensic science laboratory, we trained 192 black personnel in the various disciplines of that laboratory, but within the criminal record centre we trained 96 black personnel between May last year and June this year. We have already trained 277 black members in the automated fingerprint identification system. The question is: Are these projects successful in reducing crime? I want to indicate the following with respect to that. In 2001, for instance, in terms of what we define as "scene of crime fingerprint identification", we had 13 112 positive fingerprint identifications. And, of course, in 2003 we were able to reach a figure of 20 585, which is an increase of about 57%. However, the other system is what we define as 10-fingerprint identification, which relates to previous convictions.

In 2001, 215 724 suspects were identified via that system. In 2003, we identified 398 804 suspects. We are using the years of 2001 and 2003, because this system came into full operation in 2002. That is why we are comparing 2001 and 2003. Of course, the AFIS has contributed to an increase of 85% in our ability to identify some criminals using the fingerprinting imaging system. Thank you very much.

Ms A VAN WYK: Thank you, Madam Deputy Speaker and Minister. I want to congratulate the department and the Minister on modernising the SAPS. Too much emphasis is based on increasing the numbers of members in the SAPS as the only way of improving the efficiency and service delivery of the SAPS. Clearly, through your answer, improving the use of technology within the SAPS and empowering members to utilise technology effectively are as important in improving service delivery as the Minister's answer indicated. Could the Minister please tell the House whether there are other strategies in place to improve efficiency further, for example through the use of other information technology programmes?

The MINISTER FOR SAFETY AND SECURITY: Madam Deputy Speaker, yes, I indicated some time back in this House that we were going to rely to quite a degree on

modern technology in our investigations and in crime combating programmes.

Therefore there are a number of these new systems that we are using for this purpose. They include tracking that relates, for instance, to stolen vehicles, and there are other tracking devices that relate to people who are in motion including those involved in hijackings. That is why, amongst other things, we have been so successful with respect to cash-in-transit heists in this country. Quite a number of these have assisted us to improve our production with respect to the entire ambit of fighting crime in this country. We are exploring other possibilities all the time in which to use this technology to improve the work we do. Thank you.

Mr R JANKIELSOHN: Thank you, Deputy Speaker. The automated fingerprint identification system is very useful in roadblocks and even in prisons to identify perpetrators of crime. It is, however, time that technology became more prominent in our battle against criminals and crime syndicates in South Africa. This should be our focus, instead of the racial profile of those who operate the technology, hon Van Wyk. The use of AFIS and other systems such as GIS could save the department a great deal of manpower and money. My question is: Does the department plan to allocate more resources to the use of technology in our fight against computer-facilitated crimes against children? Thank you, Madam Deputy Speaker.

The MINISTER FOR SAFETY AND SECURITY: Yes, hon member. As I said, we are exploring these various technological instruments all the time in order for us to do our work. There are a number of people who come to make presentations. And some of these are very good presentations, in which they even persuade us to buy into more technology that is being developed. We look carefully at all that is placed before us in terms of this.

We are exploring that possibility also, because one of the scourges in terms of which we really want a combined effort to fight does relate to questions like, for instance, trafficking in people particularly children, and to other sexual offences that relate to women and children. So we are exploring this. You are correct in saying that AFIS particularly has been very useful at roadblocks and in prisons. We discovered that a number of people in prisons serving time on the basis of convictions that relate to certain crimes, but when we checked their fingerprints we found that some of them were people we were looking for to face charges relevant to other crimes they had committed. So this particular instrument has been very good for us, and has lead to the successes I spoke about a few minutes ago. Thank you very much.

Adv A H GAUM: Thank you, Deputy Speaker. I think the Minister should be congratulated on the fact that information technology is to a larger and larger extent being used to combat crime. However, I would like to know from him the following. According to a briefing the portfolio committee had a while ago, the geographic information system, GIS, has been implemented at about 340 of the 1 100 police stations. Has any further progress been made in that regard, and what is the roll-out plan as far as that is concerned?

Also, while IT is very important, I think we also need to give attention to some of the basics. For instance, there are apparently about 147 police stations that still do not have Internet connections or network connections and about 33 without electricity. Are there any plans in place in order to make progress as far as that is concerned within the immediate future? Thank you.

The MINISTER FOR SAFETY AND SECURITY: Yes, we have a programme that relates to that. In fact, we have been given money as well via the current allocation that deals with the upgrading of some of these police stations, and so on. The upgrading includes, indeed, the installation of lights, of taps for clean running water, and so on.

If you were to go to the new police stations we are building now, you would see the difference between how we are intent in our approach on modernising the police stations that we are now building, and how, therefore, we would want others that already exist to be upgraded to a level at which they would more or less be the same as those we are building.

In fact, I have already indicated to the portfolio committee, I think it was last year, that at some point I would want to invite members of the portfolio committee to come with me so that they can see the new police stations we are building and therefore appreciate what we are trying to put in place.

Of course, it is true that the GIS, the geographic information system, is being introduced in a number of police stations. We are working here together with Sita, which resorts under the Ministry for the Public Service and Administration. They are going round the country discussing the introduction of this technology with our area commissioners and station commissioners at the affected stations.

In fact, we have advanced quite a bit, because this is new. We started it not so long ago. Our intention is to ensure that every one of our police stations indeed has this kind of technology, because it makes it easier for people to do their work. Thank you.

New police officers employed/deployed since 1/1/04

*20. Adv A H GAUM (NNP) asked the Minister for Safety and Security:

(1) (a) How many new police officers have been employed since 1 January 2004 and (b)(i) where and (ii) for what purposes have they been deployed;

(2) whether the SA Police Service is on target with the intended increase in the number of police officers; if not, why not; if so, what are the relevant details? N480E

The MINISTER FOR SAFETY AND SECURITY: Madam Deputy Speaker, we have a total of 7 915 new police officers who have been employed since January. I would just quickly indicate what the numbers are. The Western Cape is receiving 2 270, Eastern Cape 682, Northern Cape 464, Free State 218, North West 191, Gauteng 1 163, Limpopo 227, Mpumalanga 667, KwaZulu-Natal 910 and the protection and security services are going to get 1 133. I have indicated elsewhere where we are going to deploy members of the protection and security services, including 200 that we are going to deploy here in Cape Town to work on the metro rail. Therefore the total is 7 915.

But I do wish to say that not every one of these members has already been deployed because many of them are still undergoing training. This includes 3 501 who have completed their six months basic training, and of course, they have to do six months field training. At the moment there are 4 414 who are currently receiving their six months basic training.

Of course the SA Police Service is on target with the intended increases regarding to this. Therefore of the number of 7 968 allocated since January this year 7 915 enlistments were made. Thank you.

Mr F T MASERUMULE: Madam Deputy Speaker, I want to believe that the numbers are part of the overall strategy to combat and fight crime. I just want to find out from the Minister as to the other measures like for instance the retraining and integration of the commandos into the SAPS in terms of the time and target as to how are we doing?

The MINISTER FOR SAFETY AND SECURITY: Madam Deputy Speaker, well retraining of police officers is a continuous programme. But it is true that we are targeting 2009 for us to complete the phasing out of the commandos and the deployment of the police officers to fill in those positions. That system has already started. There are people that we are already deploying with respect to this.

We are particularly targeting the two borderlines with Namibia and Botswana. As we indicated, we are doing these in phases. But the training is a continuous thing and it responds to the needs of our work at the various levels of what is happening in the country. Thank you.

Adv H C SCHMIDT: Madam Deputy Speaker, the DA acknowledges the Government intent, which of course has been the DA's policy for a number of years to eventually employ 150 000 police officers. However, the DA is concerned that due to the attempt to establish the firearms registration centres in terms of the firearms controller, all the new appointments would be deployed to fulfil the function in terms of the firearms controller.

The DA demands that 150 000 police officers be deployed on the streets, similar to the bobby on the beach system. The question is: How many police officers would be required to fulfil the functions required by the firearms controller, and how many officers would be eventually deployed on the streets as we require.

The MINISTER FOR SAFETY AND SECURITY: Madam Deputy Speaker, unfortunately the member is asking for details that I don't have now because they are not part of the question to start with. But if you ask those questions I would respond to them. But there is something that you the DA people must really get out of. I stood on this podium sometime back and said that when you people were saying you have a new policy, I said to you and I responded to everyone of those things you indicated that you have actually taken what you were saying from the national crime prevention strategy of Government.

I also indicated to you that when you talk about numbers this 150 000 we have said in 2002 in my very first Budget Vote speech, you can check this. I had said by the end of 2006 we would have more than 152 000. But you know what you want, you say that tomorrow we must deploy a 150 000, how do you do that man please?

But let me tell you something. Its easy for you to say these things because you have the luxury of even, but I don't know if this is parliamentary of even being buffooneries when people deal with these things because you are not governing.

We are governing and we are responsible for the consequences of every decision that we take, and we take everyone of those decisions informed by the realities on the ground. You don't care about those things so can say anything because you know you are not going to be under any obligation to implement some of the things that you tuckering about [Applause.] and there is no way in your lifetime in which you are going to govern this country. [Applause.] [Time expired.]

Business interrupted in accordance with Rule 115(3) of the Rules of the National Assembly.

Uitruilooreenkomste met lande waar doodstraf van toepassing is

*23. Dr C P MULDER (VF Plus) vra die Minister vir Justisie en Staatkundige Ontwikkeling:

Of Suid-Afrika 'n spesifieke beleid het ten opsigte van uitruilooreenkomste met lande waar die doodstraf van toepassing is; so ja, wat die beleid is? N483A

(Translation of Afrikaans question follows):

[Exchange agreements with countries where death penalty is applied

*23. Dr C P MULDER (FF Plus) asked the Minister for Justice and Constitutional Development:

Whether South Africa has a policy relating to exchange agreements with countries where the death penalty is applied; if so, what is this policy? N483E]

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

It should be noted that exchange agreements relate to financial agreements. The question, however, seems to refer to extradition agreements. In terms of section 11 of The Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996), everyone has the right to life. There is therefore an obligation on Government to uphold this right to life. There has been a pronouncement on this obligation by the Constitutional Court in the case of *S v Makwanyane and Another* 1995 (6) BCLR 665 (CC).

In the case of *Mohamed and Another v President of the RSA and Others* 2001 (7) 13 CLR 685 (CC) it was decided that there is an obligation on government before extraditing a suspect to a country that has the death penalty to seek an assurance form the receiving State that the death penalty will not be imposed.

In the light of the above the Department of Justice and Constitutional Development has a clear policy when extradition agreements are negotiated with States where the death penalty is still applicable. South Africa will not extradite a person to a State where the death penalty could be imposed unless that State gives assurance that should the death penalty be imposed it will not be executed. The practical implication of this policy is that an accused will instead of the death penalty receive a life sentence or imprisonment for a specified number of years.

Steps to improve capacity of Legal Aid Board

*4. Mr J B SIBANYONI (ANC) asked the Minister for Justice and Constitutional Development:

With reference to research showing that over 60% of the more than one million cases handled by the Legal Aid Board since 1971 were done after 1994, (a) what steps will be taken over the next five years to further improve the capacity of the Legal Aid Board and (b) what are the immediate challenges facing the Board? N416E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

Indeed the Legal Aid Board (LAB) is one of the success stories of government. The organisation has been transformed into a well organised, efficient institution.

There is, however, a need for additional staff posts to ensure that the LAB services every court in the country. The proposal is to create a further 161 professional staff positions to ensure that there is national coverage of all criminal courts. This would only ensure that the constitutional obligation, of providing legal representation where substantial injustice would otherwise result, is provided for. This however excludes many so called minor offences such as theft. Demand for legal representation for such matters is increasing and will impact significantly on our capacity if all minor offences are included.

Immediate challenges:

(1) Increasing client accessibility

Many of our clients live in rural areas and are unable to access our offices easily. It is therefore important that we increase our reach into the rural communities so that more and more disadvantaged communities have access to legal assistance.

(2) Improving the quality of legal services

Whilst great strides have been taken to address quality issues and positive feedback is being received from various sources on the improved quality of our work, the reality exists that our present ratio of supervision of staff is inadequate, especially noting that many of these staff are candidate attorneys who need to be continuously supervised. Work is in progress to reduce the workload of managers and supervisors

to enable them to focus on quality improvements.

Section of Police Act invoked to declare Diepsloot crime scene

*37. Ms M SMUTS (DA) asked the Minister for Safety and Security:

(1) Whether section 13(ii) of the Police Act, 1958 (Act No 7 of 1958), as amended, was invoked by the SA Police Service in Gauteng on or about 7 July 2004 to declare Diepsloot a crime scene; if so, (a) what is the (i) name and (ii) position of the person who made this decision and (b) on what grounds was this decision made;

(2) whether any journalists were turned away from any place in the Diepsloot area as a result of this action; if so, (a) who took the decision in this regrd and (b) why was it considered necessary;

(3) whether any review of the decision to invoke this section of the Police Act has since been undertaken; if not, why not; if so, what were the relevant findings? N498E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a) (i) Advocate C Lombard

(ii) Legal Official at the Area Commissioner: Pretoria, Legal Services

(b) In terms of Section 13 (11) of the SAPS Act, 1995 (Act No 68 of 1995), a crime scene may be cordoned and searched for the purposes of investigating any offence or alleged offence or any adjacent area in order to conduct effective policing in a specific area.

(2) (a) and (b) No journalists were turned away from the area.

(3) No, the decision was found to be reasonable and was necessary under the circumstances to contain the marauding crowd.

Recruitment *re* newly formed Division for Protection & Security Services

*14. Mr F T MASERUMULE (ANC) asked the Minister for Safety and Security:

Whether any recruitment has been done in respect of the newly formed Division for Protection and Security Services to implement the programme plans that fall under this Division; if not, why not; if so, which areas have benefited and/or are still to benefit from this recruitment? N433E

The MINISTER FOR SAFETY AND SECURITY:

Yes, recruitment has been done with regards to railway policing, ports of entry security and airport security.

Criteria established for payment of death benefit to families of SAPS officers

*40. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

Whether any criteria have been established for the payment of the R250 000 death benefit to families of police officers after their death; if not, why not; if so, what are the relevant details? N501E

The MINISTER FOR SAFETY AND SECURITY:

A death grant of R200 000 is payable to dependant(s) of members if the committee established by the National Commissioner is satisfied that the death of the member took place under one of the following circumstances:

— The member was murdered on duty and in the execution of his or her duties;

— the member was off duty or on duty (or placed himself or herself on duty) and died in the execution of his or her duties

where there is a direct link between the performance by the member of his or her duties and the death of the member; or

— The member died in the execution of his or her duties and, in the opinion of the committee, extraordinary circumstances relating to the member's duty warrant the payment of the grant.

Duties in the above regard refer to preventing, combating and investigating crime, maintaining public order, protecting and securing the inhabitants of the Republic and their property and upholding and enforcing the law.

Victims' Charter: benefit to victims of crime

*5. Mr B MAGWANISHE (ANC) asked the Minister for Justice and Constitutional Development:

(1) With reference to the Victims' Charter, how will this benefit victims of crime;

(2) whether it is envisaged that the Criminal Asset Recovery Account of the Asset Forfeiture Unit will be used for victim empowerment; if so, what are the relevant details; if not,

(3) whether it will be used for reparation to victims; if not, what is the position in this regard; if so, what are the relevant details? N417E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(1) Many South Africans do not know or understand the functioning of the criminal justice system and some do not know their rights with regard to services they are entitled to, as a result, they would tolerate any service they receive or non-service.

- The charter is a statement of the rights of victims in the justice system.
- It aims to ensure that the justice system strikes a balance between the rights and dignity of victims and the rights of accused persons.
- It will reduce if not eliminate secondary victimisation of victims in the criminal justice system.
- It will ensure that victims have faith in the criminal justice system and increase victim cooperation and thus increase the conviction rates.
- The finalisation of the charter will be followed by the development of operational frameworks by the relevant departments, in order to ensure compliance with the charter by service providers and to link it to performance contract and the misconduct procedures for those who do not comply.
- The charter incorporates the principles of restorative justice.
- It is in compliance with the spirit of the South African Constitution.
- The charter deals with seven rights which are already provided for in other Acts, for example, Promotion of Access to Information Act, Administrative Justice Act, Promotion of Equality and Prevention of Unfair Discrimination Act, The White Paper on the Transformation of Service Delivery (Batho Pele), and others. The charter serves as a one stop service centre where all these rights are dealt with in one document.
- The charter is a simple, user-friendly document and will be translated into all official languages.

(2) and (3) The Criminal Assets Recovery Committee (CARC) established under section 65 of the Prevention of Organised Crime Act, Act No. 121 of 1998, (as amended) and of which I am the Chairperson, may advise Cabinet and make recommendations to Cabinet in connection with, *inter alia*, the ren-

dering of assistance from the Criminal Assets Recovery Account (Cara) to any institution or organisation established with the object to render assistance in any manner to victims of crime.

SANDF: intention to remove HIV/ Aids-infected soldiers from combat roles

*19. Adv C B JOHNSON (NNP) asked the Minister of Defence:

(1) Whether the SA National Defence Force intends removing HIV/Aids-infected soldiers from combat roles; if so, what are the relevant details; if not,

(2) whether the SANDF will remove them only when they become too ill to function; if not, what is the position in this regard; if so, what are the relevant details? N478E

The MINISTER OF DEFENCE:

(1) The SANDF does not send HIV/Aids-infected members on peace support operations. Before deployment of troops on peacekeeping missions, a comprehensive health assessment is done, including tests for chronic debilitating diseases such as Hepatitis B and HIV. If positive, the member is declared unfit for deployment and referred to the appropriate health care professional for further assessment and management.

If the member is healthy enough, for example in the early stages of being infected with the HIV virus, the member will carry on with normal training and will also partake in in-land deployments.

(2) As the disease progresses the member's health status will be monitored and, when indicated, a medical board will decide on appropriate re-classification of his/her health category with applicable restrictions. The member will then be gainfully employed within those restrictions.

Active promotion/implementation of principles of restorative justice

*47. Mr S N SWART (ACDP) asked the Minister of Correctional Services:

Whether any steps are being taken to actively promote and implement the principles of restorative justice in the programmes of his department; if not, why not; if so, what steps? N508E

The MINISTER OF CORRECTIONAL SERVICES:

The Department of Correctional Services adopted in May 2000 the restorative justice approach as one of its key strategies towards strengthening the rehabilitation of offenders. In November 2001 restorative justice was officially launched by the department. A conference was organised in November 2002 to give effect to the need for greater cooperation between the different JCPS cluster partners and various nongovernmental organisations in the field of restorative justice and to bring together the key-holders and relevant role-players.

In an effort to create common understanding of restorative justice principles, the department has embarked on a number of awareness-raising campaigns in our correctional centres nationally. A manual on restorative justice was developed for the purpose of training correctional officials and offenders. Regional coordinators were nominated to promote restorative justice amongst correctional officials, offenders and other role-players. Annually the department utilises the International Restorative Justice Week to reach out to the community in promoting the principles of forgiveness and reconciliation. Interdenominational church services were held the past two years with the aim of promoting restorative justice principles in the community. These services served as an opportunity for victims and offenders who have successfully been through the mediations process to tell their stories to the community.

A number of nongovernmental organisations (eg Khulisa, Restorative Justice Centre, Nicro) are currently involved in restorative justice initiatives in our correctional centres. Khulisa is running a victim-offender mediation programme with parolees and is involved in finding employment for ex-offenders with various private sector companies. The Restorative Justice Centre is assisting in awareness-raising campaigns, victim-offender mediation and training of offenders in restorative justice.

Forty master trainers were trained by experts from Correctional Services Canada and Queens University in restorative justice. It is expected from them to train other officials as well as new recruits at departmental colleges.

The department is in a process of finalising draft guidelines for victim-offender mediation. These guidelines will empower correctional officials to facilitate requests for mediation between victims and offenders.

With the introduction of the new parole boards victims will be invited to attend parole board hearing of their offenders to make representations. This is in line with the victim empowerment programme where victims of crime or their families will be given a voice and the opportunity to be heard.

The White Paper on Corrections in South Africa outlines the new strategic direction of the department, whereby emphasis is placed on personal, family and community restoration. Restoration encourages offenders to take accountability for the offences they have committed and to express remorse. During the past restructuring process a new component called Correctional Programmes was established which will, *inter alia*, design and develop restorative justice programmes. The department furthermore endeavours to promote corrections as a societal responsibility and to enhance community participation in the rehabilitation of offenders.

Plans to phase out Saturday courts

*1. Mr M J MALAHLELA (ANC) asked the Minister for Justice and Constitutional Development:

Whether her department is planning to phase out Saturday courts; if so, (a) when and (b) what effect will this have on the current criminal case backlogs? N413E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(a) As the hon member, and most of us, would know the intervention of introducing Saturday courts was, and undoubtedly still necessary to deal with the case backlogs, and improve performance of courts and service delivery to our people. These specific interventions were considered as a temporary measure to address the case backlogs. To sustain these courts financially has become a challenge to my department and hence the consideration of phasing them out.

In addition to Saturday courts, additional courts were instituted for the month of March 2001, and due to its success, more additional courts were established over the past three years. Former magistrates and prosecutors were recruited on contract for this purpose. It also became necessary to appoint interpreters, stenographers, intermediaries and in some instances administration clerks on contract to assist in the additional courts.

The initiative required the co-operation of all role-players (ie the SAPS, the Department of Correctional Services and the legal fraternity), since the operation of courts on Saturdays requires the participation of all the usual court officials, including attorneys. They all had to reprioritise their budgets to deal with the additional and Saturday courts.

Because these are temporary measures, departmental funds also needed to be reprioritised every year to implement this.

As a result of several developments the urgent need for additional and Saturday courts has to some extent lessened. Some examples of these developments are indicated in this regard.

— For example, during 2003 we filled 48 district court magistrates vacancies, and nine regional court magistrates vacancies; since January 2004 we appointed 58 district court magistrates in vacancies (with another 40 recommendations for filling of district court magistrate vacancies on its way from the Magistrates Commission). We also created 47 completely new posts for regional court magistrates during 2003 and they have been appointed now in 2004. The National Prosecuting Authority has also appointed a substantive number of additional prosecutors. The additional resources obviously have made a positive impact on the need that previously existed for additional and Saturday courts.

— Court hours and court performance has improved steadily the past few years.

— Case flow management has been introduced at courts and the judiciary is playing a greater role in actual court management.

(b) It should also be borne in mind that there are only approximately 36 Saturday courts sitting monthly countrywide. And although these 36 courts do have an important positive impact on dealing with case backlogs, there are 747 normal court centres sitting daily to deal with the adjudication of cases. The impact relating to the closing of the Saturday courts can thus be absorbed by the other courts.

Appointment of replacement for National Director of Public Prosecutions

*32. Mrs S M CAMERER (DA) asked the Minister for Justice and Constitutional Development:

(1) What steps or procedures will be taken to appoint a replacement for the current National Director of Public Prosecutions;

(2) whether any criteria have been established in terms of which any new candidate may be identified or assessed; if not, why not; if so, what criteria? N493E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(1) The hon member is well aware thereof that in terms of the Constitution and the National Prosecuting Authority Act, 1998 (Act No 32 of 1998), the appointment of the National Director of Public Prosecutions is the sole prerogative of the President of the Republic.

(2) The hon member's attention is drawn to section 9 of the National Prosecuting Act, 1998, that provides as follows:

(1) Any person to be appointed as National Director, Deputy National Director Authority or Director must —

(i) possess legal qualifications that would entitle him or her to practice in all courts in the *Republic*; and

(ii) be a fit and proper person, with due regard to his or her experience, conscientiousness and integrity, to be entrusted with the responsibilities of the office concerned.

(2) Any person to be appointed as *National Director* must be a South African citizen.

Regulations of Act No 60 of 2000: anticipated decrease in illegal firearms/ incompetent firearm owners

*15. Ms A M MAZIYA (ANC) asked the Minister for Safety and Security:

Whether, with reference to the Firearms Control Act, 2000 (Act No 60 of 2000), and its regulations which came into effect on 1 July 2004, it is anticipated that there will be a substantial decrease in illegal firearms and incompetent firearm owners; if so, what are the relevant details? N434E

The MINISTER FOR SAFETY AND SECURITY:

The provisions contained in the Firearms Control Act, 2000 (Act No 60 of 2000), are aimed at the reduction and eradication of illegal firearms in South Africa. It is anticipated that there will be a substantial decrease in the availability of illegal firearms in South Africa based on the recovery and confiscation of firearms by the SA Police Service.

During the previous six months the SAPS has confiscated/recovered 16 413 firearms. A total of 9 592 of these are firearms that have been reported as lost or stolen over the same period. This is a clear indication that more illegal firearms are recovered or confiscated.

The firearms control legislation furthermore provides for competency certifications which addresses the fitness of a firearm owner in terms of his/her physical ability in the handling of a firearm and knowledge of the firearms control legislation. This will ensure that only fit and proper persons will be able to possess licenced firearms in South Africa.

Elimination of attacks on vehicles on N2 between Cape Town/Somerset West

*35. Mr S F HAASBROEK (DA) asked the Minister for Safety and Security:

(1) Whether it is the intention of the SA Police Service to eliminate attacks on vehicles using the N2 highway between Cape Town and Somerset West; if not, (a) why not and (b) what level of such crime is considered unpreventable; if so, when is it anticipated that this will be achieved;

(2) whether he has held any talks with his provincial counterpart regarding further measures to provide safety and security to users of this stretch of road; if not, why not; if so, (a) what joint action is planned to identify the perpetrators of these crimes and (b) by what date is it anticipated that this action will be effective;

(3) how many attacks on vehicles or drivers of stationary vehicles on this stretch of road have been reported in 2004? N496E

The MINISTER FOR SAFETY AND SECURITY:

(1) Yes.

(a) Not applicable.

(b) The approach adopted to combat crimes on the N2 is aimed at preventing the majority of crimes.

(2) (a) and (b) The MEC for community safety in the Western Cape is actively involved in addressing this scourge. A special project was put in place driven by an integrated management team to co-ordinate all policing matters on the N2. These role-players include SAPS, provincial traffic, Cape Town traffic, law enforcement, department of community safety, city police, SA National Roads Agency, Element Consulting Engineers and the department of agriculture. These integrated actions have been successful with no serious incidents reported during July 2004.

(3) Crime statistics for the period requested will be released during September 2004.

Initiatives to assist in recovery of unpaid maintenance money

*2. Ms N M MAHLAWE (ANC) asked the Minister for Justice and Constitutional Development:

(a) What was the amount of unpaid maintenance monies in the 2003-04 financial year and (b) what initiatives are planned by her department to assist in the recovery of unpaid maintenance money?
N414E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(a) The requested information is not readily available since not all our magistrates offices are automated yet. We are at the moment, as part of our monies held in trust project, busy attending to this shortcoming. The department is, however, determined to improve women's and children's access to maintenance, thereby making access to justice a reality.

(b) Various initiatives are being planned and implemented by the department in order to assist in the recovery of unpaid maintenance monies.

- Consistent with the aims of National Treasury, the department is in a process of developing a public private partnership (PPP) project in collaboration with the National Treasury PPP Unit, whereby private sector skills and systems infrastructure is being assessed to leverage the gap between the current state and the required levels of service and accountability as it relates to these monies held in trust — which includes maintenance monies. It is currently proposed that the private sector build, operate and transfer (over a ten year period) the skills and infrastructure required to close the gap that currently exists in financial transaction processing in the department. The proposed extension of the Transactional Footprint across banks, retailers and the post office for both banked and unbanked beneficiaries will provide considerable benefits notably in respect of flexibility, convenience and safety. A national call-centre will further enhance service delivery by eliminating the need for physical visits to the courts and wasted phone calls by maintenance beneficiaries. A centralised data warehouse is proposed to facilitate the ready production of exception reporting highlighting (per court) the nonperformance of maintenance orders. It is envisaged that this project will be implemented in the next financial year, 2005-06.

The proposed solution will result in traditional resources becoming more readily available to capacitate the Maintenance Investigation Unit and as a result, an improvement in performance of the provision maintenance nationally.

- The department's Court Services Business Unit has further appointed maintenance investigators in the hot spot areas for maintenance in all nine provinces in order to assist in the recovery of unpaid maintenance money. Currently there are 72 maintenance investigators.

- The department has prioritised funding during this financial year 2004–05 for the appointment of additional 140 maintenance investigators, 100 maintenance clerks and 70 prosecutors, to address the influx of maintenance enquiries as well as the backlogs being experienced at present.

- Maintenance investigators are assigned amongst other duties to investigate the following:

- Assisting maintenance prosecutors and maintenance officers with investigating maintenance complaints;
- Tracing of persons liable to pay maintenance;
- Tracing of maintenance defaulters;
- Gathering and securing of information relating to maintenance enquiries and maintenance defaulters, including the gathering of the necessary financial information;
- Taking statements under oath; and
- Testifying in court.
- The department has further trained maintenance investigators, clerks and prosecutors in tracing capabilities as well as general sensitising maintenance court personnel on the need to prioritise such cases.

The department has prioritised as a key strategic area, the issue of dealing with maintenance in an improved manner. The very successful service delivery improvement initiative that was developed at 15 Market Street Maintenance Courts in Johannesburg (which has led to a drastic improvement in maintenance matters) is being rolled out to various other court centres in the country.

Bepalings/vereistes vir bevoegdheidsertifikaat ooreenkomstig SAPD eenheidstandaard vir gebruik van handwapen

*12. Mnr P J GROENEWALD (VF Plus) vra die Minister vir Veiligheid en Sekuriteit:

Wat ingevolge die nuwe regulasies van die Wet op die Beheer van Vuurwapens, 2000 (Wet No 60 van 2000), die bepalings en vereistes vir 'n bevoegdheidsertifikaat is ooreenkomstig die SA Polisiediens se eenheidstandaard vir die gebruik van 'n handwapen? N427A

(Translation of Afrikaans question follows):

Regulations/requirements for competency certificate in accordance with SAPS unit standard for use of handgun

*12. Mr P J GROENEWALD (FF Plus) asked the Minister for Safety and Security:

What, in terms of the new regulations of the Firearms Control Act, 2000 (Act No 60 of 2000), are the stipulations and requirements for a competency certificate in accordance with the SA Police Service's unit standard for the use of a handgun? N427E]

The MINISTER FOR SAFETY AND SECURITY:

To obtain a competency certificate, an applicant must obtain a proficiency training certificate from an accredited training provider in the use of firearms. The training provided is in accordance with the minimum unit standards as approved by the South African Qualifications Authority.

The unit standards for the use of a handgun provide for the following four specific outcomes:

— Apply knowledge and understanding of the relevant legislation required for the lawful possession and use of a handgun;

— Handle handguns safely;

— Operate, use and maintain handguns; and

— Fire a handgun competently.

*7. Ms F HAJAIG (ANC) — Foreign Affairs. [Question standing over.]

Number of escapes from police custody

*41. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

How many escapes from police custody occurred (a) in 2003 and (b) during the period 1 January 2004 up to the latest specified date for which information is available? N502E

The MINISTER FOR SAFETY AND SECURITY:

Crime statistics have only been released for the period up to 31 March 2003.

(a) 427 Escape incidents for the period 1 January 2003 until 31 March 2003.

(b) Not applicable.

*8. Mr O BAPELA (ANC) — Foreign Affairs. [Question standing over.]

*26. Mr W J SEREMANE (DA) — Foreign Affairs. [Question standing over.]

*9. Ms M H MPAKA (ANC) — Foreign Affairs. [Question standing over.]

Steps taken to address suicide by employees of department

*46. Mr S N SWART (ACDP) asked the Minister of Correctional Services:

Whether any steps are being taken to address suicide by employees of his department, particularly in view of the recent suicides of two employees at the Johannesburg prison; if not, why not; if so, what steps? N507E

The MINISTER OF CORRECTIONAL SERVICES:

35 employee assistant practitioners (EAP) have been employed in the department to assist employees with problems. There is presently a critical shortage of employee assistant practitioners in the DCS and their turnover rate is very high due to higher salaries offered elsewhere.

815 hours of training took place in 2003 and 3 281 employees were trained. Included in this training was training on suicide prevention. On a national level 26 sessions were held on suicides.

A training manual has been developed specifically for the department and has been used by all practitioners. It has also been placed on the intranet for access by employees.

As the department is negotiating the migration to a seven day week in place of the current five-day week, it is hoped that new conditions of employment will impact positively on the being of members. Furthermore a technical team is also looking in other conditions of employment that are impacting negatively on members of the department. Among these are long working hours, the malfunctioning medical aid in the department and bringing salary adjustments that will be in par with our counter parts in the Department of Safety and Security.

*10. Ms K R MAGAU (ANC) — Foreign Affairs. [Removed]

Establishment of Correctional Supervision and Parole Boards

*33. Mr J SELFE (DA) asked the Minister of Correctional Services:

(1) Whether the Correctional Supervision and Parole Boards contemplated in the Correctional Services Act, 1998 (Act No 111 of 1998), have been established; if not, (a) why not and (b) when is it anticipated that they will be established; if so, in what centres have they been established;

(2) in terms of which legislation are applications for parole currently considered;

(3) whether the departmental policy is currently applied in such applications drawn up in terms of this legislation? N494E

The MINISTER OF CORRECTIONAL SERVICES:

(1) No, the Correctional Supervision and Parole Boards as contemplated in the new Correctional Services Act, 1998 (Act No 111 of 1998), have not been established yet.

(a) The Act will only be promulgated on 1 October 2004.

(b) It is envisaged that these boards will then be established after 1 October 2004.

(2) Currently parole applications are considered in terms of the Correctional Services Act, 1959 (Act No 8 of 1959).

(3) Yes. Here we refer to our departmental B-orders, delegations, Regulations and other directives related to Act No 8 of 1959.

*11. Mrs M M MAUNYE (ANC) — Foreign Affairs. [Question standing over.]

Probe into sexual abuses by UN peacekeeping force members in DRC

*28. Moulana M R SAYEDALI-SHAH (DA) asked the Minister of Defence:

(1) Whether he or the SA National Defence Force has received any report from the United Nations regarding a probe into alleged sexual abuses by members of the UN peacekeeping force in the Democratic Republic of Congo; if so, (a) on what date and (b) what action did he take as a result;

(2) whether the SANDF has investigated allegations that South African troops are implicated in these abuses; if not, why not; if so, (a) who conducted the investigation and (b) what were the findings;

(3) whether any action has been taken against any SANDF members in relation to this matter; if not, why not; if so, what are the relevant details? N489E

The MINISTER OF DEFENCE:

The SA National Defence Force has not received a report from the United Nations regarding the probe into alleged sexual abuses. During a visit to the United Nations headquarters by a team from the South African Department of Defence over the period 2-6 August 2004, the team was informed that following the allegations the United Nations dispatched a team from the Office of Oversight and International Affairs to the Ituri province of the Democratic Republic of Congo to conduct an investigation and report back. On completion of the investigation troop contributing nations implicated will be advised.

Rooivalk helicopter: department's marketing strategy

*17. Mr S B NTULI (ANC) asked the Minister of Defence:

In view of the allocation of a substantial amount towards the further development of the Rooivalk helicopter, (a) what is his department's marketing strategy in respect of this helicopter and (b) how many jobs are to be created? N440E

The MINISTER OF DEFENCE:

(a) The marketing of weapons and weapons systems lies with Defence Industry split into two groups: firstly with Denel Aviation which falls under the Department of Public Enterprises and secondly with private defence industries which fall under the Department of Trade and Industry.

(b) The Rooivalk helicopter was designed and built by Denel Aviation, supported by many local and international defence-related industries as subcontractors supplying equipment and components. Many jobs were created over a span of 17 years resulting from the various subsystems. These include: health monitoring system; communication systems and missile systems. It is primarily these jobs that have been saved as a result of the allocation of funds to the programme, as the funds are to be utilised for ongoing work on existing approved requirements.

*27. Mr W J SEREMANE (DA) — Foreign Affairs. [Question standing over.]

Conclusion of investigation *re* arrest/ detention of Simon's Town resident

*34. Mr J SELFE (DA) asked the Minister of Defence:

(1) Whether, with reference to his reply to Question No 129 on 30 June 2004, the investigation referred to in his reply pertaining to the arrest or detention of a certain resident of Simon's Town has been concluded; if not, (a) why not, (b) who is in charge of this investigation and (c) when is it anticipated that the investigation will be concluded; if so,

(2) whether the military police arrested or detained the said person (name furnished) in May 2004; if so, (a) in terms of what statutory provision and (b) who ordered the arrest or detention;

(3) whether any member of the military police held any discussions with a Rear Admiral (name furnished) about the arrested or detained person prior to or after the arrest or detention of this person; if so, what were the views expressed by the Rear Admiral with regard to this person or matter;

(4) whether any abuse of power by the Rear Admiral is being investigated; if not, what is the position in this regard; if so, what are the relevant details? N495E

The MINISTER OF DEFENCE:

The case docket was send from Simon's Town magistrate's court to the office of the Director of Public Prosecutions in Pretoria. A reply in this regard is expected from the said office on 18 August 2004. The case is therefore still *sub judice* and the SANDF is unable to respond at this stage.

*25. Mr D H M GIBSON (DA) — Foreign Affairs. [Question standing over.]

Exit framework strategy for unsuitable SANDF members

*42. Adv H C SCHMIDT (DA) asked the Minister of Defence:

Whether, in light of the passing of the Special Pensions Second Amendment Act, 2003 (Act No 30 of 2003), the exit framework strategy for unsuitable SA National Defence Force members will be put into operation; if not, what action will be taken in this regard; if so, (a) when will it be implemented and (b) what criteria will be used to determine which members are unsuitable? N503E

The MINISTER OF DEFENCE:

Yes.

(a) An exit mechanism for the SANDF members has been developed and is currently being negotiated with the military trade unions. Both former Statutory Force members and the Nonstatutory Force members will be considered regarding their potential utilisation of an exit mechanism. It is envisaged that the implementation process will commerce once this phase has been completed.

(b) The process to identify members who would exit the SANDF under the exit mechanism rests on sound succession planning and will be guided by the following considerations:

- Is the functional group(s)/mustering(s) constrained by critical shortages?

- What is the status of training and education in the functional groups/ mustering(s) concerned and what is the relevant learner throughput?

- Will such succession planning ensure the maintenance of operational, administrative, training, logistical, technical upkeep, planning ceremonial/disciplinary expertise within the

particular structure of the DoD/ SANDF?

- Does the planning contribute towards demographic equality at all rank levels in the DoD/SAND? For planning purposes the following distributions in the HR composition will continue to be applied:

i.	African	64,68%
ii.	White	24,35%
iii.	Coloured	10,22%
iv.	Asian	0,75%

Reduction in SANDF's Reserve Force budget: impact on training courses/ exercises

*43. Adv H C SCHMIDT (DA) asked the Minister of Defence:

(1) Whether the recent reduction in the budget of the SA National Defence Force's Reserve Force will have any impact on the training courses and exercises for Reserve Force units; if so,

(2) whether any training courses and/or exercises will be (a) cancelled or (b) scaled down; if so, what are the relevant details? N504E

The MINISTER OF DEFENCE:

(1) Yes. However, there has been no overall cut in the allocation budget of Reserve Units for the 2004-05 financial year, the Infantry Formation of the SA Army instituted a 7,84% cut in the operating budget of the Infantry Reserve Units, both conventional and territorial, as part of a reprioritising and adjustment of the in-year budget.

Because it does not affect the manday allocation, there will be very little impact on the attendance of courses.

(2) Yes. A reduction in the number of Joint Regular and Reserve Force courses has been made, but Reserve Force members selected for attendance of training will be accommodated on other similar courses. It is projected that training targets will be met despite the reduction in the operating budget. No exercises were cancelled because none were scheduled for the year.

Questions transferred for oral reply in accordance with Rule 117:

■1. Ms C-S BOTHA (DA) — Foreign Affairs. [Written Question No 33] [Removed]

■2. Mr D H M GIBSON (DA) — Foreign Affairs. [Written Question No 41] [Removed]

■3. Mr D H M GIBSON (DA) — Foreign Affairs. [Written Question No 42] [Removed]

Afskaffing van notulering van hofstukke in Afrikaans

■4. Adv A H GAUM (Nuwe NP) vra die Minister vir Justisie en Staatkundige Ontwikkeling: [Skriftelike Vraag Nr 106]

Of die Departement van Justisie beplan om die notulering van hofstukke in Afrikaans af te skaf; so ja, (a) waarom, en (b) wat die verdere tersaaklike besonderhede is? N138A

(English translation follows):

[Plans to discontinue minuting of court documents in Afrikaans

■4. Adv A H GAUM (NNP) asked the Minister for Justice and Constitutional Development: [Written Question No 106]

Whether the Department of Justice is planning to discontinue the minuting of court documents in Afrikaans; if so, (a) why and (b) what are the further relevant details? N138E]

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

It is important to note that in this regard there are two main issues that should be distinguished and dealt with separately, namely —

(a) the rights of all persons to use the language of their choice in court; and

(b) to determine an appropriate language of record, ie the language in which the court proceedings should be recorded, for use by Courts of Higher instance, when dealing with an appeal or review.

With regard to the former, every person (accused, witness, prosecutor and legal representative) is entitled to use the language of his/her choice in court and in the process, make use of the interpretation services provided in our courts. To deprive a person of the right to use his/her own language in court would be unconstitutional. At no stage has Government suggested that this state of affairs must change. This issue is nonnegotiable and we have never and will never infringe on the rights of persons to use the language of their choice in court.

The more difficult issue is to find some kind of consensus on what appears to be a more practical issue, namely the language in which the court proceedings should be recorded for appeal or review purposes.

Therefore, the department is considering a policy initiative in this regard and consultations with the Department of Arts and Culture, PanSALB, the Commission on the Promotion of Rights of Linguistic, Religious and Cultural Communities, the South African Human Rights Commission and other relevant role-players are being scheduled before finalising the departmental policy. It is our intention to complete the consultation process by the end of September this year, whereafter the policy formulation process could be finalised by November 2004.

■5. Mr J SELFE (DA) — Safety and Security. [Written Question No 186] [Removed]

■6. Mr R JANKIELSOHN (DA) — Safety and Security. [Written Question No 187] [Removed]

Signing/ratification of ICSID, 1965

■7. Mr D H M GIBSON (DA) asked the Minister for Justice and Constitutional Development: [Written Question No 222]

(1) Whether, in light of the fact that 139 countries, including Zimbabwe, have already signed and ratified the International Convention on the Settlement of Investment Disputes between states and nationals of other states (ICSID 1965), the Government intends signing this convention; if not, why not; if so, (a) when will it be signed and (b) what is the reason for the delay to date;

(2) whether the Government intends using the ICSID to refer to international arbitration land disputes between South African citizens and the Zimbabwean government to obtain prompt and full compensation; if not, why not; if so, what are the relevant details? N256E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

The hon member will be provided with a response as soon as deliberations on the matter have been concluded.

■8. Mr R JANKIELSOHN (DA) — Safety and Security. [Written Question No 233] [Removed]

■9. Mr K J MINNIE (DA) — Safety and Security. [Written Question No 234] [Removed]

International/national journeys undertaken with presidential jet

■10. Mr G R MORGAN (DA) asked the Minister of Defence: [Written Question No 238]

(a) How many (i) international and (ii) national journeys have been undertaken

with the presidential jet since 1 July 2003, (b) what was the (i) departure and (ii) arrival location in each case, (c) what was the reason for each journey, (d) who were the passengers on each journey, (e)(i) what was the cost to the taxpayer of each journey and (ii) how was this cost made up, (f) what was the distance travelled on each journey and (g) what total mileage had this aircraft done as at the latest specified date for which information is available? N273E

The MINISTER OF DEFENCE (*Reply bound in Annexures of House — see QM10/2004.*)

QUESTIONS

For oral reply:

Questions to the Deputy President

*1. Mr D J SITHOLE (ANC) — Deputy President. [Col 441]

*2. The LEADER OF THE OPPOSITION (DA) — Deputy President. [Col 451]

*3. Mr A M MPONTSHANE (IFP) — Deputy President. [Col 458]

*4. Mr B A D MARTINS (ANC) — Deputy President. [Col 468]

DEPUTY PRESIDENT

Instruments to ensure viable post-election political environment in Burundi

*1. Mr D J SITHOLE (ANC) asked the Deputy President:

(1) With reference to the recent negotiations on peace in Burundi, (a) what are the prospects of the elections in that country being held by the end of October 2004 as stipulated in the Arusha Agreement and Pretoria Agreement and (b) what instruments are envisaged to ensure a viable post-election political environment in Burundi;

(2) whether South Africa's participation in Burundi has enhanced our standing as a peacemaker on the Continent; if so, what are the relevant details? N520E

The DEPUTY PRESIDENT: Thank you, Madam Speaker.

(1) (a) I am still optimistic that elections in Burundi can be held by the end of October 2004. On 6 August 2004 about 20 political parties including the Transitional government of Burundi concluded a Power Sharing Agreement in Pretoria. During that process they also committed themselves to holding the elections in terms of the stipulations of the Arusha Peace and Reconciliation Agreement of 28 August 2000, which put the date for the elections at the end of October 2004. This agreement was endorsed by the Summit of the Great Lakes Regional Peace initiative on Burundi which met in Tanzania yesterday. The Summit also called on the Transitional Government of Burundi to ensure that the Independent Electoral Commission is in place by 29 August.

The newly formed Electoral Commission, is the only body that will be in a position to assess the practicalities of holding the elections and advise whether any changes need to be made. We are guided by the Arusha Agreement which sets the transitional period at three years. We also need to ensure that all that we do contributes to the attainment of peace and stability in Burundi.

(b) The instruments envisaged to ensuring a viable post-election environment would be enshrined in the post-transition constitution in terms of the principles stipulated in the Arusha Agreement and other legal principles as may be agreed by the Barundians themselves as they deem necessary. Among other things the Constitution will include:

— a Charter of the Basic Rights and Duties of the Individual and Citizen

— the opening up of all political parties to all Barundi

— that the candidates' lists presented by political parties should reflect an inclusive multi-ethnic character

— that the Senate will be constituted on a 50/50 basis

(2) I believe that South Africa has made a significant contribution to peace in Burundi through its protection of the Burundi returning exiles; its participation in the African Union Mission in Burundi as a key force and its role in facilitating negotiations between the various parties.

Mr D J SITHOLE: Thank you, Madam Speaker.

Sekela Mongameli, kunento exakayo laekhaya evelayo kulezi zinsuku yokuthi kuwo wonke umsebenzi esiwenzayo e-Afrika, abantu baseNingizimu Afrika, ikakhulukazi abezindaba, sebenomkhuba wokuthi wonke umsebenzi esiwenzayo e-Afrika basho ukuthi uzobiza iNingizimu Afrika amarandi amangaka. Ngokubona kwakho ngalo msebenzi esiwenza eBurundi, uthi kubalulekile yini ukuthi ngaso sonke isikhathi uma sakha uxolo eBurundi noma e-Afrika yonke, kube nalo mbuzo othi luzosibiza malini lolo xolo nokuthi kufanele iNingizimu Afrika ikhiphe malini. Uma ubheka umsebenzi i-Afrika ewenzile ukuze nathi sikwazi ukukhululeka, izimpilo zabantu abasinikelela ngazo ukuze iNingizimu Afrika ikwazi ukukhululeka, kubalulekile ukuthi thina ngaso sonke isikhathi sifake ingxenye ethi kuzoba malini uma senza lo msebenzi. Uma silokhu sibuza njalo ukuthi kuzoba malini ukwenza lo msebenzi, sengathi kuzosiphazamisa, njengoba sengathi sekuyinto eyenzeka kaningi kulezi zinsuku lezi.

(English translation follows):

[Mr D J SITHOLE: Deputy President, there is a disturbing habit which is prevalent locally perpetuated by the media for always saying how much South Africa is going to spend in rands for every operation we undertake in Africa. The operation that is taking place in Burundi, according to you, is it important to always ask as to how much that will cost us in bringing peace in Burundi or in Africa as a whole. When you look at the role that Africa played in bringing democracy in our country, the sacrifice they made in freeing South Africa, why is it necessary for us to always ask as to how much will it cost us. It is going to disturb us to always ask the cost thereof as it seem prevalent these days.]

The DEPUTY PRESIDENT: Thank you Madam Speaker.

Ngizokwitiza baba ngoba bathi laba abahumushayo bebe ngekho, ngakho abahumushanga ukuze iNdlu izwe. Ukuba bebekhona, bengizoshaya ngoMageba. [Uhleko.] [Ubuwelewele.]

Lungu leNdlu elihloniphekile, ngiyawuzwa umbuzo wakho maqondana nokuthi kulo msebenzi esiwenzayo ezwekazini lase-Afrika kuyohamba kanjani na uma kubuzwa imibuzo yokuthi izosibiza malini le nto. Kuyadabukisa ukuthi abantu namhlanje izimpilo sebezibuka ngokuthi into oyenzayo ibiza malini, bangayibuki ngesintu, bangayibuki ngezindlela zezombusazwe okuyizona ezikwazi ukuxazulula nokuhlaziya izinto ngoba abasho njalo kusho ukuthi abawazi umlando wethu, abazi nokuthi siyingxenye yezwekazi lase-Afrika. Bathatha ngokuthi leli lizwe lakithi lasemzansi liyizwe elehlukile ezinkingeni zase-Afrika.

I-Afrika uma uthatha ukuyibuka, uzothola ukuthi yahlukunyezwa ngokufanayo yonke. Alikho izwe elasala ngaphandle. Kusukela ngenkathi kudayiswa abantu benziwa izinto zokudayiswa njengezigqila nangenkathi futhi kuthathwa amazwe ngendluzula, kusikwa imingcele, siyingxenye yalokho thina. Sahlupheka kanyekanye-ke nangenkathi silwela inkululeko sasekana sonke asebekhululekile nabangakakhululekile, futhi abantu balahlekelwa ngabantu

abalahlekelwalanga nje yizimali kuphela emazweni abo. Balahlekelwa ngabantu ngoba phela babehlaselwa kufe abantu bengcwaba futhi besigcinile, besivikela. Ukwakhiwa kwenhlangano yokubumbana kwamazwe ase-Afrika, enye yezinto eyayibhekene nazo ngqo kwakungukuthi ayibumbane i-Afrika ihlangane isize amazwe angakakhululeki ukuthi akhululeke. Ikwenzakonke lokho nje ngoba iphokophelele ekutheni i-Afrika ikhululeke yonke bese ikwazi ukuzenzela izinto zayo.

Thina-ke njengezwe elaba elokugcina ukukhululeka, sathola lukhulu emazweni ase-Afrika ngokusisekela emzabalazweni wethu. Kungaba yiphutha-ke ukuthi sithi uma sesikhululekile sikhohlwe yilokho, ngaphandle phela uma kukhona abangakwaziyo lokho noma kukhona ababekucasukela lokho. Thina esaziyo ukuthi satholani, sahlomulani ngokubumbana kwezwe lase-Afrika, ngeke sikukhohlwe lokho. Uma sesikhululekile kubalulekile ukuthi sibe neqhaza esilibambayo ekulungiseni izwe lase-Afrika eladungwa abantu ababeqhamuka ngaphandle kwase-Afrika. Kufanele sibambe iqhaza ukubuyisa ukuthula nokuba kube khona ukuthuthuka kwezwe lase-Afrika. Uma singakwenzi lokho . . .

USOMLOMO: Ngicela usale usuqedela baba. [Will you please conclude, sir.]

USEKELA MONGAMELI: Uma singakwenzi lokho, kungabe sizifaka enkingeni ngoba izinkinga zase-Afrika zezimpi zombango ziholela ekutheni ababaleki babalekele eNingizimu Afrika ngoba kunokuthula lapha. Indlala e-Afrika iholela ekuthini abantu babaleke bazofuna imisebenzi la. Sinezinhlobo ezimbili zabantu abeza lapha e-Afrika ngokuhlupheka. Uma sebegcwele lapha beyinqwaba, sebethatha le mali obekukhalwa ngayo, ngoba kusho ukuthi isabelozimali sethu sokubheka abantu balapha asisabheki abantu bakithi kuphela, sesibheka nalaba abafikile. Kusho ukuthi uma singaziqedi izinkinga e-Afrika siyoqhubeka sihlezi nalolo lusizi, sikhipha leyo mali singayiboni mhlawumbe nokuthi siyayikhipha, sondla lezo zintandane ngoba imithetho kazwelonke ithi asizondle, sibavikele.

Uma siya e-Afrika siyoqeda izimpi sikhuthaza nokuthi kube khona izinhlelo zentuthuko, ngamanye amazwi siqaqa leyo nkinga emthonjeni wayo ukuze izwekazi lase-Afrika likhululeke, lithuthuke.

USEKELA SOMLOMO: Siyabonga, baba. [Ihlombe.]

[Thank you, sir. [Applause.]]

(Translation of isiZulu paragraphs follows):

[I will speak in a foreign language because they say interpreters are not here, therefore they did not interpret so that the House would understand. If they were available I was going to speak isiZulu. [Laughter.] [Noise.]

Hon member, I understand your question regarding the work we are doing in the Continent of Africa as to how it will go if asked questions about how much will it cost us to do it. It is saddening that people today value life and to how much will it cost you, not looking at it generally, not politically which are the ways of solving and analysing things because those who say so means that they do not know our history, they do not even know that we are part of Africa. They think that our country of South Africa is the different country from Africa's problems.

If you look at Africa, you will find that it was all harassed in a same way. There was no country left outside. As from the time of slave trade where people were commodities for slave sale and by the time of land forced removal, demarcations, we are part of that. We all suffered by the time struggling for democracy, we were helping each other those who are freed and those who were not free, and people lost their relatives not the money only in their countries. They lost their relatives because they were attacked, people died and buried and they were protecting us.

The formulation of alliance party of Africa's countries is one of the things that it was facing; it was for Africa to come together and help countries that were not free to be free. That was done to ensure that Africa was free and would be able to do its own things.

We as the country which was last to be freed, we gained a lot from African countries on the continent by assisting us in our struggle. It can be a mistake for us that once we are freed we forget about it or there are those annoyed about that. We know what we gained, we gained the unity of African countries, and we will never forget that. Once we are freed it is important that we play a role in restructuring African continent, which was torn down by people who were coming from outside of Africa. We must take part in bringing peace back and improvement in Africa. If we do not do that, . . .

The SPEAKER: Will you please conclude, sir.

The DEPUTY PRESIDENT: If we do not do that, we will be putting our selves into trouble because Africa's problems of faction fights lead people to come to South Africa because there is peace here. Hunger in Africa leads people to leave and come here to look for the jobs. We now have two kinds of people who come to Africa because of poverty. If they are crowded here, taking the money which is not enough for South Africans, it means that our budget to cater after our people does not help our people only, but it must also cater for those people who came from outside. It means if we do not stop problems in Africa we will carry on living with that misery, giving out that budget not realising what we achieve with it, feeding those orphans because the national legislations says we must feed and protect them.

If we go to Africa to stop the fights we also encourage that there must be developmental programmes, in other words we are addressing the main problem so that the continent of Africa will be free and progress.]

Adv A H GAUM: Madam Speaker, I would like to know from the Deputy President whether, in light of the fact that he has been mandated as the facilitator of the peace process, plans have been put in place to establish mechanisms to prevent violence and carnage in the troubled hot spots of Burundi prior to and after the elections especially after the recent massacre of 159 people at a UN refugee camp.

The DEPUTY PRESIDENT: Madam Speaker, I did not properly get the nub of the first part of the question. Could the hon member help me in that respect?

Adv A H GAUM: The question is, in essence, whether he is aware of plans that have been put in place to establish mechanisms to prevent violence and carnage in view of the massacre of 159 people at a UN refugee camp.

The DEPUTY PRESIDENT: I am with you, hon member. Thank you very much.

Firstly, it is important to indicate just what happened, because this massacre affected the Congolese basically. The Tutsi refugees that were massacred are refugees that ran away from the Eastern part of the Congo as a result of the recent upheavals in that area. They then crossed into Burundi. This place is at the end of Lake Tanganyika. The boundary is just a bridge and they are about two or three kilometres away from the border.

The people who attacked them, in terms of the information available, crossed from the Congo side to Burundi together with Palipehutu-FNL which is the only armed movement that is not part of the process in Burundi and it is that movement that claimed the responsibility. There is an investigation under way to establish all the facts. In other words, it is not a conflict in Burundi, but rather a spill over of the problems of the Eastern Congo to the refugees. There are people who are Tutsis who are called Banyamulenge. This was aimed at them. In fact, it is said that other refugee camps

separated by less than a hundred yards were not attacked and were actually protected. So it was aimed at specific people.

I do not think that we can say, for this particular massacre, there has been any plan put in place that I am aware of. I am sure that between the two countries they will be discussing how to handle the border situation as well as how to handle the refugee camps in terms of the protection. As you know there is a United Nations mission in Burundi within the borders, which I believe, will be discussing how to prevent such a happening occurring again in the future.

Certainly, it is the view of everybody that this is a bad happening in the context of the Great Lakes problems.

As you know, the problems there are interconnected in a way, so it is important to move very quickly to deal with the matter. And I think that people are discussing this to find ways and means of working out clear mechanisms.

Ms C DUDLEY: Hon Deputy President, the ACDP recognises the important role of peacekeepers on the continent, but our question is: How serious is government taking the issue of ensuring that our peacekeepers are healthy and fit enough to perform their duty effectively, in light of statistics showing that 23% of soldiers are HIV-positive and that hearing loss and obesity pose an even more serious threat to the combat readiness of the SANDF?

The DEPUTY PRESIDENT: Madam Speaker, the government ensures that our men and women in uniform, who are in different countries playing the role of peacekeepers and peacemakers, are indeed taken care of in every respect. I have seen a number of them — some under the UN mission in the DRC and the ones in Burundi that I saw many times when we were still under, firstly the South African mission and then the AU mission. Now, they are under the UN. Measures are taken to deal with everything that is necessary to ensure that they are fit and that they are protected.

The CHIEF WHIP OF THE MAJORITY PARTY: Madam Speaker, on a point of order: We are discussing a very important matter, and the Leader of the Opposition is reading a newspaper. Is it parliamentary?

The LEADER OF THE OPPOSITION: Should I say that it is a completely spurious point of order, and that gentleman should know better. I am preparing myself for the follow-up on the next question. [Interjections.] If preparation for parliamentary questions is not allowed in Parliament by virtue of what the ANC Whip says, then perhaps we do not have a Parliament.

The SPEAKER: Hon member, let us allow the hon member to prepare for his follow-up question. Hon Seremane?

Mr W J SEREMANE: Thank you, Madam Speaker, and thank you for your responses so far, Deputy President. But there is yet another dimension to this subject. The question would be whether, in the light of the recent massacre at Katumba, South Africa would lobby the United Nations to expand the mandate of its operations in Burundi from a Chapter 6 to a Chapter 7 mandate under the United Nations. If not, why not? If so, what action will it take in this regard?

The second question I would like to ask is this:

Aa Aforika Borwa e tsile go romela masole a mangwe kwa Katumba, kwa bátho ba bolailweng teng ka bontsi? Fa go se jalo, goreng go sa nna jalo? [Is South Africa going to send other soldiers to Katumba, where many people have been killed? If not, why not?]

MOTLATSI WA MOPRESIDENTE: Ka Sesotho ha o batla hore "if not, why not", o reng? [Ditshebo.] [The DEPUTY PRESIDENT: In Sesotho how do you say "If not, why not"?] [Interjections]

Mr W J SEREMANE: Ke itumelela nako e ntsi e o mphileng yona. Fa o sa dumele . . . [Tsenoganong.] [I am glad to see that you are giving me more time. If you don't agree . . . [Interjections.]]

The SPEAKER: No, he did not give you more time, hon Seremane. Please take your seat.

Mr W J SEREMANE: Ka bokhutshwane ke ne ke re, aa o tsile go ba romela? Fa o sa ba romele, goreng? [In short, are you going to send them? If not, why not?]

The DEPUTY PRESIDENT: Ntate, ke a leboha. [Thank you, sir.]

Firstly, the UN mission in Burundi, I think its current mandate has been given under Chapter 7, so that has been covered. As far as I remember, the mandate it has now precisely because it was quite a unique decision for the Security Council to take given the conditions in Burundi, is that it has been empowered to deal with the matter. Also, it is important to mention the fact that the UN representative has been in constant touch with Palipehutu-FNL and discussing the issue. They are involved with the issue of the massacre. In fact, it is the UN that is setting up an investigation to investigate the circumstances of the massacre.

Leading up to the next question, there is absolutely no need for South Africa to send soldiers where the massacre is taking place. Burundi at the moment is under the care of the UN. It is the UN mission that is dealing with that issue and it is dealing with it adequately. Therefore, there is no need to send South African soldiers. Therefore, the "why not and if not" fall off. [Laughter.]

Official rebuke to Sudanese government for support of militias committing atrocities in Darfur, Western Sudan

*2. The LEADER OF THE OPPOSITION (DA) asked the Deputy President:

(1) Whether, in light of the fact that the President holds the African Union's Peace and Security Council chairpersonship for August 2004, the President has officially rebuked the Sudanese government for its support of the militias committing atrocities in the Darfur region of Western Sudan; if not, why not; if so, what steps have been taken in this regard;

(2) whether, in light of the US Congress decision of July 2004 to declare the atrocities being committed by government-backed militia in the Darfur region of Sudan to be genocide, and given the fact that the Presidency has so far maintained a silence on the humanitarian crisis in the Sudan, the Presidency supports the US Congress resolution; if not, why not; if so, what factors were used to determine such a decision? N518E

The DEPUTY PRESIDENT: Madam Speaker, firstly, while the South African government has taken keen interest in the resolution of the Darfur conflict and the ensuing humanitarian crisis, a fundamental objective of South Africa's foreign policy is to collectively deal with problems occurring in other African countries, through regional and continental bodies established specifically for this purpose. For that reason, South Africa will continue to work within and through the African Union's Peace and Security Council towards the resolution of the Darfur crisis, and will not make any unilateral statements on the crisis.

Through the African Union, South Africa is committed to ensuring that there is peace, security and stability in the Darfur region. As a result, we have been fully behind every effort taken by the AU aimed at resolving the crisis. These include the decision taken by the African Union's Peace and Security Council to, as the situation deteriorated, transform its military observer mission into a fully-fledged peacekeeping mission of approximately 2 000 troops responsible for, among other things, disarming the Janjaweed militia.

Secondly, with regard to the US Congress resolution on Darfur, the South African government would like to reiterate the fact that South Africa supports and concurs with the AU views on the Darfur situation. In this regard, the South African Government supports the AU's Peace and Security Council communiqué of 4 July 2004, which stated that even though the crisis in Darfur was grave — with the attendant loss of lives, human suffering and destruction of homes and infrastructure — the situation could not be defined as a genocide.

The LEADER OF THE OPPOSITION: Madam Speaker, I listened with great interest to the Deputy President's response. But would he not agree that in Darfur — whether in fact it is technically a genocide or not — a situation is approaching where you have 100 000 Sudanese people who have been displaced or forced to flee into Chad, and that you have 100 000 residents of Darfur who have been displaced within Sudan? That is really 200 000 displaced persons within a period of several months, as well as thousands of people who have been killed. Whether or not it is technically a genocide, it has now reached a stage where it is not just critical to internal Sudanese relations, but it is having a spill-over effect into the immediate region and into the continent as a whole.

Surely, sir, if we are taking a collective approach — which is the gist of your answer — regarding the fact that President Mbeki is the President of a committee of the African Union Peace and Security Council for the month of August, there is, in the light of this ongoing and escalating human rights crisis, a duty in his capacity as chairman of that collective body to speak and to lead.

The DEPUTY PRESIDENT: Madam Speaker, our President has been involved even long before chairing this committee. So, chairing has come as a matter of routine, as agreed in the AU. The Minister of Foreign Affairs of this country has been in Darfur. She was sent by the President and the Chairperson of the AU, even before Nigeria chaired the AU. So we have been very much involved on this issue.

We have participated collectively in the discussions in the AU, particularly in the Peace and Security Council, when this matter was discussed. We made a contribution when Sudan presented its case and its plan of how it is taking this matter. So, the matter is being attended to, collectively.

I don't think that at this point in time, given the amount of time allocated, you need to make a statement for the sake of it regarding the President of South Africa because he is part of the collective. As I say, we are participating fully in the programmes that are going on there.

So, from our point of view, we don't think that there is anything that needs extraordinary action from the President of the Republic of South Africa. [Applause.]

Mrs M A A NJOBE: Madam Speaker, I want to apologise for my hoarse voice. Reading the question by the hon Leon gave me this sickness; it made me sick. [Laughter.] [Interjections.]

Hon Deputy President, there is no doubt that what is happening in western Sudan is unacceptable. But may I thank the Deputy President for outlining, once again, for the benefit of this House, the importance of us sticking to the African Union principle of a multilateral approach in any endeavour to find African solutions to African problems.

Deputy President, you have said just now — and I want to also emphasise, from my own observation — that the President of this country and indeed the Minister of Foreign Affairs have on numerous occasions emphasised the same principle right in this very House. But, in spite of this, the DA and its leader, the hon Tony Leon, continue to push for the opposite: a unilateral approach.

Given the fact that the DA still needs to be educated in this regard, what then, hon Deputy President . . .

The SPEAKER: Order! Hon member, your one minute is over.

Mrs M A A NJOBE: . . . what then, hon Deputy President, would be the effect on the African Union, as suggested by the hon Tony Leon, if we were to take a unilateral approach? [Interjections.] [Applause.]

The DEPUTY PRESIDENT: Madam Speaker, the voice was indeed hoarse and I don't know who was the cause of that. [Laughter.] I just couldn't catch the essence of the question towards the end, because you were also bringing it to the attention of the hon member that her time had expired. Could that part be repeated for me?

The SPEAKER: Hon Njobe, could you repeat the last part of your question?

Mrs M A A NJOBE: Thank you, Speaker. My question is: Given the fact that the DA still needs to be educated in connection with a unilateral approach, what then would be the effect on the African Union if, as suggested by the hon Tony Leon, the President or the South African government were to take a unilateral, Big Brother approach to the western Sudan problem?

The DEPUTY PRESIDENT: Madam Speaker, I have now heard the question very clearly. Well, certainly, it's not desirable that when you belong to a continent that has an organisation that takes care of the principle of a multilateral approach, you then take the opposite direction because nobody will, in a sense, be working with you. You would be working on your own. So it would have no effect. No effect would be realised out of that and it would be wrong to swim against the current when everybody else is moving in one direction.

I think what is critical is that the continent has been trying, over decades, to do things collectively. That gives it more strength, more support and it will certainly succeed in the end.

I think it is a correct approach that we have adopted. We believe that it is a correct approach even in other regional activities that have taken place, such as when the President of the Republic, as chairperson, was invited to Ghana recently to participate in the process of seeking solutions to the problems in West Africa.

When he was there, under the collective, he made a contribution that was highly appreciated, and which made it possible for the warring parties to implement their own agreement that they had not been able to implement before. It is always good to operate within a collective. It has the potential to succeed. [Applause.]

The SPEAKER: We now come to Question 3, which was asked by the hon Mpontshane.

Mr M J ELLIS: Madam Speaker, on point of order: the Rules do state quite clearly that if there are no follow-up questions from other parties, another party can have a second question . . .

The SPEAKER: But there is no other party that has asked for a . . .

Mr M J ELLIS: Mr Leon did push the button, Madam Speaker.

The SPEAKER: Hon Leon, I am sorry. I didn't see that.

The LEADER OF THE OPPOSITION: Thank you, Madam Speaker. It's taken about nine years — and I didn't think that it would happen — that the Deputy President, an ANC MP, would implicitly rebuke the actions of former President Nelson Mandela.

But that is what you have done, because when Ken Saro Wiwa was executed in Nigeria, Nelson Mandela stood up alone at the Commonwealth Heads of Government meeting and said, "Immediate action should be taken against Nigeria." That wasn't a collective act; that was the individual act of moral leadership. [Interjections.] And that's what is being suggested.

But talking about the collective, could the hon Deputy President explain, on a collective basis, why we, South Africa, acting collectively with other African nations, recently supported the election of Sudan — along with Kenya, Guinea and Togo — to the United Nations Human Rights Commission?

Surely, there is enough evidence implicating the Sudanese government in Khartoum in these activities — the human rights abuses, the killings, the displacement, the refugee creation in Darfur — to suggest that, as a collective expression, Sudan's continuation in that body, as one of our representatives, is inappropriate to all the ideals of the AU and Nepad, and the sort of projection we try to make to the wider world.

The DEPUTY PRESIDENT: Madam Speaker, firstly, former President Mandela will always tell you that he belongs to a collective. He always expressed the views of a collective, and never of an individual. I think it would not be correct to say that he always speaks as an individual. He always spoke with the understanding of what the collective thought.

He has always expressed the views that are, broadly speaking, of his organisation. When he was in the government, he always expressed views on behalf of the government. I don't think we should harbour the impression that he operates alone, as an individual. He doesn't believe in that and that is his basic principle. He operates from a collective standpoint.

With regard to the appointment, I think what you have in Sudan is a conflict that has been taking place over decades. It's not a new conflict. Darfur is new because you have just come to know about it. There has been a conflict in that area for a long time. In the south, in Darfur, there are three areas.

So, regarding countries where there is conflict, I don't think there is a rule that says those countries that have conflicts have no role to play internationally, particularly if, as it were, you don't have evidence of their involvement in the conflict and judgment has been given against them. I leave aside the judgment given by some countries in the world that have given themselves the authority to judge other countries; I am talking about organisations. There is no rule that says that a country that has a conflict cannot participate in multilateral organisations. If this was a collective decision by the continent, then that decision must have been examined very thoroughly by the leaders collectively, who then thought it was important to vote for this country. Thank you. [Applause.]

Communication of core messages of MRM to general public

*3. Mr A M MPONTSHANE (IFP) asked the Deputy President:

(1) Whether Parliament will be asked to play an active role in communicating the core messages of the Moral Regeneration Movement (MRM) to the general public; if not, why not; if so, what role will Parliament be asked to fulfil;

(2) whether, in light of the fact that since its launch in 2002 the MRM has not received much media attention, any events are planned to make people more aware of the Movement and all that it entails; if not, why not; if so, what are the relevant details;

(3) whether a time-frame has been set for the completion of the Moral Charter; if not, why not; if so, what time-frame? N527E

The DEPUTY PRESIDENT:

(1) On the 21 May last year I remarked in this House that "I hope that hon members will soon be able to report to the House on progress made in their constituencies on the Moral Regeneration Campaign as we all have a responsibility to promote its implementation". It

still remains critical for parliament to take a lead in the rolling out of the moral regeneration programme. To facilitate this process the national MRM office will soon consult with the secretary of parliament to develop a strategy of how this can best be done.

(2) With regard to media attention, hon members must remember that the Moral Regeneration Movement was set up as a body to act as a coordinating, facilitating and networking forum for moral regeneration programmes. It was not meant to replace or take over existing initiatives, rather constituent sectors, which includes this house, would be assisted to roll out their own programmes.

I do believe that since the launch, media discussions on moral regeneration have increased tremendously.

A communication strategy has been developed to facilitate better communication and branding.

Key messages in the strategy are that:

(1) South Africans have high moral values and standards. Reconciliation and nation building which followed a negotiated settlement underlines the moral character of the South African nation.

(2) Moral renewal is the responsibility of every South African and should not be viewed as the preserve of religious institutions and faiths.

(3) Moral communities are important for the sustenance and consolidation of democracy, peace and prosperity in South Africa. They should be built and geared to identify potential acts of immorality and refer and/or alert the relevant legitimate institutions with a mandate to deal with such issues.

(3) Yes a time-frame has been set. The MRM is consolidating the inputs from the various sectors into a first draft of the charter. This draft will be put up for further public discussions, which will involve provincial consultations. Final discussions will be done at the National Moral Regeneration Conference scheduled for the end of November and the final charter will be presented to the nation by early next year.

I hope that hon members will assist in this process which should guide the moral fibre of our rainbow nation.

Mnu A M MPONTSHANE: Somlomo, ngicabanga ukuthi uMhlonishwa, iPhini likaMongameli, uyivule kahle ingxoxo yethu namuhla ngokukhuluma kabanzi ngokucindezelwa kwesintu esimpisholo. Nathi njengeNkatha yeNkululeko yeSizwe sakubona lokhu. Ngesikhathi siziqamba ngokuthi siyi-Cultural Liberation Movement, ngo-1975, sasazi kamhlophe ukuthi kuyindlela embi nenesihluku ukuzedlula zonke ukucindezela umuntu ngokwengqondo, nokumenqabela ukuthi aphile ngokosikompilo Iwakhe.

Inkinga-ke Mhlonishwa, Phini likaMongameli, engicabanga ukuthi ikhungethe le-moral regeneration — angazi nokuthi ngesintu ngingayibiza ngithini nje — ukuthi le ndaba esiyixoxayo abantu abaningi abezwa ukuthi sikhuluma ngani. Umbuzo-ke uthi: Yiziphi izinhlelo, mhlonishwa, ezikhona ezihambisana nokubuyiswa kwesithunzi nosikompilo lwabantu — izinhlelo ezingaqhutshwa abantu bona qobo njengaseNkandla, eMqanduli, eQunu naseNgwavuma futhi abangaziqhubela bona ngokwabo beyizwa kahle le ndaba esiyixoxayo ngoba kumanje ngicabanga ukuthi abayizwa kahle? Nanokuthi, yiliphi iqhaza uMhlonishwa acabanga ukuthi imiphakathi ingalibamba ukunquma ngezinhlelo ezikhona kumabonakude — izinhlelo ezingahambisani nosikompilo lwethu futhi ezingasizi ukuqhubela phambili i-moral regeneration? [Kwaphela isikhathi.]

IPHINI LIKAMONGAMELI: Ngiyabonga lungu elihloniphekile ngemibuzo yakho. Ngivumelana nawe ukuthi isisekelo sokulwela inkululeko sasingesinye sezinhlelo ezisemqoka neziyinsika yokukhulula umuntu omnyama nokubuyisa isithunzi somuntu omnyama. Sesikwenzile-ke lokho, saphumelela.

Sibhekene nesizwe esabukelwa phansi nabantu abenza ukuthi kuphele ukuzithanda nokuzihlonipha, kwande ubulelesi. Yingakho kube khona isidingo sokuthi kwakhiwe le nhlangano yokuhlanganisa bonke abantu baseNingizimu Afrika yokuvuselela izimilo nokuziphatha kwabantu. Lokho kuyoletha isithunzi.

Ngenkathi sikwenza-ke lokho sabona ukuthi, ikakhulu njengoba ubuza imibuzo nje lungu elihloniphekile, ngeke kulunge ukuthi le nto ishayelwe phezulu kuzwelonke kube yilapho kukhona khona abaphethe isitswebhu abathi, "ayibheke le nale" ngoba kufuneka ukuthi isuke phansi ebantwini. Yingakho kwabizwa bonke abantu kuzo zonke izifundazwe, izinhlangano zabantu, abaqhamuka kwabamele ohulumeni bemiphakathi, amakhosi kanye nabo bonke nje abantu abakhona kule lizwe ukuze kuthiwe: Izinhlelo zonke okufanele ukuba zenziwe, ake zingaqoshwa lapha kuzwelonke kodwa ziqhamuke futhi zimile kubona abantu uqobo ngento abayiyo nabafisa ukuthi yenziwe, nezinhlelo abafisa ukuzenza ezindaweni zabo. Akufanele sisuke ezingeni likazwelonke siyobenzela izinhlelo kodwa masibakhuthaze ukuthi abazenzele izinhlelo.

Yingakho-nje, njengoba sithi kufanele kwakhiwe umqulu ozoqukatha izinsika zesimilo nokuziphatha kwabantu, sithi ake ziqhamuke khona ebantwini. Isilibale kangaka nje ukuthi ilibele khona laphaya oquqabeni ngoba ilona uquqaba okufanele lusho ukuthi kufanele kube yiziphi izinsika ezizokuba semqoka, sonke esizokholelwa kuzo njengabantu baseNingizimu Afrika ukuthi kube yizona eziyindlela neqiniso lokubuyisa ukuziphatha, ukuqeda ubelelesi nokubuyisa isithunzi somuntu omnyama.

Lokho kufuna sibambisane sisonke. Yingakho-ke nganginxuse amalungu ale Ndlu ehloniphekile ukuthi ake abambe iqhaza, abakhanyisele abantu futhi abahole kulezi zindawo phela esisebenza kuzo njengamalungu ale Ndlu. Ngingajabula ukuthi amalungu akwenze lokho njengoba ngithi nje kulo nyaka ozayo sizobe siphothula lo mqulu. Ngiyojabula kakhulu ukuzwa ukuthi qhaza liphi elibanjwa amalungu ukwenza ukuthi ukhuluphale ube nesigqi lo mqulu ngenkathi usuphethwa, sesiphetha imbenge yalokhu. Ngiyabonga.

(English translation of isiZulu paragraphs follows):

[Mr A M MPONTSHANE: Hon Speaker, I think the hon Deputy President opened today's discussion very well by deliberating in length on the issue of oppression of black people. As Inkatha Freedom Party we did have this view. At the time when we called ourselves a cultural liberation movement in 1975, we knew very well that it is a bad and the most cruel practice to oppress a person morally and deprive him/her the right to live according to his/her social culture.

The problem, hon Deputy President, that I think dominates this process of moral regeneration, I also do not know how to call it in my African language, then the problem is that most of the people do not understand this issue that we are, talking about. The question is: What processes are in place, hon Deputy President, which support the reclaiming process of the dignity of African social culture which can be conducted by the people themselves in places like Nkandla, Mqanduli Qunu and also Ngwavuma, and they can do it themselves if they understand this issue clearly. For now, I think they do not understand it? In addition to that, what role does the hon Deputy President think communities can play in decision-making on

existing television programmes, which are in conflict with our social culture and also do not promote moral regeneration? [Time expired.]

DEPUTY PRESIDENT: Thank for your questions, hon member. I agree with you that the ideology behind the struggle for liberation was not a single one there were other important programs which were pillars for liberating a black person and to restore his/her dignity. We have already done that, and succeeded. We are dealing with a nation that was once looked down upon and people lost love and self respect, and let crime prevailed. That is why there has been a need to form an organisation that is for all the South African people, which will champion the notion of moral regeneration. That will bring back the dignity.

When we worked out that process we realised that, like you have asked questions hon member, it would not work if this process is managed by leaders and also all other people who live in this country so that we say: All the programmes that should be implemented should not be scheduled by and from the national sphere of government but must come from and be based at the people, to know about themselves and let them say what they desire to be done and for them to propose other projects they want to conduct in their respective areas. We do not have to come from the national sphere of government.

That is why we say there should be a documented principles of good code of conduct for the people, and we say those principles should be suggested by the people. This move takes so long because it is delayed there at the grass root level because they are the ones who should propose the desired fundamental principles to which all of us the people of South Africa shall subscribe as the main pillars in bringing about good conduct, reduction of crime and moral regeneration.

That requires full cooperation from all of us. It was on that basis that I urged the hon members of this House to explain to the people and take a lead in our work places as members of this House. I can be very pleased if the members do so because we will be finalising this document by next year. I will be pleased to know what role do the members play in enhancing and giving integrity to this document when it reaches finality. That is conclusion on this subject. Thank you.]

Adv A H GAUM: Thank you, Madam Speaker. I think Deputy President that while we all agree that moral regeneration is an important idea, one gets the impression, to an extent, that we are dragging our feet with regards to having a real programme of action. For instance, it's clear to me that there is no specific programme of action or specific activities as far as this is concerned in every particular department. One department where we really need a programme of action — very specific activities — is the Department of Education, for instance. When will we see very clear programmes of action running in all departments to really make moral regeneration a reality? Thank you.

The DEPUTY PRESIDENT: Unfortunately, I don't have the details of what the departments are doing but they are working on this issue and I think, of all the sectors, the government is in fact leading on this one in terms of the departments. I think the critical point, as I was saying in my answer to the question earlier, is that we who are clear on this matter, the leaders, are not providing the leadership in the areas where it ought to be provided, to help people work out programmes.

For example, I said the Government has its own programmes: we did not impose those programmes. The departments themselves met and discussed the issues, because we are saying it is their areas, ie the organisations and localities must work out their own programmes dovetailed to their own capacities, needs and understanding, rather than us

imposing the programmes. In fact, the moral regeneration movement has always interested me, because generally people complain that government or leaders impose programmes.

Here we did it the other way round and said we were merely going to co-ordinate, facilitate and network. It must emanate from the people and we belong to the people as leaders. We ought to initiate something wherever we are, to ensure that this programme works.

That's why I requested, hon members, at some point when I was addressing this issue, that we take an active part, so that we can come here and say, "This is what I have done in my area, to enrich this movement and to work out a programme."

I would be very happy if hon members could one day say that this is what they do, and if I could also report here that almost all the local areas in the country have programmes. We cannot impose it. We have asked them to work on it, so that we can co-ordinate the programmes and ensure that they are in a sense balanced nationally, as well as learn from one another and pass that on to others. We cannot impose. Thank you.

Ms C DUDLEY: Thank you, Madam Speaker. Hon Deputy President, at the Southern African Catholic Bishop's Conference on 13 August, Bishops, in response to the Choice on Termination of Pregnancy Bill, called on medical personnel to insist on their constitutional rights respecting their freedom of conscience, and to refuse to co-operate with regard to the performance of abortions. How would you respond to the question they asked? How can the country possibly regenerate its moral fibre if it continues to widen and facilitate the destruction of unborn life? Are you as concerned as they are that the right to life — the most fundamental of all human rights — is under attack and that the taking of the life of unborn babies cannot be justified?

The DEPUTY PRESIDENT: Madam Speaker, well, I did not attend the Bishop's conference. I do not know what the issues were. This issue regarding the termination of pregnancy is an issue that was initiated after freedom in this country, to correct a distorted practice in the country, because there were sections of the population who benefited from laws that regulated this particular thing. There were sections in this country that were not benefiting from that law. As a result, there were a lot of deaths because of illegal practices around this issue.

I think we cannot present this law as if it compels people to do what they don't want to do. The impression was wrongly created that by creating this law, this country has made people do what they don't want to do. No, this is a choice. This was opening up a situation where people, under certain circumstances, could undertake this process and be legally protected because whether you have the law or not, people do it for different reasons. If they did it, they would be committing a crime and risking their lives, whilst for others it was not an issue.

This was regulating life and I think that's how it should be understood, rather than taking it as if this country has suddenly told people to do what they were not doing before, because we now have a law permitting it. This law addressed an existing problem to regulate it, so that people can be protected by the law. Thank you. [Applause.]

Mr S E OPPERMAN: Thank you, Madam Chair. Hon Deputy President I think you will agree with me that moral regeneration is much more than just a verbal communication of the core messages of moral regeneration to the public.

No message — or action, for that matter — can be clearer than the way we, as legislators, are dealing with issues. For instance, this controversial Choice of Termination of Pregnancy Bill, which will force people to become terminators, perhaps against their

will, as well as the serious allegation that some of the members of Parliament are involved in corruption using travel vouchers. [Interjections.]

I would like to know what is your moral position is on this scam? Could you give members of the public the assurance that no member with the travelgate cloud hanging over his or her head will be allowed to carry the message of moral regeneration on behalf of this Parliament? Thank you. [Applause.]

The DEPUTY PRESIDENT: Madam Speaker, firstly, I thought that when I was answering the last question, the hon member was paying some attention. Nowhere in the law is it written that people are going to be forced. It's a voluntary issue involving an individual decision. It is the exercise of freedom that we did not exercise before 1994. That's a moral issue.

There is a law that says that, under certain circumstances if you do not want the pregnancy, you have a right to take that decision and you are protected by the law; you are not compelled. There's nothing in the law that says you'll be compelled to do so, nor is there anything that says doctors or nurses would be compelled to do that kind of thing. There's nothing in the law that says that. So don't ask the wrong question. Deal with the matter properly.

This was not an issue before 1994 and there was a law regulating the termination of pregnancy. It was not an issue, but when it begins to affect the majority of the population, it becomes a controversy. That's a moral question that we fought against. I think that we must be very clear, precisely because today those people who were not accommodated by the law are now accommodated. It's a controversy. I just cannot understand this, no matter who raises the issue. It is a moral issue. [Applause.] It is a moral issue to those who were making the laws before 1994. You didn't see the controversy when the law did not accommodate the bigger section of this country.

With regard to the issue of the travel vouchers, I don't know why you want me to discuss the issue, because I'm not participating in the investigation. I am a firm believer in the rule of law and that a person is not guilty until he is found guilty by a court of law. [Applause.] I will never participate in the campaigns against people when they have not been found guilty. I see no reason to do so, whether one is a member of Parliament or not, if there's no evidence that conclusively says that one has erred. As this Parliament, we must deal with those individuals, but not in terms of a witch-hunt. Even the list that has been published is fluctuating in terms of the numbers, before a court of law or the investigation itself can say who the guilty people are.

Now why should you say that if the allegations are against members of Parliament, they should stop functioning — why? Why should you judge yourself? Supposing those allegations are unfounded, what happens? I think we must be very reasonable as members of this House. I don't think we should join other people who are not members of this House. We are the ones to give leadership in this country, in order to interpret things properly. Thank you. [Applause.]

WTO agreements *re* reduced subsidies in agriculture sector of developed countries: impact on African economies/ Nepad programme of development

*4. Mr B A D MARTINS (ANC) asked the Deputy President:

> What is the envisaged impact on the economies of African countries and the Nepad programme of development of the agreements reached at the World Trade Organisation meeting between the G8 countries and developing countries on reduced subsidies in the agriculture sector of developed countries? N521E

The DEPUTY PRESIDENT: Thank you, Madam Speaker. Hon members would be aware that our farmers in Africa struggled to

compete in global markets because of enduring protectionism and trade distorting domestic support in rich nations. Together, the European Union and the United States support their farmers to the value of US$300 billion a year. Clearly, this has a significant constraint on the growth of our economies.

The framework agreed to in Geneva between the G8 and the developing countries is therefore very significant, because it commits rich nations to substantially reduce trade, distort domestic support, eliminate all forms of export subsidies and reduce tariffs by dates yet to be fixed. Less developed countries will have full access to all special and differential treatment provisions agreed to and are not required to undertake reduction commitments.

Members should, however, be cautioned that the immediate impact of the Geneva Agreement on African economies and Nepad will be limited.

While we welcome the political will demonstrated to seriously address the issue of agriculture, we should however realise that what has happened is merely to conclude talks on modalities and how to negotiate in future.

The challenge for us, WTO members, is thus to maintain this momentum as we now enter more detailed negotiations. Moreover, the agreement as it stands has loopholes and exclusions that could end up undermining the benefits of the Doha Round. For instance, rich nations have an escape clause to protect some sensitive products, as do poor nations for special products. These are challenges that we, in consultation and partnership with our colleagues in Africa and the G20, will seek to address, so as to ensure that the criteria of development remains at the core of Doha Round.

On the whole, however, the agreements should have a positive impact on the economies of African countries and the Nepad programme of development. Thank you, Madam Speaker. [Applause.]

Mr B A D MARTINS: Hon Deputy President, given the fact that the immediate impact of the Geneva Agreement on African economies and Nepad will be limited, how best can South Africa and other African countries maintain the present momentum and ensure that the criterion of development remains at the core of the Doha Round of negotiations? Thank you.

The DEPUTY PRESIDENT: Thank you, Madam Deputy Speaker. I believe, as I have just said, the critical thing is that South Africa, the African countries, and the developing countries, particularly in the South, should work together, should spend more time to discuss their own strategies and in creating a cohesion amongst themselves and making their case a formidable case to present to the developed nations. I think there is no shortcut but interaction among developing countries on all the issues as a collective, so that we are in a better position to make the impact not so severe or to make the impact beneficial to us. I think it is the only way we can do it, by talking through these issues creating an understanding. And of course, South Africa has played a critical role in those kinds of interactions, as well as arguing through these matters. We should continue to do so. Thank you.

Mr L B LABUSCHAGNE: Deputy Speaker, the Democratic Alliance commended the South African trade representatives and the G20 for their work on the new framework for global trade regarding the reduction in the economically developed world subsidies on agriculture. The DA is a strong supporter of reduced subsidies on agricultural products.

South Africa and Africa currently enjoy preferential trade relations of the US, United States under AGOA, furthermore there are also various preferential agreements with the European Union. I would therefore like to ask the hon Deputy President whether there

is a possibility that further multilateral agreements could disadvantage South Africa and Africa relative to our current position?

The DEPUTY PRESIDENT: Thank you, Madam Deputy Speaker. Part of the point I was making earlier in answer to the question that we need more interaction is precisely to look into such issues, so that what has been gained is not lost in this process. If anything, we enhance those positions. I think the interaction is aimed at ensuring that we can be much better at the end, so that the position that has been gained at the bilateral levels are in a sense at the collective level to better our situations as countries collectively but also do not disadvantage us as countries individually on what we have agreed. And I think that is the momentum we are keeping. Thank you.

Mr H J BEKKER: Madam Deputy Speaker, the IFP welcomed the announcement when this came through. It was something that we have been waiting on for a very long time; because I think particularly developing nations have been very, very hard-pressed with regard to the subsidies that were particularly on the agricultural products. I concur fully with the hon Deputy President that this is but the beginning and that one won't see spectacular or significant change as it is at this particular stage.

But I would like to ask the Deputy President whether there could not be a possibility that when we go into further rounds of negotiation that one could consider the African nations as such as forming almost part of that bloc. We have heard about the enormous amount of 300 billion dollars that have been asked on subsidies, and a way out could be if the developing nations could be included into this bloc. And although there will be much resistance on it, I think that it could be a position to position ourselves for the future. I would just like to hear what would be the hon Deputy President's view about that.

The DEPUTY PRESIDENT: I am not certain whether I am getting the question right. Included in the subsidy? But we are fighting the subsidisation of the agricultural products in the developed world. We are saying it must be open. They must not subsidise them, so that the trade can be free in the true sense of the word. We can compete better. That is what we are fighting for, because at the moment our own farmers cannot compete. They cannot produce the best products, because they are not subsidised by their countries. And what we are fighting for is that developed countries should let their own farmers cope on their own.

I don't think we want to adopt a strategy of subsidising, because even if we were to subsidise our own farmers, I think the capacity is not the same. So I think it is a question of solving the issue of the subsidy that is being given to those farmers, which protects them from the market. They then actually flood our markets, because they have got such huge capacity from their own governments. That's the struggle that we are fighting at this point in time. We would want to win that battle, so that there could be a free trade.

If there is any other innovation thereafter which tells us what we can do with the farming or agriculture generally, I think that, from my point of view, should be a common point collectively that would say the standard is the same.

At the moment we are fighting for the standard to be the same with all the farmers throughout the world, the developing nations and the developed nations. That is what we are still fighting for, for now. And I am sure once we are through with that, all of us would be open to new innovations. Thank you. [Applause.]

Adv A H GAUM: Thank you, Madam Speaker. Hon Deputy President, more than 70% of the African population relies on agriculture for their livelihood. The bulk of their activities are associated with it, with a large portion of it being subsistence agriculture. In view of this, is the hon Deputy

President aware of any Nepad-initiated or related plan to implement measures to raise production in Africa; if so, what are the details? Thank you.

The DEPUTY PRESIDENT: Thank you, Madam Deputy Speaker. Certainly, standing here, I don't have the details of what has happened, but part of the aspects of Nepad deals with agriculture in the continent. And I think it is, of course, related to the whole development process as seen in Nepad, the infrastructure, etc. But there is a specific segment that deals with agriculture. Unfortunately, hon member, I don't have the details here. What are the details? Thank you.

QUESTIONS

For written reply:

Verkryging van inligting op die internet: Batho Pele

178. Mnr S SIMMONS (Nuwe NP) vra die Minister vir die Staatsdiens en Administrasie:

(1) Of die publiek binne twee maande inligting op die internet sal kan kry oor hoe om rybewyse te bekom en oor die betaling van staatspensioene, soos in mediaberigte (besonderhede verstrek) beweer; so nie, wat die posisie in dié verband is; so ja, wat die tersaaklike besonderhede is;

(2) of enige ander dienste ingevolge dié projek, bekend as die Batho Pele-projek, op die internet beskikbaar sal wees; so ja, (a) watter dienste, (b) wanneer en (c) wat die finansiële implikasies van dié beoogde stelsel sal wees;

(3) of enige amptenare hul werk as gevolg van dié internetdienste sal verloor; so ja, wat die tersaaklike besonderhede is? N211A

(Translation of Afrikaans question follows):

[Ability to access information on internet: Batho Pele

178. Mr S SIMMONS (New NP) asked the Minister for the Public Service and Administration:

(1) Whether the public will be able to access information on the internet on how to obtain driving licences and on the payment of state pensions within two months, as alleged in media reports (details furnished); if not, what is the position in this regard; if so, what are the relevant details;

(2) whether any other services will be available on the internet in terms of this project, known as the Batho Pele Project; if so, (a) what services, (b) when and (c) what will the financial implications of this envisaged system be;

(3) whether any officials will lose their jobs as a result of these internet services; if so, what are the relevant details? N211E]

The MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION:

(1) Yes, the Batho Pele Gateway portal that has been developed has integrated information on most government services. This includes information regarding how the public can obtain driving licences and social grants (which is different from state pensions). With respect to state pensions (this relates to pensions due to former employees of government) the DPSA has developed a portal that seeks to provide information in relation to government employment including state pensions.

In developing the content (information) on services we have sought to address seven key questions pertaining to the service that we believe the citizen is interested in terms of accessing any public service. The questions relate to:

- The process to obtain a service,
- The conditions for a service (who qualifies for a service),
- The costs to be borne by a member of the public (if applicable for a service),
- The location or contact details,
- The forms for a service,
- The legal instrument; and

- The service standards (how long does a member of the public have to wait in order to receive a service — e g after applying for an ID a citizen has to receive his/her ID within two months).

In 1996 we adopted a new framework of service delivery that was aimed at ensuring that we have a citizen-focused approach. Part of this framework is the change of culture in the public service but also processes and systems to ensure that they can support this policy — the Batho Pele gateway then becomes the ICT expression of Batho Pele.

(2) (a) Information on 1 705 government services is already available on the Internet (*www.gov.za*). Information relates to information on services rendered by government from birth to death for natural persons and from incorporation to dissolution for legal persons.

(b) The portal has been integrated into *www.gov.za* as of 27 May 2004 and was officially launched on 3 August 2004. An online content management system to enable departments to update content on their services continuously is being developed.

The project team will spend six months consulting with various departments to formulate an implementation plan for the phase 2 transactional phase and integration of system to allow online transactions. The planning phase will look at funding models and costs implication to government. The final plan and funding model will be presented to Cabinet for approval.

(c) In the long term Government will benefit with the maintenance of a single portal for government services, information and programs rather than the costs of maintenance of each individual departmental website. The integration phase will enable systems across Government allowing for the sharing of systems implementation costs and seamless sharing of information. The project will be of considerable financial benefit to citizens, who will have access to services and, ultimately, be able to process transactions at centres near their homes. This will save on transport costs and loss of earnings, time expended and so on.

(3) We do not envisage any job losses as a result of this implementation. What we expect is an improvement of service delivery. An implementation of e-Government in schools serves to support teachers and obviate the shortage of teachers and laboratories in critical areas such as mathematics, science, economics, etc. The use of telemedicine will improve access to medical care in rural areas where there is an acute shortage of doctors. Within Government, the introduction of an online system will necessitate the reskilling of public servants in some other areas, for example, online leave applications will mean reskilling leave clerks to do approval of leave and their managers can focus on trend analysis with respect to leave — something that is left undone at the moment. The net result of this is an improvement of skills in the public service rather than a reduction in the size of the Public Service. In some areas, this may necessitate the redeployment of employees into more challenging jobs, e g redeployment of social workers to focus on community counseling — which is their competency — rather processing payments.

Government departments/state entities still employing supernumeraries

209. Mr E W TRENT (DA) asked the Minister for the Public Service and Administration:

(1) Whether any (a) national or provincial government departments and/or (b) other state entities are still employing supernumeraries; if so, (i) how many in each case and (ii) what is the total annual cost in respect of (aa) salaries and (bb) benefits for these employees in each case;

(2) whether any plans have been formulated to reduce the number of supernumeraries; if not, why not; if so, what are the relevant details;

(3) whether she will make a statement on the matter? N244E

The MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION:

(1) (a) and (b) The category of personnel referred to as "supernumerary" emanates from a process embarked upon in 1996. In 2002 the parties to the Public Service Coordinating Bargaining Council concluded an agreement (Resolution 7 of 2002) regarding the transformation and restructuring of the public service. The process required of all departments to embark on a strategic and human resource planning exercise to determine their organisational structure and human resource requirements. This was followed by a process of matching and placing employees to identified positions. Those employees who could not be so matched and placed were declared in excess of a department's establishment.

If, at the time of the Resolution 7 of 2002 exercise, departments still employed "supernumerary" employees, they were dealt with in terms of this process, which means they could either have been matched and placed to posts or they now form part of the group of excess employees. In this regard information on "supernumeraries" is no longer available.

As far as public entities are concerned, they were not covered by the Resolution 7 of 2002 process. Information on supernumeraries in these institutions should be obtained from the individual institutions. When the Resolution 7 of 2002 process came to an end on 12 September 2003, the excess employees in the national departments and provincial administrations totaled 13 383. Despite the fact that the Resolution lapsed, efforts to absorb the excess employee have continued unabated. As at the end of June 2004, the number of excess employees have dwindled to 8 672.

To determine the exact costs of the excess employees is difficult. Excess employees are on a daily basis being absorbed into vacancies. These changes are not always immediately reflected by departments on the information system. On average though the salaries of excess employees are approximately R48 000 per annum. Taking into account the excess situation as at 30 June 2004, this translates to an annual cost (for salaries) of R416 256 000.

Regarding benefits, not all employees utilise the benefits offered

by the employer. For an employee who does, a cost of 30% of his/her salary is calculated for purposes of benefits. It must be noted that more than 70% of all the excess employees are on salary levels 1–4 where a limited number participate in the home-owner scheme or belong to a medical scheme.

(2) As indicated, the number of excess employees is continuously reducing. In this regard there is a national instruction that when a post is to be filled, preference must first be given to the absorption of excess employees. The Department of Public Service and Administration is also on an ongoing basis monitoring the excess employee situation in departments and actively assists departments with excess employees, through joint meetings with departments that have vacancies, to achieve the absorption of such employees.

(3) I made a number of statements on this matter during the process of implementation as well as at the conclusion of the agreement. Regular presentations were also made to the portfolio committee. Currently all avenues are being explored to suitably absorb the remaining excess employees. Discussions are also underway at a provincial and national level to re-deploy excess employees to provincial departments of health and education, together with funds.

Cost to settle remaining land restitution claims

261. Mr A H NEL (DA) asked the Minister for Agriculture and Land Affairs:

(a) What will be the cost to settle the remaining 27 000 land restitution claims before December 2005; and (b) what amount has been budgeted for this purpose in respect of the (i) current and (ii) 2005-06 financial year?

N297E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(a) The monetary value of the claim is known only when a detailed valuation has been conducted through the use of professional and independent valuers. Valuation of the outstanding claims is still to be done.

(b) (i) and (ii) The information pertaining to this section, is reflected in the budget tabled by the Minister of Finance in Parliament, during 2004.

Total cost of publicity/promotions/ entertainment to mark occasion of budget speech

292. Mr R S NTULI (DA) asked the Minister for the Public Service and Administration:

(a) What was the total cost to her department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of her budget speech in both the National Assembly and National Council of Provinces in 2004; (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs; and (c) in what way did this expenditure improve service delivery by her department?

N328E

The MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION:

(a) The total cost to the department is anticipated at being in the region of R38 000.

(b) (i) Invitations were printed at a cost of R22 645.

(ii) No cost was incurred by the department in this regard specific to the budget debates as materials used are those used by the departments at exhibitions and events throughout the year.

(iii), (iv) and (v). No cost was incurred by the department in this regard.

(vi) On the days of the budget vote debates in both Houses luncheons were hosted in Parliament paid for by the department. Invoices for these have not yet been received from Parliament but it is anticipated that this amount will be in the region of R15 000 for the two luncheons.

(c) Such expenditure on communication serves as an avenue for the promotion of understanding of the policies of Government in general and the specific policies of the ministry. Such events present an opportunity for interaction with stakeholders between the Executing Authority, elected representatives and departmental officials and are aimed at promoting participatory democracy. The communication that occurs at such gatherings enables the Minister to assess where obstacles to and problems with service delivery occur and enable her to take appropriate measures.

Total cost of publicity/promotions/ entertainment to mark occasion of budget speech

293. Mr S F HAASBROEK (DA) asked the Minister of Communications:

(a) What was the total cost to her department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of her budget speech in both the National Assembly and National Council of Provinces in 2004; (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs; and (c) in what way did this expenditure improve service delivery by her department?

N329E

The MINISTER OF COMMUNICATIONS:

(1) (a) The total cost to the department of publicity, promotions or information displays and entertainment of Members of Parliament, media or public servants, to make the occasion of the budget speech in the National Assembly in 2004, was R21 015.

(b) The specific costs relating to:

(i) promotional items and printed matter	none (existing items were used)
(ii) audio-visual materials and/or displays	R12 000
(iii) hiring of equipment and personnel	sponsored by Telkom
(iv) transport and accommodation for guests who represented SEWU (Self-Employed Women's Union)	R4 725
(v) venue hire	sponsored by Telkom
(vi) food and drinks	sponsored by Telkom
(vii) music and/or other entertainment	sponsored by Telkom
(viii) publicity through media briefing breakfast	R4 290

(c) The expenditure improved the understanding of the public in respect of programmes of the department for the financial year and for HDI groups to understand the role of the department and opportunities in Government.

Prison staff charged with offences in 2003

334. Mr J SELFE (DA) asked the Minister of Correctional Services:

(1) Whether any prison staff were charged with any offences in 2003; if so, (a) how many in respect of each specified prison and (b) what was the (i) nature of the charge and (ii) outcome in each case;

(2) whether any such staff members were dismissed as a result of the charges; if not, what is the position in this regard; if so, what are the relevant details?

N373E

The MINISTER OF CORRECTIONAL SERVICES:

(1) (a) and (b) Yes, a total of 1 505 prison staff members were charged in 2003.

(b) (i)

Categories of misconduct	*Number charged*
Unauthorised absence	444
Unsatisfactory performance	393
Insubordination	136
Dishonesty	213
Disorder/irregular behaviour	214
Alcohol and drugs	59
Government transport misuse	28
Government property misuse	18
Total	1 505

(ii) Outcomes in each case:

	Verbal warning	*Written warning*	*Final written warning*	*Dismissal*	*Not guilty*	*Case withdrawn*	*Total*
Unauthorised absence	134	110	76	50	18	56	444
Unsatisfactory performance	76	104	50	47	52	64	393
Insubordination	13	50	24	13	26	10	136
Dishonesty	10	39	18	59	57	30	213
Disorderly/irregular behaviour	14	80	10	34	34	42	214
Alcohol and drugs	0	10	12	25	4	8	59
Government transport	4	10	2	2	6	4	28
Government property	4	0	6	0	4	4	18
Total	255	403	198	230	201	218	1 505

(2) 230 prison staff members were dismissed after disciplinary hearings. The table above also shows dismissals under the various categories of misconduct.

Legislation *re* recognition by the State of same-sex marriages

343. Mr M WATERS (DA) asked the Minister for Justice and Constitutional Development:

(1) Whether, in light of the constitutional requirement contained in section 9(3) of the Bill of Rights, her department intends introducing amending legislation to allow same-sex marriages which will be recognised by the State; if not, why not; if so, when;

(2) whether the SA Law Commission has been given a deadline by which it must conclude its investigation into this matter; if not, (a) why not and (b) what is the cause of the delay in this regard; if so, what is the deadline?

N383E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(1) The South African Law Reform Commission (the commission) is currently engaged in an investigation into domestic partnerships. This investigation deals with the question of the legal recognition and regulation of established relationships between people of the same or opposite sex. The investigation is aimed at harmonising family law with the provisions of the Bill of Rights and specifically the values of equality and dignity.

The scope of the investigation is wider than the question of same-sex marriage and also includes the following issues:

- whether marital rights and obligations should in principle be extended to opposite and same-sex domestic partnerships;
- whether the availability of these rights require marriage or registration of the relationship or whether proof of the existence of the relationship is adequate; and
- whether specific rights and obligations should be extended to people living in interdependent relationships without a sexual element.

Once this investigation has been completed and the final report has been submitted, the introduction of legislation will be considered.

(2) The commission has not been given a deadline by which the investigation into Domestic Partnerships has to be concluded.

As is the case in all its investigations the commission has followed a three phase process:

In October 2001, the commission published an issue paper in the form of a questionnaire. The Issue Paper elicited a widespread response. One hundred and forty-five respondents submitted written comments.

In August 2003, the commission published a discussion paper for comment and discussion which included draft legislation containing several possible options for law reform. The publication of the discussion paper was followed by a series of eight workshops during October 2003 involving a variety of interest groups.

Two hundred and seventy-eight written submissions were received on the discussion paper by the end of May 2004. These are currently being collated with a view to finalising a report containing the commission's final recommendations and a draft Bill.

Ownership of Groutville Farm land in Stanger, KZN

362. Prince N E ZULU (IFP) asked the Minister for Agriculture and Land Affairs:

(1) Whether the Groutville Farm land in the Stanger district in KwaZulu-Natal is still under 99-year leasehold; if not, what is the status of ownership; if so,

(2) whether it will be released to the persons who claim to be the rightful owners; if not, why not; if so, when;

(3) whether she will make a statement on the matter? N410E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) The Groutville Farm land in the Stanger district in KwaZulu-Natal is no longer under 99-year leasehold. All informal tenure rights were upgraded to full title.

(2) Original title deeds were issued to 3 500 beneficiaries in August last year.

(3) No.

Incentives to be made available to attract outsourcing jobs

381. Ms R TALJAARD (DA) asked the Minister of Trade and Industry:

Whether specific incentives, including tax incentives, will be made available to attract outsourcing jobs, including, but not restricted to, call centres and back-office data processing; if not, why not; if so, what are the relevant details on the incentive package to be offered? N450E

The MINISTER OF TRADE AND INDUSTRY:

Yes, the DTI will introduce two types of incentives for the Business Process Outsourcing (BPO) sector in October 2004 which will attract investment as well as promote skills development in this field.

(1) The first incentive is the Small, Medium Enterprise Development Programme (SMEDP) for information and communications technology. This incentive will be an asset-based incentive targeted at small and medium firms that serve international markets. The aim of the incentive is to attract foreign direct investment and contribute to the increase of export services through the provision of outsource solutions. The amount for the grant will be calculated on a sliding scale, whereby smaller firms will get a larger percentage of the grant, which can range between 0-10% of the qualifying investment costs. The calculation of the percentage will be based on costs incurred by the enterprise to acquire, construct, erect or install qualifying assets, for example, equipment, research costs and the development costs for both hardware and software.

(2) The second incentive package will target call centres and back-office data processing and it comprises of two components. The first component is the Top-Up Incentive Programme, which is a training cash grant and will vary on a sliding scale of between 5% and 15% for three years based on the different national qualification framework (NQF) learnerships. Smaller firms will get a bigger percentage.

The second component is a company specific incentive, which is a training cash grant of 30% of the actual training cost incurred by the company for providing company specific product training in areas such as insurance, banking, telecommunications, finance and accounting, healthcare and professional services. Up to R6 000 per learner in a sector education training authority (Seta)-accredited training course will be provided.

Name of applicants applying for funding from National Lottery in arts, culture & national heritage category for 2003-04

394. Ms D KOHLER-BARNARD (DA) asked the Minister of Trade and Industry:

With reference to his reply to Question No 146 on 5 July 2004, (a) what is the name of each applicant who applied for funding from the National Lottery in the arts,

culture and national heritage category for the 2003-04 financial year, (b) on what date was the application of each specified applicant adjudicated by the relevant distributing agency, (c) which applicants were successful in their applications and (d) what amount was allocated to each successful applicant? N465E

The MINISTER OF TRADE AND INDUSTRY:

The management of the funds of National Lotteries Board is currently being audited as part of finalising the Board's annual report. A detailed list of beneficiaries will be contained in the annual report, which will be presented to Parliament at the end of August 2004. The list will include details on how the R375 383 838,00 was distributed to the arts, culture and national heritage category during the 2003-04 financial year.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

QUESTIONS

For written reply:

Amount budgeted for/spent on advertising celebration of 10 years of democracy

77. Dr E NKEM-ABONTA (DA) asked the Minister of Trade and Industry:

(a) What total amount did his department and/or ministry (i) budget for and (ii) spend on (aa) advertising and (bb) other specified activities related to the celebration of 10 years of democracy from the date that the election date was gazetted up to and including the election day and (b) what specified media and/or publications were used to publicise the campaign around the celebration of 10 Years of Democracy? N79E

The MINISTER OF TRADE AND INDUSTRY:

(a) and (b) Advertisement commemorating 10 years of democracy celebrations were placed in the publications tabled below. The DTI used these adverts as an opportunity to highlight its role in facilitating economic freedom over the past decade, with examples tailored towards the target audience of the specific publication.

Table 1: Publications used to advertise the 10th year of democracy celebrations

Item	*Date*	*Amount*
Achiever	25/02/04	R30 600
Acumen	April to June 2004	R25 000
Blue Chip (Cape Media)	18/04/04	R43 000
CEO (Celebrating Excellence in Organisations)	03–04	R20 000
Equinox	03–04	R30 000
Explore SA	12/02/04	R23 800
Explore SA (Cape Media)	April to June 2004	R21 000
Life and Leisure	03–04	R27 500
Mail & Guardian	14/05/04	R24 624
New Agenda	03–04	R34 143
Opportunity	April to June 2004	R28 600
Sowetan Sunday World	18/05/2004	R29 000
Sunday Times	18/05/04	R49 000
Update	03–04	R16 000
Total		R393 267

Improvement of business skills in informal economy

256. Prof E S CHANG (IFP) asked the Minister of Trade and Industry:

(1) Whether his department has put any measures in place to improve business skills such as marketing, economics and financial management in the informal economy; if not, why not; if so, what measures;

(2) whether, following statements made at the recent World Economic Forum to the effect that crime, low skills, corruption and HIV/Aids militate against South Africa's growth potential, his department has taken or intends taking any steps to boost investor confidence in South Africa; if not, why not; if so, what steps? N291E

The MINISTER OF TRADE AND INDUSTRY:

(1) Research undertaken by the DTI, in partnership with other entrepreneurship research bodies has identified the need to skill SMME owners with generic and crosscutting skills such as financial management, economic literacy, and other generic skills. It is important to understand the following:

- Responses to such needs span several government departments and agencies, and therefore measures need to be seen as a package with complimentary offerings. To ensure that measures and interventions are accessed, the provision of infrastructure is critical. The specific measures in place include the following:

- The DTI is engaging with the National Skills Authority, which is finalising the next generation National Skills Development Strategy to be announced later by the Minister of Labour, to ensure that small, medium and micro enterprises do benefit from the skills development incentives. This intervention can only be fully clarified once the process of the National Skills Development Strategy has been finalised. If these materialise, SETAs will be enabled to support skills development in the informal business community related to their sectoral coverage.

- Entrepreneurship culture in this country is not well developed, and therefore the DTI is engaging with education institutions to support the establishment of Chairs of Entrepreneurship. The idea is to partner with universities of technology in supporting the inculcation of such a culture, and also the general development of businesses (both formal and informal) within the communities served by those institutions.

- During 2003–04 financial year Ntsika Enterprise Agency trained, mentored and assisted more than 15 000 small enterprises. A total of 282 service providers were trained and Ntsika supported 209. In addition Namac assisted and supported more than 2 000 manufacturing enterprises creating 1 744 new jobs and retaining 14 726 existing jobs. Ntsika and Namac will be merged into a single agency during this year and will have a total budget of R120 million.

(2) Perception surveys conducted by Government found different set issues as compared to the ones raised by the World Economic Forum. Investors raised issues such as the cost of input sectors such as energy, telecommunications, water and transportation. Other issues raised include the time taken to get environmental impact assessment approved, the availability of skills in the country and how the black economic empowerment charters will function. Government is implementing the microeconomic reform strategy to address all these issues, and notable achievements have already been reported upon. It should however be noted that many factors influence investment promotion. The DTI is currently conducting an Investment Climate Survey to ensure a coordinated, evidence-based approach to investment promotion.

They are a number of measures which currently exists to boost investor confidence and they include the following:

The International Investment Council (IIC) meetings

- The seventh IIC-meeting was held in Cape Town on 19 to 20 June 2004, and was attended by global captains of industry. The IIC meeting provides

integral feedback to Government and industry as to how international investors perceive our investment policies and climate. This high-level think-tank feeds their perspectives into South Africa's executive decision-making processes, which are then implemented by the relevant government departments. Through this process investor anxiety is addressed and confidence boosted.

Business and industry forums

- Business and industry forums are conducted on a regular basis to communicate key policies and programmes of the DTI. This ensures proactive exchange of information with key stakeholders and provides an early warning system of potential anxieties or problems in the investor community.

Investment products

- General information on South Africa's investment environment such as "The cost of doing business in South Africa" and the "Investor roadmap".
- Sector-specific information to support business decisions.
- Packaged investment incentives.

Facilitation

- The department has a specialist unit that renders assistance related to trouble-shooting and the removal of bottlenecks in the investment process. This assistance encourages investor confidence by impressing upon the investor the ease of entering and conducting business in South Africa.

International support

- The DTI operates several economic offices abroad, which are located in major investor countries. These offices are responsible for creating and enhancing South Africa's image abroad; conducting investment promotional activities; and facilitating investment into South Africa.

Projects to ensure that proposed Apex Fund will reach poorest of the poor

257. Prof E S CHANG (IFP) asked the Minister of Trade and Industry:

(1) Whether his department has any plans or projects to ensure that the proposed Apex Fund to provide micro-finance will reach the poorest of the poor; if not, why not; if so, what are the relevant details;

(2) whether his department has taken or intends taking any steps to ensure that vulnerable groups such as women, the youth and the disabled are empowered to reach their full economic potential; if not, why not; if so, what steps? N292E

The MINISTER OF TRADE AND INDUSTRY:

(1) The DTI exists to serve the interests of South Africa's economic citizens, with a particular mandate to include the marginalised in the mainstream of the economy. In order to achieve this vision, the DTI has been transformed to be an outwardly focused, client-oriented organisation. The department is currently in the process of implementing an integrated management system that will ensure that the customer obtains maximum benefit from the expertise of multidisciplinary teams. Furthermore, in an effort to promote the development of small, medium and micro (SMMEs) enterprises, the DTI has established two institutions which are Khula and Ntsika with the mandate to provide a wholesale funding and business support services to SMMEs. However, after seven years of operations, government realised that mandates given to these institutions to provide loans to the SMME sector were too broad.

It is against this background that in December 2001, microcredit practitioners met to discuss the results of the poverty mapping study conducted by the Women's Development Bank (WDB) Trust. They also deliberated on issues that were limiting pro-poor microcredit institutions from reaching many poor households and other factors, which inhibits the growth and potential success of pro-poor microcredit in South Africa. The DTI will launch the Apex Fund towards the end of this year. The Fund will serve as one of the funding mechanisms that will focus on supporting micro finance institutions that service the poor and marginalised clients in financial need of as little as R1 to R10 000. The broad objective of the Apex Fund is to increase access and participation of the very poor, particularly women in rural areas to microcredit services. The main goal of Apex Fund is to contribute to government efforts to reduce poverty by ensuring that the economically active poor and the very poor households have access to affordable credit and savings facilities. It is estimated that by the year 2007, growth in microcredit and savings mobilisation as well as incomes of the poor clients will be increased significantly compared to the situation before project implementation.

The microcredit component will have four sub-components, which are:

- Rural microcredit
- Microcredit for progressive borrowers for micro enterprise.
- Urban microcredit.
- Microcredit for the poorest of the poor

This component will finance productive and income generating activities through a revolving fund that will lend to partner organisations for on lending to micro entrepreneurs.

The mechanism of channeling funds through Apex organisations can be efficient, quick and cost-effective. Programs that provide credit and other financial services and business services have shown that this mechanism if applied properly and supported by key stakeholders that is the government and donors has a direct impact in reducing poverty and improving the standards of living for those who would ordinarily be marginalised by the formal financial services sector.

(2) Yes, the DTI has taken steps to ensure that vulnerable groups such as women, the youth and the disabled are empowered to reach their full potential. This objective has been attested by the formation of South African Women Entrepreneurs Network (SAWEN) and the Technology for Women in Business (TWIB) initiatives by the DTI. And the launched Apex Fund will advance create the opportunity for poor, rural and marginalised entrepreneurs to access the funds particularly in the rural and poor urban areas, including vulnerable groups such as women, the youth and the disabled, so that they are empowered to enable them to reach their full economic potential.

Total cost of publicity/promotions/ entertainment to mark budget speech

290. Mr E NKEM-ABONTA (DA) asked the Minister of Trade and Industry:

(a) What was the total cost to his department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of his budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music

and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by his department? N326E

The MINISTER OF TRADE AND INDUSTRY:

(a) The department spent R205 724,22 for the National Assembly Budget Vote event. No expenses were incurred for the National Council of Provinces budget vote as no catering and entertainment was provided.

(b) The breakdown of the expenses of the National Assembly Budget Vote is illustrated in the table below:

Item	*Amount*
Exhibition (for two days)	83 778,60
Transportation costs	30 019,00
Dinner, décor, staging and drinks	75 926,62
Entertainment	16 000,00
Total	205 724,22

(c) The purpose of the budget vote speeches serve to report on the activities undertaken by the DTI in the previous financial year as well as expound on the programme of action for the current financial year. Whereas exhibitions complement the Ministers' verbal reports to Parliament and tangibly demonstrate the impact of the DTI's programmes and activities on the real economy.

EIAs referred by developers to KZN environmental department

326. Mr G R MORGAN (DA) asked the Minister of Environmental Affairs and Tourism:

(1) How many (a) environmental impact assessments (EIAs) have been referred by developers to the relevant provincial environmental department in KwaZulu-Natal since 1 January 2002, (b) record of decisions have been given in favour of the developer (i) without conditions and (ii) with conditions and (c) record of decisions have been given against the developer during this period;

(2) whether there is a backlog in the KwaZulu-Natal department in processing EIAs; if not, what is the position in this regard; if so,

(3) whether any steps have been or will be taken to reduce such backlog; if not, why not; if so, what steps? N365E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) Since 1 January 2002, the KwaZulu-Natal department of agriculture and environmental affairs has received 1 867 environmental impact assessments up to 23 July 2004, which is the latest date for which information is available;

(b) (i) none;

(ii) 1 887; and

(iii) four.

(2) There is no backlog of environmental impact assessment applications in KwaZulu-Natal. Currently, there are 189 applications that require no further information, but records of decision have not yet been issued.

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For oral reply:

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SOCIAL SERVICES AND GOVERNANCE

(CLUSTER 2)

*2. Mr K W MORWAMOCHE (ANC) — Home Affairs. [Col 513]

*22. Ms M SMUTS (DA) — Communications. [Col 518]

*20. Mr S J NJIKELANA (ANC) — Health. [Col 523]

*9. Mr C B HERANDIEN (NNP) — Sport and Recreation. [Col 529]

*26. Mrs C DUDLEY (ACDP) — Health. [Col 533]

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*31. Mr M SWART (DA) — Home Affairs. [Question standing over.]

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*14. Ms A M MAZIYA (ANC) — Communications. [Col 577]

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*34. Mr M WATERS (DA) — Social Development. [Col 588]

*38. Ms P BHENGU (ANC) — Provincial and Local Government. [Col 589]

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1. Mr M WATERS (DA) — Health. [Written Question No 15] [Question standing over.]

2. Mr M WATERS (DA) — Health. [Written Question No 16] [Question standing over.]

3. Mr T D LEE (DA) — Sport and Recreation. [Written Question No 57] [Col 589]

4. Mr S J MASANGO (DA) — Sport and Recreation. [Written Question No 66] [Col 590]

5. Mr T D LEE (DA) — Sport and Recreation. [Written Question No 68] [Col 591]

6. Mr A C STEYN (DA) — Housing. [Written Question No 79] [Col 592]

7. Mrs C-S BOTHA (DA) — Social Development. [Written Question No 82] [Col 593]

8. Mr M M SWATHE (DA) — Provincial and Local Government. [Written Question No 87] [Question standing over.]

9. Mr M SWART (DA) — Home Affairs. [Written Question No 109] [Question standing over.]

10. Mr R JANKIELSOHN (DA) — Social Development. [Written Question No 158] [Question standing over.]

11. Mr C H F GREYLING (NNP) — Home Affairs. [Written Question No 172] [Question standing over.]

12. Mr S SIMMONS (NNP) — Public Service and Administration. [Written Question No 178] [Removed]

13. Mr S J MASANGO (DA) — Housing. [Written Question No 189] [Col 594]

14. Mr M WATERS (DA) — Health. [Written Question No 192] [Question standing over.]

15. Mr R COETZEE (DA) — Health. [Written Question No 203] [Col 598]

16. Mr J P I BLANCHÉ (DA) — Social Development. [Written Question No 204] [Col 599]

17. Mr E W TRENT (DA) — Public Service and Administration. [Written Question No 209] [Removed]

PEACE AND SECURITY

(CLUSTER 1)

Question standing over from Wednesday, 18 August 2004

Government delegation to Equatorial Guinea to ensure fair trial for SA mercenaries

*24. Mr D H M GIBSON (DA) to ask the Minister of Foreign Affairs:

(1) What is the specific mandate given to the government delegation that has

been sent to Equatorial Guinea to ensure that the alleged South African mercenaries receive a fair trial;

(2) whether the delegation will actively assist the Equatorial Guinean authorities with regard to the trial proceedings; if not, what will their role be with regard to the trial; if so, what form will this assistance take;

(3) whether the Government has taken note of the concerns of Amnesty International regarding the poor prospects of a fair trial taking place; if not, why not; if so, what steps have been taken to address these concerns;

(4) whether the South African accused have been formally charged and allowed access to their legal representatives; if not, why not; if so, on what date or dates;

(5) whether her department has taken a decision on the form of the intervention it will make should the department consider that a fair trial is unlikely to take place; if not, what options are being considered in this regard; if so, what intervention will be made? N484E

The MINISTER OF FOREIGN AFFAIRS:

I think hon members must first just recall the history of the involvement of South Africa in the Equatorial Guinea trial. It was the initiative of the Equatorial Guinean government. They came to see us early this year in March and said to us that they would like to be assisted, right from the beginning with this trial, from the investigation right up to the trial, so that they can indeed give a fair trial to the people who were standing trial there. They voluntarily asked for our assistance. The assistance did not mean that we can take over the trial. We can give guidance. We can help where we think, give advice where we think things are not going the right way. So that extent we have had three delegations to Equatorial Guinea. One went in March; one went in May and there is a delegation there now for the duration of the trial. Of course, during the trial as it is taking place now, we cannot participate actively, because we are not part of their judicial system.

The accused have got lawyers who are representing them and who are familiar with the Equatorial Guinean law. Though they have lawyers from South Africa, but those lawyers obviously cannot participate directly in the court. I think in terms of what intervention we can make. As I say, we have been working with them right from the time of investigation up till now. I am not in a position to speculate and say that they are not going to have a fair trial as you have asked, what do we say to Amnesty International regarding their comment on the poor prospects for a fair trial. That's their view. We have been involved in the preparation right up till now. That is what I would like to say on this question.

Mr D H M GIBSON: Madam Speaker, it is a pleasure to welcome the Minister of Foreign Affairs back. We always like to see her here. Does the Minister believe that the Equatorial Guinea trial is a fair one? The DA rejects mercenary activity but insists that all accused are entitled to the presumption of innocence and are entitled to a fair trial. [Interjections.] Access by the accused ... Obviously members of the ANC do not believe in the presumption of innocence and they don't believe in a fair trial. Access by the accused's legal representatives for an hour last Friday and the prosecution's reliance on so-called confessions extracted under duress is not fair. I ask the hon Minister to confirm that the government will refuse to extradite Mark Thatcher, son of Lady Thatcher, to Equatorial Guinea because there is no possibility of a fair trial in that country. South Africa is perfectly capable of trying the matter properly and fairly in terms of our mercenary legislation.

The MINISTER OF FOREIGN AFFAIRS: Of course, we all believe in a fair trial,

including the ANC members. We all believe, at least according to our law, that somebody is innocent until proven guilty. That is why I did not understand why the opposition was so agitated and said that we must intervene. We must intervene when people have not been found guilty yet and on what basis? It was puzzling to us when we asked to intervene and to say that they should not get the death penalty, when they have not been proven guilty yet. Unless the opposition has some knowledge that we don't have, but we start from the presumption that they are innocent and therefore they have nothing to intervene on until they are proven guilty and sentenced, and then, whatever sentence they are given, we can then see what intervention is appropriate. Secondly, the question of Mr Mark Thatcher is not part of this question. So, you have an opportunity to ask that question some other time.

Ms H M MPAKA: Thank you, hon Minister for the answer that you gave to the hon Gibson. South Africa is a member of the international community and signatory to a number of protocols and conventions. Amongst those are the ones that commit us to the rule of law. Is it then correct in terms of the law that South Africa as a country could impose its laws on another country? Could you also comment and make a call to all South Africans to desist from getting attracted to mercenary and unlawful activities in other countries?

The MINISTER OF FOREIGN AFFAIRS: Of course, South Africa, both from its history but also from its Constitution and principles and values cannot condone mercenary activities. That is a given. Also arising from the Constitutive Act of the African Union, we cannot even recognise a government that comes to power through mercenary activities. That is very clear and we have to keep to that. It is a given that South Africans must not involve themselves in mercenary activities. That is obviously very clear and should be condemned and treated with the contempt it deserves. When people are on trial, we have to wait and see whether they are found guilty or not; and to see what happens. As a principle, I am sure every member of this House does not support mercenary activities, including the Opposition. Otherwise they should not be sitting in this House. [Applause.]

Dr S E M PHEKO: Madam Speaker, does Equatorial Guinea have a record of gross violations of human rights? If not, why is there concern that the alleged South African mercenaries will not receive a fair trial? If indeed Equatorial Guinea does have a record of gross violations of human rights, why is there no concern about a fair trial for the citizens of that country?

The MINISTER OF FOREIGN AFFAIRS: Well, I think hon member, I will say something, even though what you have asked does not arise directly from my answer. I will just make a general comment. That general comment is that this House must not have double standards. This House must treat everybody the same. I'll tell you a short story to answer that question. One of my daughters a few years ago said to me, Mommy, I do not agree with the way you are reacting to this issue. This was something in Liberia, where journalists, including a South African journalist, were facing a possibility of the death sentence. She says: Why are you only intervening now? Why don't you intervene for all the Liberians who face the death penalty? Why is it only a concern when it is somebody else from outside? I would have thought that you would be concerned about the citizens of Liberia, facing the death sentence. Why is it that we have never heard about it, only now when it is other people from outside Liberia? That was my daughter. I answered her in the family fashion, like a good mother, explaining to her. It is a similar situation and I leave it at that.

Madam Speaker, can I do something that I am maybe not allowed to do? But I don't know whether I am allowed? We came in a bit late. I was just going to inform you that

we have a visitor. He is in the gallery. He is the foreign secretary of Great Britain, Mr Jack Straw. [Applause.]

Mr D H M GIBSON: Madam Speaker, I'd like to ask the hon Minister, why she treats radio audience with more respect than she treats the hon members of this House. The same question about Mark Thatcher was put to her on radio programme — not an hour or two ago — and she said that the Government had to study the legalities of the situation. And yet, instead of sharing that information with hon members here, she hides behind the thing that I must give notice of that question. I want to invite the hon Minister to share with the hon members the knowledge that she gave to all the rest of the people of South Africa and to make a statement as to whether this Government will give an assurance that we will try Mark Thatcher in terms of our own laws relating to mercenary activities and not put him out to the mercies of Equatorial Guinea, which cannot, in terms of their legal system, give a fair trial. That has been proven in the last week.

The MINISTER OF FOREIGN AFFAIRS: I have a responsibility to the population of this country. [Interjections.] Before I go further, I would like the member of the Opposition not to mislead the House. I did not answer a question on a radio programme. I haven't been on any radio programme. Let me educate you so that next time you verify your facts before you come here and shoot your mouth off the way you did just now. [Laughter.] I was briefing the Parliamentary media gallery, which is the routine that Government has twice a year. The chairs of the clusters have turns to brief the media. Don't say you know, because you said I was on a radio programme. You should have corrected that instead of shouting here. [Interjections.] This question arose in the discussion that I was having with the media on our cluster. I explained to the media, in terms of the question that they have asked, I answered. Here I was following your own rules. You are very sticky about rules, hon Gibson. The Rules are that the follow-up must arise from what I have said. I was following the Rules. That question does not arise from what I have said. So if I follow the Rules that you are always preaching to us, I have no obligation to answer that question. I have an obligation, when briefing the media, to answer the questions asked. [Interjections.] The rest of the public has heard what I have said. Now I can do you a favour and answer, but it is not a right. It does not arise directly from what I said. If you want me to, I'll do you a favour.

The SPEAKER: Hon Minister, you will not do him a favour right now. Are there any other follow-up questions?

Mr D H M GIBSON: Madam Speaker, because I am very fond of the hon Minister of Foreign Affairs, I will not respond to her reference to me shooting my mouth off. I am simply going to say to her that she apparently thinks it is more important to brief the media than to brief the members of this House. She was asked a question by the media, and responded. Now she was asked a question in this House and instead of being so defensive about it, she should use her usual charm and take this House and the people of South Africa into her confidence and tell us, is the Government going to refuse to extradite Mark Thatcher to be tried elsewhere, and are we going to try him here?

The SPEAKER: Hon Minister, if you want to you can answer because in fact, I should not have given Mr Gibson a third opportunity. We had already exhausted our four follow-up questions. If you want to, you can respond to this one.

The MINISTER OF FOREIGN AFFAIRS: I'll humour him and I will answer. Since he stopped smoking, I think I can do that. [Laughter.] Well, first of all, there has been no request for any extradition from anybody. So I cannot say we will refuse. The question has not arisen. Maybe also just to clarify: I was also asked about the death penalty vis-à-vis Mark Thatcher. And my question

is, the South African Government and the South African Constitution is against the death penalty for anybody everywhere in the world. [Applause.]

SOCIAL SERVICES AND GOVERNANCE

(CLUSTER 2)

Measures to safeguard rights of women/protect them from dangers emanating from various marriage systems in SA

*2. Mr K W MORWAMOCHE (ANC) asked the Minister of Home Affairs:

> Whether any measures are in place to safeguard the rights of women and to protect them from dangers emanating from the various marriage systems applicable in South Africa, as well as to safeguard under-aged girls from possible abuse inherent in the system of customary marriages; if not, why not; if so, what measures? N510E

The MINISTER OF HOME AFFAIRS: Madam Speaker, the answer is, "yes". In 2003 Cabinet resolved that all marriage legislation must be reviewed and consolidated into one marriage Act for the country, with the intention, of course, to protect women from dangers emanating from the various marriage systems.

The second question refers to young children, that is young girls within the system of customary marriages. As we all know — I think I did make the point in this House last week — according to the marriage Act, parents of children between 18 and 21 years have a right to intervene and grant them permission if they want to get married. If there are no parents, then guardians should grant consent.

The Minister would have to intervene in a customary marriage situation involving girls under the age of 18. This is deliberate because as we all know, in our villages we have had a situation where mothers and girls have had no recourse when a man decides that his daughter of 15 years should stop schooling because he wants to marry her off for lobola. According to our Customary Marriages Act, this Government is now protecting those young girls.

A child has a right to come to the Minister and ask the Minister to intervene. The Minister may delegate that responsibility to an official in the department, or even the director-general for that matter, in the event the Minister is not available to intervene and protect that young girl. So this Government does have the interests of young girls at heart. [Applause.]

Sizam' ukutsho ke — ukuba lisekhna ixesha, Somlomo — ukuba thina sinomdla ngobomi babantwana abangamantombazana. Ukuba aba bantwana banyanzeliswa ukuba bayeke isikolo ukuze baye kutshatiswa ngenkani, sinelungelo lokubabamba abazali abenza oko ngoba abo bantwana banelungelo lokuba sibakhusele singurhulumente. [Kwaqhwatywa.]

(English translation follows):

[That is what we are trying to say — if the time still allows us, Speaker — if we are interested about the lives of female children. If these children are forced to leave school and get married by force, we have got the right to prosecute the parents who are doing that, because those children have the right to be protected by the government. [Applause]]

Mr K W MORWAMOCHE: Thánk you, Madam Speaker. In terms of the Customary Marriages Act, a customary marriage may only be dissolved by a High Court of South Africa or a family court established under any law. Minister, is there any co-ordination between the Department of Justice and the Department of Home Affairs to ensure that poor rural people access this service, as we know that most of these marriage contracts are in rural areas? Thank you.

The MINISTER OF HOME AFFAIRS: Well, yes. But we must also remember that if we do not encourage our mothers and fathers to register those customary marriages, then they will not be protected by law. The reason we have been encouraging our people to come forward and register these customary marriages during this campaign is because they need to be recognised by the law so that they are protected. It is also precisely to ensure that in the event of a divorce, the rights of those women and those men would be protected.

[Languagè spoken has changed to IsiXhosa]

Ukuba ngaba umtshato awubhaliswanga, angekhe umtshato kamama notata uchithwe njengowasesilungwini. Kanti ukuba ubhaliswe kakuhle njengalo wasecaweni, uya kuchithwa ngale ndlela nomnye umtshato uchithwa ngayo, ukuze abantu ababandakanyekayo kuloo mtshato bahlulelwe izinto zabo kukhuselwe nabantwana ngendlela ebekuya kwenziwa ngayo xa bebenomtshato wephepha. Awuzi kukhuseleka xa kuqhawulwa umtshato ukuba umtshato lowo awuzange ubhaliswe ngokusesikweni. Kubalulekile ke ukuba sikhuthaze abantu bethu ukuba kuqala mabayibhalise le mitshato yabo yasemakhaya. [Kwaqhwatywa.]

(English translation follows):

[If the marriage is not registered, that marriage cannot be ended in terms of Western marriage. If that marriage is registered properly in terms of the church, that marriage will be ended the same way as other marriages are ended, so that the people involved in that marriage can have their properties shared and the children be protected the same way as in the Western marriage. It won't be protected if the marriage was not registerd officially. It is important that we must encourage our people to register their traditional marriages. [Applause.]]

Mr S N SWART: Thank you, Madam Speaker. Hon Minister, we, in the ACDP, fully agree that we all need to safeguard the rights of women and protect them from dangers emanating from different marriage systems in South Africa.

We particularly need to safeguard underage girls from possible abuses inherent in the system of customary marriages, as you pointed out. We, therefore, welcome your response and the fact that this issue has also been highlighted as a critical intervention area in the department's strategic plan. The key output for this plan is the educative campaign and protective measures designed, according to the strategic plan, to be implemented by December this year.

With this in mind, would the hon Minister advise what the educative campaign and the protective measures, as indicated in the strategic plan, will entail and whether this programme is on track for implementation by December this year? Thank you.

The MINISTER OF HOME AFFAIRS: Madam Speaker, we are hoping that we will be able to achieve that goal. But we can only do that with the assistance of hon members.

Remember that you have constituencies and you enjoy a lot of support and have resources that were allocated to you by Parliament. Therefore, if you help us as departments during these campaigns by utilising the resources made available to you by the Speaker, it would be possible to achieve the goals we have set for ourselves in the strategic plan.

So if hon members could assist us by partnering the department, I think that we would go a long way. Having started this campaign at the beginning of August, my assessment is that we are on track and are doing very well. I hope I have answered that question. [Applause.]

Mrs S V KALYAN: Thank you, Madam Speaker. Madam Minister, the Customary Marriages Act is harmonised to a certain point with the Constitution, but I pick up two major deficiencies. The first one is that

is, the South African Government and the South African Constitution is against the death penalty for anybody everywhere in the world. [Applause.]

SOCIAL SERVICES AND GOVERNANCE

(CLUSTER 2)

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The Minister would have to intervene in a customary marriage situation involving girls under the age of 18. This is deliberate because as we all know, in our villages we have had a situation where mothers and girls have had no recourse when a man decides that his daughter of 15 years should stop schooling because he wants to marry her off for lobola. According to our Customary Marriages Act, this Government is now protecting those young girls.

A child has a right to come to the Minister and ask the Minister to intervene. The Minister may delegate that responsibility to an official in the department, or even the director-general for that matter, in the event the Minister is not available to intervene and protect that young girl. So this Government does have the interests of young girls at heart. [Applause.]

Sizam' ukutsho ke — ukuba lisekhna ixesha, Somlomo — ukuba thina sinomdla ngobomi babantwana abangamantombazana. Ukuba aba bantwana banyanzeliswa ukuba bayeke isikolo ukuze baye kutshatiswa ngenkani, sinelungelo lokubabamba abazali abenza oko ngoba abo bantwana banelungelo lokuba sibakhusele singurhulumente. [Kwaqhwatywa.]

(English translation follows):

[That is what we are trying to say — if the time still allows us, Speaker — if we are interested about the lives of female children. If these children are forced to leave school and get married by force, we have got the right to prosecute the parents who are doing that, because those children have the right to be protected by the government. [Applause]]

Mr K W MORWAMOCHE: Thánk you, Madam Speaker. In terms of the Customary Marriages Act, a customary marriage may only be dissolved by a High Court of South Africa or a family court established under any law. Minister, is there any co-ordination between the Department of Justice and the Department of Home Affairs to ensure that poor rural people access this service, as we know that most of these marriage contracts are in rural areas? Thank you.

independence. To stifle this independence would be a serious breach of the freedom of expression enshrined in the Constitution. Flowing from this, the SABC has an editorial policy which explains very clearly how journalistic independence must be exercised. One of the principles underpinning the editorial independence clearly states:

> In covering newsworthy activities we strive to give South Africans the news and information they need to make informed decisions about their lives.

Inevitably news bulletins will feature Cabinet members from time to time, simply because the public has an interest to know about the pace of government delivery. However, coverage of Cabinet Ministers has at no time been mandated by the managing director of news as implied in the question. Both questions (a) and (b) have already been answered in what I have said. Thank you.

Ms M SMUTS: Madam Speaker, would the hon the Minister therefore agree that the SABC news staff can then take it that it is official SABC position that they are under no political obligation and that they must act professionally as it is their right, in fact their duty, to do. It is necessary to say so. That of course the statutory position, and moreover the Constitutional position, is quite simply the fact that media freedom is enshrined. That means simply that the Government of the day cannot tell the media what to say.

But it is necessary for her to underline the fact that that is not the position of the SABC, which has hiring and firing powers, nor of this Government, nor of the law, nor the Constitution. The reason why it is necessary, is that it is painfully apparent to viewers that the SABC TV news is operating under new super management, with its public relations treatment of departmental project launches and ministerial appearances. The SABC is, of course, not the broadcaster of the majority party; it is not the broadcaster of the ANC in election mode, nor of the ANC in Parliament, nor of the Government. [Time expired.]

The MINISTER OF COMMUNICATIONS: Madam Speaker, as I have said earlier on, no instruction has been given to new staff by the managing director of news, and the SABC says that it does not believe that it is necessary to make a public statement on this matter, because the SABC news staff are fully aware of the editorial policies which guide their practice. This has further been communicated at a workshop that was recently held with them, from 11 to 13 August 2004, in which the editorial policies were discussed in great detail.

Since I have been in the democratic South Africa, it has been a government of a party that has constantly been fighting for this freedom of expression. I don't know. Other people might have some views. I know that I cannot tell the SABC what I want and that that they would then do it — Minister or no Minister. I am not so sure where this idea comes from.

But the Opposition should also not think that because they are the opposition and members of Parliament they can go and interfere in the SABC. This we will fight.

Ms S C VOS: Madam Speaker, arising from the Minister's reply, I think that those of us, like you, who have been associated with the SABC for a long time surely have to acknowledge that there are problems within the newsrooms, both TV and radio, of the SABC. I think that you have given a generic sort of answer, but you have to acknowledge, because it is too well-known not to be acknowledged, that there are problems within the newsroom.

My second question to you is that you need to answer the perception, as well as the fact, that those problems have been rooted in the fact that the ANC insisted on only its selection of board members being placed on the board of the SABC, and that they used their majority to insist that only their candidates would be appointed.

Lastly, the fact that the newsrooms, and certainly the hierarchy of the SABC, have

women are denied the right to inheritance on the grounds of a customary union. Given that many underage women are married without their consent and possibly because of being married so young, they are deprived of education. It would appear that because of this they are further damned by the law and this will have societal consequences in future in the sense that, if the husband passes on, they will not be able to look after themselves financially.

The law also discriminates between girls and boys. Protection is afforded to the man in the sense that the law protects them, but girls under 18 years need your protection. I would like, therefore, to ask you to comment first of all on the right to inheritance and secondly, on how many cases you have intervened in to afford protection to girls under the age of 18 against marriages of this nature.

The MINISTER OF HOME AFFAIRS: Well, I don't know. I don't have statistics that indicate how many cases we have intervened in as the department, but I will check that. Fortunately you are a member of the portfolio committee, so I can always come to the portfolio committee and provide such statistics.

However, it is not true that girls are not protected and that boys have more advantages than women. Indeed, in terms of socialisation the boys have had to have more advantages than the girls. However, the laws we have passed in this Parliament, some of which, unfortunately, some of us have voted against, actually entrench and ensure equity between men and women, which would also affect boys and girls.

The Customary Marriages Act actually ensures that it protects young girls, men and women alike. Contrary to what you are raising, that marriage Act ensures that the woman can access property and inherit the assets of the spouse. So I am not quite sure what is the basis of your concern, but if you look at the legislation and the regulations that we have passed and which I have seen, I am sure you would find that the situation I've just sketched out prevails.

On the issue of statistics, I am willing to come to the portfolio committee to provide that information about statistics, if it is available in my office. But I am certain that the reason we are encouraging people to come forward and register these customary marriages is that we want to make sure that they are protected and that they have access to the inheritance and property rights in those marriages. [Applause.]

Instruction by SABC news MD *re* number of Cabinet Ministers per news bulletin

*22. Ms M SMUTS (DA) asked the Minister of Communications:

(1) Whether the Managing Director of news at the SA Broadcasting Corporation (name furnished) at any time since his appointment told news staff members that he wanted to see a certain number of Cabinet Ministers on each news bulletin; if so, (a) what number did he indicate and (b) how is this reconciled with the requirement of independence from Government as stipulated in the Broadcasting Act, 1976 (Act No 73 of 1976), as amended; if not,

(2) whether the said Managing Director will make a public statement confirming that no such instruction to news staff members exists in any form; if not, why not; if so, when?

N571E

The MINISTER OF COMMUNICATIONS: Thank you, Madam Speaker. The SABC can confirm that at no time has the managing director referred to, told news staff that he wanted to see a certain number of Cabinet Ministers on each news bulletin. The SABC operates — and this is information I get from the General Manager for Public and International Affairs — in a news environment which encourages creative and journalistic

Mr M T LIKOTSI: I referred to staged events and false events. [Interjections.] Let me explain.

The MINISTER OF COMMUNICATIONS: Yes, please do explain.

Mr M T LIKOTSI: Speaker, they might make up some events that do not exist if they lack news for a particular day, they might invite a Minister and interview him on a particular matter. [Interjections.] How are you going to ensure that such things do not happen? [Interjections.]

The SPEAKER: Order! Hon members, I believe the member is raising some concerns, but if the Minister is not clear, then the member might have to put his question down on paper with some information so that the Minister can exercise her mind. I think she is trying to understand the question. Does the hon Minister want to answer the question?

The MINISTER OF COMMUNICATIONS: No, I do not want to answer.

Mr H P CHAUKE: Madam Speaker, on a point of order: We have agreed that members are allowed to use their mother tongue. I think the member could have used isiZulu or Sesotho so that the Minister would have been able to hear. [Laughter.]

Progress *re* implementation of DHS

*20. Mr S J NJIKELANA (ANC) asked the Minister of Health:

(a) What progress has been made by her department with implementation of the District Health System (DHS), (b) to what extent are provinces and district municipalities ready for the implementation of the DHS, particularly with regard to (i) human resources, (ii) legislation and policy and (iii) budgeting and (c) in what way has her department addressed the parity issue with regard to conditions of employment? N569E

The DEPUTY MINISTER OF HEALTH: May I just make the observation, Madam Speaker, that up till now all the questions have been fielded by women Ministers. Let us celebrate this in the month of the woman. [Interjections.] [Applause.]

Hon MEMBERS: Malibongwe! Malibongwe! [Thank you! Thank you!]

The DEPUTY MINISTER OF HEALTH: The implementation of the district health system has been done through strengthening the primary health care or PHC system. In 1999 a package of primary health care services was adopted for implementation and an audit of PHC services was conducted during 2003.

A process has commenced to review the content of the package, as well as its costing. This will be completed by the end of October 2004. District health planning guidelines were developed and launched for use by provinces, and district health expenditure reviews were conducted to assist the planning process.

Service level agreements have been developed and are in use between provinces and municipalities in order to better regulate the transfer of funds to primary health care services and to municipalities. Municipal health services have been defined as stated in the Health Act, Act 61 of 2003, and the district management teams are in place in most districts to give effect to decentralised management. And, in order to strengthen health services in the 13 rural nodes identified by Government, the department secured R37 million over three years, ending 30 September 2004.

There are discussions taking place with the Department for the Public Service and Administration to ensure that the transfer of staff takes place without serious problems. This has to happen within the notion of the establishment of a single public service, which is really the only mechanism to allow for the mobility of staff between spheres of government without disadvantaging any individual.

now been crammed — in the top in the decision-making positions — full of yet more ANC stalwarts, huge problems in perception and in actual fact in the running of the newsrooms have been created.

The MINISTER OF COMMUNICATIONS: Madam Speaker, I would hate to go back ten years, when I was asked to serve as the Chairperson of the SABC. We made sure, particularly as ANC members who were sitting on that board, that we inculcated the culture of professionalism. When you think that the chips are down and you have to report, you report.

If there are problems in the SABC today, I am not aware of what those problems are. They may be problems with perception.

I don't know why it is assumed that members of the ANC will not have the integrity to be professional and objective. Is that simply a quality that belongs to some people and not to others — particularly those in the ANC? [Applause.] I don't think that is a fair perception to let persist, and it is not fair that in Parliament, if there is a problem about a particular issue, and I don't suggest that it may not arise, that members raise it as a generic problem. They should raise the particular issue. [Applause.]

Mrs L E YENGENI: Madam Speaker, on a daily basis the Government, through its Ministers, is dealing with important issues that affect the lives of our people. In the light of that, hon Minister, I would want to ask the following questions: Is it not the role of the public broadcaster to inform and educate the public? If so, is the SABC not fulfilling its mandate by interviewing Ministers? Will these interviews not hold the Government accountable to the electorate? Thank you.

The MINISTER OF COMMUNICATIONS: Madam Speaker, I want to thank the hon member for the question. I think that there are perceptions that when Ministers are being interviewed in order to give perspectives on things that affect people's lives, it seems to be misinterpreted. I think it is the business of the SABC to ensure that what the Government does is in fact made known to people. I will give you a very good example, hon member:

During this month of August when we as a cluster of Ministers, the Minister of Correctional Services, his Deputy and I, and our departments, handed over computers, because we are asked to work in a collaborative way, at a women's prison, none of you saw that story in any newspaper. That story was only carried by the SABC, but the newspapers had insert after inserts about an inmate that was released. Now, it is fair to have one story and not what Government is doing? That is exactly why Ministers do get interviewed, namely to explain.

The other day we had a launch of the Women's ICT. These women do enormous work. It was not covered in any newspaper. It was only because it was heard about and two of the radio stations then interviewed me that it received some attention. Women were asking all sorts of questions because they were listening to the radio. They would never have had that information from the way it was covered in the media, because the media were silent on it as if the women in the ICT had not done anything and they were not working with government. Giving information, that is the responsibility of the SABC. [Interjections.] [Applause.]

Mr M T LIKOTSI: Madam Speaker, hon Minister, I speak under the assumption that the SABC is a public broadcaster for public interest, and I believe that none of the people whom have been referred to are angels, they might make mistakes. How are you going to ensure that false events are not used as newsworthy items in the name of Ministers? And how are you going to ensure that media standards of impartiality are observed? Thank you.

The MINISTER OF COMMUNICATIONS: Madam Speaker, I am not so sure I heard the hon member very well. What events?

I'm here. [Applause.] The Minister of Health is not at a press conference, for your information, and I think it is very important that you always check your facts.

The Minister of Foreign Affairs did report to this House that there is a bilateral between the United Kingdom and South Africa and that is where the Minister of Health is, and she is performing her duty there.

Just in terms of the issue you mentioned about targets: I don't know if you serve on the Portfolio Committee on Health, because extensive reports have been made to that committee regarding the plans that the Department of Health has put in place precisely to address the issue of vacant posts. If you, hon member, take you responsibility seriously you would be assisting this House by asking: How can we address the issue of these vacant posts in the Department of Health?

You know the problem yourself. We spend a lot of money — taxpayers' money — training nurses and doctors in this country, and I wish to know, what do you yourself do to discourage people from leaving this country and going to work in other countries. What do you do? How do you assist us? And, just in this regard, I want to remind you . . . [Interjections.] . . . I want to remind you that the Department of Health has actually spoken to Treasury and we've had approved by Treasury money to assist us in order to secure and retain scarce skills in this country.

I don't know what else you want us to do. The bilateral that the Minister of Health is at this afternoon is precisely to address this issue with her counterpart from the United Kingdom, because that is where our nurses are going. So, just come forward with proposals, help this House instead of scoring cheap political points. [Interjections.] [Applause.]

The Speaker: Order! Order!

Ms C DUDLEY: Thank you. Hon Deputy Minister, with reference to the transfer of staff, has the department been communicating with associations that represent doctors and nurses to accommodate their concerns in this regard, and what are the specific issues that the department faces with regard to human resources in this situation, especially in light of course of the chronic shortages of nurses and other health professionals, which you have mentioned? Thank you.

The DEPUTY MINISTER OF HEALTH: The transfer of staff that I was talking about is not under the programme of community service, which is compulsory, as the member knows. These are just simple transfers from one municipality to another, from one province to another. So it is actually voluntary.

Indeed, in terms of the representative associations and organisations, the Department of Health is in constant consultation with these structures; the nurses are represented by Denosa and the doctors have their own associations. All health professionals are also represented in councils, which this government has established, and it is through these structures that we are negotiating. There are unions, as well, to whom we are speaking.

But, maybe I should also address the question of community service, seeing that it did come up in the House yesterday. This is a policy that is well-established in this country. I know that some members of the opposition would like to see health professionals objecting to this policy, but, in actual fact, what they don't know is that health professionals in this country are willing — they are more than willing — to do community service. And they are saying: From having trained in urban areas, we are actually getting an opportunity through community service to go and learn some more in the rural setting.

So, I don't know which members the members of the opposition speak to, because the nurses, doctors and medical technicians that we speak to are very happy to do community service. [Applause.]

The promulgation of the new Health Act provides a legislative framework to give effect to the implementation of the district health system. The Department of Health is having discussions with the National Treasury to finalise the funding arrangements for both primary health care and municipal health services, and these will be finalised shortly. Thank you.

The SPEAKER: I don't know whether the hon Njikelana is in the House. Hon Malumise.

Mrs M M MALUMISE: Thank you, Madam Speaker and thank you, Minister, for your reply. We appreciate the work the department has been doing thus far. Firstly, can the Deputy Minister tell us whether the department has set any time-frames in making sure that the shortages, that you have alluded to, are addressed? Secondly, how far are the discussions with regard to a single public service? I thank you.

The DEPUTY MINISTER OF HEALTH: Thank you very much, hon member, for your question and for your interest. As I indicated, this matter is under discussion with the Minister for the Public Service and Administration. Minister Fraser-Moleketi has set up a task team that is at present looking at establishing a single public service, which will address the issues you have mentioned. The task team will be reporting shortly. This is going to assist us in working out which staff members are required where, and organising for the transfer of these staff members to those areas that need the staff.

Indeed, this is a matter of priority for the Department of Health, because we want to make sure that as we build new clinics, as we upgrade hospitals, we make sure that those hospitals and clinics are adequately staffed in order to render the service that we have envisaged.

I just want to mention that we have made a lot of progress as a country; we are only ten years old, but we have done so much to cover the backlogs that were created in the past. And I would like to mention once more that we've built 1 345 clinics and we have upgraded a further 263. If members were to visit the countryside, I am sure that they'll see for themselves that this government is really taking this matter seriously of ensuring that these services are indeed extended, especially to those areas that were neglected in the past. [Applause.]

Mr R COETZEE: Madam Speaker, thank you. Firstly, let me say that we weren't notified that the Minister wouldn't be here today, which I don't think is appropriate. [Interjections.]

Secondly, I don't think it's appropriate that she has chosen to be at a press conference instead of answering questions in this House, but I'll ask my follow-up to the Deputy Minister.

The Deputy Minister will know that, in fact, we can't implement any system in the health sector in South Africa unless we have the staff to do so, and she will know that there are 52 574 posts vacant in the public health sector right now, which is 31% of the total number of posts. And yesterday the officials from the department told the portfolio committee the plan that they're busy constructing, which will only be available in April next year — which is a case of better late than never, I suppose — will not have concrete targets and time-frames to show us how the number of vacancies will be decreased on a year-by-year basis. I wonder whether the Deputy Minister can assure this House, and the people of South Africa, that the plan the department produces will have time-frames and will have targets so that we, and the people, can measure the performance of the Government against concrete and specific objectives?

The DEPUTY MINISTER OF HEALTH: Firstly, I just want to address the issue the member raised; the issue that he raised about the Minister of Health. The Minister of Health has a Deputy Minister, and that's why

[Laughter.] The hon Dikgacwi is sitting over there.

The SPEAKER: Hon member, Dikgacwi will come. It's okay. Let the member proceed.

Rev M S KHUMALO: Thank you. Let me repeat the question I was asking. How are you going to correct the perception that the Sports Ministry is quick to respond when it comes to rugby and cricket, but very slow to act when it comes to soccer?

The MINISTER OF SPORT AND RECREATION: The Ministry of Sport and Recreation acts only on the basis of empirical evidence. We are not interested in metaphysical speculation. [Laughter.] [Applause.]

Mr M M DIKGACWI: Thank you, Deputy Speaker. It seems to me that we are even forgetting our surnames here. What I want to say is that the ANC manifesto is quite clear on corruption. It says: "Ensure efficient functioning of all anticorruption structures and systems including whistle-blowing".

Now, what I want to know from the Minister is: What kind of mechanisms or plans does the Minister have in place in terms of fighting corruption and what is happening in sport? Thanks.

The MINISTER OF SPORT AND RECREATION: Deputy Speaker, the Department of Sport and Recreation is part of the whole fabric of governance in this country and, as such, it subscribes to the establishment of anticorruption institutions within departments of the state, and we have our own. But we also encourage whistle-blowers. For instance, I regard the journalist who raised the question of the Motimela case with me as a whistle-blower. We then take action on the basis of those empirical facts.

In November last year this House passed a Bill to fight corruption and its related activities. We are firm supporters of that Bill and encourage all institutions of the state that implement the precepts of that Act. [Applause.]

Mr S J MASANGO: Mr Minister, we have just won the right to host the Soccer World Cup in 2010, but South African soccer is always embroiled in controversy, the latest controversy being the match-fixing scandal. Aren't we going to lose the right to host the 2010 World Cup Soccer with this tarnished image, and has Safa submitted to you, Mr Minister, any measures to curb this debacle?

The MINISTER OF SPORT AND RECREATION: Match-fixing is a very serious problem not only in soccer. You have seen match-fixing of a special type at the Olympics where a number of athletes have been disqualified and a number coaches and managers are facing disciplinary action. This is match-fixing in one way or another, and it's not new. It's not endemic to Safa. There is a recorded incident of match-fixing in 388 b.c. when Eupolus, the great boxer, fixed his own victories against his opponents and bribed them to take a dive. Also, Emperor Nero of the Roman Empire bribed the judges to declare him the winner of a chariot race he did not even complete. So this is a very old situation. [Applause.]

We are not sitting back and saying that this has been there since Adam, therefore we will leave it alone. For that reason, we encourage Operation Dribble. We cannot interfere in that activity because, again, of what we said earlier — we must sustain the rule of law. The police are dealing with the matter and we must allow them to complete that investigation. We cannot even declare them criminals until they are found to be. Then we will deal with that situation accordingly. That is the rule of law, that is what our Constitution says, and until that is verified we cannot really interfere in that situation.

In respect of other aspirant violators of these values, we can only do lobbing and advocacy, as we do all the time. On Saturday we are doing that in Upington — trying to motivate our people to move away from

The SPEAKER: Hon Booi, would you like to ask a follow-up question? Is there any other follow-up question? Yes, hon member.

Mr R COETZEE: Thank you, Madam Speaker. For the Deputy Minister's information, it was reported that the Minister of Health would be at a press conference at four o'clock today, and if that isn't the case then somebody has made a mistake at the Department of Health. That's the first thing.

The second thing is that I was at the portfolio committee meeting yesterday; the Deputy Minister wasn't there. The deputy director-general in charge of human resources said at that meeting yesterday that they would not provide measurable targets and time-frames for reducing the number of vacancies in the public health sector. That is a fact; that is what happened yesterday. I would like to ask the Deputy Minister to answer the question once again: Will she assure this House that the department will provide measurable targets and time-frames for reducing the appalling number of vacancies in the public health sector in South Africa? Yes or no. That is the question that needs to be answered; we don't really want another political speech from her. Thank you. [Interjections.]

The DEPUTY MINISTER OF HEALTH: The answer is a resounding yes. [Applause.]

Report of 1998 Motimele Commission of Inquiry into allegations of bribery/ corruption/match-fixing in soccer

*9. Mr C B HERANDIEN (NNP) asked the Minister of Sport and Recreation:

> Whether his department was informed of the 1998 Motimele Commission of Inquiry into allegations of bribery, corruption and match-fixing in soccer, which was commissioned by the Premier Soccer League; if so, why was the report not made public? N536E

The MINISTER OF SPORT AND RECREATION: Madam Speaker, as the question itself indicates, this occurrence took place in 1998, more than five years ago and, as such, it is not very easy to say whether or not the department in 1998 knew about this occurrence, because neither the Minister nor the directors-general of the time are still around.

The matter was, however, brought to our attention by a journalist of one of our newspapers last month. And, because it had been brought to our attention, we undertook an investigation. The outcome of that investigation confirms what seems to have been known all along, which is that the enquiry was initiated by the Professional Soccer League, not by the department. One assumes, therefore, that the report went back to the PSL.

For that reason we have asked the PSL to make available to us a copy of that report if they do have one, so that we can read it and read it against the recent developments in this House in terms of which an Act was passed last year to deal with all these corruption-related issues. I do not know if the department knew then, but I know now that, in fact, more than five years ago there was such an enquiry, and we have requested a report.

The SPEAKER: Hon Herandien, is there a follow-up question? No. Hon Dudley? You don't have a follow-up question. I thought you were . . . [Inaudible.]

Mrs C DUDLEY: I'm sorry. I wasn't going to ask one.

The SPEAKER: I saw another hand over there. Hon Dikgacwi — sorry, what is your name? Dikgactu?

Rev M S KHUMALO: Hon Minister Mthandiswa. I have this question. How are you going to correct the perception that the Sports Ministry is quick to act when it comes to rugby and cricket and slow to . . .

Dr M SEFULARO: Madam Speaker, if I heard you well, I thought you said "hon Dikgacwi". That man is an impostor.

The DEPUTY MINISTER OF HEALTH: I think it is a very good question. I will have to come back to the House with the results of the continuous monitoring done by the department through our maternal and child units. These units are continuously looking at these issues and monitoring the impact. In fact, the amendment that we passed in this House last week was a result of us monitoring the implementation of the Act and the problems that women experience in terms of accessing this service. In terms of actual figures, I will have to come back to the House and report on them.

Ms M SMUTS: Hon Deputy Minister, on the evidence of the Nurses Association, the department encourages the use of Misoprostol for abortions — and as I understand it, that drug is not indicated or approved for use in abortion and has caused many, many maternal deaths. Will she inform us whether in fact it is true that the Department of Health either allows or encourages such use? Secondly, why have you just extended the right to give abortions to nurses, when you know that there are tens of thousands of vacancies amongst nursing staff? Even those nurses who are in favour of termination have made the point that the nurses are simply not available. Misoprostol, just to return to that subject, in addition is difficult in the sense that it is administered by one nurse and frequently the end result has to be dealt with whoever is on duty then, and this would frequently include an antiabortionist nurse. How can the Government introduce amending legislation, which quite clearly is going to put health professionals in a position where they would have to act contrary to their conscience in order to save the life of the mother, who otherwise will die.

The DEPUTY MINISTER OF HEALTH: The hon member is a week late. We have had this debate. We have passed the amendments and you had ample opportunity to bring your arguments to the committee, when it was debated. We did note your reservations when we passed this law. In am sure a number of South Africans are also noting your position as the DA on this question. As I said earlier, let us be judged by the number of women that vote for the ANC as opposed to the number of women who voted for the DA. Let us be judged by that. [Applause.] For as long as the women of this country support our policy we will continue. And by the way, I thought I should mention this that the hon Smuts was in the previous parliament under apartheid when a law was passed, which allowed for. . .

Ms M SMUTS: I did not vote for it.

The DEPUTY MINISTER OF HEALTH: She stood up to interrupt my answer. The fact that she may not have voted for it does not change anything. Now that we have a democratic government she is actually supporting what she did not support under apartheid. When we had apartheid, the law was passed that made it possible for white women and rich women to be able to do this. All that we have done as the ANC is to open the access to poor women who are predominantly black women. [Applause.] The question about the drug that we use and the fact that we are not extending the service and ask nurses to do it, I would advise you to ask a follow-up question. Then we will give you an answer on that. Ask a new question.

Mr L M GREEN: Thank you, Deputy Speaker. Minister, in fact I would just like to ask a follow-up question. You asked in your reply how many supporters or how many voters the ACDP has and indicated that because of your voter support, therefore you are justified to take this position. The implication is that because there are so many women voting for the ANC, the implication therefore is that all of them support abortion. That is by implication what you said. [Interjections.]

Mr A MLANGENI: On a point of order, Deputy Speaker. The member is talking about abortion and I don't think we are dealing with an Act on abortion. We have an

greed, corruption, fixing and all those kinds of values that come with economism. [Applause.]

Review of existing legislation on termination of pregnancy

*26. Mrs C DUDLEY (ACDP) asked the Minister of Health:

Whether, in view of scientific evidence which has been reported on in the media recently, Cabinet has considered a review of the existing legislation on the termination of pregnancy as is the case in the United Kingdom; if not, what is the position in this regard; if so, what are the relevant details? N575E

The DEPUTY MINISTER OF HEALTH: I think it is proper for me to begin by correcting the question. Reference to the legislation in question should be to the Choice on Termination of Pregnancy and not just Termination of Pregnancy. I say this, because our legislation is about giving people a choice to use the service. Our response to the question therefore is: No, the Department of Health is currently monitoring emerging scientific evidence on all aspects related to the termination of pregnancy and will consider a review of the legislation if deemed necessary.

Ms C DUDLEY: Thank you. The British Prime Minister, Tony Blair, recently backed a rethink of the abortion laws in the United Kingdom to take account of scientific realities, and the Labour Chairman of the House of Commons' Science and Technology Select Committee told *The Times* that on scientific grounds alone, there was good reason for the matter to be re-examined. Science in fact recognises the unborn baby as a human being with its own DNA, different to that of its mother. A beating heart and active brain waves are usually taken as signs that someone is alive. These are present before an abortion and absent after an abortion. How does this reconcile with the fact that the deliberate killing of human being as murder? In 1999 a baby was knifed in the womb by her father. She was saved and delivered alive by doctors in the Groote Schuur Hospital. The father was charged with two counts of attempted murder: One for stabbing the mother and one for stabbing the unborn baby. An abortionist doing the same with a surgical knife to an unborn baby at the same hospital is paid by the Government. Why is one a murder and the other not?

The DEPUTY MINISTER OF HEALTH: Perhaps the hon member must direct her question to the Department of Justice. As far as the Department of Health is concerned, I have answered the question. I have said that we monitor all emerging scientific evidence and if there is a need to review our legislation, we will do so. But I also want to say to the member that a large number of women in this country want this service. What we have done as a Government is to actually allow them to be able to do it safely. I don't know how many members you represent, but our evidence is that you represent a very small minority of South Africans. A large number of South Africans who have voted for the ANC have done so, among other things, because we have got this legislation. We make it very clear that this is about choice. If a woman makes that choice, we make it possible for them to do this safely. Your scientific evidence about when life begins, I am sure, is an old argument. You are young in terms of how old the argument is and I don't know if you will produce any new evidence, but if you can tell us with certainty that you now have the answers about when life begins, I think we look forward to that evidence. [Applause.]

Ms B T NGCOBO: Thank you, Deputy Minister. For South African women this is a very gender sensitive piece of legislation that emphasises the choice of termination of pregnancy within 12 weeks. It is free and accessible. Has the department done any surveys to check on the impact of this legislation on the lives of South African women?

municipalities. Their capacity is not homogeneous. This has also been our experience in the Building for Sport and Recreation programme.

Our department has been involved in capacity-building activities to address this situation and this capacity-building exercise will continue and should further be strengthened by the Department of Provincial and Local Government, DPLG, as they have similar initiatives of improving the capacity of these municipalities.

The matter of fact is that, our last meeting with the Minister for Provincal and Local Government took place just after 1:00 today, to further interrogate how best we can achieve this.

The average number of jobs created during the building phase of these labour-intensive projects varies between 50 and 75 people, and the work force is derived from the communities where the facilities are being built. More emphasis is put on the following groups: women — 50%, youth — 30% and people with disability — 1,5%.

Sport and Recreation South Africa will manage this programme until the end of the current financial year. Thereafter it will be transferred to the Municipal Infrastructure Grant of DPLG, but we will continue to retain some responsibilities because we have a vested interest in this matter.

We envisage that our responsibilities will be around formulating policy concerning the utilisation of these resources and on identifying where these facilities should be built, because we do not want every municipality to think that it is more of a priority than others. We have to look at the overall situation and see where each municipality's priorities lie in relation to others.

We think that we should also monitor implementation by local authorities and avoid situations that create white elephants, such as the hockey field at Uitenhage. We think that we should embark on advocacy, evaluation of the impact of facilities on community life and also on reporting on the performance of the Building for Sport and Recreation.

Sport and Recreation South Africa will also work closely with municipalities on the sport and recreation aspect of the IDPs, and with the provincial co-ordinating structures on identifying where these projects should be built and prioritising their building. Thank you.

Mr B M KOMPHELA: Thank you, Deputy Speaker. Hon Minister, in light of the very critical issues that you have discussed with the Minister of Education, do you think what you have discussed with the Minister of Education would enhance mass-participation, so that there are better opportunities for everybody to play and professionals at another level?

My other concern, Minister, is around the development of the Municipal Infrastructure Grant. Granted you are saying municipalities vary, but we don't expect too much from municipalities that have been there for only 36 months. What is it, Minister, that you can to make sure that the Municipal Infrastructure Grant that you allocate will be used for what it is intended and not be redirected by some municipalities that would be having tax problems, taking into consideration the differences in the capacity of municipalities in the country? Thank you.

The MINISTER OF SPORT AND RECREATION: Thank you very much, hon member. We agree with you that these are very critical issues, and as a matter of fact many, many South Africans agree with us in this respect. They also agree with us that this starting point will invariably build a mass reservoir, which will afford our children the opportunity of developing the skills that will enable them to participate in all levels of sport and recreation.

We believe, and we have said so before, that there is no way that we can assure South

act dealing with the termination of pregnancy. [Interjections.]

The DEPUTY SPEAKER: Hon member, you also don't know that Act. It starts with the word, choice. Mr Green, will you please confine yourself to the Act that is been discussed.

Mr L M GREEN: My question is: If you say that you have that amount of support amongst, particularly ANC women, why, on the day when that Act was passed, could you hardly get a majority. In fact, you just managed to get over 50% and why did you discipline one of your own women who abstained from voting on that Act?

The DEPUTY MINISTER OF HEALTH: I think in this regard I will use the answer given by my colleague, Reverend Stofile, that we deal with facts. I don't know what your facts are. I am a member of the ANC caucus and I know that the majority of our members supported this Act. We did, of course, say that if some of our members felt that they could support this law, it was the one instance where we said that they could make such a decision. Despite that — and I am not sure where you got your figures — we voted overwhelmingly in support of the Act. The women of this country continue to support the Act and if you have any other evidence, then bring it to our attention.

Progress *re* envisaged school sport programme

*21. Mr B M KOMPHELA (ANC) asked the Minister of Sport and Recreation:

(1) What progress has been made with discussions with the Minister of Education on the envisaged school sport programme, as proposed by his department;

(2) whether his department and the Department of Education have commenced discussions on the funding model for the envisaged school sport programme; if not, why not; if so, what are the relevant details;

(3) whether, in light of his department's strategic plan to transfer the Building for Sport and Recreation Programme to the Department of Provincial and Local Government as a municipal infrastructure grant, his department has ascertained whether municipalities have the capacity to effectively implement the delivery programme of building basic sports facilities for local communities; if not, why not; if so, (a) what is the projected total number of direct jobs during the construction phase of the programme per average facility to be created for local communities and (b) what are the further relevant details? N570E

The MINISTER OF SPORT AND RECREATION: Madam Speaker, we have received overwhelming support from the people of South Africa in respect of resuscitating school sport and bringing closer to each other the Departments of Sport and Recreation and of Education in order to achieve this objective.

We have had preliminary discussions with the Minister of Education, Comrade Naledi, and we are in total agreement on this programme. We have agreed that we need to clarify the roles of the two departments. There are preliminary proposals on who should be responsible for what, but we have already started the discussion.

Our departments have been interacting very closely, both at the budgetary and planning levels, and indeed at the implementation level. We have assigned the Deputy Ministers of Education and of Sport and Recreation to take this discussion forward, and indeed they have had some meetings in this respect, the last one having been held last week.

I now come to the capacity of municipalities, which is a third element of the question. The capacity of municipalities to effectively implement the delivery programmes varies, not only in respect of the infrastructure, but also in respect of the total management of

respect, and we will be able to say this is where what is needed.

Miss S RAJBALLY: Thank you, Madam Deputy Speaker. Thank you, Minister. We thank the hon Minister of Education and the hon Minister of Sport and Recreation for this very important question-and-answer session.

The department's strategic plan to transfer the Building for Sport and Recreation programme to the Department of Provincial and Local Government as a municipal infrastructure is very encouraging. Hon Minister, you have actually answered part of my question, but nevertheless I am still going to ask the question. Hon Minister, can you please enlighten us whether there will be a special budget allocated for this programme for municipalities? Thank you very much.

The MINISTER OF SPORT AND RECREATION: The answer to that question, Madam, is "yes". There is a special budget within the broad budget of the MIG. There will be designated funds for the sport and recreation facilities.

Investigation into reducing cost of medicine in SA: elimination of VAT on medicines

*30. Mr R COETZEE (DA) asked the Minister of Health:

(1) Whether an investigation into eliminating VAT on medicines formed part of her department's investigation into reducing the cost of medicine in South Africa; if not, why not; if so,

(2) whether she has conducted any discussions with the Minister of Finance in this regard; if so, what are the relevant details? N580E

The DEPUTY MINISTER OF HEALTH: Madam Deputy Speaker, let me begin by saying that I am glad that this member recognises the Minister of Health's efforts to make medicines more affordable in this country, and, indeed, we are succeeding in that.

The issues of value-added tax in general and VAT on medicines in particular fall under the competency of the Department of Finance, the Treasury and SARS. It would therefore be proper to advise the hon member to pose the question to the Treasury.

Mr R COETZEE: Madam Deputy Speaker, I am a bit confused by the hon Deputy Minister's answer, because the question enquires whether the Minister of Health investigated eliminating VAT and, if so, whether she conducted any discussions with the Minister of Finance in this regard.

So, in fact, the question has not been answered, and I do not know whether the Department of Health or the Ministry of Health has, in fact, had a conversation with the Department of Finance about zero-rating VAT on medicines. If the Deputy Minister could please answer that question, then I would like to follow up on it.

The DEPUTY MINISTER OF HEALTH: Madam Deputy Speaker, my answer remains that this question should be directed to Treasury. Treasury will answer your question.

Mr R COETZEE: Madam Deputy Speaker, I suppose I could ask the Minister of Finance whether the Minister of Health has had a discussion with him or whether her Ministry has had a discussion with the head of his Ministry. But I am not sure why I cannot ask the Minister of Health whether her Ministry has had a discussion with the Minister of Finance and his Ministry about zero-rating VAT on medicines.

Anyway, be that as it may, I put it to the Deputy Minister that zero-rating VAT on medicines is one way in which the costs of medicines could be reduced very easily by 14%. We were promised before the election, when it was useful to make such promises, that the costs of medicines would come down by 70% and, in fact, we now find that

Africa of an integrated sport dispensation other than this one. As these children are being afforded the opportunity to qualify to participate at that level, they would not only participate as representatives of their communities, but also with dignity because nobody has done them any favours. They would be proud and would not apologise to anybody for being there. We think that you cannot expect them to go to Athens if you do not train them at a tender age and prepare them and nurture them for the eventuality of going to Beijing, China. Everybody agrees with this and we are very excited.

We are also convinced that professional participation will benefit from this if, of course, we do not fall into the trap, as South Africa, of confusing professionalism and commercialism. This is a problem with the federations now. Because we are saying that our children must perform as professionals, they think that they must now build a small, elite group, and provide it with resources and in one season they all become millionaires. This has nothing to do with professionalism, it has to do with commercialism. And I think that we are dealing with the fundamentals of the value systems of doing sport in this country.

We want to avoid — and we fully agree with you on this point, hon member — the temptation by municipalities to use the MIG grant for other things that are unrelated to infrastructure. Consequently, we have proposed — we are in the budget cycle now — to Treasury and we are lobbying my colleague here, the Minister of Provincial and Local Government, that this amount be identified and ring-fenced specifically for the purpose for which it has been budgeted. It is only in that way that we can make sure that it goes where it is intended. [Applause.]

Mr T D LEE: Thank you, very, very much, Madam Deputy Speaker. Mr Minister, the DA believes that politicians should stop meddling in team selection, but should rather make sure that all children have enough facilities and equipment. On the other hand, we should desist from building white elephants as in the case in KwaNobuhle in Uitenhage, where an expensive multimillion rand, multisport facility was built so far away from the community for whom it was intended that it is very, very seldom used, and millions of rands are wasted in that way. My question to you, Mr Minister, is whether you will see that feasibility studies are carried out to make sure that taxpayers' money is not wasted on facilities that are not utilised properly.

The MINISTER OF SPORT AND RECREATION: Madam Speaker, we agree with Mr Lee that politicians should not interfere in the selection of teams, and indeed we do not. However, it is also a matter of fact that this has been the practice all these years. For as long as we are involved in a situation of transforming sport from a particular dispensation to a particular dispensation, whether it is to transform it from a democratic dispensation to an apartheid dispensation, politicians do get involved.

Do you remember the 1961 All Blacks tour and the 1957 tour by the British Lions, in which politicians did get involved and caused all the agonies we had to fight during our own lifetime? [Applause.]

Now it would be remiss of the current politicians, who are trying to correct all those disparities, to simply fold their arms and play Pontius Pilate. We must give guidance to these federations. We can't take over the responsibility of running these federations, but we cannot abandon them to their wiles and whims. We must give guidance.

I have already alluded to that stadium in Uitenhage, and I fully agree with you that we should not build white elephants. For that reason, we have said that we want to be involved in the planning, in the IDPs and in the monitoring and the allocation of resources for these facilities. Feasibility studies, of course, will inform our plans in this

explore all the alternatives and would the Deputy Minister not consider investigating the option of eliminating VAT and approaching the Minister of Finance? I thank you.

The DEPUTY MINISTER OF HEALTH: The way in which she sneaks her question is very interesting, because I thought the hon member's question was about a shortage of pharmacists. I do not know what that has to do with VAT? I fail to see what it has to do with value added tax.

The DEPUTY SPEAKER: Hon Deputy Minister, you have a choice whether to answer or not because that question is not on the Order Paper.

The DEPUTY MINISTER OF HEALTH: Well, I have answered the question that is on the Order Paper.

Use of trouble-shooting unit to deal with problematic situations in local government

*39. Mr S A MSHUDULU (ANC) asked the Minister for Provincial and Local Government:

> How does his department intend using the trouble-shooting unit to deal swiftly with problematic situations in local government? N589E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT: The Ministry and Department of Provincial and Local Government undertook an extensive profiling of the performance of municipalities. We used a number of service delivery measures ranging from revenue generation, electricity, water and sanitation, housing, infrastructure, employment creation to refuse removal. Those municipalities considered to be facing severe challenges, with respect to any of the above measures, will be given systematic hands on support through the use of a high calibre team to be deployed by the end of September 2004.

This is a two-dimensional project seeking to enhance the capacity of municipalities to contribute to a government wide programme of pursuing the targets outlined in the state of the nation address delivered in the House in May 2004.

The second prong of this project is to ensure that, through the deployment of human capital, we transfer skills to municipalities in order to empower them to perform the functions assigned to them optimally. I thank you.

Mr S A MSHUDULU: Thank you, hon Minister. In the light of the capacity assessment that we have done, believing that the step you have taken was a prompt response to the problems identified during the committee's visit to municipalities and the municipal horizontal learning researeh programme conducted jointly with Salga, we would affirm your commitment to your constitutional mandate, hon Minister, in terms of section 154 where it says that national government and provincial governments must support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions.

This evidence further affirms that your commitment to the President's call, as you have alluded to earlier, with regards to the acceleration of service delivery, cannot be questioned by any right thinking person.

Therefore, my question further, hon Minister, is that as local government is key to service delivery how best will the transfer of skills, in the light of the resources that we have, be realised and how long will it take for the transfer of skills to be realised in this instances more so with the development of our councillor and municipal capacity? I thank you.

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT: Hon member in response to your question, this intervention that we are making is a support programme of limited duration. We envisage that the programme will be in operation for a period of two years and at the end of the two years we will review it in the light of such impact as it shall have made by then.

we will be lucky if they come down by as much as 15%.

So, I would like to ask the Deputy Minister of Health what her view is on the matter.

The DEPUTY MINISTER OF HEALTH: Madam Deputy Speaker, I started by saying that it is the policy of this Government, and indeed the Ministry of Health is implementing that policy, to make medicines more affordable. Indeed, we have taken a number of steps in this direction.

Regarding the question of zero-rating VAT, I have indicated to the member that it is a question that Treasury has the right competency to deal with. In as far as efforts by the Department of Health are concerned, I have indicated that we have taken a number of measures. The Act that we have just passed is of the steps that we have taken to reduce the costs of medicines.

Whether or not the Minister of Health has actually had discussions with the Minister of Finance, I think is a question that I cannot answer, because I am not aware whether she has had such a meeting or not. But I have said that as much as the member is indicating that promises were made, I think we are delivering on them, because the prices of medicines are falling in this country and continue to fall.

As I said earlier, I think you also have a responsibility to ensure that where there are problems, for example, where there is opposition to the fixing of prices of medicines, which the Act stipulates, you should assist, because obviously you are also interested in making sure that medicines are available and affordable.

Mr I M CACHALIA: Madam Deputy Speaker, I thank the hon Deputy Minister for her reply. However, the question of making medicines more accessible and affordable has already been addressed by the Medicines and Related Substance Control Amendment Act of 1997, firstly, through generic substitution and, secondly, through the introduction of a single exit price.

Recent studies by the University of South Africa reported that the manufacturer's price for medicines was actually reduced by 19% since January 2004. In addition, reduced costs of medicines would result in considerable savings for medical aid schemes and, hopefully, these savings would be passed to consumers in the form of reduced contributions or an increase in benefits.

Deputy Minister, I am sure you will agree with me when I say that we have put regulations and strategies in place which are already bearing fruit and benefiting the consumers. I thank you.

The DEPUTY MINISTER OF HEALTH: Madam Deputy Speaker, hon member, thank you for that valuable comment which indeed affirms what I have already said, namely that our policy is delivering. I think the consumers are beginning to see the results of the efforts that are being made. As I said, I think they will continue to see that this government is committed and is doing something about making medicines affordable.

Thank you very much also for reminding us about the victory of this House, led by the ANC, where we managed to take the pharmaceutical companies to court, which then allowed for us to import generic medicines. That was also part of the efforts that are being made.

In fact, perhaps one of the days I think it will be good for the Minister of Health, to bring before this House the various measures that have been taken and the results that have come out of those efforts. But thank you very much, member, for supporting this question.

Ms C DUDLEY: Thank you. Hon Deputy Minister, in view of the ever-increasing shortages of pharmacists in this country and the negative impact on private pharmacists and pharmacies recently due to the very legislation and regulations mentioned, would it not be critical for the Minister to

schools on the procedures that have to be followed to comply with the terms of section 38A of the South African Schools Act, 1996 (Act No 84 of 1996), as amended by the Education Laws Amendment Act, 2004 (Act No 1 of 2004); if not, (a) why not, (b) which provinces have not informed schools and (c) when will all schools have been advised of these procedures; if so, by what means were they advised;

(2) whether these procedures are achievable by the required deadline as stipulated in section 38A(4) of the Act; if so, what factors did she take into consideration in reaching this conclusion; if not,

(3) whether she intends taking any action in this regard; if not, why not; if so, what action? N573E

The MINISTER OF EDUCATION: Madam Deputy Speaker, I noted that the hon Zille was standing. I was hoping she'd answer the question. However, let me reply as follows:

Currently, not all provinces have provided advice to governing bodies as to what procedures to follow with respect to the implementation of the Act. This is primarily because the consultations in the provincial structures are still under way with a range of role-players and have not been finalised.

On 17 July 2004 the director-general of the department sent the following documentation to all provincial heads of departments: The implementation plan for section 38(a) of the Act — the actual Act itself, Act 1 of 2004, the Education Laws Amendment Act — and letters advising the heads of departments to adopt a developmental approach towards the implementation of the section.

On 21 July 2004, section 38(a) and the implementation plan were discussed at the school governing body national consultative forum. The national association of the school governing bodies was further provided with copies of the draft implementation plan, and inputs were received from them and other role-players in order to strengthen the guidelines.

The North West is currently the only province that has informed schools of the processes that are to be followed. The other provinces are currently finalising their circulars to schools and the various forms of communication, as well as indicating to ourselves the manner in which the procedures will be communicated to schools.

I have the list of the dates for each of the provinces and the manner in which they intend to proceed, but it is rather a long list. So perhaps we should just conclude by saying that the North West is currently the department that has provided the information and concluded its deliberations within the province with a range of structures.

The other provinces are still busy with their processes of consultation. However, they have all provided me with dates as to when they would be sending out communication. From the information that I have received from them, by 13 September all schools should have received the requisite information.

Ms H ZILLE: Thank you very much. I appreciate the Minister's detailed response and the list that she will, no doubt, forward to me, because I've had many requests from schools all over the country around this. They are trying to finalise their budgets and maintain the integrity of their planning processes. As the Act comes into force next year, they are in no position to do so and to ensure that they can properly function and keep continuity of their staff situations in the interim.

Arising out of the Minister's answer — making it clear that the department will continue to intervene in the affairs of governing bodies that are doing an excellent job to improve the quality of public education — when and how does the Minister intend to

Mr M M SWATHE: Thank you, Deputy Speaker. Mr Minister, it is our view that troubleshooting of this nature must be done at provincial level. Your department's interference in this way is against the spirit of the Constitution, and the DA would like to see that you and your department give national guidance to local government. [Interjections.]

The DEPUTY SPEAKER: Hon members, order! We cannot even hear what the hon member is saying.

Mr M M SWATHE: In any event it is impractical to swiftly deal with problematic situations in the 284 councils from a central point.

Minister, will you ensure that the autonomy of the municipality will be respected and will you not consider empowering provinces to do those kinds of troubleshooting? I thank you.

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT: Madam Deputy Speaker, we are told the DA believes that what we are doing constitutes unfair interference. We do not interfere, we discharge our constitutional obligation as national and provincial governments, namely to support the municipalities. [Applause.] We respect the autonomy as well as the interdependence that must necessarily exist between the three spheres of government. Part of the evidence of our commitment to supporting their autonomy is that we give them such support as they need so that they are able to discharge their own obligations.

Mr L M GREEN: Deputy Speaker, the Minister responded that the high calibre team would start working by the end of September. Is that correct? I am not too sure whether they have been selected or whether you are still in the process of doing that. But be that as it may, what are the criteria that you are using to establish such a team and which areas of local government are the most critical areas in your estimation that this team must troubleshoot? I thank you.

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT: The most critical areas are precisely the areas I spoke about in my original answer. The team has not been announced yet, as I said it would be announced by the end of September. The questions relating to criteria and so on will become known publicly then. So please be patient enough to wait.

Mr W P DOMAN: Thank you Deputy Speaker. Mr Minister, we are saying that there are 284 municipalities and now, from a central point, you want to deal with troubleshooting. Our suggestion is to let the provinces do that work and that you give national guidelines. That is your duty as a national Minister. Therefore, we want to stress the point that, is it not your duty to empower the provinces so that they, who are nearer to the municipalities, can properly empower those municipalities?

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT: The support, which is going to be given, is going to be done jointly by national and provincial government. I must inform you that the MEC for local government in the Western Cape is ready to do what you failed to do when you were MEC in the Western Cape. [Applause.]

The DEPUTY SPEAKER: On what point are you addressing us?

Mr W P DOMAN: Another question please . . .

The DEPUTY SPEAKER: No. Was there a question from the NNP?

Provinces advising schools on procedures to be followed to comply with section 38A of Act No 84 of 1996

*24. Ms H ZILLE (DA) asked the Minister of Education:

(1) Whether all provinces have advised

questions. I chose not to reply at that point. It is not interference; it is to ensure that, in fact, as government we do have a responsibility with respect to governance of the education sector.

As government we should know what is going on within the sector. We have not prohibited an arrangement by governing bodies that would be made known to provincial heads of departments so that they then would indicate support for the action for us to ensure that there aren't any unintended consequences from arrangements that governing bodies have, up to now, privately been making. Often these arrangements relate primarily to continued privilege, rather than to enhancing educational performance and practice. The law is clear, and we will ensure that it is implemented appropriately. [Applause.]

Ms C DUDLEY: Hon Minister, the schools that I've actually had contact with in the Western Cape inform me that they have been informed regarding legislation. Whilst they generally have no major problems complying with making the budget available for inspection by parents 14 days prior to meetings, this new legislation is making it more difficult.

The legislation preventing governing bodies from taking the initiative in creating incentives for teachers to perform better and to take on additional responsibilities that benefit learners is creating obstacles which are having unfortunate consequences. And it is a disincentive for teachers to do the many extra tasks that they have been doing, over and above their basic duties in the past. Constant applications for schools make functioning more difficult generally, and this does actually impact on the budgeting process.

I note the Ministers' previous response, because I was going to ask if the Minister would then monitor the impact of the legislation, with a view to addressing the unintended consequences. But I am happy to hear you say that you are onto that. Thank you.

The MINISTER OF EDUCATION: Certainly, in the Western Cape we haven't had a circular sent out as yet. There has been an interaction between the provincial department, the school governing body association in the province and the educator unions in the province. They have accepted a draft implementation plan, which has to be constructed in the form of a formal circular of the department.

So, certainly, there have been interactions. There appears to be broad-based agreement and that would be the circular that will be send out early in September. I certainly hope that what we are going to arrive at in our country is eventually a core of professional educators who are committed to their jobs and who are remunerated appropriately by the state, and therefore do not have to seek vicarious incentives from other routes and means.

Business interrupted in accordance with Rule 113(2) of the Rules of the National Assembly

Awarding of contracts in each province to women contractors

*16. Ms Z A KOTA (ANC) asked the Minister of Housing:

Whether her department has been able to award contracts to the value of 10% of its budget in each province to women contractors; if not, why not; if so, what are the relevant details? N565E

The MINISTER OF HOUSING:

Yes. Over the past three years, the total housing grant allocations to provinces were R11,3 billion. Of this amount, R1,9 billion was awarded to women contractors, representing a national aggregated percentage of 16,8%.

The following provinces granted over 10% of their total housing grant budget to women contractors:

take action to deal with dysfunctional governing bodies, particularly those allegedly accepting bribes to recommend job applications for teaching posts?

The MINISTER OF EDUCATION: It is, of course, a matter of concern that there are schools which are alleged to have governing bodies that are accepting bribes and that are appointing, on the wrong basis, persons to education posts. My colleagues in the provinces are dealing with these matters where they have been reported to us.

At the national level, as the hon member would be aware, I have been meeting with various stakeholder organisations, including the representatives of school governing body organisations at the national level, some which are currently not recognised, others that are part of the stakeholder forum meetings. We have now extended access to those that are currently not part of stakeholder meetings, but which have shown me that they do have a large base that they interact with.

I also intend, within the national department, to give far more attention through the general Education department division to working with school governing bodies and ensuring that the liaison we have with them is actually effectively exercised and improved upon, so that we do provide adequate development support to school governing bodies to ensure that all of them are able to operate on an efficient and useful educational basis.

I have noted that there are problems, and we are seeking ways of dealing with those. Clearly, understanding of the law and ensuring that you execute the obligations effectively will be a part of the work-shopping that we do. But I also would want to attach educational outcomes as part of that process of empowerment. So these deliberations are under way and I will strengthen the department and our ability to interface in the way that I suggest.

Prof S M MAYATULA: Thank you, Deputy Speaker. I would also like to thank the hon Minister for her elaborate answer, indicating what the province have done to bring this Act to the attention of the schools.

Despite the Employment of Educators Act of 1998 or the Public Service Act of 1994, the school governing bodies continue to pay educators employed in terms of the above Acts unauthorised remuneration, other financial benefits or benefits in kind without the approval of the employer.

Section 38 of the Education Laws Amendment Act of 2004 is meant to correct this abnormality in terms of which the school governing bodies, which are supposed to be monitoring the implementation of education laws, are themselves flouting them.

Though it was promulgated in April 2004 in order to allow the school governing bodies to clean up their acts and normalise the situation, it will only become effective in April 2005. All that is expected of them is to submit their applications to the department for approval to make payments where necessary. The door for them to submit these applications was opened in April 2004, when the Act was promulgated.

My questions are, Ms Minister: Are such applications from school governing bodies dependent on the provinces advising schools on the procedures to be followed? Are these procedures not well spelt out in section 38(a)?

The MINISTER OF EDUCATION: Deputy Speaker, the hon member is absolutely correct that section 38(a) prescribes very clear time-frames. Clear criteria that will be used to consider the application indicate that the appropriate authorities should take the decision timeously and that the right to appeal for the governing bodies exists if the authority fails to take a decision.

I think I must then indicate that this is not interference, as was implied by the hon member's remarks to me who posed the

refocused. The Department of Social Development as a lead department is currently facilitating an ongoing anti-drug programmes targeting the youth. An inter-sectoral anti-drug campaign, known as "Ke moja" (No Thanks I'm Fine), targeting the youth was launched in the Western Cape on 26 June 2003. This was done in partnership with the Central Drug Authority, UN Office for Drugs and Crime and the provincial departments of social development are in the process of rolling this anti-drug campaign out to other provinces. We believe that the young people will become more aware and be educated regarding the dangers of substance abuse. Provinces need to accept ownership of the anti-drug campaign to ensure sustainability.

Provinces need to be alert of any changes in the drug scene and be proactive by adjusting their anti-drug programmes to address the changing needs. I'm concerned about the situation in the Western Cape where a sharp increase in the use of methamphetamines amongst the youth has been observed. I therefore expect the provincial authorities to intervene by introducing more effective anti-programmes to normalise the situation.

(2) Yes, the Premier of the Western Cape announced during April 2004 that steps would be taken to deal with the alarming increase in the use of methamphetamines (TIK) amongst youth. The Department of Safety and Security took the lead and established a technical task team consisting various departments and NGOs in the Western Cape. The technical task team developed and implemented an action plan which include activities such as awareness raising, public education, policing and if necessary drug treatment. A media launch is planned for 25 August 2004 to report on progress and the way forward.

Inquiry into outbreak of violence in Diepsloot, Gauteng

*36. Mr A C STEYN (DA) asked the Minister of Housing:

Whether she has instituted or intends instituting an inquiry into (a) the cause of the outbreak of violence in Diepsloot, Gauteng in or about July 2004 and (b) allegations of the illegal selling of houses and plots in Diepsloot by departmental officials; if not, (a) why not and (b) what action does she intend taking in this regard; if so, what are the terms of reference for such inquiry? N586E

The MINISTER OF HOUSING:

(a) Yes. An inquiry was instituted by the Gauteng department of housing at my request on 5 July 2004 and a report was submitted by the MEC for Housing on 7 July 2004. Aspects of the report were made public through a press conference on 7 July 2004. I asked the MEC to look into the matter as it is in her competency and all these matters were made public and reported quite widely. The department of housing in Gauteng adequately dealt with the matter hence the calm subsequently.

(b) The allegation of illegal sale of houses and plots has been handed over to SAPS for investigation. We will await the results thereof.

Steps to improve sanitation

*13. Ms C C SEPTEMBER (ANC) asked the Minister of Water Affairs and Forestry:

Whether approximately 12 million people lack access to basic sanitation services; if so, what steps have been or will be taken by her department to ensure that people receive waterborne sanitation instead of ventilated improved pit latrines? N561E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

No, it is estimated that considerably more than 12 million people currently lack access

- Free State
- Gauteng
- KwaZulu-Natal
- Mpumalanga
- North West

The Limpopo provincial housing department was able to allocate 9,4% of their total allocation of the housing grant to women contractors.

In respect of the other provincial housing departments, remarkable progress is being made in realising the 10% targets set nationally. It has also been noted that some provinces are still struggling to quantify their data, as some verification is necessary to avoid including fronting arrangements in the statistics.

The Northern Cape, for example, indicated that they have a shortage of women contractors. Currently it is reported that there are only three woman contractors who are active in the housing programme. As such, the Northern Cape PHD has started a capacity development programme for woman contractors in the province, with a view to improving this situation.

Impact study on effects of golf estates on SA's limited water reserves

*7. Mr S SIMMONS (NNP) asked the Minister of Water Affairs and Forestry:

Whether, following the Western Cape government's announcement of its plans to carry out a review of the impact of golf estates and polo fields on the province's natural resources, her department will consider doing a national impact study on the effects of golf estates on South Africa's limited water reserves; if not, why not; if so, what are the relevant details? N534E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

No. It is not the intention of the Department of Water Affairs and Forestry to carry out an impact study of the effect of golf estates on South Africa's limited water reserves, since water required for golf courses and polo fields, or any other sport field (such as soccer fields) is regarded as normal water use.

The decision on whether there is enough water to allow the building of a golf course must either be made by the relevant local authority or, in the case of a stand-alone development, the developers must apply for a licence to use water in terms of the National Water Act of 1998. I will only issue such a licence if it is found to be acceptable after due consideration of all the relevant requirements and water availability in the particular catchment. Any environmental impact must also be acceptable.

My department further imposes licence conditions and recommends that the conditions set by local authorities should include emphasis on water use efficiency, and consideration of alternative sources such as groundwater and recycled water where this is available.

Increase in use of TIK amongst youth: anti-drug programmes stepped up/ refocused

*11. Ms X C MAKASI (ANC) asked the Minister of Social Development:

(1) Whether, in light of the increase in the use of methamphetamines (TIK) amongst the youth, the current anti-drug programmes will be stepped up and/or refocused; if so, what steps does his department envisage taking in this regard; if not,

(2) whether any alternative measures will be put in place to address this problem in particular and drug abuse in general; if not, why not; if so, what measures? N559E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) The current anti-drug programmes will not necessarily be stepped up and/or

surrounding municipal billing systems, such as the non-payment of accounts? N568E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

The President, in the state of the nation address, committed that a common indigent policy — outlining how the Government (with local government as the implementing agent) will support the poor, will be released in December 2004. Work to fulfill this commitment is ongoing and it is our expectation that this pronouncement will be made in the said time-frames.

It is necessary for there to be a common approach to the support that is provided to the poor for a range of reasons. For instance:

(1) The quality, reliability and level of support that is provided to the poor ought to move those designated as such, from their status of poverty to a status that allows them to be economic participants in our democratic society;

(2) The quality, reliability and level of support must fundamentally address the quality of life of those determined to be poor through the provision of free basic services, targeted skills development and economic development for employment and opportunity creation;

(3) The quality, reliability and level of support out to reach those that actually require the support — irrespective of their geographic location; and

(4) The quality, reliability and level of support ought to be measurable so as to ensure its effectiveness and its impact.

In addressing the points listed above, we will be able to address poverty within the context that it affects different individuals and communities across the country — and in so doing, address other resultant and related issues such as sustainable rural development and urban migration. We will also be able to intercept systemic marginalisation that has characterised the lives of the majority of South Africans, and in so doing enhance the social transformation agenda.

All these considerations will be factored into this common indigent policy.

Imposition of precautionary water restrictions in drought-stricken areas

*8. Mr S SIMMONS (NNP) asked the Minister of Water Affairs and Forestry:

Whether precautionary water restrictions will be imposed in drought-stricken areas; if not, why not; if so, what are the relevant details? N535E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

The Department of Water Affairs and Forestry continually reviews water availability in drought-stricken areas of our country to ensure that water restrictions are imposed where required. Some municipalities have requested their users to voluntary use less water and in other areas it was necessary to impose formal restrictions.

This situation is constantly monitored and will next be revised in September 2004, especially in the agricultural sector.

Restrictions have already been imposed in severely drought-stricken provinces like Limpopo, Eastern Cape, Free State, Mpumalanga, Northern Cape and certain parts of Gauteng. Possible future restrictions could be considered in certain parts of the Western Cape during September 2004 depending on the rainfall patterns in August.

Implementation of mass participation programme

*3. Mr C T FROLICK (ANC) asked the Minister of Sport and Recreation:

Whether his department has made any progress in implementing the mass participation programme; if not, why not; if so, what progress? N512E

to basic sanitation services. Statistics South Africa's 2001 Census confirmed the sanitation backlog to be 18 million people. With subsequent delivery since 2001 the backlog is currently estimated at approximately 17 million people.

As the question centres on basic sanitation, let me also first explain what is meant by basic sanitation and then we must also distinguish between the sanitation facility, the toilet itself and secondly the sanitation service, which means the ongoing performance of a service.

According to the definitions in the Strategic Framework for Water Services approved by Cabinet in September 2003, both a flush toilet and a ventilated improved pit (VIP) latrine can pass the definition of a basic sanitation facility. The option that a specific municipality chooses will depend on cost, both capital and operational, available local budget and resource constraints and user preferences.

The waterborne system that is suggested to replace the bucket system is much more costly in terms of the installation, technology, operation and maintainance, for which the municipality will have to make provision in its budget.

For all households to be provided with water borne sanitation will require substantially more funds than are currently allocated through the Municipal Infrastructure Grant. I am also planning to take the relevant figures for Cabinet to consider a change of policy to focus on greater provision of water-borne sanitation.

Municipalities applying Act No 6 of 2004 *re* ratings on valuations done under former laws/ordinances

*23. Mr W P DOMAN (DA) asked the Minister for Provincial and Local Government:

(1) Whether municipalities may apply the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004), with regard to ratings on valuations done under former laws and ordinances; if not, what is the position in this regard; if so, what are the relevant details;

(2) whether he will make a statement on the matter in order to give guidance to municipalities; if not, why not; if so, when? N572E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

Yes. The Local Government: Municipal Property Rates Act contains transitional provisions (sections 88, 89 and 91) that allow municipalities that have conducted valuations and property rating in their areas using the old provincial ordinances before the commencement of the Act, to continue using those ordinances despite the fact that they have been repealed, until new comprehensive property valuation rolls have been prepared in terms of the Property Rates Act. From the commencement date of the Act, existing provincial valuations rolls and supplementary valuation rolls will be protected for a maximum of four years. When using the old provincial ordinances, those municipalities must phase in rates over a period of three financial years on newly rateable properties as defined in the Act. Also, other provisions of the Act such as those relating to limits on annual increases of rates will, from the commencement date of the Act, be operational.

Facilitation of common indigent policy for municipalities

*19. Mr B M SOLO (ANC) asked the Minister for Provincial and Local Government:

(1) Whether his department intends facilitating a common indigent policy for municipalities; if not, why not; if so, what are the relevant details;

(2) whether he will make a statement on the nature and extent of problems

party, who determines Government policy.

Falsified SA passports: concerns *re* credibility of SA travel documents

*6. Mr H P CHAUKE (ANC) asked the Minister of Home Affairs:

Whether she will make a statement regarding reports about falsified South African passports that have raised concerns amongst South Africans regarding the credibility of South African travel documents and whether such documents will be accepted outside South Africa? N523E

The MINISTER OF HOME AFFAIRS:

Yes, I have already made a statement in this regard.

On 12 August 2004, after my official visit to London, where amongst others, I met with the UK Minister of State, I issued a statement indicating that although there is evidence that certain people had obtained and sought to use our passports illegally, genuine South African passport holders can continue to use their passports without fear of being isolated for harassment.

I wish to assure hon members that the integrity of the South African passport is intact and there is no reason for alarm.

The South African passport is still one of the most secure passports in the world and recognised as such by the world at large.

Audit on fraudulent marriages registered with department

*33. Mrs S V KALYAN (DA) asked the Minister of Home Affairs:

(1) Whether an audit has been carried out on marriages registered with her department since 2000 to ascertain how many of these are fraudulent; if not, what action is being taken in this regard; if so, what percentage of marriages has been found to be fraudulent;

(2) whether any action has been taken against marriage officers and/or departmental officials found to be complicit in this fraud; if not, why not; if so, what action;

(3) whether any right of recourse is available to victims of fraudulent marriages; if not, why not; if so, what are the relevant details? N583E

The MINISTER OF HOME AFFAIRS:

(1) Due to the difficulty in identifying a fraudulent marriage from the marriage registers, no audit has been carried out. The department, however receives a number of complaints involving fraudulent marriages. These are investigated and if on the available evidence it is clear that the marriage had not been entered into by the complainant, the "marriage" is expunged from the National Population Register and the complainant's marital status reversed. As at 17 August this year, 3 541 complaints had been received of which 2 076 have been reversed.

(2) Officers found to be involved in fraudulent marriages have been charged with misconduct and subjected to due process of the law including prosecution in the criminal courts.

(3) Persons who find themselves caught in a fraudulent marriage should immediately report the matter to the department, as well as the SAPS. As indicated, the department will assist by correcting their marital status and taking action against corrupt officials involved. The SAPS will conduct a criminal investigation into the "marriage" and charge the perpetrators.

Staff shortages after terminating services of voluntary workers

*1. Mr K W MORWAMOCHE (ANC) asked the Minister of Home Affairs:

(1) Whether her department is experiencing staff shortages after terminating the services of voluntary

The MINISTER OF SPORT AND RECREATION:

Yes, considerable progress has been made to implement the programme. We have put all the systems in place that will ensure that the project is managed in terms of the Division of Revenue Act. This includes:

- The development and approval of the national and provincial business plans.
- The concluding of Programme Implementation Agreements with the provinces.
- The concluding of cooperation agreements between the provinces and the local authorities.
- Monthly meetings have been held with the provincial coordinators.
- We have developed a Management Monitoring Information System.
- All the nodes and node coordinators have been identified.
- All coordinators have received training on the Division of Revenue Act, on Excel and on basic administration.
- Area and activity coordinators have received training in basic sports administration and on how to deliver their specific activities.
- Open tenders have been placed and awarded for the impact study on the programme as well as for the equipment.
- The national launch of the programme took place on Saturday, 21 August 2004.

Introduction of basic income grant to alleviate poverty

*28. Mr M WATERS (DA) asked the Minister of Social Development:

(1) Whether he supports the introduction of a basic income grant to alleviate poverty; if not, why not; if so, what steps has he taken to persuade the Cabinet to support this approach to fight poverty;

(2) whether he has held any discussions with the National Treasury regarding the feasibility of such a basic income grant as a means to alleviate poverty; if not, why not; if so, what was the National Treasury's response?

N578E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) The basic income grant was never an issue, not even with the Committee of Inquiry into a Comprehensive Social Security System.

The current social security system successfully reduces poverty and promotes social development regardless of what methodology is used to identify the poverty line. According to the Economic Policy Research Institute (EPRI) report, November 2003, "social grants reduce the headcount measure by 4,3% as measured against the Taylor Committee of Inquiry's expenditure poverty lines". The greatest reducing potential lies with the progressive extension of the child support grant. The extension to age 14 yields a 22% poverty-gap reduction.

The Minister supports targeted comprehensive social security measures, which entails, formal safety nets mechanisms that are complemented by developmental programmes such as social relief programmes, community-based Public Works Programmes, Integrated Food Security Programmes, and various other programmes.

These programmes seek to target vulnerable sectors of the community such as children, disabled, older persons and women. Cabinet has reiterated its commitment to measure government performance and continually review progress towards meeting these social challenges.

(2) Treasury does not determine the policy of government. It is only Cabinet guided by the policies of the ruling

Plan for South Africa is forming the basis of a court case and therefore information regarding Annexure A cannot be divulged as the matter is potentially *sub judice*.

Campaign urging women to check marital status

*5. Ms A VAN WYK (ANC) asked the Minister of Home Affairs:

Whether her department has launched a campaign urging women to check their marital status; if so, what (a) level of success has been achieved and (b) challenges her department is still facing in this regard? N522E

The MINISTER OF HOME AFFAIRS:

Yes, the department has launched a Marital Status Verification Programme on 3 August 2004.

(a) As at 20 August 2004, 10 178 persons have checked their marital status. Of these 358 indicated that their status was incorrectly captured in the register. The department is currently in the process of investigating every single one of these cases and once we are satisfied that there is a need to correct and amend the status, this will be done.

(b) The main challenge facing the department in this regard is to stamp out corruption relating to the registration of fraudulent marriages.

It will also be necessary for us to make sure that information about the campaign reach as many people as possible, particularly in the rural areas where more women can come out and verify their status. Our Imbizo Focus Week will also help in this regard.

Decision *re* implementation of curriculum 2005 in Grade 10

*27. Ms H ZILLE (DA) asked the Minister of Education:

(1) (a) When will a decision be taken on whether curriculum 2005 will be implemented in Grade 10 in 2006 and (b) when will schools be informed of that decision;

(2) whether, pending a decision in this regard, sufficient preparation in the form of planning, training and learner support material has been done in readiness for the implementation; if not, what is the position in this regard; if so, what are the relevant details;

(3) whether, pending a decision in this regard, provision is being made to provide an acceptable educational bridge for learners who would have to shift from the new curriculum in Grade 9 to the old curriculum in Grade 10; if not, what is being done to prepare for such eventuality; if so, what are the relevant details? N577E

The MINISTER OF EDUCATION:

(1) (a) The Ministry and the department have always stated that implementation will begin in 2006. However, we have also been very clear that implementation will proceed once we are comfortable that the systems and processes are in place.

In this regard I have scheduled a special meeting with my provincial colleagues for 20 September 2004 to assure ourselves that provinces are ready. A final decision will therefore be taken at the meeting and be communicated to the public.

(b) Schools will be notified immediately the decision is made. This will be done through letters written to principals and teachers, and through the media.

(2) I think it is important to emphasise that preparations for phasing in the new curriculum in FET are continuing regardless of the decision about 2006.

workers; if not, what is the position in this regard; if so, what are the relevant details;

(2) whether all the funded posts in her department have been filled to improve service delivery, especially in remote rural and marginalised urban communities; if not, what is the position in this regard; if so, what are the relevant details? N479E

The MINISTER OF HOME AFFAIRS:

(1) Not. The utilisation of voluntary workers was replaced by contract workers. The department currently has a total of 239 contract workers in its employ throughout the country. Contract workers are gradually phased out as vacant posts become filled. The recruitment of 350 interns will also enhance service delivery.

(2) No. The department currently has a funded establishment of 10 369. Of these 1 045 were vacant. 823 of these vacant posts have now been filled and 222 are in the process of being filled. This total excludes 25 senior management services posts. Of these, two posts of Deputy Directors-General have been filled and the remaining 23 are in the process of being filled.

Amount made available to Nocsa for Olympic Games in Athens

*4. Mr C T FROLICK (ANC) asked the Minister of Sport and Recreation:

(a) What amount did his department and other government agencies, including the National Lottery, make available to the National Olympic Committee of SA (Nocsa) for the 2004 Athens Olympic Games and (b) how did Nocsa use this money? N513E

The MINISTER OF SPORT AND RECREATION:

(a) The department has made R4,6 million available to Nocsa over the 2003-4 and 2004-05 budget years. Nocsa received R15,0 million from the National Lottery.

(b) SRSA funds were used towards the following expenditure items: Operation Excellence (preparation of the athletes), team training camps, team step-out gear and clothing, transport, accommodation, equipment, medical costs, hiring of venues and other administrative costs. The lottery funds were used towards the logistics for the Olympic Games. This would include all advance visits, team clothing, subsistence allowances to athletes, coaches and medical personnel, advertising and media, website costs, kit launches and team announcements, promotional material and design, public relations, internal travel, travel to Athens (all athletes not in country), accommodation, medical expenses, insurance, visas and passports, Athens set up of offices, telephones, cell phones, postage and courier services, printing of team and medical guides, stationery and office equipment hire.

Publication of annexure of national HIV/Aids treatment/prevention plan: deadlines/timetables for providing ARVs

*29. Mr R COETZEE (DA) asked the Minister of Health:

(1) Whether she will make public Annexure A of the national HIV/Aids treatment and prevention plan, containing deadlines and timetables for providing anti-retrovirals; if not, why not; if so, when;

(2) whether all of the deadlines set out in Annexure A had been met as at the latest specified date for which information is available; if not, (a) what are the relevant details and (b) what steps she intends taking to ensure that future deadlines are met? N579E

The MINISTER OF HEALTH:

Annexure A of the Comprehensive HIV and Aids Care, Management and Treatment

information technology plan and obtaining new accommodation for the agency's national office.

(a) The major challenges that have been encountered relates to limited resources at both national and provincial spheres to assist in the various processes towards agency establishment.

(b) Even though it is envisaged that the agency will begin its operations by April 2005, it is clear that over the strategic planning timeframe of three years, a major process of institutional reform will be undertaken. During the beginning of the financial year 2005 the agency will embark on a major service delivery improvement programme of implementing the norms and standards, implementing the new IT systems and to obtain approval for an infrastructure strategy.

*31. Mr M SWART (DA) — Home Affairs. [Question standing over.]

Poverty alleviation/job-creation: provision of basic services

*12. Mrs M M GUMEDE (ANC) asked the Minister of Water Affairs and Forestry:

With reference to the Government's mandate for the next five years to alleviate poverty and create employment, how does her department's strategic plan address the provision of basic services in respect of water and sanitation by 2008 and 2010? N560E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

The *Strategic Framework for Water Services* was approved by Cabinet in September 2003 after more than 18 months of development and extensive consultation with sector stakeholders, particularly the South African Local Government Association (Salga) and the South African Association of Water Utilities (SAAWU). The Framework provides a comprehensive summary of policy with respect to the water services sector in South Africa and sets out a strategic framework for its implementation over the next ten years. This is a sector document and has been agreed to by all sector stakeholders. Giving effect to the framework is the role of all in the sector, particularly municipalities. Some of the main issues addressed in the framework are:

- Eliminating the backlog in basic services provision (the first step in the ladder)

  In view of the fact that there are more than 4,4 million people without access to safe water and a further 5,7 million without access to the defined basic level of water supply services, and about 18 million people without adequate sanitation services, the provision of at least a basic service to these people remains a very important policy priority.

  The Department of Water Affairs and Forestry is in the process of assessing the investment needs in the Water Services Sector and an investment model has been prepared. My department is working with the Department of Provincial and Local Government and the municipalities to verify the model. At the current level on investment of R2,3 billion provided in the Municipal Infrastructure Grant (MIG), it will take seven years to clear the backlog on water and nine years to clear the backlog on sanitation, which is three years behind the targets.

  To reach the target set in the framework the current level of investment in MIG for water and sanitation has to be increased to R3,6 billion at the current level of prices. I am also reviewing the additional funding that would be required to provide waterborne sanitation in all urban areas.

- Providing higher levels of service (stepping up the ladder)

  The provision of basic water services is only the first step up the ladder of service provision as set out by the national Government in the Reconstruction and Development Programme in 1994. Whilst this is

Consequently, a lot of work is already being done with regard to subject statements, learners support material and teachers preparation;

Firstly, an Interprovincial Curriculum Implementation Working Group comprising of senior officials from provinces and the department, to develop an implementation strategy for the new curriculum in 2006, has already been set up and has developed an implementation strategy.

Secondly, the Department of Education is finalising additional subject statements and learning programme guidelines (LPGs) for Religion Studies and Technical subjects. These subject statements will be released for public comment in September 2004. After receiving comments these will be infused in the subject statements for finalisation.

Thirdly, preparations for the development of teachers are also at an advanced stage. This process is being led by a steering committee comprising of senior officials of the Department. It will involve training teachers in OBE and subject specific content.

Fourthly, we are working closely with the publishers on an ongoing basis with regard to the development of quality learners support materials. Clear timelines have been developed indicating when manuscripts will be ready, their evaluation, procurement and distribution to schools.

Lastly, an advocacy and communication strategy has been developed which will inform the public on various issues pertaining to Further Education and Training Information has been packed for different target groups but conveying the same message, for example, principals and teachers will receive letters and brochures while learners and parents receive leaflets and brochures with answers to frequently asked questions.

Our preparations are directed at implementation in 2003. If our discussions with provinces point to particular difficulties we will address these this year and in 2005. Thus, we are not preparing teachers for a continuation of the old curriculum.

Progress in establishing SA Social Security Agency

*10. Ms T J TSHIVHASE (ANC) asked the Minister of Social Development:

Whether his department has made any progress in establishing the SA Social Security Agency; if not, what is the position in this regard; if so, (a) what challenges have been encountered and (b) when is it envisaged that the Agency will begin its operations? N558E

The MINISTER OF SOCIAL DEVELOPMENT:

Yes, the Department of Social Development has made progress in the establishment of the South African Social Security Agency. Both the Social Assistance Bill and the SA Social Security Agency Bill, which provides the legislative framework to establish the Agency, have been enacted. This provides the mandate for the shifting of the social assistance delivery function from the provincial departments of Social Development and transitioning these to the South African Social Security Agency.

Tasks that have been concluded, include the establishment of a steering committee, constituted of National and provincial managers of the department; the establishment of national and provincial project teams with coordinators for various focus areas; the ringfencing of resources in the provinces; the development of policies and procedures for Human Resource Management; the development of an organisational design for both the national and provincial structures; the development of norms and standards for service delivery; the development of a service delivery model; the development of an

Postbank. Government in consultation with the Reserve Bank is in the process of creating a regulatory framework to govern the activities of the Postbank. It is hoped that this will go a long way towards meeting the State's vision for the Postbank as outlined in the White Paper on Postal Services.

Evicted Protea Glen residents taking up offer of RDP houses in Doornkop, Soweto

*35. Mr A C STEYN (DA) asked the Minister of Housing:

(1) How many Protea Glen residents, evicted from their houses in or about July 2004 for failing to pay their bond instalments, took up her offer of RDP houses in Doornkop outside Soweto;

(2) whether this offer of RDP houses to persons who have previously owned homes is in line with the criteria which recipients of RDP houses must meet in order to receive such houses; if not, why did she make this exception; if so, what are the criteria with regard to persons who have previously owned homes;

(3) whether the allocation of Doornkop houses to these persons meant that they moved ahead of persons already on the waiting list for RDP houses; if not, how many persons who have not previously owned homes were on the waiting list for RDP housing in Gauteng as at 30 June 2004; if so, why;

(4) whether all bond defaulters who lose their homes automatically qualify for RDP housing; if not, what criteria will be applied; if so, what is the estimated number of home-owners per month who default on bonds and are evicted from homes;

(5) whether recipients of RDP housing who default on rates and services payments and then lose their houses qualify for new RDP houses; if not, how do they differ from bond defaulters; if so, what are the relevant details? N585E

The MINISTER OF HOUSING:

(1) During July 2004, eleven households were evicted from their houses in Doornkop and all eleven households took up the offer of moving into subsidised houses.

(2) These subsidised houses were erected to cater for those beneficiaries who would qualify for Government's housing assistance in terms of the Relocation Assistance Subsidy mechanism. This mechanism was formulated to provide subsidised housing to those borrowers who, on 31 August 1997, were at least three months in arrears, and who needed to be relocated to more affordable housing. Furthermore, the Relocation Assistance Subsidy mechanism was devised as an integral part of government's strategy to stabilise the housing environment, and Servcon was established by Government to administer the relocation grant and to ensure that right-sized housing is provided for qualifying beneficiaries.

(3) As relocation assistance is only available to a certain category of home owners, the allocation of these houses will not result in these persons moving ahead of persons already waiting for RDP houses.

(4) No. Only those borrowers who, on 31 August 1997, were at least three months in arrears, and who needed to be relocated to more affordable housing, can be assisted in terms of this subsidy mechanism.

The industry estimates that the number of defaulters is between 60 — 70 000 nationally. Our most recent research indicates that these people default because of the following:

the most important and immediate priority, water services authorities are strongly encouraged to provide intermediate and higher levels of services (for example, water on-site and water-borne sanitation) wherever it is practical and provided it is financially viable and sustainable to do so.

- Decentralised fiscal framework

  The decentralisation of funding via the three consolidated grant mechanisms (MIG, Equitable Share and capacity building grant) forms the foundation for the financial framework. These are the primary national mechanisms for redistribution.

- The new role of my department as sector leader, regulator and supporter is defined.

- Job creation

  Through the Community Water Services Supply Programme in the past ten years, 396 000 temporary job opportunities were created of which 69% were for women.

  With the introduction of the MIG, the responsibility for implementing water services infrastructure is now completely within the function of water services authorities, but my department, as sector leader will continue to support the water services authorities to perform this function and also aim to ensure that enough financial resources are made available to ensure this. My department and I are concerned about the capacity of some municipalities to administer the MIG funds and the implications on meeting the set targets.

*25. Mr R JANKIELSOHN (DA) — Housing. [Question standing over.]

Postbank not competing more directly with commercial banks

*14. Ms A M MAZIYA (ANC) asked the Minister of Communications:

(1) In light of the lack of competition presented to commercial banks and the recent success of the government retail bonds, why does the Postbank not compete more directly with commercial banks;

(2) whether she will lift any restrictions experienced by the Postbank in this regard; if not, why not; if so, (a) what will be the impact on the South African banking sector and consumers and (b) what are the further relevant details? N562E

The MINISTER OF COMMUNICATIONS:

(1) In order for the Postbank to compete directly with the commercial banks it would need to meet the stringent regulatory requirements placed upon all banks. The regulators of the banking system, which are the National Treasury and the Reserve Bank, have set certain minimum standards and supervise adherence to these by any entity that operates a banking licence. The Postbank at the present moment does not meet these requirement hence a limitation on the scope of its operations mandate. In any event the Government's vision of the Postbank is more developmental than commercial. It is the intention that the Postbank should rather acquire a special license to serve this role to be accessible to rural and other underserviced areas and mobilize savings first.

(2) (a) There are no restrictions imposed by the Minister on the Postbank, except that as stated above, this entity needs to meet the stringent regulatory requirements. The Reserve Bank Governor and the Minister of Finance are the authorities that give approval.

(b) A further extension of the mandate of the Postbank into other spheres of banking would require an increased level of oversight and regulation of the activities of the

The MINISTER OF HOME AFFAIRS:

(1) Yes.

(a) On 11 August 2004, I held a meeting with the Minister of State in the Home Office, Mr Des Brown in London.

(b) We had agreed to enhance cooperation on general immigration issues affecting our two countries. The visa concessions enjoyed by nationals of both countries will continue and South African passport holders who travel to the UK can continue to do so and expect the same hospitality that they have always enjoyed. We have also agreed to advise the nationals of both countries not to abuse this system and to use genuine legal documents when travelling.

(2) Yes. We will continue the endevours to ensure that our system, including our traveling documents retains their integrity and are fortified from abuse. In this regard we are looking at technological solutions, including investigating the possibility for a microchip based smart passport.

(3) Not to our knowledge. With specific reference to the UK, we have been reassured that there will not be any special profiling of South Africans as a result of these reports. Of the more than 33 000 South Africans who travel to the UK monthly, no more than 125 are refused entry. This represents a percentage of less that 0,5%.

Mechanisms to address N2 informal settlement

*17. Ms Z A KOTA (ANC) asked the Minister of Housing:

Whether her department has put any mechanisms in place to address the N2 informal settlement and/or other related situations; if not, why not; if so, (a) what mechanisms and (b) what are the time-frames? N566E

The MINISTER OF HOUSING:

The department has put in place a management structure to guide the N2 informal settlement upgrading project in the complex tasks which lie ahead. It is centred around a three tier structure including:

- A technical task team which strategically directs the activities of officials working on the project and is subject in its operations to a memorandum of understanding;

- A team of high level managers from the city, province and national department; and

- A group including the Mayor provincial MEC and national Minister of Housing who meet on an ad hoc basis to address issues arising.

This mechanism will be formalised through the tabling of a business plan and memorandum of understanding, in the first week of September. Once ratified at this level, the Business Plan will be submitted to the Committee of Housing Ministers and MECs, and ultimately to Cabinet. This will have the effect of adding detail to the project parameters and the roles and responsibilities already approved last week by Cabinet. The MOU will essentially become an interdepartmental developmental agreement as envisaged by the Department of Provincial and Local Government.

The time-lines for the N2 project are as follows:

- the installation of emergency services (ie shared water, sanitation, solid waste management, area lighting, basic access roads and electricity) has been ongoing since September 2003 and 90% coverage of the settlements was achieved by July 2004;

- the business plan is to be tabled by the first week of September 2004;

- unemployment or decreasing household income;
- the quality of housing which do not meet norms and standards; and
- death in the family resulting in the reduction of household income.

(5) No. Government allows beneficiaries of the housing subsidy to qualify for a housing subsidy only once and such a beneficiary will not be allowed to access another subsidy and hence another house. However, Government has set a lifeline to the poor and indigent through its free basic services and indigent policies, in terms of which people receive access to limited free services and special tariffs.

Beneficiaries of state-financed housing subsidies that also hold mortgage bonds, who have defaulted on such bonds and who do not fulfil the requirements of the relocation assistance programme, do not qualify for further state housing assistance.

It is important to note that Government, together with the Banking Council and the Banking Ombudsman are looking into this matter for purposes of providing a sustainable long-term solution. Parliament will soon be advised of the outcome once work on this has been completed. I am greatly encouraged by this development for perhaps for the first time, it indicates that the partnership we are developing is one that pays attention to socio-economic developments in the country. This can only augur well for our future collectivity.

Current status of proposed Convergence Bill

*15. Mr M R MOHLALOGA (ANC) asked the Minister of Communications:

(a) What is the current status of the proposed Convergence Bill, (b) what are the main matters to be covered by the Bill and (c) when will the Bill be tabled in Parliament? N563E

The MINISTER OF COMMUNICATIONS:

(a) The department has finalised the incorporation of the public comments received into the Bill and has started consultation with other government departments and Icasa.

(b) The objective of the bill is to promote convergence in the telecommunication, broadcasting and signal distribution sectors; to make new provisions for the regulation of communication services; to provide for granting of new licenses and new social obligations; to provide for the control of the radio frequency spectrum; and to address the need to strengthen the powers of the Independent Communications Authority of South Africa (Icasa) to enhance its ability to respond to the fast changing issues that will arise in the industry, as they adjust their business models in a converged and competitive market.

(c) The Bill is due to be tabled during the last quarter of 2004 after it has been approved by Cabinet.

SA passports easily forged: discussions with representatives of foreign governments

*32. Mrs S V KALYAN (DA) asked the Minister of Home Affairs:

(1) Whether, in light of the concerns expressed by foreign governments regarding the fact that South African passports are easily forged, she has held any discussion with representatives of any foreign governments on this matter; if not, why not; if so, (a) with whom and (b) what agreements were reached;

(2) whether she has initiated any action to improve the security related to South African passports; if not, why not; if so, what action;

(3) whether this issue has had any negative impact on South Africans travelling abroad; if so, what are the relevant details? N582E

pate in the delivery of houses; if not, why not; if so, what are the relevant details? N567E

The MINISTER OF HOUSING:

Yes.

The People's Housing Process (PHP) is one of Government's housing delivery mechanisms and it aims to support households who wish to enhance their subsidies by building or organising the building of their homes themselves. In addition, the PHP allows beneficiaries to save on labour costs, avoid having to pay a profit element to developers and optimise their decisions by using opportunities for trade offs.

The key principles behind the PHP housing deliver/mechanism, includes the formation of partnerships, beneficiary choice, skills transfer and community empowerment, supported by appropriate institutional and financial assistance from government.

During 1998, my department and certain international roleplayers formed the People's Housing Partnership Trust (PHPT) to drive the implementation of Government's national capacitation programme of the PHP. The PHPT co-ordinates the capacitation programme at a national level and its support activities are carried out at provincial and municipal level. In 2003, the PHPT commissioned a national review of the performance of the PHP, since its inception. The final report is awaited and the recommendations of this review will inform the enhancement of the existing PHP policy and implementation guidelines. Furthermore, I have requested an evaluation of the best institutional arrangements for dealing with the functions of the PHP, as well as an evaluation of the future of the PHPT.

I look forward to the recommendations of the PHPT Review and believe that these will assist my department to formulate a more effective and efficient PHP policy which will enhance this method of housing delivery.

Department's new Chief of Staff

*34. Mr M WATERS (DA) asked the Minister of Social Development:

(1) Whether the current Director of Stakeholder Management (name furnished) is to become the Chief of Staff of his department; if so, (a) when, (b) what are the said person's qualifications and (c) what will his salary be;

(2) whether the post was advertised; if not, why not; if so, (a) who applied and (b) what were the applicants' qualifications? N584E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) It is not known at this stage who will become the Chief of Staff, as the process of filling the post is currently in progress and due procedure has to be followed. The salary range is fixed at public service remuneration scale on job grade 14, on Chief Director level.

(2) Yes, the post was advertised on 4 July 2004 with a closing date for applications set on 26 July 2004.

(a) and (b)

In terms of the Z83 application form developed by the Department of Public Service and Administration, it should be noted that "all information will be treated with the strictest confidentiality and will not be disclosed or used for any other purpose than to asses the suitability of a person, except in so far as it may be required and permitted by law".

In view of the confidentiality requirement stipulated on the application form, such information can only be made available to the selection panel and those who are available to process the appointment. The contents of CVs are subject to confidentiality including qualifications.

- the business plan will lay out the subsequent process to achieve intermediate service levels and then housing consolidation, with full implementation of these phases of the programme commencing in October/November 2004;

- Environmental impact assessments will be complete by February/March 2005

- The main project elements are planned to be complete by 2007-08 with further development in the settlements continuing until 2014.

Progress in redemarcation of cross-border municipal wards in Limpopo/Mpumalanga

*37. Mr M M SWATHE (DA) asked the Minister for Provincial and Local Government:

Whether there has been progress in the redemarcation of cross-border municipal wards in Limpopo and Mpumalanga since 2000; if not, what is the position in this regard; if so, (a) what progress and (b) when is it anticipated that basic services will be efficiently delivered to the affected residents? N587E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

The following response is based on information provided by the Municipal Demarcation Board:

No. The ward boundaries for the cross-boundary municipalities between Limpopo and Mpumalanga will be published together with the ward boundaries of all other municipalities in Limpopo. Though the MECs for local government in both Limpopo and Mpumalanga have gazetted the number of councillors for the cross-boundary municipalities, the number of councillors for all other municipalities in Limpopo is still to be gazetted by the MEC. Ward boundaries can only be published once the number of councilors are determined by the MEC.

(a) Falls away.

(b) The Municipal Infrastructure Grant (MIG) Programme is aimed at providing all South Africans with at least a basic level of service by the year 2013 through the provision of grant finance aimed at covering the capital cost of basic infrastructure for the poor, which includes water, sanitation, solid waste removal, roads and storm water services. The MIG programme is a key part of Government's overall drive to alleviate poverty in the country and, therefore, infrastructure is to be provided in such a way that employment is maximised and opportunities are created for local economic development.

In fulfilment of this vision, national government is committed to allocating sufficient funds from the national fiscus to ensure that basic services are provided to all by 2013.

Municipalities in the Bohlabela District Municipality area has been allocated R74 152 million for the 2004-05 financial year, R88 425 million for the 2005-06 financial year and R109 699 for the 2006-07 financial year to address municipal infrastructure backlogs.

Municipalities in the Sekhukhune District Municipality area has been allocated R140 489 million for the 2004-05 financial year, R164 083 million for the 2005-06 financial year and R189 188 for the 2006-07 financial year to address municipal infrastructure backlogs.

Assistance to PHP *re* ability to participate in delivery of houses

*18. Ms D M DAMBUZA (ANC) asked the Minister of Housing:

Whether her department is in a position to assist the People's Housing Process (PHP) in order to enhance its ability to partici-

dited accounts in respect of each financial year from each of these bodies accounting for how the money had been spent; if not, on what date were the audited accounts due in respect of each specified financial year; if so, on what date was each set of audited reports received from each body;

(3) whether these audited reports will be made available to the members of the Ad hoc Committee on Sport and Recreation; if not, why not; if so, when? N68E

The MINISTER OF SPORT AND RECREATION:

(1) The department has not given the 2010 Bid any money to date. It gave Safa an amount of R635 000 in 2001 for hosting of the African Cup of Nations for Women.

(2) The department did not receive any audited financial accounts from Safa and, as a result, they have been disqualified from receiving support until these statements have been submitted.

(3) Not applicable.

Amount budgeted for/spent on activities related to celebration of 10 years of democracy

5. Mr T D LEE (DA) asked the Minister of Sport and Recreation: [Written Question No 68]

(a) What total amount did his department and/or ministry (i) budget for and (ii) spend on (aa) advertising and (bb) other specified activities related to the celebration of 10 Years of Democracy from the date that the election date was gazetted up to and including the election day and (b) what specified media and/or publications were used to publicise the campaign around the celebration of 10 Years of Democracy? N70E

The MINISTER OF SPORT AND RECREATION:

(i) The department did not budget separately or specifically for activities related to the celebrations of 10 years of democracy. It did, however, dedicate existing activities to the celebration and has hosted one event, the dinner associated with the annual SRSA conference, as part of the celebration. The dinner would have taken place whether the milestone of ten years of democracy had been celebrated or not. R111 781 was spent on the event that took place on 12 February 2004. All the stakeholders in sport and recreation were invited to the dinner that was addressed by the former Minister of Sport and Recreation.

(ii) Not applicable.

Amount budgeted for/spent on activities related to celebration of 10 years of democracy

6. Mr A C STEYN (DA) asked the Minister of Housing: [Written Question No 79]

(a) What total amount did her department and/or ministry (i) budget for and (ii) spend on (aa) advertising and (bb) other specified activities related to the celebration of 10 Years of Democracy from the date that the election date was gazetted up to and including the election day and (b) what specified media and/or publications were used to publicise the campaign around the celebration of 10 Years of Democracy? N81E

The MINISTER OF HOUSING:

(a) (i) No amount was budgeted for this purpose.

(ii) No amount was spent for this purpose.

(b) No media was used to advertise the celebrations.

Audit on financial transfers to nodes

*38. Ms P BHENGU (ANC) asked the Minister for Provincial and Local Government:

Whether, in light of allegations that in some areas monies have not been well spent, his department, together with its service partners, has conducted an audit on the financial transfers to nodes; if not, why not; if so, what action has his department taken in this regard? N588E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

DPLG has conducted an investigation on the financial transfers to the nodes. A report in this regard has been received. It is being studied and deliberated upon by the department. Many of the recommendations made therein have already been implemented, whilst others are in the process of being implemented.

Questions transferred for oral reply in accordance with Rule 117:

■1. Mr M WATERS (DA) — Health. [Written Question No 15] [Question standing over.]

■2. Mr M WATERS (DA) — Health. [Written Question No 16] [Question standing over.]

Finansiële ondersteuning aan Sokkerwêreldbeker-bodkomitee

■3. Mnr T D LEE (DA) vra die Minister van Sport en Ontspanning:

(1) Of sy departement enige finansiële ondersteuning aan die Sokkerwêreldbeker-bodkomitee gegee het; so ja,

(2) of van die geld gebruik is om te betaal vir die amptelike afvaardiging wat na die toekenningsgeleentheid gegaan het; so ja, wat die totale onkoste verbonde aan die afvaardiging was;

(3) of 'n lys van die lede van die afvaardiging beskikbaar gestel sal word; so ja, wanneer? N59A

(Translation of Afrikaans question follows):

[Financial support to Soccer World Cup Bid Committee

■3. Mr T D LEE (DA) asked the Minister of Sport and Recreation: [Written Question No 57]

(1) Whether his department gave any financial support to the Soccer World Cup Bid Committee; if so,

(2) whether some of this money was used to pay for the official delegation which attended the award function; if so, what were the total costs related to the delegation;

(3) whether a list of the members of this delegation will be made available; if so, when? N59E]

The MINISTER OF SPORT AND RECREATION:

(1) The department provided no financial support to the 2010 FIFA World Cup Bid.

(2) Not applicable.

(3) Not applicable.

Money given to Safa/2010 Soccer World Cup Bid Committee

■4. Mr S J MASANGO (DA) asked the Minister of Sport and Recreation: [Written Question No 66]

(1) Whether his department gave any money to the (a) SA Football Association (Safa) and/or (b) 2010 Soccer World Cup Bid Committee in the past five years; if so, what amounts were made available to each body in the 2003-04, 2002-03, 2001-02, 2000-01 and 1999-2000 financial years, respectively;

(2) whether his department received au-

South Africa. 31% of households was accommodated in rental housing units both in formal and informal rental arrangements.

Formal rental comprises approximately 45% of the total rental stock. It includes government rental housing stock, social housing units and private rental on offer and are mostly situated in urban areas.

Government-owned rental housing is found in formalised towns and comprises freestanding houses, cluster houses, row houses, hostels and flats. Most of this stock is owned by municipalities and in certain circumstances is also owned by the provincial governments. No new state owned rental stock has been developed post-1994, as funding for this purpose was terminated with the introduction of the Housing Subsidy Scheme.

Private sector rental entails formal housing units that include freestanding houses, cluster houses or townhouses, flats or single quarters. It is provided on a commercial basis, meaning that it is targeted at people with regular income generally in excess of R2 500 per month.

Social housing as it currently exist in this country creates affordable housing stock for the lower to middle income categories and is constructed and managed by social housing institutions. Though some institutions elect to manage their stock, others appoint professional property managers to undertake management functions. The tenure form in social housing includes other forms besides rental such as shareblock, rent to buy, cooperatives and deed of sale options. The majority of the rental opportunities developed since 1994, was financed by a combination of the Institutional Housing Subsidy Scheme and private sector capital/ credit.

Informal rental comprises 28% of the total rental stock. It entails all or part of a formal structure, an outbuilding or separate dwelling or an informal dwelling on a site owned and/or controlled by another individual. Most often tenants erect an informal structure on a site owned by an individual. The property owner provides rental accommodation on commercial basis.

Generally, Government is of the view that an urgent need for rental housing opportunities exist in our cities. A number of factors and trends within the country increased the rental housing need, such as:

- Migration of people from rural areas to cities in search for economic opportunities. More often these people maintain family ties in the rural areas and wish to access their permanent housing opportunities in the areas of origin. These persons thus need temporary rental accommodation;
- To date single persons without financial dependents have been excluded from access to State assisted housing opportunities, and many of them tend to seek cheap rental accommodation in well-located areas;
- Many people from neighbouring countries trade their products on the South African market and therefore require temporary accommodation for short term business or shopping visit;
- The family life circle indicates that residential options, by and large commence with rental accommodation before buying a permanent house; and
- Urbanisation trends which indicates that more and more people migrate to the urban areas and temporary residential accommodation is initially preferred.

(c) Recognising the positive impact rental housing has on Government's strive of housing the nation against the current

Amount budgeted for/spent on activities related to celebration of 10 years of democracy

■7. Mrs C-S BOTHA (DA) asked the Minister of Social Development: [Written Question No 82]

(a) What total amount did his department and/or ministry (i) budget for and (ii) spend on (aa) advertising and (bb) other specified activities related to the celebration of 10 Years of Democracy from the date that the election date was gazetted up to and including the election day and (b) what specified media and/or publications were used to publicise the campaign around the celebration of 10 Years of Democracy? N84E

The MINISTER OF SOCIAL DEVELOPMENT:

(a) (i) and (ii) and (aa)

The department, in the first quarter of 2004, budgeted for and spent R11,2 million on advertising,

(bb) This money was transferred to the GCIS for advertising the following campaigns:

— Age increase of the child support grant

— Fraud prevention strategy of the department

— The International Year of the Family launch.

The major activity during this period was the International Year of the Family launch on 26 March in the Western Cape, and the launch of the Older Persons' Centre, also in the Western Cape and

(b) the media used during the said campaigns included national television (SABC1, 2, 3 and eTV); all the major radio stations of the SABC including community radio, as well as all the major daily newspapers and weekend newspapers.

■8. Mr M M SWATHE (DA) — Provincial and Local Government. [Written Question No 87] [Question standing over.]

■9. Mr M SWART (DA) — Home Affairs. [Written Question No 109] [Question standing over.]

■10. Mr R JANKIELSOHN (DA) — Social Development. [Written Question No 158] [Question standing over.]

■11. Mr C H F GREYLING (NNP) — Home Affairs. [Written Question No 172] [Question standing over.]

■12. Mr S SIMMONS (NNP) — Public Service and Administration. [Written Question No 178] [Removed]

Estimated shortage of rental housing units

■13. Mr S J MASANGO (DA) asked the Minister of Housing: [Written Question No 189]

(a) What was the estimated shortage of rental housing units in each specified province as at (i) 1 March 1999 and (ii) 1 March 2004, (b) how were these estimates calculated and (c) what action is being taken to increase the supply of rental housing units in each province? N224E

The MINISTER OF HOUSING:

(a) There are no statistics available on the shortage of rental housing units as on 1 March 1999 and 1 March 2004 in the country.

(b) Question (b) falls away as estimates were not available.

However, it is worth mentioning that according to a study commissioned by the department during 2001, rental housing comprises approximately one third of the total housing sector in

Vacancy statistics as at 31 May 2004					
Province	*Nurses*	*Doctors*	*Pharmacists*	*Specialists*	*Dental practitioners*
Gauteng	4 600	589	211	455	186
Mpumalanga	1 935	395	86	56	59
North West	1 603	142	44	55	28
Northern Cape	141	43	8	2	4
Eastern Cape	5 021	520	169	234	62
Free State	1 573	225	65	106	36
Limpopo	1 033	180	32	31	9
KwaZulu-Natal	3 173	476	228	260	19
National department	1	13	11	9	0
Western Cape	1 139	184	90	150	17
Total	20 219	2 767	944	1 358	420

(2) Yes. The table below reflects the situation in this regard.

Resignations per province per occupation as at 31 May 2004					
Province	*Nurses*	*Doctors*	*Pharmacists*	*Specialists*	*Dental practitioners*
Eastern Cape	649	148	24	13	1
Free State	335	30	4	36	4
Gauteng	863	403	70	192	30
KwaZulu-Natal	1 433	218	40	47	6
Limpopo	549	118	38	14	17
Mpumalanga	229	78	14	12	4
North West	314	100	10	4	20
Northern Cape	139	14	3	1	1
Western Cape	483	129	27	122	4
Totals	4 994	1 238	230	441	87

Source: Provincial health departments, May 2004

Implications for department of judgment in the case of Communicare Residents Association vs Minister of Social Development

16. Mr J P I BLANCHÉ (DA) asked the Minister of Social Development: [Written Question No 204]

(1) Whether, with reference to his reply to Question No 285 for oral reply on 19 November 2003, the judgment in the case of Communicare Residents Association vs the Minister of Social Development, heard in the Cape High Court, has any implications for his department; if not, what is the position in this regard; if so, (a) what implications and (b) what action has been or will be taken in this regard;

(2) whether his department has done any cost analyses to determine whether the granting of social old-age pensions to women at a younger age than to men is effective in addressing poverty; if not, why not; if so, (a)(i) when and (ii) by whom was the research done and (b) what were the findings;

challenges and the need for affordable accommodation, Government plans to intervene in the following manner:

Through the regulation of the rental environment as provided in the Rental Housing Act, 1999 (Act No 50 of 1999). The Act attempts to promote a stable rental market and therefore focuses mainly on the relationships, rights and obligations of both landlords and tenants. It also provides for the establishment of rental tribunal that serves as mediating structures for disputes and complaints in the rental market. This aspect will be further enhanced to vest more powers in the tribunals.

Through the regulation of and intervention in the social housing sector as provided by the Social Housing Policy for South Africa and the Social Housing Bill currently being finalised. This initiative constitutes Government's intervention to ensure the establishment of adequate, and sustainable social housing institutions, the training and capacitation of such and the operationalisation of these institutions to deliver rental accommodation at scale such institutions are required to develop and hold sustainable rental accommodation for the medium to higher income categories of our target groups.

Through the institution of a comprehensive revised capital grant programme that will facilitate the creation of rental accommodation in a variety of forms and targeting a broad spectrum of beneficiaries. The programme will be developed and implemented in a phased manner, commencing with the phase to finance a percentage of the capital costs of communal housing options, group housing designs, multilevel walk-up apartments and the conversion/upgrading of existing inner city buildings. The next phase will accommodate private backyard rental options and interventions to enhance private sector rental accommodation investments.

■14. Mr M WATERS (DA) — Health. [Written Question No 192] [Question standing over.]

Vacancies/posts frozen in each state hospital

■15. Mr R COETZEE (DA) asked the Minister of Health: [Written Question No 203]

(1) How many (a) vacancies existed for and (b) posts had been frozen in respect of (i) specialists, (ii) doctors, (iii) nurses, (iv) pharmacists and (v) dental practitioners in each state hospital as at the latest specified date for which information is available;

(2) whether any persons in the above categories resigned from state hospitals in 2003; if so, how many in respect of each specified hospital?

N238E

The MINISTER OF HEALTH:

It must be noted that the vacancies will happen from time to time because of the movement of people from one area of employment to another. These can be within the public health sector between provinces or to the private sector. Appearance of a vacancy does not necessarily mean that the professional is lost to health care. However the provincial departments of health are taking specific measures to reduce the vacancies in line with the need to provide a good quality service. Some of the vacancies are already filled whilst others have been advertised.

(1) The table below reflects the situation in this regard.

Eviction of persons found to be living illegally in parliamentary villages

391. Mr D K MALULEKE (DA) asked the Minister of Public Works:

(1) Whether, with reference to his reply to Question No 239 on 7 July 2004, any persons were found to be living illegally in residences in any of the parliamentary villages during April or May 2004; if so, (a) how many and (b) what steps were taken to evict them:

(2) whether, in allocating residences in the parliamentary villages to officials, any proof is required from applicants confirming that they are sessional officials; if not, (a) why not and (b) what documentation is required from persons who are not Members of Parliament seeking residence in these villages;

(3) what, as at the latest specified date for which information is available, was the (a) name and (b)(i) position held by and (ii) the department in which the position is held, of each official who has been allocated a residence in a parliamentary village;

(4) whether any officials who are resident in parliamentary villages are employed by political parties; if so, (a) how many officials as at the latest specified date for which information is available, (b) by which political party is each employed and (c) why are such persons emitled to subsidised accommodation in these villages;

(5) whether mechanisms have been put in place to ensure that no persons who have been allocated residences in these villages (a) sublet their residences to other persons or (b) take in paying tenants; if not, why not; if so, what mechanisms?N462E

The MINISTER OF PUBLIC WORKS (*Reply bound in Annexures of House — see QM11/2004.*)

Aansoeke van finansiële adviseurs by Raad op Finansiële Dienste om te kwalifiseer om as finansiële adviseur op te tree

398. Dr P J RABIE (DA) vra die Minister van Finansies:

Hoeveel finansiële adviseurs teen 31 Julie 2004 by die Raad op Finansiële Dienste om 'n lisensie aansoek gedoen het ten einde te kwalifiseer om as finansiële adviseur op te tree ingevolge the Wet op Finansiële Advies- en Tussenganger-dienste, 2002 (Wet No 37 van 2002)? N469A

(Translation of Afrikaans question follows):

[Financial advisers applying to Financial Services Board to qualify to act as financial adviser

398. Dr P J RABIE (DA) asked the Minister of Finance:

How many financial advisers had applied to the Financial Services Board as at 31 July 2004 for a licence to qualify to act as financial adviser in terms of the Financial Advisory and Intermediary Services Act, 2002 (Act No 37 of 2002)? N469E]

The MINISTER OF FINANCE:

As at 31 July 2004, the Financial Services Board (FSB) and the recognised bodies assisting the FSB in the processing of licence applications had received approximately 9 150 applications from financial, advisory and intermediary entities.

Study on gradual liberalisation of exchange controls

401. Ms R TALJAARD (DA) asked the Minister of Finance:

Whether the Government has studied the recently released study by a certain

(3) whether the policy of retaining gender discrimination with regard to the granting of old-age pensions has a time limit; if so, when is it anticipated that male and female old-age pensioners will be treated equally; if not,

(4) whether greater attention is given to addressing poverty amongst women than amongst men by granting pensions to women at a younger age; if not, why not; if so, why? N239E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) The matter between Communicare Residents Association vs the Minister of Social Development is still serving before the court. There is no judgement yet on the matter in that it is still pending.

(a) The Minister is not in a position to speculate on any implications in this regard.

(b) No action has been or will be taken for reasons stated in (a) above.

(2) Yes, the department has done a cost analysis to determine whether the granting of social old-age pensions to women at a younger age than men is effective in addressing poverty.

(a) (i) The study was concluded in 2003.

(ii) The study was conducted by the Human Science Research Council (HSRC).

(b) The findings of the study confirmed that the provision of social old age grant to women at the age of 60 would cost R16 billion a year. In the absence of such a grant, 55,8% of the elderly women would be in poverty.

(3) The policy for determining gender discrimination with regards to granting of social old-age pension has no time limit. Also, this matter is considered *sub judice* in the Cape High Court.

(4) Yes, greater attention is given to addressing poverty amongst women than amongst men through granting pensions to women at a relatively younger age. This preference is a necessary measure, aimed to redress the historical imbalances wherein men had the advantages of accessing better job opportunities, at higher remuneration rates and options of a latent retirement age. Over time, these factors better enabled men to accrue the necessary capital and long term financial security benefits in comparison to women.

17. Mr E W TRENT (DA) — Public Service and Administration. [Written Question No 209] [Removed]

For written reply:

Nie-verwydering van opgehoopte sand uit Gordonsbaai-hawe

370. Mnr F BEUKMAN (NNP) vra die Minister van Openbare Werke:

Of sy 'n verklaring oor die nie-verwydering van opgehoopte sand uit die Gordonsbaai-hawe sal doen? N437A

(Translation of Afrikaans question follows):

[Non-removal of accumulated sand from the Gordon's Bay Harbour

370. Mr F BEUKMAN (NNP) asked the Minister of Public Works:

Whether she will make a statement on the non-removal of accumulated sand from the Gordon's Bay Harbour? N437E]

The MINISTER OF PUBLIC WORKS:

Yes, the Minister will make a statement regarding the non-removal of sand from the Gordon's Bay Harbour at the appropriate time.

QUESTION

For written reply:

Funding of official celebrations around National Youth Day 2004

223. Mr C M MORKEL (DA) asked the Minister in the Presidency:

Whether the official celebrations around National Youth Day 2004 will be funded by the (a) public sector and/or (b) private sector; if so, (i) to what extent, in rand value, for each sector and (ii) what steps are being taken to ensure that such celebrations will be non-party political and inclusive events of state? N257E

The MINISTER IN THE PRESIDENCY:

The National Youth Commission indicated that the celebrations around June 16, 2004 were funded as follows:

An amount of R1m from the NYC annual 2004-05 budget was allocated specifically for the celebrations around 16 June 2004. In addition the celebrations this year were funded through contributions from departments and the private sector. The following departments/private sector companies contributed to the event:

(1) Department of Labour — in kind

(2) Department of Sport and Recreation — in kind

(3) Department of Public Enterprise — in kind

(4) Department of Arts and Culture (10th Anniversary Fund) — R1m

(5) Department of Health — in kind

(6) SAPS — in kind

(7) SANDF — in kind

(8) Office of the North West Premier — in kind

(9) Local government in the North West province, including Moses Kotane, Bojanala, Rustenburg and Madibeng Municipalities — in kind

(10) Rand Water — in kind

(11) LGWSeta — in kind

(12) Magalies Water — in kind

(13) International Marketing Council of SA — in kind

(14) Development bank of SA — in kind

(15) Arivia.kom — in kind

The above organisations provided services and/or procured goods and services for activities during June 2004. The National Youth Commission is not in a position to attach rand values to the goods and services provided, as the organisations followed their own procurement processes.

The National Youth Commission worked with and consulted a wide range of stakeholders so as to ensure that the Youth Month celebrations were inclusive reflected the broader objectives of the 10th Anniversary of Democracy Celebrations.

Total cost of publicity/promotions/ entertainment to mark occasion of budget speech

298. Mr R COETZEE (DA) asked the Minister of Health:

(a) What was the total cost to her department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of her budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audiovisual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music

organisation (name furnished) on the gradual liberalisation of exchange controls over a two- to five-year period; if not, why not: if so, what steps does the Government intend to take in this regard? N472E

The MINISTER OF FINANCE:

The report by the financial institution in question, entitled "South Africa: Capital Controls Constraining Growth", was received by the National Treasury on 15 July 2004. As is the case with other studies and reports from international organisations, research institutions and banks, the report in question has been considered by the National Treasury as part of the normal and continuous process of exchange control policy analysis.

The MINISTER OF SPORT AND RECREATION:

(1) (a) Yes

(b) No

1.1 SA Government was approached by the SA 2010 Bid Committee to provide funding towards the costs to secure the bid.

1.2 The SA 2010 Bid Company requested R25m from government.

1.3 Government agreed to make a contribution of R25m towards the final costs of the bid to secure the World Cup. The money had to be used for specific costs relating to the bid phase.

(2) No. There has not been a request from the SA2010 Bid Committee or Safa to Government to make money available for this purpose.

Purchase price of Sunset Beach guest-house

437. Adv P S SWART (DA) asked the Minister of Intelligence:

(1) Whether the purchase price of the Sunset Beach guest-house was paid for from the budget of (a) his department or (b) any particular intelligence agency; if not, from which department's budget did the money come; if so, from which budget;

(2) whether the Joint Standing Committee on Intelligence was informed of the decision to purchase the property; if not, why not; if so, (a) on what date and (b) what was the view of the Committee regarding this purchase;

(3) (a) what was the total cost to the State of (i) the purchase, (ii) refurbishment, (iii) equipping, (iv) securing and (v) staffing of this guest house and (b) what was the purpose for which the guest–house was purchased;

(4) whether consideration was given to using an existing state property for this purpose; if not, why not; if so, (a) what are the relevant details and (b) why was it decided to purchase a new property instead;

(5) whether (a) the former Minister of Intelligence and (b) any other government members and/or officials ever stayed at this guest-house; if so, why in each case? N547E

The MINISTER OF INTELLIGENCE:

The hon member is asking questions similar to the ones he had posed to me in Question no. 9 on 21 May 2004 which I have replied to.

As mentioned in my previous response, the JSCI was briefed by the Ministry for Intelligence Services and the National Intelligence Agency on these matters and I again wish to refer the hon member to the JSCI public report to Parliament which was adopted by the National Assembly on 14 May 2003 and was published in the ATC Report No 60/ 2003 on 22 May 2003.

The hon member is kindly referred to the Joint Standing Committee on Intelligence for further enquiries on the matter.

Valuation of Sunset Beach guest-house following improvements to the property

438. Adv P S SWART (DA) asked the Minister of Intelligence:

(1) Whether the Sunset Beach guest house was valued following the improvements to the property; if not, why not; if so, (a) by whom and (b) what is the current value of this property;

(2) whether the guest-house has been

and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by her department? N335E

The MINISTER OF HEALTH:

The following costs were incurred for the budget speeches of the Minister of Health at the National Assembly and the National Council of Provinces:

National Assembly

Hiring of audiovisual equipment	R2 553,60
Purchase of brochure stands	R4 788,00
Excess baggage	R2 760,00
Budget speech publication	R18 026,64
Personnel subsistence and travel × 4	R9 600,00
Additional promotional items (fruit, skipping-rope, immunisation invitations)	R700,00
Dinner	R44 000,00
Media briefing	R1 188,00
Total	R83 616,24

National Council of Provinces

Dinner	R22 500,00

Grand total: R106 116,24

The expenditure was not aimed at the service delivery aspects of our work but rather to the information, education and communication aspect. The department displayed exhibitions highlighting the departments achievements over the last 10 years, the comprehensive plan for the treatment, care and management of HIV and Aids, tuberculosis and nutrition.

Various promotional materials were distributed to parliamentarians and other visitors and guests to parliament to promote the importance of immunisation and living healthy lifestyles. Other promotional items included fruit, skipping-ropes and immunisation invitations.

The exhibition was intended to showcase some of the priority programmes of the department and distribute information on these to interested people.

Health campaigns require advocacy to achieve the desired objectives. Reaching parliamentarians is important because they all have constituencies which they represent as MPs. They can undertake advocacy initiatives in relation to chronic diseases of life style to prepare the ground for strong preventative programmes in the next five years. We cannot afford to omit political leaders from the process.

The publication of the budget speech facilitates distribution across the public health sector reaching a range of managers at national, provincial and local level to ensure a common understanding of the priorities for the year and transparency regarding the resources available.

Financial assistance/surety for Safa *re* persons involved in soccer World Cup bid

400. Mr T D LEE (DA) asked the Minister of Sport and Recreation:

(1) Whether the SA Soccer Association has approached the Government to assist the SA Football Association (Safa) (a) financially or (b) to stand surety for monies to meet its contractual obligations towards any persons involved in the successful soccer World Cup bid; if so, (i) what was the request made by Safa, (ii) what total amount is involved and (iii) what was the Government's response; if not,

(2) whether the Government intends making any money available to Safa to assist with the payment of bonuses to any of the World Cup bid officials; if not, what is the position in this regard; if so, what are the relevant details? N471E

palities only started on 1 July 2004, so their first quarterly reports will only be due on 30 September 2004. The first quarterly report (to 30 June 2004) will therefore exclude municipalities.

At the time of writing this response, the first quarterly report had not yet been completed. DPW is in the process of receiving and verifying reports from provinces and other national departments for the first quarter. The information provided in this response is based on the reports received to date, which have not yet been fully verified and which may be incomplete. To date, reports have been received from the provincial infrastructure departments, from some national infrastructure departments, and from the environmental and culture sector (coordinated by the Department of Environmental Affairs and Tourism — DEAT). Reports had not yet been received from the social sector. Once the first quarterly report had been verified, a summary report will be made available on the EPWP website.

The infrastructure sector reports do not include all infrastructure projects implemented by reporting bodies. Reporting bodies were requested to only include those projects which are deliberately done more labour-intensively than the norm.

(1) As indicated above, the information provided is for the period 1 April 2004 to 30 June 2004.

(a) Based on the reports received to date, approximately 37 995 work opportunities were created during the first quarter of 2004.

(b) (i) The list of projects per sector is attached as Annexure A. Reports had been received from all nine provinces. The national Social Sector departments could not submit a first quarter report on the number of jobs created to date. The national Department of Housing has indicated that they will use the EPWP Tender and Design Guidelines for all new projects. These new projects will only be reported on for the second quarter (June — Sept 2004). Where the reports in Annexure A contain zeros or blanks or "unknown", the information has not yet been provided by the reporting organisation. DPW is working with the reporting organisations to obtain more comprehensive data in future reports.

(ii) In the infrastructure and environment sectors, most people are employed as manual workers. These manual workers are employed by contractors, who also employ supervisory staff. Depending on the nature of the project, some skilled artisans are also employed.

(iii) Information on the average task rate or daily wage rate for manual workers is also provided in Annexure A.

(c) From the monitoring information collected to date, we do not have the details of the precise duration of every worker's contract. The average duration of employment on infrastructure projects is approximately four months, and for environment projects the average duration of employment is approximately six months.

(d) (i) The geographical location of the projects is given in Annexure A (*Bound in Annexures of House — see QM 12/2004.*)

(ii) The anticipated duration of infrastructure projects is approximately four months, and of

sold; if not, what is the position in this regard; if so, (a) who took the decision in this regard, (b) what factors were taken into consideration in deciding to sell the guest-house and (c) what was the (i) asking price and (ii) final sale price? N548E

The MINISTER OF INTELLIGENCE:

(1) The Sunset Beach guest-house was valued after the improvements by an independent registered valuator, Maria Esmeyer, at R8 690 000.

(2) The house was marketed at R9 500 000 and an offer for R8 700 000 was received and accepted. The potential buyer is currently arranging finance.

The decision to sell the property was taken by the current Minister as the media focus around the Sunset Beach guest-house has brought undue exposure.

Persons employed through EPWP

446. Mr J P I BLANCHÉ (DA) asked the Minister of Public Works:

(1) With reference to the Government's announcement that one million jobs would be created through the expanded public works programme (EPWP), (a) how many persons had been employed in this programme as at 31 July 2004, (b)(i) on what project, (ii) in what job or capacity and (iii) at what salary was each employed, (c) what is the duration of the contract given to each such employee, (d) what is the (i) geographical location and (ii) anticipated duration of each EPWP project that had been initiated as at the above date and (e) what is the total budget for each such project;

(2) (a) what is the total budgeted cost for the one million planned jobs in the EPWP, (b) over what period will these jobs be created and (c) what total amount had been made available for the EPWP as at 31 July 2004? N556E

The MINISTER OF PUBLIC WORKS:

The Expanded Public Works Programme (EPWP) is a highly decentralised programme, which is being implemented by all spheres of government and some state-owned enterprises. The Department of Public Works (DPW) does not have a budget for EPWP projects. National and provincial departments and municipalities fund EPWP projects from their budgets, which include conditional grants from the national fiscus. Some of these conditional grants have been earmarked for the EPWP. For example, the Division of Revenue Act (DORA) has specified that provinces and municipalities must implement their infrastructure projects funded from their conditional infrastructure grants labour-intensively, in terms of guidelines produced by DPW and approved by National Treasury and the South African Local Government Association (Salga). The DORA states that there should be no redesign of old projects, so that the introduction of the EPWP does not result in any disruption in service delivery. Only new projects will be started in a labour-intensive way according to the EPWP Tender and Design Guidelines. This partially explains the relatively low number of road projects reflected in reports received from provinces. Some provinces do not have any new roads projects this financial year. New projects are still in the planning stage and will be reported on later in the financial year, or next financial year.

The role of DPW in the EPWP is to facilitate the adoption of labour-intensive technologies in the public sector, and to monitor implementation across the spheres of government. In order to carry out this monitoring role, DPW is collecting quarterly reports from the relevant government bodies. The EPWP started on 1 April 2004, and the first quarterly report will cover the period up to 30 June 2004. The financial year for munici-

Year	*NDA*	*DEAT*	*DWAF*	*DAC*	*Total*
2004-5	R60 m	R350.5 m	R370 m	R75 m	R855.5

The following programmes are covered in the above budgets:

- Sustainable land-based livelihoods
- Working for the coast
- Working on waste
- People and parks
- Working for tourism.

environment projects approximately six months.

(iii) The total budget for each project is also given in Annexure A.

(2) (a) The target of one million work opportunities to be created under the EPWP over the first five years of the programme is based on the estimated work opportunities to be generated from the budgets indicated in the table below.

Sector	*Allocations to EPWP Programmes*
	2004-5 — 2008-9
Infrastructure	R15 billion
Environmental and cultural	R4 billion
Social	R600 million

The R15 billion for infrastructure in the above table is a portion of the planned conditional infrastructure grants which will be allocated to provinces (PIG) and municipalities (MIG) over the next five years. The details of these conditional infrastructure grant allocations over the next three years are provided in the DORA, 2004. The Annexures to the DORA, 2004 provide the detailed allocations of these grants per province (Schedule 4, p. 29) and per municipality (Appendix E4, pp. 143 — 152).

The figure of R15 billion was arrived at by estimating that provinces and municipalities would use approximately one third of their total infrastructure grants for labour-intensive infrastructure projects (as opposed to machine-intensive projects). The DORA, 2004 stipulates that provinces and municipalities must ensure that suitable projects funded from these conditional infrastructure grants are implemented labour intensively, in terms of the EPWP Tender and Design Guidelines which have been produced by DPW and approved by National Treasury and SALGA. These guidelines are available on the EPWP *website: www.epwp.gov.za.*

Provinces and municipalities are encouraged to also use their own revenues and their general equitable share allocations to fund more labour-intensive projects. Some of the projects listed in Appendix A are funded from provincial equitable shares.

Similarly, many of the Environmental Sector EPWP programmes are funded from conditional grants to the Departments of Environmental Affairs and Tourism, Water Affairs and Forestry, and Science and Technology.

Conditional grants are not made by DPW — they are allocated to departments and to the provincial and local spheres of government as part of the annual budgeting process of government.

(b) The target of one million work opportunities is for the first five years of the programme, starting from 1 April 2004.

(c) As mentioned above, the details of the conditional grant allocations are provided in the Annexures of the DORA, 2004 (as answered in Question 2a). The following is a breakdown of the departmental budgets for individual departments in the Environmental and Culture Sector for the current financial year.

QUESTIONS

For written reply:

Parastatals financing infrastructure investment in Coega IDZ

385. Mr I O DAVIDSON (DA) asked the Minister for Public Enterprises:

(1) Whether any parastatals, including Eskom, Transnet or any of its associated companies including Portnet and Spoornet, have financed, or intend to finance, any infrastructure investment in the Coega industrial development zone (IDZ); if so, (a) what are the details of each specified project, (b) what is the value of the investment and (c) what is the estimated value of any planned investment;

(2) whether any investment related to the defence offset programme has taken place; if not, why not; if so, (a) which specified projects are offset investments, (b) what is their value, (c) which of these projects are or will fall within the Coega IDZ and (d) how does the total value of these projects compare to the initial investment target from the defence offset programme;

(3) whether any investment projects related to the defence offset programme are scheduled to be undertaken; if not, why not; if so, (a) which specified projects, (b) what is the estimated value of these projects and (c) on what dates are these investments expected to be realised? N456E

The MINISTER OF PUBLIC ENTERPRISES:

(1) The Coega IDZ is managed directly by the Coega Development Corporation set up for the purpose of infrastructure investment and development. The National Ports Authority of South Africa (NPA) has been mandated to build the Ngqura port and related infrastructure such as quay walls, breakwaters and channels. The NPA does not have a mandate to finance infrastructure investment in the Coega IDZ.

Government will be in a position to provide detailed information on plans for investment and the financing of that investment during the month of September 2004.

(2) and (3) It is appropriate for Minister of Trade and Industry to provide you with the information.

Treasury taking steps to address breaches of provisions of Act No 1 of 1999

415. Ms R TALJAARD (DA) asked the Minister of Finance:

Whether the National Treasury is taking any steps, in consultation and co-operation with the Provincial MEC for Finance in the Eastern Cape, to address breaches of the provisions of the Public Finance Management Act, 1999 (Act No 1 of 1999); if not, why not; if so, what steps? N474E

The MINISTER OF FINANCE:

I am not aware of what breaches of the Public Finance Management Act the member is referring to, and would appreciate any specific information on the Eastern Cape that she has in this regard.

The MINISTER OF TRANSPORT:

(1) The South African National Roads Agency Limited (Sanral) has not made any recommendations to the Minister regarding weight restrictions on the R103 between Nottingham Road and Mooi River, as this road falls under the jurisdiction of the KwaZulu-Natal department of transport. The matter of weight restrictions on heavy vehicles traveling on the R103 has and is being handled by the provincial department of transport in KwaZulu-Natal.

(2) The poor safety record of the R103 cannot be attributed to heavy vehicle traffic alone, as there are other contributing factors. The KZN DOT has worked closely with political parties in the locality of the R103, spending in excess of R2 million to address the broader road safety issues of concern on this road. For example, road safety improvements that have been completed to date include the widening of the road and bridges, the installation of speed humps, and the separation of pedestrians from the traffic.

Amount budgeted for/spent on activities related to celebration of 10 years of democracy

84. Mr S B FARROW (DA) asked the Minister of Transport:

(a) What total amount did his department and/or ministry (i) budget for and (ii) spend on (aa) advertising and (bb) other specified activities related to the celebration of 10 Years of Democracy from the date that the election date was gazetted up to and including the election day and (b) what specified media and/or publications were used to publicise the campaign around the celebration of 10 Years of Democracy? N86E

The MINISTER OF TRANSPORT:

(a) The budget for the department's communication activities such as advertising, publications and other related activities (excluding Arrive Alive) is R535 000. Activities for the 10 years of democracy celebrations are also funded from this portion of the budget allocation. There were no activities directly related to the 10 Years of Democracy celebrations from the date that the election date was gazetted up to and including the election day. No specified media and/or publications were used to publicise the campaign during this period.

(b) The department has so far spent R8 000 to produce the Transport 10 Year Review booklet. This booklet is distributed through the department's Information Centre and during exhibitions at various events of the department.

Plans to rename Huguenot Tunnel between Paarl/Worcester

124. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

Whether the SA National Roads Agency plans to rename the Huguenot Tunnel between Paarl and Worcester to the Abdulah M Omar Tunnel as alleged in recent media articles (details furnished); if so, what are the relevant details? N156E

The MINISTER OF TRANSPORT:

Yes, the SA National Roads Agency Limited did propose to rename the Huguenot Tunnel in honour of the late Minister Abdulah M Omar. However, the agency only initiated the public participation process as required in terms of the Promotion of Administrative Adjudication Act, 2000 (Act No 3 of 2000). The proposed name change with the representations received from the public will then be forwarded to the South African Geographic Names Council for adjudication.

Planning considerations *re* proposed King Shaka International Airport

133. Mr S B FARROW (DA) asked the Minister of Transport:

QUESTIONS

For written reply:

Regulations imposed *re* fitting of ABS braking system to all trailers over 3 500 kg

30. Mr S B FARROW (DA) asked the Minister of Transport:

Whether recent regulations imposed by his department regarding the fitting of an ABS braking system to all trailers over 3 500 kg by 15 February 2004 have been complied with; if not, (a) how many trailers still need to be converted and (b) what criteria or standards were set regarding these installations? N30E

The MINISTER OF TRANSPORT:

Regulation 151(1)(c) of the National Road Traffic Regulations under the National Road Traffic Act, 1996 (Act No 93 of 1996), was amended in September 2003, to make provision for trailers with gross vehicle mass in excess of 3 500 kg to be fitted with a parking brake and a service brake. The regulation took effect on 14 February 2004.

The effect of the regulation is that all trailers with gross vehicle mass of 3 500 kg and above, manufactured on or after 14 February 2004, shall be fitted with a parking brake and a service brake. All trailers that existed before 14 February 2004 are not affected by the change to the regulation.

It should also be noted that law enforcement agencies (traffic officers) on the road are there to see that trailers over 3 500 kg comply to the regulation if they are manufactured post February 2004.

Financing of proposed N2 Wildcoast toll-road

31. Mr S B FARROW (DA) asked the Minister of Transport:

(1) Whether the State and/or any of its agencies intend financing or subsidising any portion of the proposed N2 Wildcoast toll-road; if so, (a) by what amount and (b) for what purposes;

(2) what, based on these figures, is the estimated (a) capital cost of the proposed toll-road, including the bridges, and (b) toll fee per kilometre? N31E

The MINISTER OF TRANSPORT:

(1) No, the proposed toll-road will not be funded from the State or any of its Agencies.

(a) and (b) Fall away.

(2) (a) The estimated investment, from non-tax based revenues, in the project will be approximately R3,4 billion at 2003 prices.

(b) The toll tariff forms part of the tender. The tenderers will submit their price, which will be taken into consideration at the time.

Weight restrictions on certain categories of heavy vehicles on R103 from Nottingham Road to Mooi River

62. Mr S B FARROW (DA) asked the Minister of Transport:

(1) Whether the SA National Roads Agency has made any recommendations to his department to impose weight restrictions on certain categories of heavy vehicles on the R103 from Nottingham Road to Mooi River in KwaZulu-Natal; if so, what did these recommendations propose;

(2) whether, in light of the poor safety record of this route, his department intends enforcing such restrictions; if not, why not; if so, when? N64E

Work Experience:	23 years
Cost to Company package:	R502 000 pa
Malmane Moerane	Executive Corporate Services
Qualifications:	Diploma in Administration B.Admin (Accounting) B.Admin (Hons) MDP MBA (Marketing Stream) Dissertation: The effectiveness of marketing planning for small business
Work Experience:	20 years
Cost to Company package:	R830 438 pa
Magwaza Thokozani	Executive Claims Manager (Acting CEO)
Qualifications:	M.Phil BA — Public Administration Advance Business Management Certificate Executive Development Programme (EDP)
Work Experience:	23 years
Cost to Company package:	R950 000 pa
Nhlapo Bongani	Snr Manager: Organisation Development
Qualifications:	B.Soc.Sc (Psychology, Sociology & English) BA Honours (Psychology) Human Resources Diploma M.A. (Research Psychology: Dissertation) Mentorship and Affirmative Action
Work Experience:	9 years
Cost to Company package:	R601 023 p.a.
Phaahla Mathuma	Snr Manager: Treasury
Qualifications:	Master of Business Administrative (MBA) Certificate — Financial Markets and Instruments B Comm
Work Experience:	15 years
Cost to Company package:	R460 000 p.a.
Mpulo Elaine	Snr Manager: HR
Qualifications:	BA Higher Diploma in Personnel Management (HDPM)
Work Experience:	19 years
Cost to Company package:	R610 000 p.a.
Molloa Josephine	Snr Manager: Stakeholder Relations
Qualifications:	Senior Management Programme MA Communication Management Honours BA Communication BA Communication Basic Principles of Public Relation Secretarial Diploma
Work Experience:	24 years
Cost to Company package:	R497 000 pa

(1) What (a) planning considerations have been taken into account in regard to provisioning the proposed King Shaka International Airport with aviation fuel and (b) quantities of fuel are expected to be used daily;

(2) whether the fuel will be stored at the airport; if so, what are the relevant details; if not,

(3) whether it will be piped in; if so, what will be the impact on residential proximities and on the environment? N165E

The MINISTER OF TRANSPORT:

(1) (a) There is currently a master planning exercise for the new King Shaka International Airport and Dube Trade Port, as well as discussions between the relevant players in this process. A final decision on these detailed issues could only be made after these due processes have been completed.

(2) Falls away.

(3) Falls away.

New appointments in top/middle management of RAF

149. Mr M WATERS (DA) asked the Minister of Transport:

(1) Whether any new appointments in the (a) top and (b) middle management of the Road Accident Fund (RAF) were made in 2003 and during the period 1 January 2004 up to the latest specified date for which information is available; if so, (i) how many appointments were made, (ii) what posts were filled, (iii) which persons were appointed, (iv) what are their qualifications and (v) what is the annual remuneration package of each individual, including (aa) basic salary, (bb) benefits and (cc) other fringe benefits;

(2) whether any renovations were done to create an executive suite; if so, (a) when, (b) why and (c) what was the cost of the renovations? N181E

The MINISTER OF TRANSPORT:

(1) (a) and (b) (i), (ii), (iii), (iv) and (v) (aa), (bb) and (cc)

Yes. For the relevant information, the hon member's attention is directed to the enclosed Annexure A, please.

(2) According to information provided by the Road Accident Fund, no renovations were done to create an executive suite.

(a), (b) and (c) Fall away.

ANNEXURE A

NEW APPOINTMENTS

Van Rooy Bennie	Executive Risk Manager (Acting CFO)
Qualifications:	Membership of the SA Institute of Chartered Accountants (CA (SA)) Certificate in the Theory of Accountancy B Comm Honours
Work Experience:	6 years
Cost to Company package:	R680 000 pa
Cronje Berta	Executive Stakeholder Relations
Qualifications:	National Diploma Journalism Library Science (not completed)

oorweeg word, met spesifieke verwysing na die Helderzicht/Paardevlei-gebied; so ja, wat die tersaaklike besonderhede is? N206A

(Translation of Afrikaans question follows):

[Changes to proposed N2 route between Cape Town/Grabouw

173. Mr F BEUKMAN (NNP) asked the Minister of Transport:

Whether any changes to the proposed N2 route between Cape Town and Grabouw are being considered, with specific reference to the Helderzicht/Paardevlei area; if so, what are the relevant details? N206E]

The MINISTER OF TRANSPORT:

Yes. Upgrades and new construction are being considered for this section of the N2 as part of the N1 — N2 Winelands Toll Highway project. Particular details are as follows:

- Widening of the N2 to six lanes between Vanguard Drive interchange up to and beyond the Swartklip (R300) interchange.
- New construction of the N2 between De Beers Interchange (where the N2 ends now) and the foot of Sir Lowry's Pass, approximately 12 km. The proposed alignment is on the existing N2 road reserve as approved in the environmental impact assessment report and by the Somerset West City Council in 1999. This alignment affects Helderzicht/Paardevlei.
- Widening of the N2 from two to four lanes between the top of Sir Lowry's Pass and Houwhoek, including five interchanges at the dangerous intersections to separate joining and crossing traffic from through traffic.
- Safety and traffic management facilities such as additional lighting on certain sections, fog warning, variable message signs, vandal resistant fencing and numerous (more than 20) additional vehicular, pedestrian and livestock overpasses and underpasses.
- A system of frontage roads and upgrading of scenic routes in Overberg (Grabouw/Houwhoek) area.

Further information is contained in the environmental impact assessment report, which is available on Sanral; website *http://www.nra.co.za*

Consultation with residents in towns affected by construction of Diamond Hill toll gate

197. Ms H WEBER (DA) asked the Minister of Transport:

Whether due consultation took place with residents in the towns affected by the construction of the Diamond Hill toll gate; if not, why not; if so, (a) when and (b) what was the outcome of the relevant socioeconomic study? N232E

The MINISTER OF TRANSPORT:

Yes.

(a) The Public Participation Process followed by the South African National Roads Agency Limited (Sanral) included the following actions:

- The identification of Interested and Affected Parties (I&APs).
- The distribution of a Background Information Document to all I&APs.
- Advertisements in the printed media along the N4 East Route, inviting the public to an open day where project information and various toll strategies were displayed.
- An open day, held at "Die Draai" in Bronkhorstspruit on 22 January 2000.

In terms of section 27(4)(a) of Act No 7 of 1998, Sanral is required to give notice of its intention to request the

RAF required to refund to farmers moneys received from sale of diesel

151. Mr M WATERS (DA) asked the Minister of Transport:

(1) Whether the Road Accident Fund (RAF) is required to refund to farmers monies received from the sale of diesel; if so, (a) what are the reasons for this, (b) what amount has to be repaid, (c) in respect of what period does the RAF have to repay this money and (d) when is the first payment due;

(2) whether any negotiations have taken place with the SA Revenue Service regarding the refunds; if not, why not; if so, (a) when and (b) what was the outcome;

(3) whether the RAF has made provision for the repayment of this amount in its budget; if not, (a) why not and (b) how does the RAF intend repaying the amount; if so, what are the relevant details? N183E

The MINISTER OF TRANSPORT:

(1) Some sectors of the economy, ie agriculture, forestry, sea fisheries and coastal shipping, the MSRI, offshore mining, rail freight and mining, are granted concessions from the Road Accident Fund diesel levy. The South African Revenue Service administers this concession as a refund through the VAT system.

An amount of R748 million was provided for in the unaudited financial statements of the fund as at 31 March 2004. The rebate was granted during the financial year ended 31 March 2002. The RAF entered into an arrangement with SARS that no repayments will take place until such time as SARS provides the RAF with audit certificates validating the amounts.

(2) The negotiations have been held since 2003 and are continuing. Depending on the outcome of the negotiations, the RAF will negotiate terms of settlement on receipt of VAT certificates in respect of the rebate.

(3) The RAF has provided for the amount in the 2004–2005 budget. The RAF can only, depending on the outcome of the negotiations with SARS, repay the money from revenue received from fuel levies. The RAF has to repay the contingent amount of R748 million as at 31 March 2004 and the current monthly portion of R43 million.

Complaints *re* proposed name change of Huguenot tunnel

168. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

Whether he or his department has received any complaints from the public with regard to the proposed name change of the Huegenot tunnel; if so, what are the relevant details? N201E

The MINISTER OF TRANSPORT:

Yes, the South African National Roads Agency Limited (Sanral) has received complaints responding to the advertisements placed in the newspapers with regard to the proposed name change of the Huguenot Tunnel.

It should be mentioned that Sanral only initiated the public participation process as required in terms of the Promotion of Administrative Adjudication Act, 2000 (Act No 3 of 2000). The proposed name change, together with the representations received from the public, will be forwarded to the South African Geographic Names Council for deliberation on the matter and make a recommendation to the hon Minister of Arts and Culture, who will then consider the proposal.

Wysigings aan voorgestelde N2-roete tussen Kaapstad/Grabouw

173. Mnr F BEUKMAN (NNP) vra die Minister van Vervoer:

Of enige wysigings aan die voorgestelde N2-roete tussen Kaapstad en Grabouw

The findings of the study are summarised below:

> The proposed N4 East Toll Road will have an important economic impact on the region and the country. The study quantified three types of impacts — the macroeconomic impact of the upgrading, the macroeconomic impact of ongoing operation and the costs and benefits to vehicles travelling on the N4.
>
> The proposed toll road will make a total annual contribution to GDP of R259,3 million during the three years following the start of the project. The actual building and upgrading during the first three years is responsible for about 26% of the overall contribution to GDP.
>
> Based on these projections, the proposed toll road will have made a cumulative contribution to GDP of over R360,5 million by year 10. This cumulative total increases to R642 million by year 20, R856 million by year 30 and nearly R1 billion by year 35.
>
> During construction and upgrading the total number of direct and indirect employment opportunities will exceed a 1 000 opportunities. After construction the toll road will generate between 188 and 553 direct and indirect employment opportunities. Of these the operation and maintenance of the toll plazas and road will account for a sustainable 143 employment opportunities. The bulk of the jobs that will be created during construction and operation are in the unskilled and semiskilled positions.
>
> It was found that all the users of the toll road would benefit from the improved quality of the road surface and consequent reduction in vehicle operating costs. The toll fees are of such a nature that most of the commuters will experience savings from the first year of operation of the toll road.

Criteria used in determining toll fee on various toll roads

198. Ms H WEBER (DA) asked the Minister of Transport:

(1) (a) What criteria are used in determining the toll fee on various toll roads countrywide and (b) what are the reasons for the difference in toll fees charged per kilometre on the various toll roads;

(2) whether the toll fee takes into account the socioeconomic status of the surrounding communities; if not, why not; if so, what are the relevant details;

(3) whether he will consider rationalising the costs of toll fees per kilometre across the country; if not, why not; if so, when? N233E

The MINISTER OF TRANSPORT:

(1) (a) Toll fees are based on the road user benefit offered by a toll road relative to the most likely alternative route in respect of light vehicles. The road user benefit is defined as:

- Savings in fuel and time cost if the potential toll road is used instead of the alternative routes;
- the value of the motorway bonus, i e the value of the increased safety, comfort and convenience associated with traveling on a higher limited access road facility rather than a lower quality road with more frequent accesses.

Minister of Transport to declare a proclaimed national route a toll road, and in the Notice of Intent:

- Give an indication of the approximate positions of the toll plazas contemplated the proposed Toll Road; and

- Invite interested and affected parties (I&APs), municipalities and premiers to comment and make representations on the proposed declaration and the positions of the toll plazas and direct written comments and representations to Sanral within 30 days of the date of the Notice for I&APs and 60 days for the others mentioned herein.

In order to comply with section 27(4)(a) of Act No 7 of 1998, Sanral published a Notice of Intent, in English and Afrikaans respectively, in *Government Gazette* No: 22849 of November 21, 2002 (copy bound and referenced in N4 EAST Book No: 2 of 2: Page No: 2). The notice of intent was also published in the following Newspapers:

Sunday Times	20 November 2001
Sowetan	23 November 2001
Pretoria News	22 November 2001
Beeld	23 November 2001
Streeknuus	23 November 2001

Letters of information, whereby specific persons/institutions were invited to submit comments and written representations were addressed to the following:

- The Premier of the Gauteng province (through the Hon MEC K Mosunkutu of the Gauteng: department of transport and public works).
- The President: The Transvaal Agricultural Union.
- The Director: Afrikaanse Handelsinstituut.
- The CEO: Tswane Metropolitan Council.
- The CEO: Metsweding/Kungwini Town Council.
- The CEO: Dinokeng Tsa Taemane.
- The CEO: Benoni Town Council.
- The CEO: Road Freight Association.
- The CEO: Agri South Africa.

In terms of section 27(4)(a) of Act No 7 of 1998:

- The Offices of Premiers and affected municipalities and local authorities were granted 60 days from the date of the notice of intent to comment; whilst

- other affected and interested parties had to comment within 30 days from the date of the notice of intent.

The Kleinfontein Boerebelange Koöperatief requested an extension of time to comment on the Notice of Intent for the proposed N4 East toll declaration. They were granted extension until 22 January 2002. As a result of this extension, all other representations received until 22 January 2002 were also accommodated.

Sanral received several written representations. All representations were considered and reasonably accommodated. Sanral responded in writing to each of the representations received, addressing the issues raised. No further comments and or concerns were raised or received by Sanral in reply to the letters addressing the issues.

(b) Sanral appointed socioeconomic consultants to determine the socioeconomic impact of the proposed N4 East Toll Road on the surrounding communities. A report "Proposed tolling of the N4 in Gauteng from the Hans Strijdom Interchange to the Gauteng/Mpumalanga Border: Socioeconomic Impact Assessment" was produced.

Number of pedestrians killed in traffic accidents

243. Mr M WATERS (DA) asked the Minister of Transport:

(a) How many pedestrians were killed in traffic accidents in (i) 2001, (ii) 2002 and (iii) 2003, (b) how many of these victims were (i) under the age of 19 and (ii) killed in the vicinity of their schools and (c) what was the cost to the State relating to these deaths in each specified year?

N278E

The MINISTER OF TRANSPORT:

(a) The number of pedestrians killed per year in traffic accidents for the requested three-year period, is as follows:

(i) In 2001: 4 070

(ii) In 2002: 5 077

(iii) In 2003: 5 268

(b) (i) The number of these victims that were 19 years old or younger, is as follows:

In 2001: 400
In 2002: 498
In 2003: 517

(ii) Information on the number of victims, 19 years old or younger, that were killed in the vicinity of their schools is not available.

(c) The estimated cost relating to these deaths in each specified year are as follows:

For all pedestrian deaths

In 2001: R2,56 billion
In 2002: R3,19 billion
In 2003: R3,31 billion

For victims that were 19 years old or younger

In 2001: R235,82 million
In 2002: R294,07 million
In 2003: R305,20 million

The above information is also summarised in tables 1 and 2 below. Table 1 shows information on the number and cost of all pedestrian deaths in urban and rural areas respectively. Table 2 shows information on the number and cost of all pedestrian deaths for victims 19 years old or younger, in urban and rural areas respectively.

Table 1: Total estimated number of pedestrians killed

Year	*No of pedestrians killed per area*			*Cost of fatalities (rand mil) per area*		
	Urban	*Rural*	*Total*	*Urban*	*Rural*	*Total*
2001	1,091	2,979	4,070	681,34	1 875,24	2 556,58
2002	1,362	3,715	5,077	849,66	2 338,51	3 188,17
2003	1,412	3,856	5,268	881,82	2 427,04	3 308,86

Table 2: Total estimated number of pedestrians (19 and younger) killed

Year	*No of pedestrians killed 19 years old and younger*			*Cost of fatalities (rand mil) per area*		
	Urban	*Rural*	*Total*	*Urban*	*Rural*	*Total*
2001	129	271	400	75,84	159,97	235,82
2002	161	337	498	94,58	199,49	294,07
2003	167	350	517	98,16	207,04	305,20

Note: Fatalities in "rural" areas are those that resulted from crashes that happened on rural roads which are, for the purpose of accident reporting, defined as the out-of-town or inter-city and inter-provincial roads, including national, major and minor provincial roads, as well as gravel roads. "Urban" areas are those within cities, towns or built-up areas.

The road user benefit in respect of heavy vehicles is defined, for the purposes of toll tariff determination, as:

- Savings in variable operating costs;
- savings in time costs, which are viewed as the total fixed costs (standing cost) of the vehicle; and
- the value of the motorway bonus.

(b) The value of the road user benefit are perceived to differ from toll road to toll road. The toll fees charged per kilometre vary because different toll roads offer different benefits with regards to, for example, distance, time and operating cost savings.

(2) Yes, prior to the development of a toll road, Economic Impact Assessments are conducted together with detailed traffic studies. The results of the studies are considered when establishing local user, local transport operator and frequent user discounts.

(3) Complete rationalisation is not possible due to the reasons as explained in (1)(a) and (b) above.

Two distinct toll road categories have developed over the years in South Africa. These are known as urban toll roads and non-urban toll roads. The distinction is based on the tariff per kilometre. The main reason being that the benefits vary greatly from that offered by urban toll roads as opposed to that offered by non-urban toll roads. The main reason is the larger benefits associated with non-urban toll roads where longer travel times and travel distances are involved.

Impact made by heavy vehicles on alternate routes to avoid paying toll fees

199. Ms H WEBER (DA) asked the Minister of Transport:

(1) Whether any study has been undertaken to determine the impact that heavy vehicles have made on alternate routes in order to avoid paying toll fees; if not, why not; if so,

(2) (a) what has been the cost in damages caused to these alternate routes and (b) who is responsible for their maintenance;

(3) whether the income derived from toll roads contributes to any of the costs of maintaining these alternate routes; if not, why not; if so, what are the relevant details? N234E

The MINISTER OF TRANSPORT:

(1) The South African National Roads Agency Limited (Sanral) has commissioned the CSIR to develop a model, which will enable Sanral to determine the extent of the damage caused by overloaded vehicles based on information obtained from traffic counters and weigh-in-motion sensors installed throughout its network, as well as alternative routes to toll roads. It is expected that this model will be completed in the near future.

(2) (a) Whilst the model is still being developed, the direct costs of the damages to the roads caused by overloading are quite enormous and are reflected in the huge maintenance requirements of our roads.

(b) Sanral and the provincial departments are responsible for the maintenance of roads.

(3) No toll funds are used on maintaining alternative routes. The reason being that the Sanral Act, 1998 (Act No 7 of 1998), stipulates that toll revenue can only be spent on toll roads.

2.1 The Order of Mapungubwe

This order is awarded to South African citizens for achievements that have impacted internationally and served the interest of the Republic of South Africa.

2.2 The Order of Luthuli

This is the order for Outstanding contribution in struggle for democracy; nation building, democracy and human rights; justice peace and resolution of conflict on the continent.

2.3 The Order of the Companions of O R Tambo

This order is awarded to eminent foreign nationals and other foreign dignitaries for friendship shown to South Africa.

2.4 The Order of Boabab

The order of Baobab, for example, is awarded to citizens for distinguished service in the field of: business and economy; science; medicine; and for technological innovations; and community services.

2.5 Order of Ikhamanga

This order is to be awarded to South African citizens who have excelled in the field of Arts, Culture, Literature, Music, Journalism and Sport.

2.6 The Mendi Decoration for Bravery

This decoration is to be awarded to South African citizens who have distinguished themselves by displaying an act of outstanding bravery through which their lives were in great danger, including trying to save the life of another person, or by saving property, in or outside the Republic of South Africa.

The system of honouring our distinguished citizen exists and is open to all. A motivation citing the role and achievements of a deserving individual should be sent to the Presidency once the call for nominations is open. This is a yearly event.

Allocation of funds for poverty relief: craft projects

357. Dr R RABINOWITZ (IFP) asked the Minister of Arts and Culture:

(1) Whether funds in his department allocated for poverty relief and development of communities from craft projects have been or will be allocated this year; if not, (a) why not and (b) how will newly-established community projects that received part of their poverty relief funding allocation over three years be helped to become sustainable; if so, on what basis will they be allocated;

(2) whether the allocation of funds to fledgling projects, such as Khayalithu (Alexandra tourism and small business development), will continue; if not, why not; if so, what are the relevant details? N403E

The MINISTER OF ARTS AND CULTURE:

The funds in the Department of Arts and Culture will be allocated within the 2004-05 financial year. The processes to be followed are:

1. Call for application — externally and internally
2. Registration endorsement by provinces
3. Review by DAC Task Team
4. Recommendation by task team
5. Final recommendations by DDGs
7. Implementation by Investing in Culture Chief Directorate
8. Monitoring and evaluation

   8.1 Stakeholder review = progress (provincial steering committees): External

   8.2 Task team and investing in Culture Chief Directorate: internal

All projects will be treated as new projects and will be subjected to the processes mentioned above. It should be noted that previously funded projects will be accorded the same status albeit that their relevancy, sustainability and track record will be scrutinised.

Khayelethu Project: As an example of those projects that received funding in the previous cycle, will be assisted on its own merits in accordance with processes and procedures above.

Steps to honour life/work of certain person

439. Ms D KOHLER-BARNARD (DA) asked the Minister of Arts and Culture:

Whether the Government intends taking any steps to honour the life and work of a certain person (name furnished) who was a former national chairperson of a certain party (name furnished), as well as other leaders of the said party; if not, why not; if so, what are the relevant details? N549E

The MINISTER OF ARTS AND CULTURE:

The National Orders are highest awards that a country, through its President, bestows on its citizens and foreign nationals. The Department of Arts and Culture is key to the conceptualisation of new National Orders.

Since 2002, the Presidency put out a public call for nominations through radio and newspapers. Organisations and individuals were encouraged to forward names and motivations for individuals that deserve to be honoured with one of the appropriate Orders. To this effect, a motivation should be prepared motivating why Mr Brown should be awarded a particular order. The Chancery of National Orders manages the process of selection as well as the preparations of the citation. As in all selection processes, not all motivations are accepted due to various selection issues.

2 The new National Orders

Ratio	*2001 '000*	*2002 '000*	*2003 '000*	*2004 '000*
Claims outstanding end of year	216	284	341	347
Claims finalised	88	96	113	160
Claims finalised as a percentage of claims lodged during the year (%)	59	59	66	96
Claims outstanding end of year as a percentage of claims outstanding beginning of year (%)	139	131	120	101

On the instruction of the Department of Transport, the Board of the RAF had taken steps to improve the financial position of the RAF, which involved the fight against fraudulent activities related to the RAF. However, these interventions on their own will not put the RAF on a sustainable path. To this end, Parliament will need to finalise the RAF Amendment Bill without delay in order for Government to ensure that the RAF is based on a new compensation system that is really sustainable.

Commuter rail services: maintenance backlog

103. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

(1) Whether commuter rail services have an estimated maintenance backlog of R15 billion; if not, what is the position in this regard; if so,

(2) whether any steps have been or will be taken in this regard; if not, why not; if so, what steps? N135E

The MINISTER OF TRANSPORT:

(1) The commuter rail has been underfunded for a long time, this is as far as maintenance and the provision of the new infrastructure such as rolling stock, signaling, permanent way, electrical, including stations, are concerned.

Due to underinvestment the system has suffered immensely and to get it back on track a huge investment will be required. The attached list covers capital investment that will be required to address all the critical issues.

(2) The Government is committed to addressing the backlog in the commuter rail services. Some of the actions that have been taken so far include the announcement by the President that the South African Rail Commuter Corporation (SARCC) will be allocated an additional R200 million to address infrastructure and safety on commuter rail.

The Minister of Transport has also indicated that the department has established a Public Transport Task Team that would address the current subsidy system and the merger of Metrorail, Shosholoza Meyl and the SARCC.

In addition to increased investment in infrastructure, Government is determined to see a marked improvement in service levels. Our commuters deserve better, and Metrorail must respond to this challenge.

QUESTIONS

For written reply:

102. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

(1) Whether the Road Accident Fund (RAF) is bankrupt and currently operating on a technical deficit of approximately R16,6 billion as alleged in recent media articles; if not, what is the position in his regard; if so,

(2) whether his department intends assisting the RAF financially; if not, why not; if so, what are the relevant details? N134E

The MINISTER OF TRANSPORT:

(1) and (2)

The Road Accident Fund (RAF) has been operating with a deficit since its establishment.

The RAF is the product of a long history spanning more than 60. The Motor Vehicle Assurance Act, 1942 (Act No 29 of 1942), was the first statute in South Africa, which provided for compulsory insurance to ensure that victims of motor vehicle accidents could recover damages, which were caused unlawfully by motor vehicles. During the sixties it became apparent that certain insurance companies had insufficient income (ie assets) to cover claims (ie liabilities). Several companies were liquidated and this showed the way for the establishment in 1965 of the Motor Vehicle Accident Fund to act as re-insurer of companies, which took compulsory MVA insurance.

The compulsory insurance system with its statutory annual premiums was abandoned in favour of a levy on fuel sold due to the unsustainability thereof. The 1986 Act also introduced the agency system in terms of which certain insurance companies acted as agents for the RAF to handle and settle claims. This agency system and funding method through fuel levies were retained in the Multilateral Motor Vehicle Accidents Fund Act, 1989 (Act No 93 of 1989). The legal basis for compensation remained the same. The agency system was undesirable and ineffective and was phased out from 1993 to 1997 and now the RAF attends to all claims. The current RAF came into operation on 1 May 1997.

It is apparent from the brief historic overview that the RAF was preceded by a number of compensation systems that were not sustainable and had to be constantly reviewed and amended in order to create a sustainable system of compensation for victims of motor vehicle accidents.

The current compensation system has also been under Government scrutiny with the establishment of the Road Accident Fund Commission Act, 1998 (Act No 71 of 1998). The RAF Commission, chaired by High Court Judge Kathleen Satchwell, was mandated to inquire into and make recommendations regarding a "reasonable, equitable, affordable and sustainable road accident compensation system for the Republic". The report tabled by the committee in January 2003 included a finding that the current compensation system is not sustainable due to the lump sum payment approach of compensation.

Despite its financial position, the RAF managed to finalise an increased number of claims over the last four years:

Shortage of senior personnel in department

104. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

Whether, further to the Economics and Employment Cluster Media Conference on 24 May 2004, any steps have been taken to address the shortage of senior personnel in his department; if not, why not; if so, what steps? N136E

The MINISTER OF TRANSPORT:

Yes, the Department of Transport has identified and defined new priorities and programmes for the coming five years. To this end a new organisational structure, reflective of these priorities and focus, is being put in place. The department has advertised and is currently in a process of filling critical posts as part of the initiative to improve the capacity of the department to drive transport programmes.

Subsidisation of commuter taxi services

123. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

Whether his department intends subsidising commuter taxi services; if not, what is the position in this regard; if so, what are the relevant details? N155E

The MINISTER OF TRANSPORT:

Yes. The Department of Transport is in the process of reviewing the subsidies for public transport. This is with a view to ensuring that the subsidy system is efficient and benefit the poorer section of the population most. The taxi industry is an integral part of our public transport system.

Research commissioned by the Department of Transport indicates that currently there are approximately 3,85 million public transport commuters of which 2,4 million (64%) use minibus taxis, 21 % use busses and 15% commute to work by train. Out of the 3,85 million commuters, only about 1,375 million benefit from the public transport subsidy scheme of Government, of a total amount of R4 billion, which has been targeting mainly workers who use busses or commuter rail. The minibus taxi industry is currently not subsidised, and there is no economic logic to this position.

I will in due course provide details on the review of the subsidy system, and how the taxi industry more specifically will be incorporated into a broader public transport system.

Concessions to agricultural producers in Lydenburg

228. Ms H WEBER (DA) asked the Minister of Transport:

Whether he or his department has considered giving concessions to agricultural producers in the Lydenburg area who previously relied on rail to transport their fresh produce to the main markets in Gauteng and who are now subjected to high toll fees on the N4 toll road and higher Spoornet tariffs; if not, why not; if so, what are the relevant details? N262E

The MINISTER OF TRANSPORT:

No. The toll fees on the Maputo Development Corridor were set through a tender process, which is deemed to be fair, and which should have taken into account the economic impact assessment prior to the commencement of this project.

Whilst careful consideration should be given to the agricultural producers and other economic players in the area, giving concessions may not be the best solution at this stage. Also the farmers in the area do not pay the posted tariff because they have negotiated a discount for themselves through their representative organisations.

Capital investments (R'm) (all figures in 2000 rands)

Assets	*Backlog*	*Requirement Realistic solution (20-yr plan)*		*Allocation ito limita-tions (Annual average)*	*Critical issues*
		10 yrs pa	*11 yrs pa*		
Rolling stock	5 109	850	1 400	220	• 40-Year threshold (average 27 yrs). • Overhaul cycle 12 yrs (currently = 17 yrs) • 45% contribution to train cancellations. • 1 300 coaches out of service (70% vs 95% Int nom)
Signalling	1 568	200	20	60	• Obsolete system. • 25% contribution to train performance. • Create abnormal operational conditions. • Cable theft. • System capacity (less r/s) (Need less rolling stock)
Stations	1 560	200	100	80	• Commuter experience. • Development (socio+ economic empowerment) • Station effectiveness. • Security/safety. • Ticket verification/ control
Electrical OHS	237	80	100	20	• Reliability • Cable theft
Perway (track)	10	20	20	10	• Safety • Operability
IT	20	35	35	10	• Efficiency • Management
Total (maintainance system)	8 504	1 385	1 675	400	
Total (maintainance system)	8 504	1 385	1 675	400*	
Network devel-opment • Infrastructure • Rolling stock	3 750 4 000	375 400	375 400	19	• Static rail system. • Access to basic mobility. • Development. • Road-base solutions.
Total	16 254	2 160	2 450	419	

*9. Mr S K LOUW (ANC) — Minerals and Energy. [Col 749]

*34. Ms R TALJAARD (DA) — Finance. [Col 750]

*10. Mr B A D MARTINS (ANC) — Trade and Industry. [Col 751]

*27. Mrs C DUDLEY (ACDP) — Labour. [Col 752]

*11. Dr M SEFULARO (ANC) — Trade and Industry. [Col 752]

*42. Mr S F HAASBROEK (DA) — Transport. [Col 754]

*12. Prof B TUROK (ANC) — Trade and Industry. [Col 756]

*41. Mr A H NEL (DA) — Agriculture and Land Affairs. [Col 758]

*14. Mr S E KHOLWANE (ANC) — Public Enterprises. [Col 759]

*37. Adv H C SCHMIDT (DA) — Minerals and Energy. [Col 761]

*15. Ms N D NGCENGWANE (ANC) — Public Enterprises. [Col 761]

*39. Mr M J ELLIS (DA) — Environmental Affairs and Tourism. [Col 762]

*16. Mr F BHENGU (ANC) — Public Works. [Col 764]

*18. Mrs D M MOROBI (ANC) — Transport. [Col 765]

*20. Ms O R KASIENYANE (ANC) — Labour. [Col 766]

*21. Mrs R A NDZANGA (ANC) — Environmental Affairs and Tourism. [Col 769]

Questions transferred for oral reply in accordance with Rule 117:

1. Mr S B FARROW (DA) — Transport. [Written Question No 30] [Removed]

2. Mr S B FARROW (DA) — Transport. [Written Question No 31] [Removed]

3. Adv H C SCHMIDT (DA) — Minerals and Energy. [Written Question No 69] [Col 770]

4. Mr S B FARROW (DA) — Transport. [Written Question No 84] [Removed]

5. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 102] [Removed]

6. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 103] [Removed]

7. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 104] [Removed]

8. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 123] [Removed]

9. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 124] [Removed]

10. Mr S B FARROW (DA) — Transport. [Written Question No 133] [Removed]

11. Mr M WATERS (DA) — Transport. [Written Question No 149] [Removed]

12. Mr M WATERS (DA) — Transport. [Written Question No 150] [Removed]

13. Mr M WATERS (DA) — Transport. [Written Question No 151] [Removed]

14. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 168] [Removed]

15. Mr F BEUKMAN (NNP) — Transport. [Written Question No 173] [Removed]

16. Mr M WATERS (DA) — Transport. [Written Question No 190] [col 772]

17. Mr M WATERS (DA) — Transport. [Written Question No 191] [col 773]

18. Ms H WEBER (DA) — Transport. [Written Question No 197] [Removed]

19. Ms H WEBER (DA) — Transport. [Written Question No 198] [Removed]

20. Ms H WEBER (DA) — Transport. [Written Question No 199] [Removed]

21. Mr M WATERS (DA) — Transport. [Written Question No 243] [Removed]

QUESTIONS

For oral reply:

Contents to Questions for Oral reply:

Deputy President:

*5. Ms P DE LILLE (ID) — Deputy President. [Col 659]

*6. Rev K R J MESHOE (ACDP) — Deputy President. [Col 665]

*7. Mr F BHENGU (ANC) — Deputy President. [Col 669]

*8. Mrs S M CAMERER (DA) — Deputy President. [Col 674]

Economics (Cluster 3)

*1. Mr S E ASIYA (ANC) — Finance. [Col 681]

*30. Mr C M LOWE (DA) — Labour. [Col 686]

*46. Ms E S CHANG (IFP) — Labour. [Col 691]

*13. Mr B A RADEBE (ANC) — Agriculture and Land Affairs. [Col 696]

*26. Mr C B HERANDIEN (NNP) — Transport. [Col 704]

*28. Adv Z L MADASA (ACDP) — Public Enterprises. [Col 708]

*4. Mr J P CRONIN (ANC) — Transport. [Col 709]

*36. Mr I O DAVIDSON (DA) — Public Enterprises. [Col 711]

*19. Mr M J G MZONDEKI (ANC) — Labour. [Col 713]

*33. Ms R TALJAARD (DA) — Finance. [Col 716]

*45. Ms C N Z ZIKALALA (IFP) — Environmental Affairs and Tourism. [Col 717]

*22. Mr M I MOSS (ANC) — Environmental Affairs and Tourism. [Col 718]

*25. Mr C B HERANDIEN (NNP) — Transport. [Col 719]

*44. Mr W D SPIES (FF Plus) — Labour. [Col 719]

*17. Mr E N N NGCOBO (ANC) — Science and Technology. [Col 720]

*35. Mr G R MORGAN (DA) — Environmental Affairs and Tourism. [Col 723]

*3. Ms B THOMSON (ANC) — Transport. [Col 724]

*40. Mr A H NEL (DA) — Agriculture and Land Affairs. [Col 725]

*5. Ms H M BLOSE (ANC) — Agriculture and Land Affairs. [Col 725]

*24. Adv C B JOHNSON (NNP) — Environmental Affairs and Tourism. [Col 726]

*29. Mr K D S DURR (ACDP) — Agriculture and Land Affairs. [Col 730]

*2. Mr Y S BHAMJEE (ANC) — Finance. [Col 733]

*32. Mrs J A SEMPLE (DA) — Environmental Affairs and Tourism. [Col 736]

*6. Mr N H MASITHELA (ANC) — Agriculture and Land Affairs. [Col 737]

*38. Adv H C SCHMIDT (DA) — Minerals and Energy. [Col 738]

*7. Mr C D KEKANA (ANC) — Minerals and Energy. [Col 739]

*23. Adv C B JOHNSON (NNP) — Environmental Affairs and Tourism. [Col 740]

*43. Mr W D SPIES (FF Plus) — Minerals and Energy. [Col 745]

*8. Prof I J MOHAMED (ANC) — Minerals and Energy. [Col 747]

*31. Mr R JANKIELSOHN (DA) — Environmental Affairs and Tourism. [Col 748]

success depends on a number of factors including the environment we operate in. We, for example, need to continue the campaign to destigmatise the disease and change attitudes so that the infected feel free to come forward for treatment and to mobilise social support networks even more so that the infected receive support from families and communities.

With our current projections we show the possibility of sizeable annual increases in roll out and with everything going as planned we should be able to reach the 2008 target. I must add however, that in the process of chasing the 2008 target we will be guided by our commitment to the delivery of quality service. Thank you Madam Deputy Speaker.

Mrs P DE LILLE: Thank you, Deputy President, for that answer. Certainly we will have to do a lot more and we appreciate what government is doing already. We also appreciate that we have to closely monitor the delivery in provinces so that we don't find that at the end of 2008 that we have not met our target.

I think as Parliament we can do a lot more in terms of dealing with stigma. Stigma alone cannot be dealt with by government. Therefore I want to encourage members of Parliament to do a lot more than just making statements, wearing red ribbons and lighting candles. I think all of us here in this House have a responsibility to complement the programme that government is busy with already. So, I have no follow-up question except to say we hope and pray that finally we will meet our target by 2008. Thank you. [Applause.]

The DEPUTY SPEAKER: As there is no response required from the Deputy President, I now call hon Malumise.

Mrs M M MALUMISE: Thank you, Madam Deputy Speaker. As you have correctly said Deputy President, Sanac is about partnerships against HIV/Aids and a country co-ordinated mechanism. In this regard it has contributed substantially to co-ordinating various sectors at the highest level. Can the Deputy President inform us how Sanac plans to mobilise all political formations and civil society to join the effort of government in the fight against HIV and Aids. Thank you.

The DEPUTY PRESIDENT: Thank you Madam Deputy Speaker. Firstly, much as you ruled that there was no need for the response to the hon member who had asked the question, I think it is important to align ourselves with what she has said, that is that we might have to do more as public representatives to fight the stigma. I just wanted to underline that, because it is an important point and indeed it indicates that the question was asked very constructively to probe the question, and not for any other reason. I would like to underline that.

With regard to the issue of what Sanac could do to mobilise the political parties, I would imagine Sanac has done what it can unless there are further suggestions. I think we publicise the work that is done by Sanac and we have answered many questions at Parliament. The fact that political parties ask questions means that they are aware of Sanac. I think what is left is what do we do as political parties to ensure that the work Sanac is doing, the work government is doing, the work that is being done by nongovernmental sectors which are part of Sanac are supported by us. I would believe that the hon members here could help Sanac by making suggestions and ensure that the whole programme of Sanac and of fighting Aids generally has the full support of the political parties and political activists. I think we will be more interested to hear what the hon members have to suggest we can do as Sanac. Thank you.

Ms C DUDLEY: Hon Deputy President, what is the current situation regarding global funds handled by Sanac for HIV/Aids projects and which organisations have received global funding? Also what has been

■22. Mr F BEUKMAN (NNP) — Transport. [Written Question No 244] [Col 774]

■23. Mr A H NEL (DA) — Agriculture and Land Affairs. [Written Question No 261] [Removed]

■24. Mr M WATERS (DA) — Transport. [Written Question No 263] [Col 776]

■25. Mr M WATERS (DA) — Transport. [Written Question No 264] [Col 777]

■26. Mr M WATERS (DA) — Transport. [Written Question No 265] [Col 779]

■27. Mr S B FARROW (DA) — Transport. [Written Question No 285] [Col 780]

■28. Adv H C SCHMIDT (DA) — Minerals and Energy. [Written Question No 297] [Col 781]

■29. Mr S B FARROW (DA) — Transport. [Written Question No 320] [Col 784]

QUESTIONS

For oral reply:

Sanac's role in provision of ARVs

*5. Ms P DE LILLE (ID) asked the Deputy President:

(1) What will be the role of the SA National Aids Council (Sanac) in ensuring that the Government's stated target of providing over one million South Africans with antiretrovirals by 2008 is achieved;

(2) whether Sanac will play any role in ensuring that all requirements of the rollout are met, particularly in relation to nutritional support and the oversight role of ensuring that persons adhere to their medication and are provided with transport to clinics where necessary;

(3) whether, given the fact that a rollout of only 53 000 antiretrovirals is planned for this year and that 200 000 antiretrovirals need to be rolled out per year in order to reach the 2008 target, the Goverment is on track to achieve this target; if not, what is the position in this regard; if so, what are the relevant details? N697E

The DEPUTY PRESIDENT:

Thank you Madam Deputy Speaker. It must be understood that Sanac was established to advise government on HIV/Aids related matters and to ensure that all sectors of civil society are involved in the fight against the disease.

Firstly, Sanac's role is to co-ordinate sectoral responses, monitor the country's broader response to HIV and Aids including the antiretroviral programme and to advise government.

Secondly, as per its mandate, Sanac cannot play any role in the implementation of programmes. It is the responsibility of the Department of Health to implement the treatment programme and to ensure that all the necessary requirements of the programme are met. Sanac will continue to promote the involvement of civil society in supporting the implementation programme.

Thirdly, the target number of patients on antiretroviral treatment is 53 000 specifically for this financial year, 2004-05. The comprehensive HIV and Aids care, management and treatment plan is being implemented in all nine provinces according to the principle of equity. This is done by placing greater resources, both human and financial, at the disposal of the historically disadvantaged and underserved districts as well as ensuring quality of the highest available standards. There is at least one service point per district. All 53 districts are covered.

What we have done so far, therefore, is to lay down the foundations that would assist us to achieve our 2008 target. This process will be closely monitored on a regular basis allowing for annual incremental judgements to be effected frequently with the aim of reaching that target. However, I must emphasise that

awareness campaign that we have conducted in the country, are not yet ready to come out. So coming to these institutions, people are not as open as all that. People are very reluctant. That's why the question of dealing with stigma is very important. That in itself, with regard to the existing facilities, there is no flood of people, because they are reluctant. There are a number of reasons why people don't move.

The research that has been conducted indicates that some people who have come don't disclose their status to their families or anyone else when they go back home, because of the attitude that still exists. So there is still a lot of work that we all still need to do, to ensure that when the facilities are there, people are ready to come. Take, for example, the issue of voluntary testing. Even the most enlightened are not necessarily moving at the same speed that we talk. So that is part of the problem again. You might not reach the necessary target in terms of numbers, that you thought you would, because you depend entirely on how the individual citizens respond to the issue.

Pressure on Sudanese government *re* assistance/protection to refugees wishing to return to Darfur

*6. Rev K R J MESHOE (ACDP) asked the Deputy President:

Whether the Goverment is putting any pressure on the Sudanese government to allow monitors from the international community into the Darfur region so as to ensure the return of peace and stability to the region and to ensure that refugees wishing to return to Darfur are given assistance and protection; if not, why not; if so, what are the relevant details?

N695E

The DEPUTY PRESIDENT:

Madam Deputy Speaker, the South African government is putting pressure on the Sudanese government through the African Union. As I stated a fortnight ago when replying to a similar question in this House, a fundamental objective of South Africa's foreign policy is to deal collectively with problems occurring in other African countries in regional and continental bodies established specifically for this purpose. South Africa's position on the Darfur crisis is therefore guided by the African Union. It is in the African Union's context that South Africa operates and in this instance puts pressure on the Sudanese government to allow the deployment of a broader peacekeeping force of about 3 000 troops to assist with the disarmament of the Janjaweed militia and ensure the return of peace and stability to the region. South Africa supports the initiative by the current chairperson of the African Union, President Obassanjo of Nigeria, in convening peace talks in Abuja, Nigeria, between the government of Sudan and the two rebel movements.

Rev K R J MESHOE: Thank you, hon Deputy President. Independent monitors in southern Darfur, including UN officials and aid workers insist that the government has failed miserably to meet its primary objectives to restore order and in particular to disarm the Janjaweed militia and arrest its leaders. This failure is clear proof that the Sudanese government needs more resources and capacity to bring what the UN calls "the worst humanitarian crisis in the world" to a speedy resolution. The ACDP appreciates the intervention of the African Union troops. We nevertheless believe that the option of sending both the UN and EU troops should remain a strong possibility, to ensure that normality returns to that troubled region. Now that the Deputy President has said that the South African government does put pressure on the Sudanese government, what I want to know is, whether the Sudanese government is co-operating or is resisting the pressure? According to the latest reports they are not making any progress.

The DEPUTY PRESIDENT: Thank you, Chairperson. The Sudanese government in a meeting of the Peace and Security Committee presented a plan in Addis Ababa a few months ago, to address the issue when it was being discussed. As far as I know, when the

achieved in terms of the delivery on their business plans, which organisations are in line to receive funding, and most importantly, what is the process now for organisations to be able to access future global funding for projects addressing critical HIV/Aids issues? Thank you.

The DEPUTY PRESIDENT: Thank you, Madam Deputy Speaker. I am sure certain elements of the question would have to be in the original question, because it demands a lot of detail that I can't remember sitting here.

For example, how many organisations have applied, etc. I don't have those figures here. That is the work you might have to look at when you answer the question, not the follow-up. But certainly, the process being followed is that there is what the global fund calls the co-ordinating body. Of every country there must be one body that co-ordinates all the requests that are made. In other words, organisations are not allowed to individually apply for the funds to the global fund. In every country there is a body that organisations send their applications to and that body then looks at the applications and approves or disapproves the application. In our country that organisation is Sanac.

I think that process has reached its second round. Organisations have been able to succeed and of course it still goes to the global fund that must also look at the application by a country. The point I am explaining is that by the time the applications get to the global fund they are no longer the applications of individual organisations; they are the applications of the individual countries so to speak. They are then approved on that basis. When it is approved the funds are disbursed as agreed.

There are very clear rules and regulations that the global fund has set out, so that the usage of the money is done to its satisfaction. That has been done and we have indeed complied with all the requirements. Thank you.

Mr A C STEYN: Thank you, Madam Deputy Speaker. Hon Deputy President, considering that the target of 53 000, which was supposed to have been reached by March this year, has not been reached and has now been postponed to March 2005. This new target, as the Minister has indicated, will also not be reached.

Considering that there are currently an excess of 52 000 vacant posts in the Department of Health, firstly what steps are being considered to make sure that sufficiently trained personnel are available, particularly in rural areas, to make the roll out possible. Secondly, where there are currently facilities, few as they may be, what is being done to publicise this and to inform the public. Thank you.

The DEPUTY PRESIDENT: Thank you, Madam Deputy Speaker. Once again, if the Department of Health was my line function department, I would know exactly what is happening in terms of the advertisements and applications, etc. I am sure that particular portion of the question could be posed to the department specifically in terms of the posts, etc.

I doubt that the hon member expects me to answer that part of the question. I think there are many reasons why we are not able to reach the target. It is not only a question of a lack of training. The hon member will remember that as these programmes were rolled out, government emphasised the necessity to have efficient people to deal with it. Government was under very serious attack and accused of playing delaying tactics, because government was saying that if we deal with the health of people we need to have properly trained officials. This, of course, takes time. Even those who are medically trained to deal with this specific issue need additional training. Even doctors and nurses need additional training.

The other factor, the question of the stigma, is still a very strong element. The people themselves, more than 95% according to the

more than what we have already done; more than what the chairperson of the AU is doing. Otherwise, we will be duplicating if we were to take any other extraordinary action. We emphasise the collective nature. Africa agrees. Obassanjo himself as the president of Nigeria and chair of the AU is doing what he is doing on behalf of all of us. We are supportive of that. We believe that because they had started the implementation, it should be important. We will support it if the matters were concluded quicker. We would even be happier if the deadline was met fully, even before it has expired. I think it is because of the complex nature of the problem of Sudan that it is not as quickly dealt with, as we want it to be.

You would recall that the negotiations on the south of Sudan that took place in Kenya went on for a very long time. Finally they came to a conclusion. Some of the feelings have been that the resolution of the problems in the south will actually influence the resolution of the problems in Darfur — particularly because parties that are part of the conflict in Darfur were observers in the negotiations in Kenya. They are aware of the details. I think it is because the matter has been there for quite a while. It is a complex matter and we are doing everything to support any effort that will resolve that situation.

Measures to co-ordinate implementation/monitoring of EPWP

*7. Mr F BHENGU (ANC) asked the Deputy President:

> What measures have been put in place by the Government to co-ordinate the implementation and monitoring of the Expanded Public Works Programme (EPWP)? N696E

The DEPUTY PRESIDENT: Thank you, Chair. The Expanded Public Works Programme forms part of government's objectives of alleviating poverty and intervening in the second economy where the poorest of the poor make a living. Our intention is to build one economy in which the overwhelming majority of South Africans take part and from which they are able to benefit directly. The four underlying objectives are: to eliminate conditions of extreme poverty, create conditions for sustainable livelihoods, ensure mobility from the second economy to the first and reduce dependence on social grants. The Expanded Public Works Programme has several elements: to create job opportunities in labour-intensive construction, conservation and sanitation projects and in the delivery of social services, provide access to information about education, training and employment opportunities and to make microcredit more accessible to poor households and every small business. The programme provides job opportunities that are coupled with training to improve the skills and enable the beneficiaries to find employment within the construction sector and other industries in future. It therefore equips people to be able to help themselves, while improving much-needed infrastructure in their communities.

The Department of Public Works as the responsible department, has put in place a special unit that is dedicated to the co-ordination and monitoring of the EPWP and the EPWP's directors-general's steering committee that has oversight on the implementation of the programme, meets monthly. In addition, each of the elements of the programme, such as infrastructure, environment, conservation, social and economic, has a sector co-ordinating committee led by a sector co-ordinating department. Furthermore, each province has an EPWP provincial steering committee that co-ordinates activity in the provinces. The Department of Public Works reports to the Presidency on a regular basis so that the Presidency can pursue issues that need further attention, when necessary. The first report is due shortly. We will also be considering the development of longer-term evaluation strategies. We believe that the management structures for the implementation and the monitoring and evaluation of the EPWP are well designed, strong and are already func-

pressure mounted from the UN and other governments, the Sudanese government actually said it was implementing the decisions of the AU, as well as the UN. I do not have the details of how far have they gone in terms of implementing the programme. There has been no demonstrated resistance as far as we know. We have been interacting. In fact, in the meeting that I am talking about, there was an acknowledgement that for the first time after many decades, the Sudanese government had a plan to present how to deal with this matter. I remember that the President from Algeria said that it was the first time since the early sixties that the Sudanese government presented a plan to Africa as to what must be done. That plan was supported. As to the speed with which that plan is being implemented, I do not have the details. There has been no resistance. There has been an agreement to implement the plan.

Mr W J SEREMANE: Thank you, Deputy President. May I also say, having played an admirable role in the Democratic Republic of Congo in assisting to bring about peace and stability in that area, is it not an imperative that South Africa should persuade the African Union to insist that the UN Security Council deploy more troops, resources and humanitarian aid to Sudan, in order to ensure that effective support is lend to the establishing of peace and security, and also for the safe return of the refugees to their homes in Darfur?

The DEPUTY PRESIDENT: Thank you, Chair. I thought I did say that we support the decision of the deployment of 3 000 troops to assist in the processes there. I think this is what the AU has said and this is what we support. I think this is what the UN itself would support. Therefore we are all supporting any effort that could be done to help the situation in Darfur. There is no difficulty in supporting those processes. They have been supported. We need to urge them to speed up the process. I think the initiative taken by the President of Nigeria by calling the government of Sudan and the two rebel movements into a meeting in Abuja, is part of the process to discuss and assess what are the problems and what could be done. We will always support such initiatives.

Mrs M N OLIPHANT: Thank you, Chairperson. The ACDP and other parties in this House were the first to complain about the time and the effort South Africa puts into the continent to resolve problems. Now the ACDP has come to appreciate the role of the ANC government in the rebuilding of the continent, hence the question by its leader.

Given the fact that the UN deadline to the government of Sudan has expired on 30 August 2004 to deal with the disarmament of the militia and restore Darfur back to its normality, is South Africa as the chair of the Peace and Security Council of the African Union satisfied that the Khartoum government has done enough to comply with the United Nations' and the African Union's efforts to create secure conditions for the people of Darfur?

The DEPUTY PRESIDENT: Thank you, Chair. I am sure we should appreciate it when the other parties agree on the good things being done. We should not think that there is something wrong. We should appreciate that. The deadline by the UN came whilst the matter was also being discussed by the African Union itself. South Africa is part of the African Union and we would support anything that says matters of this nature must be resolved quickly.

As I said earlier, as part of the AU, we are part of a collective that is discussing, together with the Sudanese government, matters that need to be dealt with. I remember that just before the deadline, the Sudanese government said that they have begun to implement the decisions. It is thus a question of how fast it would be done and what are the difficulties. I take it that the initiative taken by the chairperson of the African Union to call the people, who are at conflict, is an attempt to deal with the issues, especially if there are any issues causing the delay. We support that and we have supported that from the position of South Africa's position of chairing the Peace and Security Council of the African Union. I don't think we can do

Works took a decision that the different departments must report back to our committee at least twice a year. What are you going to do if they fail to do so? Secondly, what is the budget allocation from government to ensure an effective monitoring process?

The DEPUTY PRESIDENT: Well, the portfolio committee has taken a decision. If the committee's decisions are not followed, what is the route that you should take? Should I propose a route? There is a system in Parliament that we have got to follow. We don't have to ask the Deputy President. There is a system through which such matters should be dealt with. [Applause.] With regard to a specific figure of budget allocation to monitoring, I don't think I am able to give that. In government we monitor programmes of government. We have done so all the time, including this one, which would also be monitored. Certainly if there was a need for a particular budget, it would be available. If the budget is available, we would certainly be able to give the figure. I think at the moment I do not have the figure. All I know is that government will be doing its task of monitoring. If it puts a structure together, the structure will do so. If that structure needs a budget, it would be available.

Mr L M GREEN: It is always commendable if government makes attempts to bring relief to the poorest of the poor by means of poverty relief strategies. I think it is commendable what you are doing in terms of the Expanded Public Works Programme. As members of the opposition, we don't just want to be critical on the side and criticise what you are doing. We also want to become involved in what you are doing. We do have constituency offices and we make all this information available to our constituencies. What else can we as members of Parliament do to promote the work that is being done in this Expanded Public Works Programme?

The DEPUTY PRESIDENT: I wish I could be the commissar of the political opposition. [Applause.] I think that it is very commendable if in the constituencies we certainly give the information to the public. This is one of the things we would expect from MPs to do. Secondly, it will be to attend such gatherings, for example the launches of these programmes. It would be important for the MPs to instruct their members to be there when the launch is either in their province or in their area. You know that it will be launched at a particular area as a public affair, so then you should instruct your members to be there and participate. Also it would be important for MPs to speak about this programme as part of supporting and enlightening the population and the country on television, radio and in the newspapers. I think it would be a very good thing that such a programme is given to the country and supported by all political parties. I think it would be good news for the country. I think that is what you could do. Otherwise, free of charge, I can be the commissar. [Laughter.]

Concerns *re* levels of corruption: protection of whistle-blowers

*8. Mrs S M CAMERER (DA) asked the Deputy President:

(1) Whether the Government is concerned about the levels of corruption in South Africa; if not, why not; if so, what are the primary concerns of the Government;

(2) whether the current provisions aimed at protecting whistle-blowers have been found to be adequate; if so, what factors were taken into consideration in reaching this conclusion; if not,

(3) whether the Government intends taking any action to provide improved protection to whistle-blowers who expose corruption in the public and private sectors; if not, why not; if so, what action? N692E

The DEPUTY PRESIDENT: Yes, the Government is concerned about corruption in

tioning effectively. We will report on the effectiveness of implementation to this House and other forums, such as imbizo from time to time. Last Saturday I had the privilege of being part of the launch of the EPWP in KwaZulu-Natal and yesterday I attended a similar function in Gauteng. I was touched and encouraged by the enthusiasm and commitment that was displayed by the participants in the programme. They recounted how drastically their lives have changed as a result of the income they receive from the programme. [Time expired.]

Mnu F BHENGU: Nxamalala, amahlebezi athi uKhongolose wayeheha nje amavoti mzukwane eza nalolu hlelo, imali ingekho; besho amanga aluhlaza. [Gossip has it that the ANC was just soliciting votes when it came up with this programme while there were no funds available.]

The perceptions continue to be that provinces and municipalities were informed that they had to pay for the EPWP out of their own pockets, when hardly three months ago, the President in his state of the nation address — and Minister Manuel too in his Budget speech — gave a detailed breakdown and analysis of the finance involved. The provincial launch in KZN and Gauteng as you have already indicated and other launches that have already taken place — and the one that is going to take place tomorrow — are platforms where our people are being informed about the EPWP. What other mechanisms can be used to popularise the programme? To effectively engage the members here present and communities out there in realising the objectives of the people's contract in fighting poverty and creating job opportunities?

IPHINI LIKAMONGAMELI: Lungu elihloniphekile lePhalamende, uma amanga esenombala kuthiwa aluhlaza, futhi kusuke kungamanga ngempela lawo. [Uhleko.]

[The DEPUTY PRESIDENT: Hon member of Parliament, if a lie has a colour, it is said to be blue. And when it has a colour, it means that it is a proper lie. [Laughter.]]

I think our launching of the programme must be in itself an important announcement to all of us, including the members in the House. Also, the very discussions and answers we are given to the questions must help to empower members here, to know that this programme is working, this programme is indeed effective and that this programme needs to be supported. As I indicated, we met people who had been involved in this programme and some of them are now business people. They had been empowered by this programme. Some of these people were unemployed. They are now employers themselves. They gave an account how much that has changed their lives and the quality of their lives to a point where they are now able to save, let alone to address their social demands. We also met women, many of whom gave very painful accounts of what their situation was before, and how much it has changed.

I think perhaps the Minister of Public Works might need to compile those accounts as part of the additional material to assist the members of the House to know that this programme works and this programme is indeed doing what we intend to do in this country to change the quality of lives. I would strongly make that suggestion to the Minister because at times when people don't come face to face with this reality, they can stand and theorise but if we have met the people who are actually involved, you will realise how important it is and you can only support it. [Applause.]

The HOUSE CHAIRPERSON (Ms C-S BOTHA): Hon members, just please take note that the monitor here is not indicating whether you want to ask a question or not. So please raise your hands. I have got hon Opperman and hon Green.

Mr S E OPPERMAN: Thank you, Deputy President. In order to report back to the President our Portfolio Committee on Public

agree. Only if we know what were the circumstances that led to specific actions being taken against certain individuals. I would not be in a position now to unpack that and say that in a particular case, that is what happened.

Mr L T LANDERS: Chairperson, we welcome the hon Deputy President's announcement about the review and strengthening of the Protected Disclosures Act. It is clear from the hon Deputy President's reply that the ANC has championed the fight against corruption in both the public and private sector. It is also a fact that in almost all cases corruption has been exposed by the government or by people within government structures. Will the hon Deputy President therefore agree that when a person who is blowing the whistle on corruption bypasses the laid-down processes in the Protected Disclosures Act and instead rushes to the media that such a person's disclosure does not qualify as a protected disclosure, thereby leaving such a person vulnerable to disciplinary measures? Is the hon Deputy President aware that the Public Protector is seized with the matters raised by the hon Camerer, but is waiting for the various disciplinary measures and appeals to expire before he intervenes?

The DEPUTY PRESIDENT: Thank you, Chair. I agree with the hon member that the arrangements as they stand now are very credible and very important for our country. In fact, it is the first time in the history of South Africa that corruption is a subject of discussion, either by the media or Parliament or by the whistle-blowers. [Applause.] I think what we should be saying is that we can see the difference and what has been done. We should be saying what else can we do to make the system work better. I know that at times people generally speak as if corruption has just arrived, instead of saying that the measures to fight corruption have just arrived 10 years ago. That is why we have got things that we do and we need to improve in the process. Part of the reason I said I cannot answer the previous question, was because these matters are handled by the people who are. I am aware of the Public Protector, but I cannot discuss the issues that are in the hands of the Public Protector. That is why I said I don't know the circumstances and I will not venture to try to answer those kinds of questions. I am sure at the right time we will know the truth and then we would be able to comment as we are supposed to.

For now, I think the fact that individual citizens of this country are allowed by the law to blow the whistle, is an important thing. The fact is that when they do so, the circumstances around that have helped them to do so, should be looked at. We would know what should happen and we can then deal with matters fairly. It doesn't necessarily mean that before you conclude the matters that the one who is accusing the other is in every respect correct. There may be other reasons that may be discovered in the process and I think we should always allow the processes to go on. If you say that people have blown the whistle and no actions have been taken on what they have said, then there is a legitimate concern to raise. If actions have been taken, and the actions might result in different directions, I think that is what we want. We want a system that is operational, that people could utilise to ensure that we fight against corruption.

Mrs S M CAMERER: Deputy President, I certainly agree with what you have said. We want a system that works. My point that I am trying to make is that for a lot of people who have blown the whistle, it has not worked. I only mentioned two people on my list. There are many others. Setlai, the prison boss who blew the whistle at the Jali Commission, he also suffered the consequences and was charged for his pains. He was exonerated eventually. There are so many others I could mention, for example the man who blew the whistle on the dog handlers. The question is: Hon Deputy President, would you blow the whistle under the present circumstances? Do you feel you are protected sufficiently?

South Africa. For that reason it has taken various initiatives to curb this scourge. Our primary concern is that corruption has the potential to constrain our further development and to impact negatively on good governance. Anticorruption work has thus been a priority action area in the Cabinet committees, particularly the governance and administration committee. Our concern about corruption has led us in the past 10 years to put in place a framework to ensure good governance. That measure has been recognised internationally.

The Centre for Public Integrity recently conducted research on 25 countries all over the world and found our integrity framework to be strong, which puts us in the same league as Australia and the United States of America. We also have signed the United Nations Convention Against Corruption, which was adopted by the UN's National Assembly and sets the global standard for fighting corruption. The Convention has been tabled in Parliament for approval. We now have an anticorruption hotline, which is open to anyone who wants to report corruption in the Public Service, in a confidential and anonymous manner. Apart from that, in terms of the Prevention and Combating of Corrupt Activities Act, all persons in positions of authority, whether public or private, have a duty to report corruption. We have endeavoured to provide protection to whistle-blowers through the witness protection system and the Protected Disclosures Act. We recognise, however, that the Protected Disclosures Act needs to be strengthened. For this reason the SA Law Reform Commission was asked to provide research and make further proposals. Government is awaiting the Commission's final report to assess the required improvements to the system of protecting whistle-blowers.

Mrs S M CAMERER: Thank you, Chair. Deputy President, yes, it seems that the institutional infrastructure is there and I was delighted that you quoted my daughter's research at the Centre for Public Integrity. Yes, it is there but it is the implementation that seems to be falling down. If the entire institutional infrastructure that you have cited is working correctly, why is it then that so many high profile whistle-blowers have been recently victimised instead of being praised and rewarded? I give you various examples: Mr Colin Brody, the Chief Financial Manager of the Human Rights Commission who reported financial irregularities to no less a person than the Auditor-General and for his pains he was immediately placed on compulsory leave and investigated for poor performance.

Then there was Mike Tshishonga, who is the Deputy Director-General of the Justice Department and Chief Master, who blew the whistle on irregularities, fraud and corruption going on in the Master's Office.

The HOUSE CHAIRPERSON (Ms C-S BOTHA): Hon Camerer, please ask your question.

Mrs S M CAMERER: He was citing specifically Enver Motala, and he was immediately suspended and investigated. Although he has been exonerated he has not been reappointed. Please explain why. [Time expired.]

The DEPUTY PRESIDENT: The hon member said I should please explain why. If it was in my line-function department, I would have thought the question was very legitimate. Now how do I explain those details, because I don't know what were the reasons that led to certain actions being taken against certain individuals? How do I explain that? The critical point that I am making is that we have the systems in place. People had been reporting misconduct where there has been misconduct and, in other words, the system is working. But I don't know the circumstances of those reports and why actions were undertaken. I don't think if you quote those happenings it actually warrants a statement to say that the system is not working. I think that is rather an exaggerated statement. If you said there were areas that needed to be looked at, then one would

Ministers:

ECONOMICS

(Cluster 3)

Access to appropriate/affordable financial services to lower-income people

*1. Mr S E ASIYA (ANC) asked the Minister of Finance:

(1) Whether progress is being made in extending access to appropriate, affordable financial services to lower-income people; if so, what are the relevant details; if not,

(2) whether any further steps will be taken to ensure that poor people are not marginalised regarding access to the financial sector; if not, why not; if so, what steps? N590E

The MINISTER OF FINANCE: Thank you, Chairperson. Yes, progress is under way in extending access to financial services in respect of affordability and access to all South Africans. There is work on both the government side and the private sector side. In respect of government, we will bring to the House later this year two important pieces of legislation. The first of these is a Co-operative Banks Bill and the other is a Dedicated Banks Bill. What we will do through these pieces of legislation is create the opportunity for the establishment of second and third-tier banks. Third-tier banks would be able to open accounts but would be limited in terms of the investment vehicles open to them and second-tier banks would require very special oversight but would also have a wider array of investment vehicles possible.

The key issue in respect to the affordability of banks is their cost structure and with these pieces of legislation, the institutions they had spawn, would be made a lot more affordable. In addition, we have been advised that the Post Bank would seek registration under the Dedicated Banks Act, once promulgated. Also a series of supermarket chains have expressed interest and also businesses as diverse as telecommunications companies. Outside of these initiatives, the National Treasury has also committed the amount of R120 million to support the microcredit industry and the Apex funds would be managed by the DTI. So, yes, work is under way to ensure that more South Africans have access to financial services.

The banks have also agreed on a noncompetitive basis so as to ensure available accounts to as many South Africans as possible. But there are issues under way in respect of the competitions commission and the approaches that the banks are taking on that matter.

Mr S E ASIYA: Thank you, Chairperson. We support the initiative taken by the Minister. After considering the recommendation tabled at a financial sector summit, which alludes to the fact that the majority of the poor are excluded from banking services, the Department of Finance has set up a task group. It has brought out a comprehensive report, which was developed on this matter. Amongst other issues, the report raised high fee charges by the banks, which completely exclude the low-income group and unemployed as a priority. Did the National Treasury conduct a feasibility study on the possibility of making the Post Bank one of the vehicles that would ensure access by the poor to the financial services at a larger scale?

The MINISTER OF FINANCE: There are a number of different parts to the hon Asiya's question. The first relates to the general access of poor people to banking services. One issue that I think all of us as South Africans, regardless of where we sit in this House, should be concerned about, is the extent of bank charges. What the banks have indicated in respect of the national bank account is that they would be able to do this on a nonprofit basis. If that is what they can do now, why have they insisted on profiting in the way that they have and currently do in

The DEPUTY PRESIDENT: Well, I said so to the hon member — and I know it is a tendency of politicians at times to make exaggerated statements. The manner in which the hon member is presenting the case is as if there have been no whistle-blowing without any consequence to those who have blown the whistles. I think the fact of the matter is that we have a system that works, that encourages individual citizens. Yes, I can blow the whistle because I think the system works. I don't want to get into a situation of the circumstances around which the blowing itself is done. That is a point I said I didn't want to get into. From government's point of view we have a system that works, that allows citizens and have allowed them to blow the whistle. Now, it does not mean that whoever blows the whistle, even if there was something wrong that is seen either in the process or the reasons why the whistle was blown. And this is an area I don't want to get to, because there may be many reasons. I don't want to go further than that. The fact of the matter is that those people have blown the whistle because the system allows them to do so. It has never happened before. They are protected and that is why there are matters around some of them at the Public Protector. They are protected by law and they are in fact very courageous to do so. They will continue to do so, because for the first time, there is a system that works and protects them. I don't see where is the difficulty. There is nothing that works that is just perfect, a hundred per cent perfect everywhere. There is not, otherwise we would be running a government in heaven. Not on this earth. Absolutely. [Applause.]

Mr K D S DURR: Does the Deputy President have an idea of how many whistle-blowers actually have successfully blown the whistle and that has successfully led to a prosecution? [Interjections.] I ask the question because it is a serious question. The hon Deputy President will know that for example with rape, for every rape case that is reported, the estimate is that eight or 10 go unreported. So, is the Deputy President aware of the relationship between reported corruption and estimated unreported corruption so that one can get an idea of the scale of the thing? Are we dealing with the tip of the iceberg? That is an important question that we need to answer. Does the Deputy President not agree that the impression is given that senior political office-bearers are above the law, and that unless we judge corruption in government as severely or more severely than what we mete out to ordinary citizens, we will simply invite more corruption?

The DEPUTY PRESIDENT: You know whistle-blowers are all over the place — nationally, provincially, locally. How do I come to know how many are there? Really, seriously speaking, how can I stand here and say: I know that there are five or six or hundred? Impossible. The fact of the matter is that there is no one above the law. I think the whistle-blowing has been happening at all levels to different individuals, no matter how responsible they are. I don't think there has been a difficulty from people in blowing the whistle where they thought there was something wrong. It has been happening and I think the system is working. Again I want to say, it is for the first time that South Africa experiences people in government, outside of government, being arrested or being challenged or dealt with because of corruption. It is for the first time and has never happened before. In the past this was a taboo issue and nobody talked about it. No newspaper would write about it. [Applause.] Today, a free media can speak about this issue and about government officials. Before 1994 those journalists would have been in trouble if they did so, because the circumstances and the system were not there. There was fear. So I don't think we should question the system that is working. What we should be doing is, is to ask: what else can we do to make the system work even better and more perfect? That is what we ought to be saying. [Applause.]

complained about the onerousness of their obligations. As policy-makers we have to look at those obligations but also see them in the context of Basel 2 and ensure that the banks are strengthened in the process.

I have a concern about an exemption from the competition commission. It is not something that we have processed all the way through. If they can do it, why do they have to collude in order to do it? If the banks had the capability to provide financial services to the poor, why do they need an exemption from what is in the very nature? A bank should seek a larger number of clients and we should not support them in seeking exemption. That is the position I have taken and hopefully I will convince others in government of that view.

Ms R TALJAARD: Hon Minister, can we therefore also assume that one might see some competition among those whom you have indicated are interested in applying to be dedicated banks in respect of the roll out of services in this area and ensure that that competition can be quite active for what could be a lucrative potential market?

The MINISTER OF FINANCE: Without a shadow of doubt, I think that when I mentioned the telecommunications companies for instance, there is a fair amount of intellectual energy going into providing services to what is clearly a very ready market, namely the use of cellphones. We have seen the system work as a pilot project in Nigeria. It has grown in leaps and bounds and is now available to many, many cellphone users across the African continent. We will get there as well. Similarly in the context of supermarkets, we will need to ensure that they do not provide financial services in a way where they can transfer, especially from regulated parts of the business, the overhead costs and then try and take business away from banks. If we destroy the main business of banks, then I think the nation will be poorer as well. Clearly, we do want low costs; clearly we want more services, but I think we will need to maintain a fair balance to ensure that we can maintain a wide array of institutions capable of providing the best and cheaper services to South African consumers.

Status of meeting Growth & Development Summit commitment to halve unemployment by 2014

*30. Mr C M LOWE (DA) asked the Minister of Labour:

Whether the Government and his department are on target in meeting the Growth and Development Summit commitment of 7 June 2003 to halve unemployment by 2014; if not, why not; if so, (a) what was the percentage of unemployment in South Africa as at 7 June 2003 against which progress will be measured, (b) what is the target percentage of unemployment which the Government intends achieving by 2014 and (c) what progress has been made to date to reach that target? N666E

The MINISTER OF LABOUR:

Mhlalingaphambili, ngokwamanani esiwafumana kwi-Labour Force Survey yonyaka odlulileyo kwi-Statistics South Africa, lo rhulumente ukhokelwa nguKhongolozi usendleleni ethe tye ekuphumezeni iinjongo zawo eziphambili zokuqinisekisa ukuba abantu beli lizwe bayayifumana imisebenzi yaye isiqingatha seli nani belikhutshwe yi-Labour Force Survey kunyaka ophelileyo siya kube sesilicuthile ngonyaka ka-2014. Lilonke ke sisemxholweni.

(Translation follows):

[Chairperson, with the last year's numbers that we received from Statistics South Africa for Labour Force Survey the ANC-led Government is in the right track in completing its aims to ensure that people of this country do get employment and half of the number that was released by the Labour Force Survey for last year would be close to reaching the target in 2014. All in all, we are on the right track.]

respect of the rest of banking services? Why is that, in the approach of banks as consumers, we as South Africans have allowed them to raise their charges repeatedly? My position is a difficult one, because I am also ultimately responsible for bank regulations. It does not stop me from campaigning for lower bank charges to ensure high levels of accessibility.

In respect of the Post Bank, clearly it is a very important vehicle. Again, benign neglect had seen the Post Bank operating suboptimally for too long a period. From the results of the Post Office announced earlier this week, it is very clear that the Post Bank can be put on a sound footing. That footing must be one that allows for the extension of financial services to poor people. We have seen that when the National Treasury released the retail bond earlier this year, 60% of sales of that retail bond are actually happening through the Post Bank. Ordinary South Africans are investing in an instrument that is available at a guaranteed interest rate at no cost to the investor and the Post Bank is quite central. Through a variety of means we must ensure that we can mirror what Case Federal is doing in Brazil and that is to extend financial services to the poorest of the poor. I'd like to suggest that in consultation with the Department of Social Development, we locate the Post Bank within the agencies that will provide social security grants and a series of other services to the poor. [Applause.]

Ms R TALJAARD: Hon Minister, I can assure you that we agree with you in respect of being consumers who are outraged on banking charges. I think, quite importantly, the policy debate on this will have to take place in the context of this report. The banking council will be meeting in respect of this report on 9 September 2004. It will be quite important to go through their responses, quite critically, in order to inform the broader debate on the Co-operatives Bill and indeed the Dedicated Banks Bill. We agree with you.

The one thing that there is a concern about though, is the obligations that the banking sector has in respect of rolling-out services in compliance with the obligations under the financial sector charter. Now nobody will light a candle or hold a candle for their appeal to be exempted from the Competition Act — not in the least. There is a concern as to how they are going to be able to comply with their obligations for the roll out of services in the context where we are going to have this policy debate. Is there going to be formal opposition from the National Treasury on the request for an exemption from the competition legislation as is alluded to in this report? In addition, are there any concerns that have been lodged with you by the banking council about their ability to reach their obligations under the financial sector charter?

The MINISTER OF FINANCE: Thank you, Chairperson and thank you, hon Taljaard — it is great relief, hon Taljaard that at least we see eye to eye on some issues. In respect of the commitments and obligations on the financial sector charter, these have been the commitments made by the financial institutions. It is not government that insisted on it. In respect of the broad agreements, including assuring that South Africans in income categories LSM 1-5 would have access to first-level financial services within a 20 km radius. That was a commitment made by the banks, not foisted on them by the government. I sighed a sense of relief. I have a constituency in Namaqualand with my constituency office in Port Nolloth. A commitment for first-level services within a 20 km radius, all I can say, Rev Meshoe, is: Hallelujah!

The poor will then secure financial services. Both that and the numbers now being worked through on mortgages to ensure that we can deal with is clearly a big problem in South Africa presently, namely red-lining. All of those commitments are commitments that the financial institutions are putting on the table. Because of that they have not

EPWP training committee to assist with implementing this crucial programme. We all acknowledge that we must focus in the EPWP on more labour intensive strategies, as well as working together in public private partnerships. My question is: What other programmes are currently under way, especially through bodies such as Khula, Ntsika, the Umsobomvu Youth Fund and the labour job creation trust, in order to ensure that we promote skills development and create permanent employment?

The MINISTER OF LABOUR: By the end of July a total of 75 014 unemployed learners under the age of 35 were registered in learnerships and apprenticeships. This is as a result of the decisions of the Growth and Development Summit. I want to commend those employers who participated in this process, and I am sure by March 2005 we shall have reached our target of 80 000, whether Lowe and the DA like it or not. It is in our interest to make sure that our young people participate in the economy of this country. Our collective efforts now are to make sure that we reach that target, and that is why we established the employment and skills development lead employers' agencies, which are focused in making sure that we can accommodate all young people in the workplaces. In fact, I have made a plea to all employers and I hope that the hon Lowe will assist us: 200 000 employers are paying tax in this country. If one of them could just receive one young person in the workplace, immediately we shall have 200 000 learners in the various workplaces. All of us have identified the skills shortage in this country as one of the impediments for our people to be employable in the various workplaces. Therefore, hon member we have put all these processes in place, in order to address this matter of unemployment in this country. I am sure, with the support of the hon members in this House, we will succeed. [Applause.]

Mrs C DUDLEY: Hon Minister, are there any measures in place that we can monitor these learnerships by? I am speaking specifically because of an experience that I have had where a young man was sweeping for eight months and he eventually dropped out of his sweeping. He had not actually been to any kind of college or done any learning. I am just wondering if we are monitoring these learnerships and if we know if people are in fact finishing them and if they do get what they actually hoped they would?

The MINISTER OF LABOUR:

Lungu elihloniphekileyo, zikhona zona iingxaki, kuba abanye bathi sele bengenile ngaphakathi ubone sele bephinda bephuma. Siyacengana ke nolutsha, kuba ndiye ndilukhuthaze uninzi lolutsha olukwezi learnerships, kwezi ndawo ndihamba kuzo, ukuba luzifake zitshone iinzipho kuba amathuba angcono okokoko kwathi kwaphatha lo rhulumente, ukususela kumhla wama-27 kuApreli ka-1994, kunokuba kwakunjalo ngeliya xesha sasikhula thina. Ngoko ke obambeleleyo makalibambe lingatshoni. Ndiyabacenga ke ngolo hlobo. Ndincedise nawe, sithandaze kunye. [Kwaqhwatywa.]

(Translation follows):

[Hon member, there are problems encountered, you find those who are already inside, going outside again. We are working together with the youth. In whatever place I visit, I encourage the youth in the leaderships because opportunities are better ever since this government came into power on 27 April 1994. These opportunities are better as compared to the time we grew up. Those who are already in the system, should hold on tight and must not let go. I plead with them. Help me, let us pray together. [Applause.]]

Mr C M LOWE: Hon Minister, I am more than happy to help you. You just have to do me the favour of listening to me. What I wanted to say in the short time available to me is: Yes, if you take the one aspect you talked about, namely the 200 000 learnerships, we would be very happy to

Mr C M LOWE: Thank you, Chairperson. Good afternoon, Minister. Minister I am afraid I had difficulty with your answer, simply because the figures that I have gotten from Stats SA showed that unemployment has increased from 40,2% last June to just under 42% in June of this year. In fact, it is as high as 55% in Limpopo. We are also told that more than 23 000 formal sector jobs were shed in the last quarter and you know as well as I do, more than 8,4 million South Africans don't have a job. Despite the fanfare of the Growth and Development Summit, the job crisis has worsened and has not gotten better. Targets and commitments made a year ago remain simply a wish list. You know as well as I do that even if we do succeed in lifting our growth rate and job creation in the first economy, we will still be left with millions of our people trapped in a vicious cycle of poverty in the second economy. It is no good just lashing out and blaming everybody else . . .

The HOUSE CHAIRPERSON (Ms C-S BOTHA): Your question, hon Lowe.

Mr M C LOWE: I am coming to my question, Chairperson. It is no good blaming business and those who want to create jobs and offer employment to provide training. My question to you, Sir, is this: What are you going to do to turn these targets and commitments into jobs to offer hope and a solution to 8,4 million South Africans?

The MINISTER OF LABOUR:

. . . zakho, nkosi yam, neqela lakho elingazaziyo apho libheka khona. [Kwahlekwa.] Usibona njengabantu abaziziduphunga abangayaziyo into abayenzayo nabangasayi kuze baphumelele. Thina ngoku sijonge ekubeni sivulele abantu amathuba emisebenzi. Kunjalonje siqinisekile ukuba, nanjengokuba wena uthetha isilungu, kwiphepha lesibini kulo mqulu wethu we-Growth and Development Summit, uya kufunda ukuba uMongameli welizwe, uThabo Mvuyelwa kaMbeki, ukuba:

(Translation follows):

[. . . Hon member, together with your group with whom you do not know where you are going. [Laughter.] You see us as fools who are not sure of what they are doing, who will never succeed. We are now looking at creating job opportunities for people. And I am sure that, as you speak English, in page two of this Growth and Development Summit document, you will read that the State President Thabo Mvuyelwa Mbeki says that:]

Although indications from latest employment data show an improvement in the net uptake, these interventions will however, take time to make their full impact. And, any case the pace at which this happens would depend on the response by partners in the opportunities that have been created.

Kwiphepha lesithathu, kwalo Mongameli uthi: "We need to gather to tackle these ardent challenges; this unemployment." [Kufanele sihlangane siyichophele le micelimngeni; le ntswela-ngqesho.]

Bekungangcono ke ukuba ubunokuthi xa uphakama, Mhlekazi, ukhe utsho ukuba lo mbutho wakho uthi ingalunga njani na le meko inje neyayibangelwe ngooyihlo. [Kwahlekwa.] [Kwaqhwatywa.]

(Translation follows):

[In page three the same President says: "We need to gather and tackle these challenges, this unemployment."

It would be better hon member if you would stand up sir and tell us how does your party think we should rectify this situation, which was created by your forefathers. [Laughter.] [Applause.]]

Ms O R KASIENYANE: Thank you, Chair. We commend the tremendous work and efforts of our government in terms of the Expanded Public Works Programme, which will create many employment opportunities and improve infrastructure. We also commend your department for co-ordinating the

and National Youth Chamber of Commerce, Msobomvu is fulfilling these objectives in order to increase the number of South African youth in business. I think this is a civilised and indisputable way to reply to the call of Global Entrepreneurship Monitor.

This body has spotted 37 countries, including Brazil, China, India and Chile. The reason for South Africa to be the last is clear as broad daylight. The countries we are compared with in this instance are countries with lot of experience and have tales to tell. Our country got its freedom in 1994. We only have 10 years being a government. Even so, we have a plan similar to that one followed by Msobomvu.

I doubt that there are countries with great objectives similar to ours. If there are any, they are very few. Youth that does not get jobs is in majority. The purpose is not only to gain skills for employment but to create employment opportunities as well.

Hon Speaker, I did hear that those interpreting my language, my mother tongue, into English do not understand, as a result when I listened to the interpretation, as well I could sense that my colleagues could not pick up what I said. I ask for some time to repeat what I said in simple isiXhosa so that the interpreters can interpret properly.

Hon Speaker, it is a pity that my mother tongue is not English. [Laughter.]]

Ms E S CHANG: Thank you, Chair and thank you, Minister. I hope that next time you will speak in English because the translation is not that good. When you spoke so loud, I took it that you would do something to help the youth. As we all know, unemployment is increasing in the country. You did answer me when you said that you have other plans to try and reduce unemployment.

THE MINISTER OF LABOUR: Mhlalingaphambili, ilishwa nje kukuba ulwimi lukamama alisosiNgesi. [Kwahlekwa.] [Chairperson, unfortunately my mother language is not English. [Laughter.]]

Mrs S V KALYAN: On a point of order, Chair. I would like you to rule on the fact that the hon member made reference to the fact that the translation service is not working effectively, because it disadvantages our members who cannot understand or follow the Minister. [Interjections.]

Ms T V TOBIAS: Modulasetulo, ha se bothata ba ka haeba motjhine o sa kgone ho bua seo ke tlang ho se hlalosa ka Sesotho. Ke kopa ho tswella pele.

(Translation follows):

[Chairperson, it is out of my hands that of the machine not able to explain what I intend to say in Sesotho. I request that I be allowed to continue to speak.]

The HOUSE CHAIRPERSON (Ms C-S BOTHA): Hon Chang, I think it is only fair that we look into this problem.

Ms T V TOBIAS: Modulasetulo, ke kopa ho botsa Letona le hlomphehang hore na ebe ho na le maqhama pakeng tsa Lefapha la Mesebetsi, National Youth Commission, le Umsobomvu Fund?

(Translation follows):

[Chairperson, I wish to ask the hon Minister whether there is any co-operation between the Department of Labour, the National Youth Commission and the Umsobomvu Fund?]

What is the impact assessment and evaluation of outcomes results that exist between the three and which instruments are utilised to assess this relationship?

The MINISTER OF LABOUR: Mhlalingaphambili, kaloku uMongameli welizwe uye wathabatha isigqibo sokuba uMsobomvu ube lapha phantsi kweli sebe ndilikhokelcyo, kuba kuye kwacaca ngoku-

help you from this side of the House. But that hardly makes a dent in 8,4 million people who do not have a job in this country. With respect, Sir, you have got to stop implementing ANC economy policy and start listening to DA economic policy. [Interjections.] That's the way we are going to create jobs and give people hope in this country. I'd like you to listen to me so that I can work with you as well.

The HOUSE CHAIRPERSON (Ms C-S BOTHA): Your question? If there is no question hon Minister, you need not respond.

The MINISTER OF LABOUR: Bendiza kutsho nam ndithi akukho mbuzo phaya ngoba andingekhe ndimamele i-deaf alliance mna. [Kwahlekwa.]

(Translation follows):

[I was going to say that as well, there is no question there. I will not listen to the deaf alliance. [Laughter]]

Partnering of UYF with other youth organisations to increase level of entrepreneurial activity of SA's youth

*46. Ms E S CHANG (IFP) asked the Minister of Labour:

Whether, in light of the recent partnering of the Umsobomvu Youth Fund with four other youth organisations in a five-year programme aimed at increasing the level of the entrepreneurial activity of South Africa's youth, specific targets and goals to be achieved during this time period have been set; if not, why not; if so, what are the relevant details? N686E

THE MINISTER OF LABOUR: Ezona njongo ziphambili zoMsobomvu Youth Fund kukuphuhlisa izakhono zolutsha nokukhangela amathuba engqesho ukuze ulutsha lube nokuthi luxhamle. Ngoko ke ngokutyikitya uxwebhu lwentsebenziswano ne-SA Youth Chamber of Commerce, SA Youth Mining Chamber, Nafcoc Youth kunye ne-National Youth Chamber of Commerce, uMsobomvu uphumeza kwa ezi njongo, ukuze kwande inani lolutsha loMzantsi Afrika kushishino. Ndicinga ukuba le yeyona ndlela iphucukileyo nesulungekileyo yokusabela ikhwelo elihlatywe yi-Global Entrepreneurship Monitor.

Eli qumrhu liye laphawula amazwe angama-37, abandakanya iBrazil, China, India neChile. Isizathu sokuba uMzantsi Afrika ube semsileni sicace okwekati emhlophe ehlungwini. La mazwe sithelekiswa ngawo ngokubhekisele kulo mba ngamazwe anamava, ekukudala entlitheka. Eli lethu ilizwe likhululeke ngonyaka ka-1994. Sineminyakana nje ilishumi singurhulumente. Kambe naxa kunjalo, sinomgaqonkqubo ofana nalo ulandelwa nguMsobomvu.

Andiqinisekanga ukuba akhona amazwe aneenjongo ezifana nezi zethu, ezintle neziphucuke kangaka. Ukuba akhona, ambalwa kakhulu. Ulutsha lolona luninzi olungafumani misebenzi. Iinjongo ke kukuba lungaqeqeshwa nje kuphela ukuze lube ngabafuni bemisebenzi, koko maluqeqeshwe ukuze lube ngabadali bezithuba zengqesho.

Ndivile, Mhlalingaphambili, ukuba abo batolika olu lwimi lwasekhaya, lukaMama, belutolikela esilungwini sikaVitoliya, kuthiwa bayabhatyaza, kangangokuba ngexa bendikhe ndamamela apha, ngathi amakholwane la am awandiva nokuba ndithini nangoku kutolikwayo. Ndiya kucela ke ukuba ndilinikwe ithuba lokuba ndibathi mfaxa-mfaxa kwesi sam isiXhosa, ukwenzela ukuba bakwazi ukutolika into eyiyo. [Kwaqhwatywa.]

(Translation follows):

[The main aim of Msobomvu Youth Fund is to develop youth skills and to look at employment opportunities so that the youth can benefit. Therefore, by signing the co-operative agreement with South African Youth Chamber of Commerce, South African Youth Mining Chamber, Nafcoc Youth,

and (b) how will the department deal with those obstacles? N606E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Sihlalo, uBhungane yena uzoluzwa kahle lolu limi engizophendula ngalo. Ngiyethemba-ke ukuthi nabatolikayo bazotolika kahle. Embuzweni awubuzile mayelana nokuthi sinalo yini uhlelo lokubhekana nezicelo zokubuyiselqa umhlaba njengoba kuye kwasho uMongameli enkulumweni yakhe ngoMeyi ngenkathi evula leli Phalamende, ngithi, yebo, uhlelo lukhona. Lolu hlelo silwakhe singamaziko kaHulumeni eZolimo neZomhlaba, ikhomishane kanye nezolimo. Sikhulumisana nezifundazwe ukuze sibonisane ukuthi ngabe ukuqeda kwethu ukusebenza ngezicelo zokubuyiswa komhlaba kuzoba namthelela muni emphakathini.

Zikhona-ke nokho izinkinga ezizoba khona esizibonayo. Eyokuqala yalezo zinkinga ngontamolukhuni abangafuni ukunikezela imihlaba yabo njengoba sixoxisana, kepha siyethemba ukuthi-ke sizozama ukubhekana nalokho. Eyesibili imaqondana nokwelekelela leyo miphakathi ezothola le mihlaba ukuze ikwazi ukuthi iyithuthukise ngendlela efanele, kungathinteki kabi ezomnotho kulezo zifundazwe njengaseLimpopo kanye naseMpumalanga. Ngiyabonga.

(Translation follows):

[The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Chairperson, Bhungane will clearly understand the language I am going to use. I also hope that those who are interpreting would interpret properly. In relation to the question he has asked, with regard to whether we have a programme that deals with applications for land restitution, as the President alluded to, in his address in May when he opened this Parliament, I say yes, there is a programme in place. This programme was designed by us as Government structures of the Department of Agriculture and Land Affairs.

We are having discussions with provinces in order to exchange views as to what would be the effect on the community once we have finalised applications for land restitution. There are few problems that we foresee. The first one is the conservatives who do not want to give back their land as we are discussing, however, we hope that we will try to deal with that. The second one is about assisting those communities who would get land so that they acquire knowledge to develop land properly, without negatively affecting certain provinces like Limpopo and Mpumalanga. Thank you.]

Mr B A RADEBE: Thank you, hon Minister. I have to commend the commission, the department and the Ministry for their sterling work and a job well done in restoring the land rights of our people. What is critical here is that the beneficiaries of land restitution are still faced with other challenges, like the ripping off of infrastructure by the previous owners and the closure of the markets of the farms bought, as growing concerns by the commission. What is the commission going to do to ensure that this deviant behaviour of the previous owners is stopped, so that the new owners derive maximum benefit from the newly acquired farms?

UNGQONGQOSHE WEZOLIMO NEZEMIHLABA: Ngiyabonga kakhulu Bhungane ngombuzo wakho. Njengohulumeni, sizibonile lezo zinkingana kwabanye okuyibona abakade bengabanini mhlaba kule mihlaba esesiyinikezele ukuthi uma sebehamba, lawo mapulazi bebengawashiyi esimweni esiyiso. Kusho-ke ukuthi uma ngabe sixoxisana, kuzofuneka sibhekisise kuze kufike ekugcineni lapho umhlaba unikezelwa khona kubantu ukuthi lezo zakhiwo ezingeke zasuka emhlabeni futhi ezisuke zikhokhelwe nguhulumeni zishiywa njengoba zinjalo. Futhi kusho ukuthi-ke, uma ngabe lowo mlimi ezithathile kuyofuneka simfake ecaleni. Ngiyabonga.

(Translation of isiZulu follows):

[MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much

phandle ukuba iinjongo zabo zokuphuhlisa izakhono zolutsha ziyafana nezi njongo zethu sinazo kweli Sebe lezaBasebenzi.

[Chairperson, the President of the country took a decision that uMsobomvu be under my department. It became evident that their aims of skills development to the youth are the same as those we have in the Department of Labour.]

I think it is to make sure, as we have decided at Nedlac, that we must have monitoring mechanisms so that we are able to deal with this issue of statistics in this country. It is clear to us that every Tom, Dick and Harry just jump up and have statistics in his or her head and assume that those statistics are what South Africa is currently doing. We need a form of measurement that is going to be very helpful to a number of our people. At Nedlac we are handling this situation and I am sure we are going to be able to monitor the implementation of what Umsobomvu is doing, but also what the Growth and Development Summit is doing. Surely you cannot expect that within a year we will be able to say — so many jobs have been created. This is what the National Youth Commission has done during this period. Very soon we will be able to indicate to you what numbers of jobs have been created.

Mr E NKEM-ABONTA: Hon Minister, as you know, the unemployment of skilled young South Africans continues to be a major and growing structural problem. It is clear that no single programme, not even the youth fund, can address this problem. [Interjections.] My question therefore is: Apart from the Expanded Public Works Programme, does the government have all the programmes to significantly reduce the number of unemployed young South Africans? If the government does, what are these programmes? How do they operate? I would like to know whether they would be sustainable?

The MINISTER OF LABOUR: Mhlalingaphambili, ukuba ilungu elihloniphekileyo liyazilandela iinkqubo zikarhulumente wethu . . . [Chairperson, if the hon member does follow our Government programmes . . .]

There is this document, hon member, called "Growth and Development Summit 2003 — Building a partnership for growth and development". It will tell you exactly — don't listen to Lowe — exactly what it is this government is going to do to address the issue and matter of unemployment in this country. On page 27 it does say that South Africa has experienced a persistent structural unemployment problem and with it household poverty and vulnerability. The constituents seek to promote sustainable jobs, more jobs and better jobs — in short, decent work for all. The constituents agree that a range of immediate interventions is required and have reached agreement on the following: public investment initiatives, the Expanded Public Works Programmes, sector-based initiatives and strategies, local procurement, small enterprise promotion, support for co-operatives, jobs impact and monitoring. This government and these members of the ANC prepared themselves, even before they came into government in 1994. Go and read the document called, "Ready to govern". That document will help you to cross the floor, even much easier to the ANC. [Applause.]

Plans to settle all land claims by December 2005

*13. Mr B A RADEBE (ANC) asked the Minister for Agriculture and Land Affairs:

(1) Whether the Department of Land Affairs has any plans in place to ensure it is able to meet the deadline set by the President in settling all land claims by December 2005; if not, why not; if so, what plans;

(2) whether she foresees any obstacles in this regard; if so, (a) what obstacles

proposal in terms of what they have valuated. Between that process to reach the exact amount of what the farm costs might not be what all of us have anticipated. It is for that reason that it is not possible to give you an answer. All my other answers have been very diplomatic. That is the reality. In working with the Minister of Finance we have understood that the resources are indeed important. If you look at the track record of the commission for the past three years, there was 100% spending in terms of this programme. Given the deadline of 2005, it means the money that we have budgeted for in our MTEF process of 2006-08 will have to bring it back. Also, we need to take into consideration that in the remaining claims, some of the people may not necessarily opt for going back onto that land. They may not even want to go back. They would rather want to opt for financial compensation. Others may want to go back to that land but maybe enter into strategic equity partnerships with the people who may want to work with them. Others may actually opt for the leasehold basis where some of those existing farmers may continue to lease and pay back. There is a combination of approaches that the various communities are looking at, particularly on the 20% remaining claims on rural land. Where state land is the land under claim, usually that is donated to the community at no cost to themselves, and no cost to the government monetary value *per se*. While it might not be 100% satisfactory, but I think my explanation will give you more of a sense of comfort than the other answers, which were rather diplomatically given, and you found them very vague. I think today's answer is not as vague.

Mnu M V NGEMA: Ngiyathokoza Sihlalo. Ngicela ukubuza kumhlonishwa uNgqongqoshe ukuthi ngokwezinhlelo zomnyango zokunxephezela ngomhlaba labo abafake izicelo, njengoba umhlonishwa uMongameli esebeke umnqamlajugu kaDisemba wonyaka ozayo, izicelo ezingakabhekelelwa zingakanani? Ngokubuka kukamhlonishwa, kungase kwenzeke yini ukuthi, ngokubuyela kwesikhathi nganeno, mhlawumbe zikwazi ukuthi zibe sezihlelekile futhi zahlangabezeka zonke na? Uma kungenjalo, kungase kwenzeke yini umhlonishwa adinge ukuba abuye asinwebe isikhathi, kuye ngokuthi impendulo yomhlonishwa ithini? Ngiyathokoza.

(Translation of Zulu paragraph follows):

[Mr M V NGEMA: I am happy, Chairperson. I would like to ask the hon Minister about the arrangements of the department in respect of those who made applications for land restitution as the hon President determined the deadline at December next year, and how many applications are still outstanding? According to the hon Minister, is it not possible that we could set the date at the earliest possible that these applications would be looked at? If this cannot be so, is it possible that the hon Minister will need to extend the time? However, this depends on the response of the hon Minister. Thank you.]

UNGQONGQOSHE WEZOLIMO NEZEMIHLABA: Mhlonishwa uNgema, ungizumile mfowethu. Ukuba ubuthe nje ukungiluma indlebe ukuthi uzofuna ukwazi amanani aphelele, bengizokwazi ukukulungisela lokho. Sengisho ukuthi namhlanje ngeke ngikwazi ukukunikeza kodwa engingakusho ukuthi isibalo sevile esigidini esiyizinkulungwane ezingama-50.

Sikhumbule-ke futhi ukuthi kule mihlaba esele okunezicelo zokuthi ibuyiswe kukhona eziseNkantolo yezemiHlaba engingeke ngakwazi ukuthi ngisho noma zona zizophela yini ngonyaka ka-2005 womnqamulajuqu, ngoba phela njengoba sazi ukuthi uma udaba selusenkantolo selungaphandle kwezandla zikahulumeni.

Embuzweni wesibili olandelayo, engingakusho ukuthi okwamanje sisabheke indlela esingazama ngayo ukuthi siqede ngo-2005 ukubuyisela leyo mihlaba. Ngiyethemba ukuthi njengoba uhulumeni njalo ehlala eba nemihlangano, ilegkotla,

Bhungane for your question. As the Government, we have noted those problems from some of those who owned the land that we have restituted, that when they leave they did not leave the land in good condition. Which means that when we negotiate land issues we will have to be cautious until the final stage where the land will be handed over to the people, and ensure that immovable assets which are Government subsidy are left intact. This also means that we will charge any farmer who has taken those assets. Thank you.]

Miss S RAJBALLY: Ngiyabonga Ngqongqoshe. [Thank you, Minister.]

Land claims is the best thing that ever happened to all South Africans that lost their land during the apartheid system due to the land grab before 1994. Can the hon Minister kindly inform the House whether the deadlines set by the hon President for the land claims have been well-publicised in the media, especially in local and community newspapers so that claimants don't miss out?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you, hon Rajbally. Maybe just to indicate that the publicity on the deadlines for the claims have indeed been well publicised. I think the question that you are raising relates to the deadline when the claims were lodged, which was December 1998. That was also done but as we all know, there are various reasons why some people did not claim or lodge claims. One of those reasons was some people did not actually believe that this current government was going to make good on its promise with regard to land restitution. They decided not to do anything about it, until the deadline ended. Some of them took a very political conscious decision that they would not go and lodge their claims, because they felt, in their view, that part of their participation in the struggle was about the overall transformation of our society and that as some of those cadres cannot be first in line to actually get the benefits out of this whole process. So there are a variety of reasons. We have spoken to communities that we are not going to open the land claims process. Part of the reason is that if we do, we create a level of

Mr A H NEL: Thank you, Chair. The Minister can put the best of plans and the most committed officials on the table. If there is not enough money, it won't help. There is not enough. The budgeted amount falls far short of what is needed. In the Budget debate I asked you how much will be needed because your officials told us that the department will need R13 billion to settle the remaining claims. You did not answer me then. I put a question on the question paper asking for information on the financing of the remaining claims. You answered only vaguely. Now I heard that there are calculations done in the department on what the cost will be. So I am asking you again: How much money — and I will put in the word, "approximately" — is needed to settle all the remaining restitution claims? Will the Minister also tell us what the plans are to get hold of the money?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, hon member. I am very happy that you remember all the discussions between the two of us. Let me preface my answer, while you have also qualified yours by using the word "approximately". I don't think it would be correct for me to give Parliament some figure sucked out of my thumb. I will tell you why. We all know that the land reform process based, amongst others on the principles of willing buyer willing seller market-based land reform. What you have heard from the officials is really the benchmark estimates used on the basis of what the range of prices of farms are in the country in all the different regions. It cannot be exact, because when we negotiate a farmer will say: I ask R50 000 per ha of my farm, and argues the reasons for that. Valuators come in. They would also put their valuation. The state valuator will also come in, make a

standard or ISO for driving licences that requires a two-dimensional fraud-proof barcode to be printed on the back of the driving licence card, that may not be in the new ID card.

Mr C B HERANDIEN: Thank you, Minister for your reply. In view of the fact that two departments will be involved with the issuing of drivers' licences, namely Home Affairs and Transport, I assume that you are busy liaising with them. Will there once again be such a short period of time in which to obtain either the licence or the ID document?

The MINISTER OF TRANSPORT: Yes, indeed, we are going to be discussing with Home Affairs so that when it is operationalised, there would be synergy between what they are doing and what we are doing as the Department of Transport.

Mr S B FARROW: Minister, if driving licences are now to be incorporated into the new ID smart card, has your department looked at the cost implications of this decision and its impact on the motorists of South Africa? Recent press reports indicate that as many as 1,2 million drivers in South Africa could be driving illegally, either because of obtaining their licences through corrupt means or because they cannot afford to renew them. The special investigative unit is currently spending R17 million of your department's money per annum probing these irregularities. Questions have been asked to the efficiency and ability of the current service provider, Prodiba to ensure safe and secure credit card licences at an affordable price. Has the Minister investigated the possibility of waiving the cost of the renewal part of the credit card format, as this is the norm in many other countries of the world? What assurances can he give this House that the smart card will be less susceptible to fraud and corruption in regard to the present credit card format licence?

The MINISTER OF TRANSPORT: That is precisely for that reason why we are moving in this direction. We have also brought on board the police and the directorate of special prosecutions to look into this issue of fraud out of our own volition, because we understand the gravity of the situation at hand. We shall be working closely with those institutions to make sure that at the end of the day, those drivers are the ones that are beneficiaries to the system. Also as I indicated, the Department of Home Affairs is busy with this new smart card ID and we shall be co-operating with them, so that there is synergy and complementarity between the two processes. On the issue of financial implications, that has not been worked out but it will be part of the process going forward.

Mr J P CRONIN: Thank you, Chairperson. Thank you, Minister. I think that the ANC is well aware that while we pursue the serious problems of fraud in the driving and transport sector, at the same time there is also the danger of public fatigue at endless renewals and changes in documentation. Therefore one welcomes what you have just said — which I am not sure Mr Farrow listened to very carefully — that we will continue to use our credit card licences but also the information will be reflected or some of it will be reflected on the new ID document. It is not a question of a whole new dispensation in regard to the driver's licence. I think one welcomes that. A small pointer that has come up from members of the public is that in our current credit card driver's licence the date of acquiring the credit card licence is reflected and not the date when you first qualified for a driver's licence. This is important and will the Minister be paying attention to reflecting that detail as well in future?

The MINISTER OF TRANSPORT: I agree with the hon Cronin that it was an oversight on the part when it was started, because it is totally unfair that a person who got his driver's licence in 1973 and renews it every five years, when he should renew it in 2004, it only reflects as 2004. It is one of the issues

uzobheka ukuthi sihamba kanjani. Mhlawumbe uMongameli, uma kukhona isidingo, enkulumweni yakhe yango-Febhuwari kunyaka ozayo, uyosho ukuthi ngokubona kwakhe nokubona kukahulumeni ngendlela esihamba ngayo njengamanje, mhlawumbe kungaba khona yini ukuthi sithi ukwenezelela.

Futhi kufuneka sikhumbule-ke ukuthi uhlelo lukahulumeni lokunikezelwa kwemali, i-financial year, alupheli ngoDisemba. Ngikusho nje lokho ngokulungisa umfowethu uBhungane laphaya othe, "ngoDisemba 2005". Uhlelo lukahulumeni lokunikezelwa kwemali luphela ngoMashi ngonyaka olandelayo, okusho ukuthi 2005-06. Sengisho ukuthi ngokwezinhlelo zethu, yilowo umgomo esiwubekayo ukuthi sisebenzela phezu kwawo. Kodwa-ke uma uMongameli ngokubuka kwakhe ethi mhlawumbe, cha, ake siphinde sithi ukubonabona, sekuyoba ngendlela abonayo ngayo. Ngiyabonga.

(translation follows):

[MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Hon Ngema. You have caught me off guard my brother. If you have informed me beforehand that you will need all the statistics, I would have prepared them for you. Today I am unable to provide you with numbers but I can tell you that the numbers have exceeded 50 thousand million.

We must remember that there are land claims that are still handled by the Land Courts that I cannot tell whether they will be finalised by the deadline of 2005. We know that when the issue is being handled by the court, it is out of the Government's hands.

With the following question, what I can say now is that we are still planning the way in which we can finalise returning the land by 2005. I am sure that since the Government normally holds the meetings, the lekgotla will look at our progress. Maybe the President, if there is a need, in his state of the nation address of next year, will announce according to the way he and the Government notices our current progress, maybe we can add more.

We must also remember that the Government's financial year does not end in December. I am mentioning this to correct my brother Bhungane as he mentioned "December 2005". The Government's financial year ends in March the following year, meaning 2005-06. According to our programmes, we work according to Government's financial year. If the President decides otherwise, things will happen the way he decides. I thank you.]

Incorporation of driving licences into new ID smart cards

*26. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

> Whether driving licences will be incorporated into the new ID smart cards; if not, why not; if so, what are the relevant details? N659E

The MINISTER OF TRANSPORT: Thank you, Chairperson. The answer is, yes, the driving licence particulars will be incorporated into the new ID smart card, but drivers are still required by law to always have a driving licence in their possession when driving. A separate driving licence is required for the following reasons, among others: all driving licences and professional driving permit particulars that are currently displayed on the licence card must also be printed in visible format to enable the driving licence card to be used in other countries, such as in the SADC countries and internationally. The driving licence is valid for five years and every five years the driver's eyes are tested and a new photograph and fingerprints taken and a new card issued. If a driving licence gets suspended, the driving licence card is retained for the period of suspension. The ID card cannot be retained upon suspension of the driving licence. Lastly, there is a new international

Through these various programmes, both within state owned enterprises and the department aim to inform and update current directors to the boards of state owned enterprises on relevant matters, including corporate governance and best practices.

Level of services provided by Metrorail

*4. Mr J P CRONIN (ANC) asked the Minister of Transport:

(1) Whether, in light of complaints by commuters using the SA Rail Commuter Corporation's rail system operated by Metrorail, the services provided by Metrorail have been found to be satisfactory; if not,

(2) whether he or his department intends taking any steps in this regard; if not, why not; if so, what steps? N597E

The MINISTER OF TRANSPORT:

(1) The management and delivery of commuter rail service by the South African Rail Commuter Corporation (SARCC) and Metrorail is unsatisfactory, and there is recognition for reforms and urgent steps to improve the provision of the service. Some of the reasons for this underperformance include the following:

- Institutional fragmentation: At rail entity and at public transport management level.
- The investment backlogs and funding challenge of both Metrorail and Shosholoza Meyl.
- The current regulatory regime applicable to the passenger rail entities in South Africa (dual command, profit versus social motives and the market structure).
- Customer dissatisfaction, as evidenced by declining market share, which results in increasing operational shortfalls.

Clearly, commuter rail service is one of the most affordable of all public transport modes. However, this should not be the reason for unsatisfactory levels of service.

(2) Yes, the following steps have been taken:

(a) The first step that has been towards addressing the current dysfunctional allocation of roles and the unsatisfactory delivery of rail services is to execute the consolidation of the passenger railway entities into a single rail entity accountable to the Department of Transport. This process has already commenced and a steering committee consisting of the Departments of Transport and of Public Enterprises, National Treasury, SARCC and Metrorail. A report will be tabled in Cabinet by the end of September 2004. Parallel to this process, the Department of Transport will enter into performance and output based contracts with the senior management of our commuter passenger rail service operators with a view to improving service levels, including safety of the system.

(b) To this end, the SARCC and Metrorail have been instructed to and are in the process of developing plans to address the current situation covering immediate, short, medium and long term, which will include the following:

(i) Although addressing the rolling stock backlogs will continue in the immediate to short term the services will be aligned with the available good rolling stock.

(ii) Whilst the above is being implemented, coaches that are above 12 years old will be refurbished according to a pre-

that is going to be looked at when the next round of renewals comes in.

Mr S B FARROW: Thank you, Chair. Minister, I did hear correctly but you know my concern is that you are going to have two systems running parallel, which will complicate things even more. One of the other things, which the hon Cronin mentioned, relates to dates. I think the other thing, which is of concern to us that every time you renew, be it three months prior to the expiry date, the date of renewal is recorded and not the time of the expiry. If you accumulate that over a number of renewals as a young person — I am not talking about myself particularly — someone of 18 years of age. At the end of the time that he actually is finished and does not want to drive a vehicle anymore, he could have actually lost up to 18 or a year's driving time in effect, which is actually money out of the pocket of the motorist. I really believe that this whole aspect of affordability needs to be investigated by your department and to see whether in fact there are people out there, that are losing opportunity and jobs — hon Minister of Labour — as a result of the fact that they just cannot afford to renew at R150 or more every time that happens.

The MINISTER OF TRANSPORT: I don't think we will be able to change the system because it is not only for drivers, but for all road users, the safety of all people who are using our roads. It is of paramount importance so this periodic testing of drivers is very important so that we make sure, firstly, that we uproot corruption from the system, but also that we test drivers from time to time. It may happen that if you are a 20-year-old driver, your eyesight might be better than a person of 70. If we do not make sure that the 70-year-old person is able to see, it will be incorrect for us not to take all those issues into consideration. For the time being, the process will be improved but fundamentally, it remains correct.

Business interrupted in accordance with Rule 113(2) of the Rules of the National Assembly.

SOE board members: competency necessary for corporate governance

*28. Adv Z L MADASA (ACDP) asked the Minister for Public Enterprises:

> What steps has his department taken to ensure that the board members of the state-owned enterprises (SOEs) under its jurisdiction have the competency necessary for the corporate governance of these SOEs? N662E

The MINISTER FOR PUBLIC ENTERPRISES:

When the Minister consider the appointment of individuals to the boards of state owned enterprises under his auspices, the person's qualifications, skills and experience is taken into consideration, including exposure to and knowledge of issues related to corporate governance.

In addition, the state owned enterprises have annual induction programmes for all new board members, where the person is briefed on an array of issues relevant to serving on the board, including corporate governance and the application thereof. The department assists the state owned enterprises in the development as well as the presentation of the induction programme, as and when required.

The department also hosts an induction programme for all board members serving on the state owned enterprises under the Minister's auspices on an ad hoc basis. Great emphasis is placed on issues that the department deem critical to state owned enterprises boards, including, but not limited to, corporate governance and legislation, such as the Companies Act and the PFMA. Another aim of this programme is to educate and provide guidance to first-time directors, thereby broadening the basis of experienced directors.

GDS targets on learnerships: progress made since April 2004

*19. Mr M J G MZONDEKI (ANC) asked the Minister of Labour:

(a) What progress has been made since April 2004 with regard to the Growth and Development Summit (GDS) targets on learnerships, (b) what factors have impacted on such progress and (c) how will inhibiting factors be addressed? N612E

The MINISTER OF LABOUR:

(a) By end of July, a total of 75 014 unemployed learners under the age of 35 were registered in learnerships and apprenticeships. Our collective efforts now with the Setas and the employment and skills development lead employers agencies is focused on exceeding the 80 000 target that we have set for ourself by March 2005.

(b) There are a number of factors that contributed to the progress that we have made by end of July 2004. These include amongst others:

(1) Commitments and efforts by Nedlac social partners in getting business involved in rolling out learnerships across the country, has contributed a lot towards these numbers.

(2) The realisation that people are an important resource in the workplace and that employers in both the public and private sector need to invest in this resources if they are to survive as we face continued globalisation, rapid changes in technology, HIV/Aids and other diseases, etc. More and more businesses are buying into the learnership concept and must be commended for that.

(3) The incentives that we have put in place for employers for taking on young learners ranging from R8 000 to R25 000 through Seta grants and tax rebates amounting to a maximum of R50 000 under the Income Tax Act, are making a huge difference.

(4) We have created a special Learnership Funding Window under the National Skills Fund to supplement and encourage those Seta that have demonstrated their willingness, commitment and ability to exceed their agreed learnerships targets. Already an amount of R444 million has been allocated under this funding window.

(5) I have established 21 employment and skills development lead employers pilots to facilitate the intake of about 11 000 learners in learnerships and to take the administration burdens away from small employers, and to reach out to rural communities at a cost of R90 million under the National Skills Fund.

(6) We have allocated an amount of R106 million under the NSF towards the Public Service Seta to accelerate the intake of Learners in the public service, as they do not receive levy income.

(7) Cracking a weep to underperforming an average performing Setas through written instructions has also had a positive effect. Thanks to parliament for passing the Skills Development Amendment Act 2003, it has indeed given me the necessary powers to intervene.

(8) We have increased the capacity of our staff in terms of skills and numbers to support Setas and our NSF projects. We have also improved on our internal systems to

determined programme with clear delivery milestones.

(iii) Currently both Metrorail and SARCC rolling stock departments are utilising the R150 million, plus the R18,8 million, set aside to address maintenance related issues to improve the required availability of coaches.

(iv) The following aspects are also being addressed as part of the total package to improve services:

- Comfort of passengers
- Safety and security
- Passenger information
- Service review and communication

Departure of SAA's CEO: result of airline's hedging loss

*36. Mr I O DAVIDSON (DA) asked the Minister for Public Enterprises:

(1) Whether the departure in July 2004 of South African Airways' chief executive officer (name furnished) was primarily a result of the airline's hedging loss; if not, what was the reason;

(2) (a) what was the nature of the package paid to the said CEO on his departure, (b) what is the size of the hedged book and (c) what strategy does SAA or Transnet intend following in respect of the management of its position? N675E

The MINISTER OF PUBLIC ENTERPRISES:

(1) No. There was an amicable agreement between Mr Andre Viljoen and South African Airways Limited (SAA) that Mr Viljoen's employment and directorship with SAA terminate on 31 August 2004 in order that he gives consideration to a number of future options available to him in respect of his career.

(2) (a) After a consideration of the terms of Mr Viljoen's service agreement, particularly the provisions relating to the termination of such a fixed term of contract and the fact that Mr Viljoen would remain available to provide reasonable assistance to SAA in respect of any litigation arising from or during his employment with SAA without any payment for such assistance, Mr Viljoen and SAA agreed that he be paid a termination package of R3 600 000 (three million six hundred thousand rand) less tax and other lawful deductions. Such termination package includes Mr Viljoen's contractual and statutory entitlements to remuneration (including for July and August 2004), leave pay and payment in lieu of notice.

(b) The size of SAA's hedged book was US$1,3 billion and was closed on 30 June 2004 at the cost of R5,9 billion.

(c) The SAA Board has adopted an interim hedging strategy. It needs to be appreciated that the full details of that strategy cannot be publicised without prejudicing the interests of SAA. However, we can indicate that:

- It deals with currency hedges;
- It is prudent and conservative; and
- Is driven by an asset and liability management process that is premised on a risk management framework that covers the risks that SAA is exposed to.

not discussed during this meeting. A floating exchange rate has been selected within the existing macro-economic framework. To this end, it is expected that given the mechanics of the currency market, the exchange rate will adjust accordingly.

(3) No.

Number of animals exported to zoos annually

*45. Ms C N Z ZIKALALA (IFP) asked the Minister of Environmental Affairs and Tourism:

(1) Whether his department has information on the number of animals that are exported to zoos annually; if not, what is the position in this regard; if so, what are the relevant details;

(2) whether zoos have to meet a certain standard and fulfil certain criteria to be eligible to receive animals from South Africa; if not, why not; if so, what are the relevant details;

(3) whether there are any mechanisms in place to ensure that animals exported to zoos are not ill-treated; if not, why not; if so, what mechanisms?

N685E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) My department has information on the number of Convention on International Trade in Endangered Species of Wild Fauna and Flora (Cites) listed animals that are exported to zoos annually. This information is available as part of our obligation as a Party to Cites to submit an annual report relating to trade in listed species. With regard to nonCites-listed species, my department does not have information on the number of animals exported to zoos annually as this is a provincial competence.

(2) Yes, zoos have to be registered members of the World Association of Zoos and Aquaria.

(3) With regard to Cites listed Appendix I species, the country of import must be satisfied that the proposed recipient of a living specimen is suitable equipped to house and care for it. There is no mechanism in place for Cites Appendix II and III species or nonCites-listed species.

Summit on fishing in SA: deliberations on compilation of Fishing Charter

*22. Mr M I MOSS (ANC) asked the Minister of Environmental Affairs and Tourism:

Whether his department, and in particular the Marine and Coastal Management Division, intends arranging a summit on fishing in South Africa, during which, *inter alia*, deliberations about the compilation of a Fishing Charter may take place and information given about arrangements for the allocation of long-term fishing rights and permits; if not, why not; if so, what are the relevant details?

N651E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

This Ministry has stated that due to the present levels of black economic empowerment and the empowerment of small- and medium-sized entities in the fishing industry, a "Fishing Charter" is unnecessary. Currently the entire fishing industry (22 commercial fisheries employing 30 000 people) is 66% black-owned and -managed. 70% are small- and medium-sized entities. The department however remains committed to furthering the empowerment of black people and women in the next round of allocation of fishing rights.

With regard to a fishing summit, the fishing industry comprises some 22 very different fishing sectors. Accordingly, a number of strategic consultations sessions are instead

monitor the learnership intake on a monthly basis.

(9) Our young people throughout the country have responded very positively and beyond our expectations to learnerships to an extent that my labour centres are experiencing serious difficulties in placing the huge numbers of applicants with the various employers.

(c) There are a number of processes that we are embarking upon to address some of the inhibiting factors. These include:

(1) Tightening on the performance monitoring of Setas and other projects funded under the National Skills Fund and ensuring that they use their accumulated reserves towards learnerships in scarce skills areas.

(2) Securing the co-operation of public institutions and establishing partnerships with the various Setas so as to maximise our numbers and ensure responsiveness of the public institution curriculum to workplace needs. We have asked each Setas to prioritise five scarce skills learnerships to be used as a basis for this collaboration and to redirect Seta reserves to colleges.

(3) Marketing learnerships incentives to employers, communicating the benefits associated with using learnerships as a recruitment base for future employees, and getting them to see this initiative as their contributions alleviating youth unemployment and creating a safer South Africa in which business can thrive in.

(4) Securing current employees cooperation in the various workplaces and ensuring that learnerships do not have a displacement effect on current employed workers or are used by unscrupulous employers as cheap labour. Training of our inspectors is being finalised to ensure that they are able to conduct inspections in learnerships as well.

Meetings between Minister/Governor of SA Reserve Bank

*33. Ms R TALJAARD (DA) asked the Minister of Finance:

(1) Whether there were any meetings between him and the Governor of the SA Reserve Bank in June, July or August 2004; if so, on what specific dates did these meetings take place;

(2) whether the level of the exchange rate was discussed at these meetings; if not, why not; if so, what conclusions were reached;

(3) whether he will make a statement on the matter? N669E

The MINISTER OF FINANCE:

(1) Yes, there is a memorandum of understanding between the National Treasury and the SA Reserve Bank, signed by the Governor and I. We are obligated in terms of section 224(2) of the Constitution of the Republic of South Africa to meet on a regular basis. The Constitution dictates that *"there must be regular consultation between the Bank and the Cabinet member responsible for national financial matters"*.

In terms of the memorandum of understanding, we will engage in bilateral meetings two to four times a year. We may however have other meetings outside of the bilateral meetings to discuss pertinent issues according to need. The last bilateral meeting between the Governor of the SA Reserve Bank and I was held on 17 August 2004.

(2) No, the level of the exchange rate was

The MINISTER OF SCIENCE AND TECHNOLOGY:

The Department of Health is responsible for all policy matters relating to human reproductive cloning. Therefore aspects of this question could meaningfully be directed to the Department of Health through the Minister of Health. It is the understanding of the Department of Science and Technology that the Department of Health is finalising regulations for public comment. It is understood that these draft regulations will not permit reproductive cloning of humans.

With reference to cloning it is pertinent to distinguish between two types of cloning:

(a) Reproductive cloning — the nucleus of the egg (ovum) is removed and is replaced with the nucleus (containing the DNA) from the cell of the person or animal to be cloned. A short electrical impulse then stimulates the egg to divide. The resultant cloned embryo is then implanted into the womb, developing into a duplicate of the "donator" of the cell nucleus; and

(b) Therapeutic cloning — as in reproductive cloning, an embryo is created but is not implanted in the womb of the woman. Instead, stem cells are extracted within the first 14 days after "fertilisation" thereby rendering the embryo unviable. Embryonic stem cells can be transformed into any of 300 cell types such as liver, skin and blood cells and could potentially be used in therapy to repair damaged or defective tissue in the patient.

It is possible to extract stem cells from adults (adult stem cells from the spinal cord, the brain, bone marrow and in the blood of the umbilical cord). Adult stem cells seem however to lack the fecundity and viability of embryonic stem cells, thus allowing fewer options in therapy and research. This is valid for the current state of knowledge in respect of adult stem cells. Research groups are studying this phenomenon globally.

The Department of Science and Technology (DST) is implementing the National Biotechnology Strategy. Through the strategy the DST has created the Public Understanding of Biotechnology (PUB) programme. The programme has a mandate to ensure a clear, balanced understanding of the scientific principles, related issues and the potential of biotechnology to stimulate public debate around its applications in society.

On Monday, 13 September from 9:00 to 11:30 at the National Research Foundation Auditorium, PUB will be hosting a discussion, "Enter the Clone Zone" — aiming to stimulate dialogue on this topic. The PUB programme has invited scientists working in the field of cloning, experts in the field of ethics and representatives from religious/consumer sectors to engage on the issues. There will be an opportunity for questions from the media and the audience after the discussion.

The PUB Programme has produced two educational posters on the matter of cloning. These have been widely distributed with the purpose of informing the public and requesting their feedback on matters relating to cloning. These are on cloning of Futhi (the first animal to be cloned in Africa, here in South Africa) and on cloning as a scientific process. [The Minister could have these for presentation to Parliament]

PUB has created a website *www.pub.ac.za*; which contains a readable and accessible "fact file" on cloning and genetic engineering and invites comments on this issue through the portal *talkback@pub.ac.za*.

The function of the Department of Science and Technology is to provide policy and evidence-based inputs to all government departments in respect of such issues. The DST is therefore not the sole custodian of policy in this regard. However, the DST is deeply involved in promoting open and transparent discourse to inform sound public

planned with stakeholders in particular fisheries as the process for the allocation of long-term fishing rights unfolds during the latter part of this year and 2005.

Changes to specifications for taxis for recapitalisation programme

*25. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

Whether any changes to the specifications for taxis for the taxi recapitalisation programme are being considered in order to make the taxis more affordable; if not, what is the position in this regard; if so, what are the relevant details? N658E

The MINISTER OF TRANSPORT:

The new taxi vehicle specifications have a bearing on the ultimate retail selling price of the taxis. As a result, the Department of Transport is consulting with other relevant departments, stakeholders and the national taxi leadership to finalise the specifications that will largely contribute towards the promotion of road safety for and in the industry. These will be clarified further once the specifications have been tabled before and approved by Cabinet.

Hofbevel van Hooggeregshof in Pretoria: grondwetlike vereistes van veeltaligheid *re* departementele vorms

*44. Mnr W D SPIES (VF Plus) vra die Minister van Arbeid:

Of sy departement enige stappe gedoen het ten einde te voldoen aan die Hooggeregshof in Pretoria se hofbevel ten gunste van die Pan-Suid-Afrikaanse Taalraad waarin sy departement beveel is om hom te onderwerp aan die grondwetlike vereistes van veeltaligheid met betrekking tot departementele vorms; so nie, waarom nie; so ja, watter stappe tot op hede gedoen is? N684A

(Translation of Afrikaans question follows):

[Court order of Pretoria High Court: constitutional requirements of multilingualism *re* departmental forms

*44. Mr W D SPIES (FF Plus) asked the Minister of Labour:

Whether his department has taken any steps in order to comply with the court order of the Pretoria High Court in favour of the Pan South African Language Board in which his department was ordered to subject itself to the constitutional requirements of multilingualism with regard to departmental forms; if not, why not; if so, what steps have been taken to date? N684E]

The MINISTER OF LABOUR:

The Department of Labour has taken the following steps in an effort to comply or implement the court order:

The DoL is currently developing language policy in line with the constitutional requirements of multilingualism. In addition, the Compensation Fund Assessment and Claim forms are also available in Afrikaans. These are available on the website and copies are made available on request.

Assessment forms W. A(s) 8 (a) W.A (s) (E), as well as other forms, have been submitted to the Department of Arts and Culture for translation into all South African languages. The Pan South African Language Board has been requested to give us eight months' extension to enable us to take the draft policy through internal procedures.

Intention to inform public on SA's position *re* cloning

*17. Mr E N N NGCOBO (ANC) asked the Minister of Science and Technology:

Whether he intends informing the public on South Africa's position in respect of reproduction engineering technology, or cloning; if not, why not; if so, when? N610E

institutional structure at local sphere. In line with the National Land Transport Transition Act, 2000 (Act No 22 of 2000), the Department of Transport, in partnership with provincial and local spheres of government, has successfully launched the first transport authority in South Africa at Ethekwini Metropolitan Municipality in March 2004.

Other pilot transport authority projects are presently under investigation (feasibility studies) in Mangaung local municipality, the City of Johannesburg, as well as Ekurhuleni Metropolitan Municipality. The establishment of the transport authority in the City of Tshwane is at an advanced stage and it is anticipated that the Tshwane transport authority will be launched in November 2004. The department fully supports and assists all local authorities that seek to establish transport authorities in an endeavour to improve transport service delivery in their areas of jurisdictions.

Sharing of experience/best practice between regional land commissioners

*40. Mr A H NEL (DA) asked the Minister for Agriculture and Land Affairs:

Whether she and/or the Department of Land Affairs see to it that experience and best practice are shared between the regional land commissioners; if not, what is the position in this regard; if so, what are the relevant details? N679E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

The commissioners meet quarterly in their commissioners' meeting to share experiences and approaches to the settlement of claims.

Establishing of agriculture credit schemes: progress

*5. Ms H M BLOSE (ANC) asked the Minister for Agriculture and Land Affairs:

(a) What progress has been made by the Department of Agriculture in establishing agriculture credit schemes, (b) when is it envisaged that these schemes will become operative and (c) what will be the impact of these schemes on poverty alleviation? N598E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(a) The Agricultural Credit Schemes policy has already been drafted in consultation with relevant stakeholders in the industry.

(b) The Minister for Agriculture and Land Affairs will announce the date and other outstanding features and terms of the launch of the Agricultural Credit Schemes in due course.

(c) Impact of these schemes on poverty alleviation:

- The schemes will enhance reliable food production more in particular by the emerging sector.
- Rural communities will obtain greater ownership over local programmes, which will result in greater economic growth.
- Broadening access to finance to the rural communities.
- Income generation for the rural communities.
- Job creation.

Importance of tourism for economic growth/job creation: plans for Tourism month

*24. Adv C B JOHNSON (NNP) asked the Minister of Environmental Affairs and Tourism:

Whether, in light of the importance of tourism for economic growth and job creation, he and/or his department has any plans for National Tourism month; if not, what is the position in this regard; if so, what are the relevant details? N653E

engagement in policy development in this regard.

Consideration of appeals against N2 toll road in Pondoland

*35. Mr G R MORGAN (DA) asked the Minister of Environmental Affairs and Tourism:

(1) How does he intend meeting his undertaking, given during his courtesy visit to King Mpondombini Sigcau at Qaukeni on or about 23 July 2004, to apply his mind when considering the appeals against the construction of the N2 toll road and other possible developments in Pondoland in light of the views expressed by the Minister of Transport that the N2 toll road would be coming to Pondoland and those of the Deputy Minister of Minerals and Energy that mining would bring jobs to the area;

(2) whether he has the final authority to approve or deny the applications for these developments; if not, who has the final authority in this matter; if so, how will he balance the competing interests of his Cabinet colleagues in this matter;

(3) whether he will give consideration to the social, economic and ecological impact of the proposed road in reaching his decision, as required by South Africa's international commitments to the protection of biodiversity and the newly promulgated National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004); if so, what processes are being followed to give effect to these commitments;

(4) whether he has set any timeframes by which he will reach a decision; if not, why not; if so, what timeframes? N671E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) I have the statutory obligation to evaluate the appeals that I have received against my department's decision to issue an environmental authorisation for the construction of the proposed road. In my evaluation of these appeals I will weigh up the facts presented, the relevant policies and legislation as well as investigations undertaken and motivations supplied.

(2) I have the mandate to approve, amend, or deny the environmental authorisation for the construction of the road. In exercising this mandate I will need to consider the views of all stakeholders, including those of my Cabinet colleagues, raised during the EIA process.

(3) Yes. I will consider the social, economic, and ecological impact of the proposed road. Where necessary I will obtain expert advice from independent experts on specific matters of concern I may have.

(4) Yes. Due to the number and the complexity of the appeals received, I cannot at this stage provide you with a final date for my decision

Progress in establishing transportation authorities

*3. Ms B THOMSON (ANC) asked the Minister of Transport:

What progress has been made in establishing transportation authorities, as required by the National Land Transport Transition Act, 2000 (Act No. 22 of 2000)? N596E

The MINISTER OF TRANSPORT:

International experience has shown that transport authorities are a useful and potential tool for improving transport service delivery at local sphere by grouping and integrating all transport functions in one

Tourism Schools conference in Frankfurt, Germany on 10 to 12 November 2004. The closing date for the submission of case studies was 23 July 2004 and adjudication will take place in August 2004. The adjudication team is comprised of DEAT, South African Training Institute (SATI), SA Tourism, Department of Education and the Tourism Business Council. Winners will be announced at the World Tourism Day celebrations.

Tourism Day Celebrations: 24 to 27 September 2004

In preparation for the WTD celebrations, on 20 to 23 September 2004, DEAT and SA Tourism will hold "Welcome" Campaign workshops with the Phalaborwa and the Kruger Park product owners, as well as taxi drivers as they will be utilised for shuttling visitors. The events are as follows:

- Launch of Mapungubwe Transfrontier Park on 24 September 2004

  It will involve the launch of:

  — Eco trails
  — Accommodation facilities (100 new beds)
  — Other infrastructure
  — The opening of the park
  — Trails camp
  — Entrance gate
  — Wilderness camp

- Premier's Golf challenge: 25 September 2005

  The Limpopo Tourism Board is organising the Premier's Golf Challenge on 25 September 2004 at the Hans Marensky Golf Club in Phalaborwa from 06h00-13h00, to be followed by a prize-giving gala dinner from 18h00-20h00.

- Minmec: 26 September 2004

  The Minmec meeting will be held on 26 September 2004 from 15h00-17h00 at Hans Marensky Golf Course in Phalaborwa, followed by a welcome dinner hosted by Limpopo Parks and Tourism Board at 18h30.

- Celebration of WTD: 27 September 2004

  WTD will be celebrated at the Kruger National Park where the Minister will be the guest of honour and announce the following competition winners:

  - Eteya.
  - Tourist Guide of the Year Awards.
  - National Schools competition.

During the entire period (that is 24 to 27 September) there will be Kruger National Park tours, street festivals and restaurant and shebeen crawling in Phalaborwa and the shuttles will be departing from the accommodation establishments at predetermined intervals.

In addition to these events, all provinces will be hosting different events in different locations that involve all segments of our society.

GM maize imported from Argentina

*29. Mr K D S DURR (ACDP) asked the Minister for Agriculture and Land Affairs:

(1) In light of the fact that it is cheaper in the Western Cape to import maize for animal feed from Argentina rather than to buy it from the northern provinces of South Africa and that large amounts of genetically modified maize have consequently been permitted to enter South Africa from Argentina, (a) what is the process by which permits for these imports are issued, (b) how many permits have been issued and (c) for what quantities of GM maize have they been issued;

(2) whether any South African environmental impact assessments have been done to determine the impact of these imports on animal or human health and on the environment;

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

Yes. The Department of Environmental Affairs and Tourism will be celebrating Tourism Month (September), a joint venture between government and the tourism industry, which was launched in 1997 in recognition of World Tourism Day (27 September), with the primary focus of placing tourism high on the national agenda. The main objectives are to:

- Encourage South Africans to travel within their country.
- Make them aware of tourism opportunities available in the country.
- Make tourism products accessible to all South Africans.
- Encourage South Africans to create a safe and welcoming environment for their visitors (Welcome Campaign).

In line with the recently launched domestic marketing campaign in Langa, Cape Town, the theme for Tourism Month 2004 is "Sho't Left — its possible. Lets waai".

Some of the main events the department will participate in are:

Launch of Tourism Month: 26 August 2004, Cape Town

Tourism Month 2004 was launched on 26 August 2004 in Kirstenbosch Botanical Gardens, Cape Town, where the Minister will deliver the keynote address. As Tourism Ambassadors, Members of Parliament. Particularly members of the portfolio committee were invited and transported with the "Shot Left" Taxis to the venue. Also 80 learners and ten women from surrounding townships were bused to Kirstenbosch for a guided tour of the gardens. Entrance into Kirstenbosch Botanical Gardens was free for the day to attract a wider group of people. The focus of this event was to open tourism to everyone.

Tourism Fun Train 3-5 September 2004, Johannesburg to Nelspruit

On 3 September 2004, the tourism fun train will depart from Johannesburg station at 09h00. The Mpumalanga department of economic affairs and planning has hired the Shongololo Express with eleven coaches and is selling each coach to interested tourism stakeholders. DEAT and South African Tourism as major stakeholders have been requested to rent a coach each at R25 000. The purpose of the tour is not only to give exposure to emerging entrepreneurs and unknown attractions to tour operators, travel agents and the media, but also to expose ordinary South Africans who otherwise do not travel to tourism destinations. The organisations hiring the coaches will be encouraged to bring along their staff members from lower ranks. The number of guests estimated on the train is 500.

The train will depart from Johannesburg station to Middelburg where township tours will be conducted followed by a lunch at Something Out of Nothing B&B. After lunch the train will leave for Nelspruit but first stop at Waterval Boven where its passengers will view the beautiful scenery of the area. The train will arrive at Nelspruit at about 18h00, and the guests will sleep at Bed and Breakfast establishments.

On 4 September, there will be a provincial launch of Tourism Month from 10h00-13h00 at the Nelspruit Stadium followed by a musical and cultural festival. Daily tours of Kruger are also being organised. The train will depart from Nelspruit to Johannesburg on 5 September 2004.

Annual National Schools Competition

The competition was launched through the South African Tourism Institute in March 2004 in all schools that have tourism as a subject. The theme for 2004 is "Community Tourism" and two learners and their teacher from the winning school will present their case study at the International Travel and

Reform of international financial system since Asian financial crisis of 1997: status

*2. Mr Y S BHAMJEE (ANC) asked the Minister of Finance:

(a) What is the current status of reform of the international financial system since the Asian financial crisis of 1997 and (b) what major new measures are considered necessary to ensure that the international financial system contributes to the promotion of equitable development worldwide? N591E

The MINISTER OF FINANCE:

(a) Domestic policy reforms by individual countries, notably those classified as emerging markets, have contributed significantly to the stabilisation of the international financial system. Realising the need to strengthen their financial sectors, most emerging markets, including South Africa, have made significant progress in adhering to international standards for financial regulation and monetary and fiscal policy transparency. At an international level, a major accomplishment has been the internal reforms which have taken place within the International Monetary Fund (IMF). In recognition of the errors committed during the Asian financial crisis, the IMF has strengthened its surveillance activities, to enable it to identify potential crises before they occur. The fund now increasingly concentrates on financial sector issues in its Article IV consultations with member countries, and, together with the World Bank, conducts additional assessments of member countries, in areas such as banking supervision, corporate governance and payment systems. These assessments are generally made public, providing a credible source of information for market participants. In its surveillance activities, the IMF also has begun to analyse the impact which G-3 (US, EMU and Japan) economic policies are having on the global economic environment.

Another positive development is that the IMF has changed its stance on exchange controls. Previously, the fund's policy advice was always liberalisation of the capital account. These days, while the fund is clear that capital account liberalisation should be a long-term goal, it also recognises that a sound financial sector is an important pre-condition for liberalisation. South Africa's gradual approach to exchange control liberalisation reflects this view.

To facilitate orderly debt workouts after a sovereign default, the international community agreed on the use of collective action clauses in sovereign bond issues. Such clauses prevent the actions of minority creditors from undermining the restructuring of the debt. This was considered to be a more market-oriented solution than the IMF's proposed sovereign debt restructuring mechanism. Currently, a group of emerging market countries, together with representatives of private creditors, are working on a voluntary code of conduct for creditors and debtors. The code of conduct will provide best practice guidelines for both parties in the event of a sovereign default.

Low-income countries have been granted some debt relief from multilateral and official creditors under the IMF and World Bank's Highly Indebted Poor Countries (HIPC) Initiative. Currently, 37 out of the 42 countries are receiving debt relief, and it is estimated that, once complete, two-thirds of the debt owed by these countries will have been written off. The World Bank and the IMF have also developed a more comprehensive method of assessing

(3) whether any local GM-free maize handling or storage facilities have been contaminated as a result of these imports; if not, what is the position in this regard; if so,

(4) whether this contamination is being measured and assessed; if not, why not; if so, how;

(5) whether these imports pose a threat to the status of South African GM-free maize exports; if not, what is the position in this regard; if so, what are the relevant details? N663E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) (a) The process that would be followed to allow grain imports from Argentina is as follow.

- In terms of the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997), the Advisory Committee and Executive Council evaluate an application for use of genetically modified maize as food and feed (commodity clearance applications).
- A consignment of maize from Argentina may contain any number of the GM events (an event is a particular genetic modification) commercially available in Argentina; therefore commodity clearance approval is required for all the GM maize events, which are commercially grown in Argentina.
- Once all the GM events commercially grown in Argentina have been approved for use as food or feed in SA, permits authorising commodity importation of maize consignments from Argentina may be issued.
- A letter from the designated authority in Argentina, verifying the maize events commercially available in Argentina, must accompany all applications for commodity imports from Argentina.

(b) Since implementation of the GMO Act in December 1999, a total number of 41 permits were issued for commodity imports from Argentina.

(c) The total volume of GM maize imported as commodity from Argentina since December 1999 is 1 447 236.5MT.

(2) Yes, all commodity clearance applications are subjected to an assessment by the advisory committee and executive council in terms of food and feed safety. Authorisation is only granted if the executive council is satisfied that all safety concerns have been adequately addressed and the maize will not be released into the environment.

(3) No, we are not aware of any local GM-free maize handling or storage facilities that have been contaminated as a result of these imports. The department along with the Department of Health, encourages identity preservation systems to be implemented by the industry; which would prevent co-mingling of non-GM maize grain with GM maize grain as long as it does not increase costs to consumers of agricultural products.

(4) Inspections of GM maize producing and storage facilities continues routinely; to date, the department is not aware of any reports with regard to contamination of GM and non-GM grain in the feed milling industry.

(5) No, these imports will not pose a threat to South Africa's GM-free maize exports due to permit requirements such as the immediate milling upon arrival of such GM maize imported for use as animal feed.

Department of Agriculture: policy on AgriBEE

*6. Mr N H MASITHELA (ANC) asked the Minister for Agriculture and Land Affairs:

(1) Whether, following the launch of the Agriculture Black Economic Empowerment (AgriBEE) framework in July 2004, the Department of Agriculture has established a policy on AgriBEE; if not, when is it expected that such policy will be in place; if so, what policy;

(2) whether she or the department foresees any obstacles or challenges in realising the objectives of AgriBEE; if so, (a) what obstacles or challenges and (b) how will they be addressed? N599E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) Yes.

— The broad AgriBEE framework policy has already been developed both in terms of the broader Black Economic Empowerment (BEE) Act and Strategic Plan for South African Agriculture.

— An AgriBEE Steering Committee, chaired by the Director-General of Agriculture, will drive the public debate and finalisation of an AgriBEE charter/policy.

(2) Yes.

(a) The challenges are:

— Financing of AgriBEE

— Implementation of AgriBEE

— Continued agreement and support of AgriBEE

(b) This is how the challenges will be addressed:

— Each of the stakeholders should contribute to financing of AgriBEE especially the financial service sector.

— All the stakeholders should be involved in sharing the task of implementing AgriBEE and not only the government.

— Deadlock-breaking mechanism should be put in place to solve the disagreement and problems arising between AgriBEE stakeholders.

Measures considered to relieve effect of rising international oil prices

*38. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy:

(1) Whether, in light of the effect of increasing oil prices on the economy and the resultant increase in the fuel price, any additional measures are being considered by her department to relieve the effect of the rising international oil prices; if not, why not; if so, what are the relevant details;

(2) whether any new method of calculating the fuel price, including the basic fuel price, is being considered; if not, why not; if so, what are the relevant details? N677E

The MINISTER OF MINERALS AND ENERGY:

(1) Yes, on 1 April 2003 the department changed from the In Bond Landed Cost formula to a new basic fuels price formula for fuels pricing. This has resulted in estimated savings to motorists of R1 billion per annum. Also South Africa has the advantage of a synthetic fuels industry and does produce a limited amount of crude oil. Despite this the country is still dependent on imported crude oil for the bulk of its liquid fuels. Neither South Africa, the department nor for that matter any other country, can escape the realities

debt sustainability, which will allow these institutions to make a systemic analysis of borrowing countries' ability to repay debt before loans are approved.

Whereas previously the fund and the bank's focus in the context of low-income countries had been purely on structural adjustment and macro-economic stabilisation, both institutions are now explicitly targeting poverty reduction in their lending programmes. There has been a recognition of the important role which social spending plays in economic growth. There has also been an attempt to ensure that such lending programmes are country-designed and country-owned.

(b) While significant improvements have been made to the international financial system since the Asian crisis, there are still areas where we believe further reforms need to be implemented. Firstly, South Africa and other emerging market countries have requested the IMF to develop a new insurance mechanism against financial contagion, to replace its previous mechanism, which had serious design flaws. Such a mechanism would allow countries with good policies to have automatic access to IMF resources in the event of a crisis. Furthermore, we will continue to argue for the G-3 countries to improve the co-ordination of macroeconomic policy amongst themselves, in order to avoid destabilising misalignments in their exchange rates.

With regard to low-income countries, while South Africa has supported the new poverty reduction strategy approach, problems in implementation have resulted in only some of the original objectives being met. The amount of debt relief which has been granted to low-income countries has been insufficient, partly because of the strict conditions set by the World Bank and the IMF.

Finally, South Africa believes that a truly just and equitable international financial system cannot be brought into existence without greater developing country representation at the IMF and World Bank. Current voting structures are heavily weighted towards industrial countries, which has meant that the policies of these institutions has tended to reflect the views and interests of this group. South Africa is at the forefront of initiatives in this regard.

Performance of Theta retraining of tour guides

*32. Mrs J A SEMPLE (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether the performance of the Tourism, Hospitality, Sport, Education and Training Authority (Theta) in respect of the training of tour guides meets the expected standards; if not, what is the position in this regard; if so, (a) how many tour guides from previously disadvantaged backgrounds have received skills development and capacity building since the establishment of Theta, (b) what was the target number of tour guides to be trained and (c) in respect of what date is this information given;

(2) whether he will make a statement on the matter? N668E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) No. Theta is not responsible for providing training to tourist guides. It is responsible for accrediting tourist guide training providers.

(2) Yes. Progress updates to all relevant stakeholders are made regularly.

outcomes. This responsibility is discharged through an interdepartmental IRPS WSSD task team established immediately after the WSSD.

In our assessment of the challenges in implementing the WSSD agreements, we have identified at least five such challenges: policy implementation and integration; monitoring and evaluation; strengthening the capacity for sustainable local development; taking a longer-term view; and improving interactions between government and society.

Our common perspective is that South Africa's key strategic framework for development, the Reconstruction and Development Programme (RDP), included many elements of sustainability, within the context of addressing the inequalities of apartheid. Indeed, many of the challenges that a sustainable development agenda in South Africa is charged to overcome, such as inequalities with respect to access to resources and basic services, have their roots in apartheid.

With that as a background we therefore need to ask, if we are making progress in redressing the imbalance of the past and creating a sustainable world.

South Africa is making great strides to meeting the targets but we can now only say that the targets cannot be met without strong partnerships and co-operation between the three tiers of government.

The 12th Session of the Commission of Sustainable Development (CSD 12) took place in April this year. This was the first review session to access whether governments are meeting the water and sanitation and human settlement targets and actions.

A five-year review of progress towards achieving the MDGs will take place in May 2005. Department Foreign Affairs has commissioned Statistics South to undertake the review and compile the country report. The Department of Social Development is facilitating a stakeholder process to participate in the MDG Review.

The 10 Year Review also provides a refection on the implementation programmes, many of which talks to the MDGS and WSSD targets. While there has been progress in South Africa to achieving these targets, many challenges remain particular in prioritising and implementing sustainable development principle and objectives in achieving these targets.

The following are some achievement and challenges in terms of access to basic services:

Education

Achievements

Nationally, children falling between the ages 0 to 19 years have undergone a significant improvement between 1999 and 2001. There has been a sharp decline of 14,4% of the group without schooling. The proportion of the African population who had no primary education decreased from 28% in 1996 to 13% in 2001. There has also been an increase in the matriculation of African females (5,9%) but still remains below the percentage of males.

Access to electricity

Achievements

The 10 Year Review indicates that there has been an increase in electricity connections in households from 32% to 70% by 2001. The Review notes that in poor areas in 2001, most of the electricity was used for lighting and only 49,1% of households used electricity for heating purposes.

The Department of Minerals and Energy has began the rollout of integrated energy centres (IeCs) in rural areas to improve access to energy products, information and services, create jobs and alleviate poverty. To date two IeCs have been established and in this financial year it is anticipated that a further seven IeCs will be launched.

of the international crude oil market prices. Nor can we escape the rand's exchange rate with the US dollar in which crude oil is priced. Opec decisions and world events introduce a premium into the price of crude oil as is currently the case today. The department monitors fuel prices and fuel price expectations on a continuous basis and has in the past and will in future consider, in conjunction with National Treasury, the subsidisation of fuel prices as was done for example in June 2004. Such intervention must however be undertaken with circumspection as the funds in the Equalisation fund are limited. The department is also investigating methodologies to smooth fuel prices in an effort to ameliorate the effect of fuel price volatility. This investigation is expected to be complete within two to three months.

(2) Yes. The department is currently initiating projects to evaluate the methodologies for the determination of the marketing margin of the oil companies and the retail margin of the service station industry.

Effectiveness of BEE in liquid fuel industry

*7. Mr C D KEKANA (ANC) asked the Minister of Minerals and Energy:

(1) Whether, with reference to the report of the Black Economic Empowerment (BEE) Evaluation Committee, BEE has been found to be effective in the liquid fuel industry; if not, (a) what problems have been encountered and (b) what steps will be taken to ensure that BEE works in this industry;

(2) whether she will make a statement on the matter? N600E

The MINISTER OF MINERALS AND ENERGY:

(1) Yes.

(a) On the procurement side, high value items like crude procurement is still a challenge. On the HR side poor progress on gender enhancement has been noted — especially at the senior management levels.

(b) The charter has been appended to the Petroleum Products Amendment Act 2003 and this gives it the force of legislation. Progress is monitored annually. An Empowerment Evaluation Committee has been used to evaluate proposals and will now be replaced by another external advice unit.

SA meeting targets/deadlines set at 2002 WSSD

*23. Adv C B JOHNSON (NNP) asked the Minister of Environmental Affairs and Tourism:

Whether South Africa has met the targets and deadlines set at the 2002 World Summit on Sustainable Development (WSSD); if not, why not; if so, what are the relevant details? N652E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

The negotiated outcomes of the World Summit on Sustainable Development (WSSD) held in September 2002 include the Johannesburg Declaration, and an implementation plan, the Johannesburg Plan of Implementation (JPOI). The JPOI defines approximately 37 targets, inclusive of the Millennium Development Goals (MDGs), and places strong emphasis on the means of implementation and the need for support by governments, stakeholders, UN Agencies and the World Trade Organisation, the World Bank and IMF.

The Department of Environmental Affairs and the Department of Foreign Affairs has been tasked with the responsibility of coordinating South Africa's response to the

The proportion of households having access to sanitation has also increased. In 1994, 49% of households had access to sanitation and this increased to 63% in 2003.

Ondersoek na besoedeling in Selatirivier

*43. Mnr W D SPIES (VF Plus) vra die Minister van Minerale en Energie:

(1) Of haar departement ingevolge die Mineral and Petroleum Resources Development Act, 2002 (Wet No 28 van 2002), enige stappe gedoen het om die besoedeling in die Selatirivier (a) te ondersoek, (b) te beperk en/of (c) reg te stel; so nie, waarom nie; so ja,

(2) of enige strafregtelike en siviele stappe in dié verband gedoen is; so nie, waarom nie; so ja, watter stappe? N682A

(Translation of Afrikaans question follows):

[Investigation into pollution of Selati River

*43. Mr W D SPIES (FF Plus) asked the Minister of Minerals and Energy:

(1) Whether, in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No 28 of 2002), her department has taken any steps to (a) investigate, (b) restrict and/or (c) correct the pollution of the Selati River; if not, why not; if so,

(2) whether any criminal and civil steps have been taken in this regard; if not, why not; if so, what steps? N682E]

The MINISTER OF MINERALS AND ENERGY:

(1) Yes.

(a) The Department of Minerals and Energy works in very close cooperation with our sister Department of Water Affairs and Forestry (DWAF) in this regard. A bio-monitoring system has been established between the three major mining-related potential impactors on the Selati River, namely Foskor, Phalaborwa Mining Company and Sasol Nitro. This process is fully monitored by DWAF, who is also, in this particular instance an impactor on the river. (DWAF controls a sewerage disposal work just upstream from the three mining operations in the Selati River.)

(b) The Department of Water Affairs and Forestry unfortunately deserves most of the credit for the restriction of pollution into the Selati River from the three operations mentioned. The Foskor operation alone has spent a total of R220 million during the past year to upgrade facilities to prevent pollution of the Selati River from their tailings dam and there is currently no discharge from this facility.

Similar measures have been implemented at the other mines mentioned and all three currently operate under full Water Use License agreements in terms of the National Water Act (Act 36 of 1998) from DWAF. These three impactors meet with the Department of Water Affairs and Forestry on a monthly basis to evaluate and manage the outcomes of the bio-monitoring reports.

(c) The Department of Minerals and Energy has taken corrective action as necessary in the past and regular inspections of the relevant facilities are conducted by the environmental officials from the department's Polokwane office.

As regard the social responsibility aspect of environmental management at these three facilities, the

Renewable energy provision

Achievements

- White Paper on Renewable Energy approved by Cabinet in November 2003. renewable energy strategy in progress.
- The integrated energy plan (IEP) intends to provide the government with a blueprint for formulating future energy policy. Cabinet has already released the first IEP and it is envisaged that IEP 2 will be released in 2006.
- LPG interventions are being investigated. National Energy Regulator being transformed.
- Energy Bill, approved by Cabinet for public comment makes provision for the Minister of Minerals and Energy to prescribe e.g. minimum contributions to the national energy supply from renewable energy 2nd Petroleum Products Amendment Bill (in Parliament) propose to enable the Minister to make regulations regarding the purchase and supply of petroleum products manufactured from e g vegetable oils etc.

Housing

Achievements

Between 1994 and 2003, 1 985 545 subsidies were approved for an expenditure of R24,22 billion. Moreover, 481 373 houses that were built in the Apartheid era were transferred to occupants through the discount benefit scheme. Whilst the cost to government was approximately R3,6 billion, the replacement cost of these houses (that is, the value to occupants) is approximately R24 billion. Thus, about R48 billion of housing assets have been transferred to citizens since 1994.

With respect to improving gender equality in housing ownership, 49% of all subsidies approved were granted to women. The outcomes of providing subsidised housing indicate that a total of over six million citizens received housing between 1994 and 2003.

To further highlight the provision of sustainable housing the Quality Houses and Environments approach, which entails the National Home Builders Registration Council (NHBRC) Warranty Scheme; Environmental Impact Assessments (EIAs); the promotion of Energy Efficient Housing; and social facilities, requires that an EIA be conducted before any project is undertaken, and all new housing projects go through the EIA process. Without an EIA, the NHBRC will not issue a project warranty. An assessment of the cost of EIAs in housing projects is made, and cost allocations are made in terms of the housing subsidy scheme. This has been effective from 1 April 2002. In order to promote environmentally sound low-cost housing, the Department of Housing is also embarking on energy efficient housing design and implementation, use of renewable resources and the planting of trees in low-cost housing.

Water and sanitation

Achievements

The proportion of households having access to clean water has increased from 60% in 1996 to 85% in 2001. This translates into around nine million citizens or about 3,7 million additional households gaining access to water between 1995 and 2003. The expenditure for the provision of water was approximately R5 billion in the period under review.

In terms of the urban/rural distribution, in 1994, four million households had access to clean water in urban areas, with only 970 000 households having access in rural areas. By 2003, the number of urban households gaining access increased by a further 1,7 million but the greatest gain was in rural areas where an additional 1,6 million households received water between 1994 and 2003.

Eskom's electricity production reaching capacity: building of new power stations

*9. Mr S K LOUW (ANC) asked the Minister of Minerals and Energy:

(1) Whether, in light of the fact that Eskom's electricity production is reaching capacity, new power stations will have to be built; if not, what is the position in this regard; if so,

(2) whether, in light of the Western Cape's distance from coalfields, consideration is being given to building nuclear power stations in that province; if not, why not; if so, what are the relevant details

(3) what is the current status of the pebble bed modular reactor project? N602E

The MINISTER OF MINERALS AND ENERGY:

(1) According to the latest National Integrated Resources Plan developed by the NER (NIRP2 Stage2) the following new capacity will be required in South Africa.

- 2006-07 — Eskom will be able to deal with this possible shortage without building a new power station
- 2008 — 1000 MW of peaking plant — the DME is currently busy with a project to go out on tender to facilitate the building of two or three open cycle gas turbine plant running on liquid fuels for 2008
- 2010 — baseload station will be required in this period. Baseload stations are normally coal. A decision is required in this year or early next year on this project due to the long lead times of building baseload stations.

(2) The entire country's transmission constraints are being taken into account to ensure the correct location of the new power plant(s). Nuclear stations could be considered for the next tranche of power plants required from 2010 onwards.

(3) The PBMR is currently in the research, development and demonstration phase and this is ongoing.

Call launched for broader constitutional review of role of provinces: review of intergovernmental fiscal relations

*34. Ms R TALJAARD (DA) asked the Minister of Finance:

(1) Whether the National Treasury or the Ministry of Finance launched a call for a broader constitutional review of the role of provinces at the 10th anniversary conference of the Financial and Fiscal Commission which would go further than the review of intergovernmental fiscal relations due at the 10-year mark of the equitable share formulas; if so, (a) why and (b) what are the relevant details;

(2) whether he will make a statement on the matter? N670E

The MINISTER OF FINANCE:

(1) The hon Taljaard appears not to be able to differentiate between dinner speeches and definitive announcements made by myself. I do not generally use a dinner speech to launch a call for a broader constitutional review. Rather, my dinner speech to the Financial and Fiscal Commission was a call for healthy and open debate on our intergovernmental arrangements, 10 years after the attainment of our democracy, in order to ensure that government as a whole can perform even better over the next 10 years. It would therefore be incorrect to see my speech as calling for

Palaborwa Environment Community forum was recently established on recommendation from the Deputy Minister of Environmental Affairs and Tourism. The forum allows opportunities for the community to ask the mines direct questions about environmental management at the mines and the impact of the activities on the environment. The fourth meeting of this forum is scheduled for 14-16 September 2004 in Phalaborwa.

(2) No. As regards the need for criminal and civil steps at this time, the department's monitoring programmes have not revealed any need for such actions and unless specific polluters and instances of violations of the applicable laws can be pointed out, would be hard pressed to do so.

The hon member might be so kind as to indicate the specific polluters into the Selati River so that the matter may be further investigated.

Building of new power station: increase in price of electricity to cover cost

*8. Prof I J MOHAMED (ANC) asked the Minister of Minerals and Energy:

Whether the building of the new power station will result in the price of electricity increasing to cover the cost; if not, how will the cost of the new power station be covered; if so, what steps will be taken to ensure that the poor are not adversely affected by the increase in price? N601E

The MINISTER OF MINERALS AND ENERGY:

As new power plant is built, the additional costs are averaged over all demand (including that met from existing and new generation) so that new load does not have to carry the additional cost alone. This is the system that has worked satisfactory in South Africa in the past and applies in other countries.

As an example of the likely level of price increase needed to cover the cost of new power plant, when averaged over all existing and new generation the increase in the average generation cost over the next 10 years is about 30%. Bearing in mind that generation costs represent half of the overall electricity price, this translates to an annual price increase of around 1,4%.

The free basic energy programmes will continue to ensure that the poor are not adversely affected by the increase in price. In addition, a program is underway to educate consumers about the importance of energy efficiency which would then result in stretching the economic benefit of free basic electricity.

Amalgamation of Qwaqwa National Park with Golden Gate Highlands National Park

*31. Mr R JANKIELSOHN (DA) asked the Minister of Environmental Affairs and Tourism:

Whether the amalgamation of the Qwaqwa National Park with the Golden Gate Highlands National Park has been completed; if not, (a) when is it anticipated that the amalgamation will be completed and (b) what matters remain to be resolved; if so, what are the relevant details? N667E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

No. (a) The land within Qwaqwa National Park will be proclaimed part of the Golden Gate Highlands National Park before 1 November 2004. (b) The transfer of personnel, assets, and budget from the Department of Environmental Affairs and Tourism in the Free State to SANParks must still be resolved through the Department of Environmental Affairs and Tourism.

Hague Agreement enhance the position of South Africa and promote investor confidence;

(2) whether his department has a marketing strategy to provide economically active citizens with information in respect of these agreements; if not, why not; if so, what are the relevant details? N604E

The MINISTER OF TRADE AND INDUSTRY:

(1) The Madrid Protocol and Hague Agreement provide South Africa with many opportunities and contribute to the enhancement of the country's international profile.

The Madrid Protocol will facilitate international registration, maintenance and renewals of all trademarks. It will also facilitate a more effective and quicker registration process, thereby increasing trademark registration activities within the country. In addition the Companies and Intellectual Property Registration Office (CIPRO) stands to benefit from the registration fee remitted to South Africa. Maintenance and renewal fees will also be remitted to South Africa whenever foreign applicants designate South Africa as a trademark destination.

Foreign applicants from trading partners will gain confidence in the protection/registration system of trademarks and this will attract foreign direct investment. Furthermore, South African applicants will have easy access to foreign markets in which they want to protect or register their trademarks. They will be able to use English as a medium of registration even in non-English speaking countries.

The Hague system will facilitate the establishment and maintenance of design protection through single international deposits of member states. The central deposits of designs will take place at the level of the World Intellectual Property Organisation (WIPO).

Thus the DTI is of the view that the accession to the Madrid and Hague systems will enhance the market access for South African products and services and attract more foreign direct investment. It will also lead to harmonised intellectual property laws with those of trading partners and a fair, equitable and predictable framework in intellectual property area. These will allow South Africa to use more competitive systems in the areas of designs and trademark registration and thus building confidence for investors.

(2) All agreements concluded by the department are extensively publicised, both during the negotiation phase and at the conclusion. During our strategic review process in August 2004, we noted with concern that South Africans are not optimally utilising the opportunities arising from the signed agreements and protocols. The issue of indigenous knowledge and intellectual property, in particular offers huge potential for stimulating economic growth in rural and marginalised areas, and for profiling African technology. It is for this reason that the marketing division will be enhancing its current programme to promote the activities of the department to ensure an ongoing awareness of the benefits of all bilateral and multilateral agreements pertaining to trade and economic development.

Creation of single transport co-ordinating authority for Cape Town metro to take responsibility for improving transport infrastructure/ service

*42. Mr S F HAASBROEK (DA) asked the Minister of Transport:

(1) Whether, in light of poor public transport and the inadequate road

a *"broad constitutional review of the role of provinces"*. Rather, it is a call for an open debate on the successes and weaknesses of our intergovernmental system, so that we can, if necessary, refine the intergovernmental system to work better from a delivery perspective. We need to ensure that our system of three spheres of government leads to better delivery of basic services, and ensures that governments in all spheres act responsibly from a fiscal perspective. Where there are failures or threats to our macroeconomic stability or service delivery, we need to ensure that our system of intervention allows us to act speedily and effectively.

(2) Given my response to the first question, I do not see the need to make a further statement on this matter.

Amendment of the Companies Act, 1973: protection of purchaser's title resulting in improved investor confidence

*10. Mr B A D MARTINS (ANC) asked the Minister of Trade and Industry:

Whether it is anticipated that the amendment of the Companies Act, 1973 (Act No 61 of 1973), by the insertion of paragraph (cA) into section 91A(4)(c), which brings South Africa in line with the internationally accepted principle of the protection of a bona fide purchaser's title, will result in improved investor confidence; if not, what is the position in this regard; if so, what are the relevant details? N603E

The MINISTER OF TRADE AND INDUSTRY:

The insertion of paragraph (cA) into section 91A(4)(c) of the Companies Act of 1973 will enable the process of dematerialisation. Dematerialisation is the process of exchanging scrip (physical certificates and certified deeds) for an electronic record of ownership. The value of the dematerialised shares is 94.5% of the market capital. Converting documents to electronic form will improve record keeping, ensure that information is more accessible, and enhance security. The Share Transactions Totally Electronic (STRATE) functioning is known to be the best in the world and consequently investors' confidence will be enhanced by the proposed amendment to section 91A. It is important to note that once shares are dematerialised, they will be clean. Checks are performed upfront to establish the identity and authenticity of documents and to prevent fraud or the issuing of false certificates during the conversion process. Furthermore, excluding the power of the court to grant rectification order against the bona fide purchaser of dematerialised shares, which is provided for by the proposed amendment, will boost investors' confidence.

Policy on migrant labour: effect *re* splitting families/multiple sex partners

*27. Mrs C DUDLEY (ACDP) asked the Minister of Labour:

What is the Government's policy regarding migrant labour, considering the detrimental effect of migrant labour in splitting families and encouraging multiple sex partners, which increases the risk of HIV/Aids? N661E

The MINISTER OF LABOUR:

The Department of Labour does not have a specific policy regarding migrant labour separate from its policies and legislation that govern all workers. Migrant workers are covered by labour legislation and policies which in our view go a long way to cover the hon member's concern. The department does promote awareness of HIV/Aids and its risks amongst workers and employers and has issued a code in this regard

Madrid Protocol/Hague Agreement: enhancement of South Africa's position/ promotion of investor confidence

*11. Dr M SEFULARO (ANC) asked the Minister of Trade and Industry:

(1) How will the Madrid Protocol and

oping countries, as well as a positive outcome for African countries that includes addressing the question of food security.

On Nonagricultural Market Access (NAMA) South Africa wanted a balance with the outcome on Agriculture. The prerequisite for negotiations to start on NAMA was clarity on progress in agriculture. South Africa and the African Group opposed the Cancun text as a starting point for negotiations as it pre-empted negotiations on a tariff reduction formula. The African Group succeeded in inserting a new paragraph that effectively opened the Cancun text for further negotiation. South Africa wanted some flexibility in the commitments undertaken by developing countries and also supported a balanced outcome that would benefit all WTO members, but in particular developing countries.

On trade facilitation, South Africa was of the view that consensus to launch negotiations could only be reached if the other "Singapore issues" (investment, competition and transparency in government procurement) could be dropped from the negotiation agenda. This addressed what many Members considered to be an over burdening of the negotiating agenda. The launch of negotiations on trade facilitation also required agreement on the framework within which the negotiations would proceed. This involved linking commitments to implementation capabilities of Members in respect of investment in infrastructure, technical assistance, capacity building and special and differential treatment.

On trade and development, South Africa wanted a clear agenda for improving rules that are of benefit to developing countries. This included general principles, special and differential treatment, technical assistance, implementation issues, other development issues and least-developed countries.

South Africa sought the reaffirmation of the Doha mandate to continue the work of other negotiating bodies that also provide for special and differential treatment of developing countries. Key issues included rules negotiations on anti-dumping measures, subsidies and countervailing measures including fishery subsidies and regional trade agreements, trade and environment, intellectual property and dispute settlement.

With regard to services negotiations, South Africa wanted the reaffirmation of the Doha mandate for work that would have a positive outcome for all WTO Members to continue.

(b) South Africa worked closely with Africa Group in the WTO, currently chaired by Nigeria. During the agriculture negotiations South Africa also worked with the G20, whose members are:

- Argentina, Bolivia, Brazil, Chile, China, Cuba, Egypt, India, Indonesia, Mexico, Nigeria, Pakistan, Paraguay, Philippines, South Africa, Tanzania, Thailand, Venezuela, Zimbabwe.

Regular consultations were conducted with the Cairns Group.

Correspondence from farming concern in Hazyview, Mpumalanga *re* restitution claim of a certain farm

*41. Mr A H NEL (DA) asked the Minister for Agriculture and Land Affairs:

(1) Whether she received any correspondence from a certain farming concern (name furnished) in Hazyview, Mpumalanga, in connection with the

network in the Cape Town metropolitan area, his department will convene a meeting of the national, provincial and local traffic authorities to discuss the creation of a single transport co-ordinating authority for the metro to take responsibility for improving the transport infrastructure and service for the city; if not, (a) why not and (b) what action is his department taking to improve transport in Cape Town; if so, when;

(2) whether officials of his department have been involved in any discussions regarding transport problems in the Cape Town metropolitan area; if so, (a) with whom, (b) when and (c) what conclusions were reached?
N681E

The MINISTER OF TRANSPORT:

(1) Given the fact that transport is a concurrent function between the three spheres of government, as well as in the spirit of intergovernmental relations, the Department of Transport works closely will all provinces and municipalities to improve transport infrastructure and transport service delivery. In order to improve transport service delivery in the City of Cape Town, the initiative to establish a transport authority in the City of Cape Town was undertaken by the City of Cape Town, together with the province and the department. Currently, there are a number of investigations that have to be undertaken regarding the model of the transport authority, as well as the restructuring process as a result of the establishment of the transport authority. Once these investigations have been finalised, the City of Cape Town Council will make a resolution on the establishment of the transport authority.

(a) and (b) Fall away.

(2) (a), (b) and (c) The department is in constant liaison with the Western Cape department of transport and the City of Cape Town regarding discussions to resolve transport problems and improve transport service. For example, the rail component of public transport is of critical importance in the Cape metropolitan area. In this regard, the department and the South African Rail Commuter Corporation (SARCC) actively participates in the Cape Town Rail Liaison Group that was formed to liaise at high level on strategic matters pertaining to the provision and management of commuter rail services. The group is chaired by the City of Cape Town and includes representation from the province and is also there to ensure that co-ordinated planning and implementation of services take place. This is an ongoing process that assists to improve services.

SA's negotiating position at WTO meeting in Geneva

*12. Prof B TUROK (ANC) asked the Minister of Trade and Industry:

(a) What was South Africa's negotiating position at the World Trade Organisation's meeting in Geneva in July 2004 and (b) which countries were allied to South Africa's position?
N605E

The MINISTER OF TRADE AND INDUSTRY:

(a) South Africa's participation in the July WTO General Council meeting was informed by the intention to secure a developmental outcome that met the objectives agreed to in the WTO Doha Ministerial Conference.

On Agriculture South Africa sought substantial improvements in market access, elimination of export subsidies by a certain date, a substantial reduction in trade distorting domestic support, special and differential treatment for devel-

ernment. Tools such as the Protocol may be amended and amendments to the Companies Act and State Owned Enterprises Articles of Association may be proposed. This Model will be available for implementation by all shareholder departments, and not only restricted to state owned enterprises governed by the Department of Public Enterprises.

Implementation of Act No 28 of 2002: legal advice on implications of Act on international agreements

*37. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy:

Whether, in light of the implementation on 1 May 2004 of the Mineral and Petroleum Resources Development Act, 2002 (Act No 28 of 2002), and the media statement by her department on 3 May 2004 to the effect that legal advice would be sought on the implications of the Act on certain international agreements, such legal advice has been obtained by her department; if not, what is the position in this regard; if so, (a) what are the relevant details of such legal advice and (b) what are the implications of the Act on the relevant international agreements?N676E

The MINISTER OF MINERALS AND ENERGY:

The Government is currently looking at the issue of the implications of a number of laws, right across government, on certain international agreements entered into by the South African Government. At the recent forum of directors general an interdepartmental task team was established to look into this matter. The implications of the Mineral and Petroleum Resources Development Act, 2002, will therefore, be examined within this government wide process rather than as an isolated case.

Percentage of women of department's staff/senior management

*15. Ms N D NGCENGWANE (ANC) asked the Minister for Public Enterprises:

What percentage of his department's (a) staff and (b) senior management is represented by women? N608E

The MINISTER OF PUBLIC ENTERPRISES:

Percentages calculated on the department's staff numbers as on 31 July 2004 are as follows:

(a) The percentage of the staff component represented by women is 60.7%.

The total staff component is 117 of which 71 are women (60.7%) and 46 male are (39.3%).

(b) The percentage of senior management represented by women is 36%.

The total senior management component is 25 of which nine are women (36%) and 16 are male (64%).

Verification of credentials of successful fishing quota applicants

*39. Mr M J ELLIS (DA) asked the Minister of Environmental Affairs and Tourism:

(1) With reference to his undertaking to fishermen at a meeting in Cape Town on 17 August 2004, (a) what is the name of and position held by the official in his department who will verify the credentials of each successful applicant for a fishing quota in order to give effect to his promise that only real fishermen will be given quota permits and (b) when is it anticipated that the simplified application forms for permits will be available to the public;

(2) whether preference in the allocation of fishing quotas will be given to persons who go out to sea themselves and fish, rather than to persons who sell their quotas to companies or other persons; if not, (a) why not and (b) what are the implications of this for the livelihood of subsistence fishermen; if so, (i) what mechanism has

restitution claim of a certain farm (name also furnished); if so, when;

(2) whether she has taken any action in this regard; if not, why not; if so, what action;

(3) whether she will make a statement on the matter? N680E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) A number of enquiries have been received from a farmer, Mr Ben Cilliers in connection with the restitution claim on his farm, Renjoos Boerdery.

(2) The Regional Land Claims Commission as well as the Portfolio Committee on Agriculture and Land Affairs have visited the area and given Ben Cilliers a hearing. It has become apparent that the issue on this claim is the value of the land under claim.

This matter has been referred to independent valuers for the review of the valuations that have been done by the valuers appointed by Mr Cilliers and those appointed by the RLCC.

(3) No.

Department/ministry strengthening oversight role over SOEs

*14. Mr S E KHOLWANE (ANC) asked the Minister for Public Enterprises:

In view of the new emphasis being placed on the importance of state-owned enterprises in fulfilling the country's service delivery and development goals, how is his department and ministry strengthening their oversight role over state-owned enterprises? N607E

The MINISTER OF PUBLIC ENTERPRISES:

The oversight role played by the Department of Public Enterprises is exercised through many governance instruments already in existence, be it in the form of legislation, regulation or common law rules, which together seek to ensure that all corporate entities, including State Owned Enterprises, comply with desired corporate governance best practice. These tools include the PFMA, Companies Act, King Report and Protocol on Corporate Governance.

The application of many of these legal prescripts and corporate governance best practices, is contained in the Shareholder Compact which is intended to be an annual agreement between the Minister, as Shareholder and the state owned enterprise. The compact contains not only agreed upon key performance indicators, against which the state owned enterprise performance is measured, but also shareholder issues, such as the state owned enterprise's socioeconomic commitments, commitments by the shareholder and commitments by the board of directors.

Yet, notwithstanding the above instruments, state owned enterprises continue to experience problems in their compliance with good corporate governance, which are invariably reflected in lacklustre financial and socioeconomic performance.

Despite the implementation of the available tools, there continues to be a fragmented and diverse implementation of corporate governance frameworks across the public sector.

The department therefore recently commenced with a project to develop a revised Shareholder Management Model for the management and oversight of state owned enterprises, to develop a common corporate governance framework for all state owned enterprises and to identify the range of dysfunctional corporate practices and develop a common framework for sound corporate practices and ethics for all state owned enterprises.

The outcomes of this project, due to be completed before the end of the year, will be to enhance and strengthen shareholder management of state owned enterprises by Gov-

projects is that EPWP conditions have been placed on these grants. The DORA, 2004 stipulates that provinces and municipalities must ensure that suitable projects funded from these conditional infrastructure grants are implemented labour intensively, in terms of the EPWP Tender and Design Guidelines which have been produced by DPW and approved by National Treasury and Salga. Since the use of the guidelines are a condition stipulated in the Division of Revenue Act, provinces and municipalities will be audited by the Auditor General (AG) to check if they comply with these requirements. DPW is working closely with the AG and has drawn up a compliance checklist and will furthermore be arranging for training sessions for staff of the AG to ensure that they are able to audit whether projects are executed in accordance with the guidelines.

One of the main tasks of the EPWP Unit in DPW is to make provinces and municipalities aware of these conditions and the guidelines and to assist them with implementation. DPW is implementing training programmes for provinces and municipalities and is working together with relevant bodies such as Salga, the Local Government Seta, Construction Seta, DBSA, DPLG and the SA Cities Network to provide this training and awareness raising.

Steps to discourage trend among taxi operators to replace baggage space with big sound systems

*18. Mrs D M MOROBI (ANC) asked the Minister of Transport:

Whether, in light of the growing trend among minibus taxi operators to replace baggage space with bulky sound systems, adding to the discomfort of commuters, he or his department has taken or intends taking any steps to discourage this practice; if not, why not; if so, what steps? N611E

The MINISTER OF TRANSPORT:

It has not been brought to the attention of the Department of Transport that certain minibus taxi operators replace the baggage space with bulky sound systems in their taxis. If this is practised, it certainly invades the limited space available and contributes to the discomfort of commuters. Such a practice will not be encouraged. The department will investigate the matter in consultation with the national leadership of the taxi industry to put in place corrective measures.

Setas showing sufficient progress/cause to justify continued existence

*20. Ms O R KASIENYANE (ANC) asked the Minister of Labour:

Whether Setas which were required to show cause why they must not be amalgamated with performing Setas or closed down have shown sufficient progress and cause to justify their continued existence; if not, what is the position in this regard; if so, what are the relevant details? N613E

The MINISTER OF LABOUR:

(a) The two Setas that I served with written notices for underperformance ie Local Government and Water-related Seta, (LGWSeta) and the Defence, Intelligence, Diplomacy and Trade (DIDTeta) have already responded to my letter of instruction. It is however a little bit to early to comment on their "performance progress" as from July to August as we receive their performance reports on a quarterly basis.

(b) In their response to my letter, both Setas tried to justify their levels of underperformance to a number of factors however they also presented a number of proposals and plans justifying why they should be spared to continue to exist. These included thc following:

(1) DIDTeta cited insufficient funding arising from inconsistent financial

been put in place to ascertain what a successful applicant does with his or her quota after it has been awarded and (ii) who will be responsible for managing this;

(3) whether any officials in his department have been charged with corruption related to the allocation of fishing quotas during the latest specified five-year period for which information is available; if not, what is the position in this regard; if so, how many? N678E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) There is no single person responsible for verification. The verification of information submitted by and credentials of applicants is the function of Deloitte Forensic Services who were contracted by the department to provide forensic auditing services.

(b) It is anticipated that application forms will be available by the second quarter of 2005.

(2) Yes. Each fishery (and therefore each fisher) will be subjected to performance measurement during the period of the right — ie how much is caught, where, how many jobs are created, what has been invested in boats, processing, empowerment of staff etc. The department's fisheries managers will be responsible.

(3) None charged. The allocation of medium term rights was an insulated process managed by the department's senior officials who were assisted by Deloitte Forensic Services, external specialist project managers and external lawyers. In addition, Deloitte have been authorised to conduct random "lifestyle" audits on any member of the department involved in fishing right allocations. No irregularities, maladministration or corruption exists.

Measure of co-ordination/control required in allocating funds to EPWP projects

*16. Mr F BHENGU (ANC) asked the Minister of Public Works:

Whether, given the fact that the funds for the expanded public works programme (EPWP) are not included in the budget of his department, but in the budgets of the primary delivery channels for basic services, ie the provincial and municipal governments, any measure of co-ordination and control will be required from his department in allocating funds to projects in terms of the EPWP; if not, what is the position in this regard; if so, what are the relevant details? N609E

The MINISTER OF PUBLIC WORKS:

(1) The Expanded Public Works Programme (EPWP) is a highly decentralised programme, which is being implemented by all spheres of government and some state-owned enterprises. National and provincial departments and municipalities fund EPWP projects through their own budgets, which include conditional grants from the national fiscus. Some of these conditional grants have been earmarked for the EPWP. The amounts allocated to provinces and municipalities through these grants are based on formulas that were negotiated between bodies such as National Treasury, Salga, DPLG etc. The funds which have been earmarked for EPWP infrastructure projects are a portion of the planned conditional infrastructure grants which will be allocated to provinces (PIG) and municipalities (MIG) over the next five years. The details of these conditional infrastructure grant allocations are provided in the annexures of the DORA,.2004.

The mechanism that has been put in place to ensure that provinces and municipalities implement EPWP

kweliya lamaMpondo, kunye nendlela abemi bale ndawo abazakuchaphazeleka ngayo kolu lwakhiwo lwalendlela; ukuba akukho zicwangciso, kutheni; ukuba zikhona, zeziphi;

(2) ingaba oluphuhliso lucetywayo luzakuluphucula kusina na uluntu lwalengingqi; ukuba kunjalo, zithini iinkcukacha? N650X

(English translation follows):

[Situation *re* proposed toll road on N2 in Pondoland

*21. Mrs R A NDZANGA (ANC) asked the Minister of Environmental Affairs and Tourism:

(1) Whether his department has taken or intends taking any steps to end speculation about the situation regarding the proposed toll road on the N2 in Pondoland and the impact of such toll road on the community involved; if not, why not; if so, what steps;

(2) whether the proposed developments in this area will ultimately be of benefit to the community involved; if so, what are the relevant details? N650E]

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) I have received 213 appeals against the environmental authorisation for the proposed road. I am still in the process of considering these appeals. The impact on the community is one of the aspects that I will consider very carefully. I have not yet taken any decision and I will ensure that the decision is communicated to all stakeholders as soon as it is made.

(2) The benefit of the proposed development for the community is one of the key matters that I will consider in evaluating the appeals. This is in line with the principles in the National Environmental Management Act, 1998 (Act No 107 of 1998), which are binding on all environmental decision making. These principles address the issue of sustainability as well as the socioeconomic implications of developments. Any infrastructure development however, also has negative impacts as well, and that is what I will consider in my evaluation of the appeals.

Questions transferred for oral reply in accordance with Rule 117:

■1. Mr S B FARROW (DA) — Transport. [Written Question No 30] [Removed]

■2. Mr S B FARROW (DA) — Transport. [Written Question No 31] [Removed]

Amount spent/budgeted for celebration of 10 Years of Democracy

■3. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy: [Written Question No 69]

(a) What total amount did her department and/or ministry (i) budget for and (ii) spend on (aa) advertising and (bb) other specified activities related to the celebration of 10 Years of Democracy from the date that the election date was gazetted up to and including the election day and (b) what specified media and/or publications were used to publicise the campaign around the celebration of 10 Years of Democracy? N71E

The MINISTER OF MINERALS AND ENERGY:

The department did not arrange any special events around the celebrating of 10 years. We however joined other government departments during the Africa Public Service Day to mark 10 years. This was held on 19 June 2004.

contributions towards their administration and programme costs by the various departments affiliated to the Seta as their major problem.

(2) They also contested some aspects of the assessment system and the fact that they were not forewarned upfront.

(3) The LGWSeta acknowledged upfront that their governance other internal systems were not functioning properly and that a "turn-around strategy" has since been implemented.

(4) Both Setas acknowledged that their boards delegated the reporting process to lower level staff.

(c) A number of developments have since transpired that I am happy to shed some light with regard to DIDTeta and LGWSeta.

(1) I have already met with the Deputy Minister of Defence, Mr Mluleki George where amongst others we discussed the performance of this Seta.

(2) I have addressed the Portfolio Committee on Defence with regard to our interventions in underperforming Setas and the next steps that we are going to follow to bring this matter to rest.

(3) I am expecting the National Skills Authority advice on the proposed new Seta landscape by mid-September 2004. Their advice will take into consideration, the outcome of a commissioned research, and a detailed Seta performance and institutional development review since their inception that was conducted by my officials.

(4) In my letter to these Setas, that was also copied to the various affiliated departments, I have asked them to discuss some of the following aspects and to approach my office before I make a final pronouncement on the new Seta landscape:

(i) Whether the income received by the Seta from their departments equal to 10% of 1% of their salary bill.

(ii) Whether the departments affiliated or associated with these Setas are committed to making the necessary contributions. And furthermore whether the boards of these Setas are committed to ensuring that all stakeholders contribute financially at the agreed levels?

(iii) Whether these Setas are offering enough value for money in the form of services to these departments?

(iv) What are the levels of the people serving on these Boards and do they report back to their departments on the activities of these Setas.

(v) Do these departments want these Setas to continue to exist in the next five years? If they do what are some of their plans to strengthen these Setas and to ensure that it remains relevant and of service to their sector?

Ukucetywa kwendlela ehlawulelwayo ku N2 kwelaMampondo

*21. UNkoskz R A NDZANGA (ANC) uzakubuza uMphathiswa wezokuSingqongileyo noKhenketho:

(1) Ingaba akhona kusini na amanyathelo isebe lakhe eliwathathileyo okanye elinenjongo zokuwathatha ukuphelisa amahum-hum ngokucetywa kwendlela ebhatalelwayo (toll gate) kuhola wendlela uN2

Sarita Cronje	Executive: Stakeholder Relations	1 April 2004	National Diploma: Journalism Library Science (not completed)	R527 100 pa
Duncan Anderson	Executive: Special Projects	1 August 2001	CA	R943 488 pa
Kenneth Mokoka	Chief Financial Officer	1 July 2004	CA (SA) BCom (Acc) BCom (Hons) NDA	R924 000 pa

Discretionary accounts for persons within Road Accident Fund

■17. Mr M WATERS (DA) asked the Minister of Transport: [Written Question No 191]

(1) Whether any persons within the Road Accident Fund have discretionary accounts; if so, (a) what are the (i) names of and (ii) positions held by such persons, (b) how long have the discretionary accounts been in existence, (c) what was the value of the discretionary account in each year of its existence, (d) what was the amount actually spent in each year and (e) on what specified items was the money in the discretionary fund spent in the (i) 2002-03 and (ii) 2003-04 financial years;

(2) whether the Auditor-General expressed concern regarding these funds at any time; if so, what were the concerns expressed;

(3) whether any action was taken as a consequence; if not, why not; if so, what action? N226E

The MINISTER OF TRANSPORT:

(1) No. However, allegations have been made against persons within the Road Accident Fund (RAF) for having discretionary accounts. These allegations have yet to be tested.

(a) (i) and (ii), (b), (c), (d) and (e) (i) and (ii) Fall away.

(2) No. The report of the Auditor-General will only be released in the coming month.

(3) Falls away.

■18. Ms H WEBER (DA) — Transport. [Written Question No 197] [Removed]

■19. Ms H WEBER (DA) — Transport. [Written Question No 198] [Removed]

■20. Ms H WEBER (DA) — Transport. [Written Question No 199] [Removed]

■21. Mr M WATERS (DA) — Transport. [Written Question No 243] [Removed]

Finalisering van tenders vir opgradering van N2 tussen Kaapstad/Grabouw

□22. Mnr F BEUKMAN (NNP) vra die Minister van Vervoer: [Skriftelike Vraag Nr 244]

Of enige vordering gemaak word met die finalisering van tenders vir die opgradering van die N2 tussen Kaapstad en Grabouw; so nie, waarom nie; so ja, wat die tersaaklike besonderhede is? N279A

(Translation of Afrikaans question follows):

[Finalisation of tenders for upgrading of N2 between Cape Town/Grabouw

□22. Mr F BEUKMAN (NNP) asked the Minister of Transport: [Written Question No 244]

Whether any progress is being made with the finalisation of tenders for the upgrading of the N2 between Cape Town and

Cost incurred are as follows:

T-shirts R13 500

Caps R10 500

Catering R10 500

Soft drinks and snacks R2 500

Total amount spent: R39 036.46

■4. Mr S B FARROW (DA) — Transport. [Written Question No 84] [Removed]

■5. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 102] [Removed]

■6. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 103] [Removed]

■7. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 104] [Removed]

■8. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 123] [Removed]

■9. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 124] [Removed]

■10. Mr S B FARROW (DA) — Transport. [Written Question No 133] [Removed]

■11. Mr M WATERS (DA) — Transport. [Written Question No 149] [Removed]

■12. Mr M WATERS (DA) — Transport. [Written Question No 150] [Removed]

■13. Mr M WATERS (DA) — Transport. [Written Question No 151] [Removed]

■14. Mr C B HERANDIEN (NNP) — Transport. [Written Question No 168] [Removed]

■15. Mr F BEUKMAN (NNP) — Transport. [Written Question No 173] [Removed]

Names of persons serving on executive of Road Accident Fund

■16. Mr M WATERS (DA) asked the Minister of Transport: [Written Question No 190]

(a) What are the names of the persons serving on the executive of the Road Accident Fund, (b) what are their (i) positions and (ii) qualifications, (c) when was each person appointed and (d) what is the total annual package of each person? N225E

The MINISTER OF TRANSPORT:

For the relevant information the hon member's attention is directed to the enclosed annexure, please.

Road Accident Fund
Executive Management Committee as at 31 August 2004

Name and surname	*Designation*	*Date of appointment*	*Qualifications*	*Cost to company (package)*
Thokozani Magwaza	Executive: Claims and Acting CEO	1 June 2004	M Phil BA Public Administration Advanced business management Certificate Executive Development Programme (EDP)	R997 500 pa
Moerane Maimane	Executive: Corporate Services	1 April 2004	B Admin (Accounting) B Admin (Hons) Diploma in Administration MDP MBA (Marketing stream) Dissertation: The effectiveness of marketing planning for small business	R871 956 pa

Furthermore, the testing proprietor will be held responsible for any act or omission by the management representative, examiner of vehicles or an employee employed by the testing station proprietor, which constitute an offence in terms of the National Road Traffic Act, 1996 (Act No 93 of 1996).

In relation to the uniform enforcement of these laws, the Road Traffic Management Corporation will introduce the Traffic Law Enforcement Code, which will ensure that there is common national standards and uniform application of laws and law enforcement operations in the Republic.

It is anticipated that the legislation will become operational after the process of consultation has been completed and the comments submitted by stakeholders have been addressed.

(2) The training standards have been in place already since 2003. All the traffic-training colleges now offer the same courses designed by the department. The unit standards for these courses were published in the *Government Gazette* for comment in August this year. This process will make the training more practical and focused.

(3) (a) and (b) (i), (ii) and (iii)

The department has established a national traffic call-centre in October 2003. The centre receives calls from the public on bad driver behaviour, vehicle obviously in a poor condition, as well as road traffic incidents. However, there is a need to upgrade the system in the call centre, which now operates on a 24-hour basis.

Allegations of corruption *re* vehicle-testing stations

□25. Mr M WATERS (DA) asked the Minister of Transport: [Written Question No 264]

(1) Whether any (a) evidence has been found and/or (b) allegations of corruption received in respect of any vehicle-testing stations during the latest three-year period for which information is available; if so, (i) in respect of which vehicle-testing stations and (ii) what action has been taken to (aa) investigate and (bb) end corruption at each such testing station; if not,

(2) whether any mechanisms have been put in place to monitor vehicle-testing stations on an ongoing basis to ensure that no corruption occurs; if not, why not; if so, (a) what mechanisms and (b) who is responsible for implementing these mechanisms? N300E

The MINISTER OF TRANSPORT:

(1) (a) and (b) (i) and (ii) (aa) and (bb)

During the last three years there has been evidence of corruption found in most of the vehicle testing stations around the country. The majority of these stations are located in Gauteng. The department has gathered information regarding such corrupt practices through the public call centre of the department, the input of the National Intelligence Agency and the information sourced by the Inspectorate of testing centres during inspections. In order to remedy the situation, the department established a unit to deal with fraud and corruption in vehicle testing stations, driving licence testing centres and registering authorities.

The unit in the department is co-ordinating a project that includes the National Intelligence Agency, the South African Police Services, the Special Investigating Unit and members of the Scorpions under the National Prosecuting Authority. The project will look at auditing those stations identified as problematic and prosecuting the cul-

Grabouw; if not, why not; if so, what are the relevant details? N279E]

The MINISTER OF TRANSPORT:

Significant progress in the development of the project, ie route alignment, feasibility studies, socioeconomic impact studies, et cetera, including the completion of the environmental impact assessment, has been made.

This project is part of the South African National Roads Agency Limited's (Sanral) toll road development programme. Investigations surrounding the technical, financial and environmental feasibility of the project commenced in April 2000 and the final environmental impact assessment was submitted on 22 December 2002. The record of decision from the national Department of Environmental Affairs and Tourism was received on 30 September 2003. A number of objections were lodged against the project during the appeal period (30 September to 30 October 2003) and Sanral is currently waiting for the Minister of Environmental Affairs and Tourism to consider the appeals and give a ruling.

Only if the aforementioned Minister rejects the appeals will Sanral be able to commence with the toll declaration process. This process will take approximately three months. It will be a requirement that all the issues surrounding the tolling of the road will have to be satisfactorily and timeously dealt with before embarking on the extensive process of procuring the finance, construction and maintenance of the road from the private sector.

At a general level, I am aware of concerns that have been raised by Members of Parliament and the public regarding the Government and Sanral's approach to the issue of toll roads. This will, however, be the matter of constant discussion and monitoring between the Department of Transport and Sanral, especially in so far as the determination of toll fees that could potentially undermine our collective efforts for local economic development is concerned.

■23. Mr A H NEL (DA) — Agriculture and Land Affairs. [Written Question No 261] [Removed]

Uniformly enforced traffic laws to keep unroadworthy vehicles off the roads

■24. Mr M WATERS (DA) asked the Minister of Transport: [Written Question No 263]

(1) Whether, in order to keep unroadworthy vehicles off the roads, he intends taking steps to ensure that laws in this regard are enforced uniformly throughout the country; if not, why not; if so, (a) what steps and (b) when is it anticipated that the law will be uniformly enforced countrywide;

(2) whether such steps will include introducing standardised training for all traffic law enforcement officials; if not, why not; if so, what are the relevant details;

(3) whether he intends introducing a hotline for members of the public to report (a) unroadworthy vehicles and (b) reckless drivers to the authorities; if not, why not; if so, (i) when will such hotline be introduced, (ii) how much will it cost and (iii) how will it operate? N299E

The MINISTER OF TRANSPORT:

(1) (a) and (b)

The Department of Transport is currently in the process of amending the legislation dealing with vehicle testing stations. On 11 June 2004, the department published for comments, *inter alia*, regulations streamlining accountability of testing stations. In terms of the envisaged legislation all the testing stations must test motor vehicles as provided for in the new schedule 5.

printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by his department? N321E

The MINISTER OF TRANSPORT:

(a) The total cost incurred by the Department of Transport on the occasion of the Transport Budget Vote in both the National Assembly and National Council of Provinces in 2004 was R282 261,47.

(b)

(i)	Promotional items and printed matter	R17 160
(ii)	Audio-visual materials and/or displays	Nil
(iii)	Hiring of equipment and personnel	Nil
(iv)	Transport (departmental officials — Transport in respect of flights, accommodation and vehicle hire)	R231 834
(v)	Venue hire	Nil
(vi)	Food and drinks	R29 267,47
(vii)	Music and/or other entertainment	R4 000
(viii)	Other specified costs	Nil
Total		R282 261,47

(c) The occasions of the Budget Vote in both Houses of Parliament present the real opportunity to:

- enhance accountability of the executive to Parliament;
- enhance Parliament's oversight role over the department and transport agencies;
- outline the priorities and vision of the Government in relation to the transport sector, of which the department is the custodian;
- present programmes in accessible written form to members of the public; and
- interact and share information with the relevant stakeholders on the key challenges and programmes of the department.

Cost to department of publicity/ promotions/entertainment to mark budget speech

□28. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy: [Written Question No 297]

(a) What was the total cost to her department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of her budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by her department? N334E

The MINISTER OF MINERALS AND ENERGY:

The DME budget vote speech was focusing on a number of achievements during the past financial year in the following areas: Liquid fuels, energy planning, electrification, nuclear, the MPRDA and the Mining Charter, international relations, beneficiation, mine health and safety and mining rehabili-

prits. The department has to make funds available for the Special Investigating Unit (the SIU) to commence with the audit after the Department of Justice and Constitutional Development has approved a proclamation for the President's signature. The proclamation will give the SIU the authority to seize documentation for scrutiny and to present as evidence in case of prosecutions.

(2) (a) and (b)

The department is consulting on the amendments to the legislation to put in place stringent measures relating to management of testing stations and testing of vehicles. It is anticipated that these laws will be in place before the end of November 2004. The Inspectorate of testing stations is, according to the law, responsible to monitor the stations. Although the capacity of the Inspectorate is a cause for concern, the provinces together with the department are working on establishing provincial inspectorates to enhance the issue of capacity.

Vehicles to undergo regular roadworthy tests

□26. Mr M WATERS (DA) asked the Minister of Transport: [Written Question No 265]

Whether consideration has been given to requiring all vehicles to undergo regular roadworthy testing; if not, why not; if so, what are the relevant details? N301E

The MINISTER OF TRANSPORT:

Yes, consideration has been given to require all vehicles to undergo compulsory regular roadworthy testing.

The issue of unroadworthy vehicles continues to play a prominent role in road accidents. At the same time South Africa's 6.8-million vehicle fleet continues to age without planned renewal thereof. This is, however, about to change. The state of unroadworthiness of vehicles continues to receive urgent attention by the Department of Transport. Certain programs have commenced to address issues such as fraud and corruption, vehicle examiner training issues, review of vehicle testing standards, harmonisation of vehicle standards in the SADC context, as well as intensified law enforcement.

The National Road Traffic Act, 1996 (Act No 93 of 1996), requires all taxis, buses and heavy freight vehicles to undergo roadworthy tests on an annual basis. Tests are conducted at a registered roadworthy testing station by an accredited examiner. Recently all vehicles transporting dangerous goods or substances, including light delivery vehicles, are also subjected to annual roadworthy tests. This will ensure that due to the nature of the dangerous cargo being transported, these vehicles are in a constant roadworthy condition. The Act, however, does not require ordinary motor vehicles to undergo compulsory regular testing, at this stage.

In order to address the above concern, the department is determined and is currently investigating the possibility of introducing periodic vehicle testing in the foreseeable future.

Cost to department of publicity/ promotions/entertainment to mark budget speech

□27. Mr S B FARROW (DA) asked the Minister of Transport: [Written Question No 285]

(a) What was the total cost to his department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of his budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and

QUESTIONS

For written reply:

Progress *re* provision/construction of shelter/housing per province

156. Ms S RAJBALLY (MF) asked the Minister of Housing:

What progress was made in the provision and construction of shelter and housing in each province in 2002 and 2003? N189E

The MINISTER OF HOUSING:

The total number of housing units completed or under construction in the 2002-03 and 2001-04 financial years is as follows:

Province	*2003-02*	*2003-04*	*TOTAL*
Eastern Cape	58 662	27 119	85 781
Free State	9 155	16 746	25 901
Gauteng	24 344	49 034	73 378
KwaZulu-Natal	24 485	33 668	58 153
Limpopo	14 953	15 810	30 763
Mpumalanga	21 649	21 232	42 881
Northern Cape	6 056	3 787	9 843
North West	23 784	10 484	34 268
Western Cape	20 500	15 735	36 235
TOTAL	203 588	193 615	397 203

Realisation of interventions adopted by PPC *re* local government transformation

182. Mr I S MFUNDISI (UCDP) asked the Minister for Provincial and Local Government:

Whether the 15 interventions adopted by the President's Co-ordinating Council (PCC) on 27 March 2003 in respect of local government transformation have been realised; if not, why not; if so, to what extent? N215E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

The 15 interventions adopted by the President's Co-ordinating Council (PCC), on 27 March 2003 are being implemented on a continuous basis by national government, provinces and municipalities.

(a) Progress on the Local Government Transformation Programme encompassing the 15 interventions adopted by the PCC is satisfactory in most areas. However, progress is not on par as regards individual interventions, and also as regards the various provinces. Progress is closely monitored by both the Department of Provincial and Local Government (DPLG) and by each of the provinces.

(b) The key reason affecting progress in implementing the 15 interventions is inadequate institutional implementation capacity within some municipalities. The policy environment and the basis for all the 15 interventions is sound. The implementation challenges are receiving attention by DPLG and the provinces. The Minmec on Local Government and the PCC receive regular progress reports on these interventions.

Financial support given to Ussasa

449. Mr C T FROLICK (ANC) asked the Minister of Sport and Recreation:

(1) (a) What amount of financial support was given to the United School Sport Association of South Africa (Ussasa)

tation, and also on current and future plans of DME.

Different stakeholders were invited to share the day with the department and the Minerals and Energy Portfolio Committee Members. The media was invited and got a chance to have some of the misunderstanding with regard to the department's endeavours clarified. Stakeholder relations was also enhanced during the event since all could network in an informal setting.

Costs for the payment or purchase of items during the Budget Vote speech are as follows:

Catering: R17 000

Entertainment: R12 000

PA system: R4 850.00

The total amount spent was R33 850

Internal audit report of Civil Aviation Authority: matters raised

■29. Mr S B FARROW (DA) asked the Minister of Transport: [Written Question No 320]

(1) Whether, with reference to the reply to Question No 148 on 2 March 2004 in regard to the internal audit report of the Civil Aviation Authority, his department has now completed its investigation into the matters raised in the report; if not, what is the position in this regard; if so,

(2) whether any action has been taken in this regard; if not, why not; if so, what action? N358E

The MINISTER OF TRANSPORT:

(1) No, the intervention by the Department of Transport is still taking place.

(2) Falls away.

Land rights enquiry for tribes with joined jurisdiction over land in Sekhukhune region

485. Mr K W MORWAMOCHE (ANC) asked the Minister for Agriculture and Land Affairs:

Whether the Department of Land Affairs will conduct a land rights enquiry for the tribes which have joined jurisdiction over the land in Sekhukhune region in the Limpopo Province where some of the chiefs were appointed by the apartheid and homeland governments before the transfer and registration of communal land to communities; if not, why not; if so, when? N646E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

Yes, a land rights enquiry will be conducted in terms of section 14 of the Communal Land Rights Act, 2004 (Act No 11 of 2004).

The land rights enquiry will be undertaken amongst others as part of the implementation process.

Transfer of title deeds of land held in trust by Minister for Bapedi tribe

486. Mr K W MORWAMOCHE (ANC) asked the Minister for Agriculture and Land Affairs:

(1) How, in terms of Chapter 3 of the Communal Land Rights Act, 2004 (Act No 11 of 2004), will the Department of Land Affairs transfer the title deeds of land currently being held in trust by the Minister for the Bapedi tribe under certain chiefs (names furnished);

(2) whether the title deeds will be transferred to the said chiefs or to the chiefs appointed by the apartheid and homeland governments;

(3) whether the Department of Land Affairs will appoint a land rights inquiry to investigate the farms' title deeds currently being held in trust by the Minister on behalf of these tribes and their chiefs? N647E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) Yes, land held in trust by the Minister will be transferred to persons or to African traditional communities in title, and such transfers will only occur after the conduct of a land rights enquiry in terms of section 14 of the Act. Following the conduct of the land rights enquiry and the presentation of the land rights enquiry report to the Minister by the land rights enquirer, the Minister will make a determination as to whether to transfer the land to those entitled to such land and rights subject to section 18(4) and (5) of the Act. The form of tenure will depend on what people or communities have requested, and such forms of tenure are set out in section 18(3)(a)(b) and (c) of the Act.

(2) No, the land will not be transferred to the traditional leaders ("chiefs"), but to persons or communities. The land rights enquiry report will indicate to the Minister the unit of transfer of land.

(3) Yes, a land rights enquiry is mandatory as prescribed in terms of section 14 of the Act.

in each of the latest specified five years for which information is available and (b) which Ussasa programmes benefited from the funding;

(2) whether his department has satisfied itself that (a) the funds transferred to Ussasa is utilised to benefit school sport programmes at grassroots level and (b) Ussasa is adhering to financial principles in managing funds transferred to it; if not, why not in each case; if so, what are the relevant details? N592E

The MINISTER OF SPORT AND RECREATION:

(1) The following subsidies were given to Ussasa for the specified financial years:

	(a)	(b)
1999-2000	R301 000	Administration Development programmes
2000-01	R506 000	Administration (R200 000) Development programmes (R300 000) Attending meetings of the ISF (R6 000)
2001-02	R700 000	Administration (R200 000)
2002-03	R399 000	Administration (R100 000) Development programmes (R150 000) International participation (R149 000)
2003-04	R1 700 000	Administration (R200 000) Development programme (R1 500 000)

(2) (a) We have been satisfied that departmental funds were spent for the purpose it was intended.

(b) The department was satisfied with the financial principles followed with regards to the managing of the funds transferred to USSASA. The department has, however, been concerned with the obligations of Ussasa towards the Receiver of Revenue with regards to VAT and the concern of the Ussasa auditors towards funds owed to Ussasa by their provinces. These concerns led to the department placing Ussasa in a category where the department only pays Ussasa for specific items based on invoices.

2003 Cricket World Cup: projected nett profit

450. Mr C T FROLICK (ANC) asked the Minister of Sport and Recreation:

(1) What was the (a) projected nett profit to be derived from South Africa hosting the 2003 Cricket World Cup and (b) actual profit that was made from hosting the event;

(2) whether the local World Cup Organising Committee has furnished any reasons for the lower than expected profit generated from staging the event; if not, why not; if so, what were the reasons? N593E

The MINISTER OF SPORT AND RECREATION:

(1) (a) The 2003 Cricket World Cup Organising Committee projected that they would derive a profit of R248 million from the hosting of the World Cup.

(b) The actual profit that was realised was R269.0 million. This amount could possibly increase once the dispute between the International Cricket Council and its CWC commercial partners is resolved.

(2) Not applicable.

(c) The Budget Vote is an occasion for the Minister to host all stakeholders and role-players. This includes member of the DoD, members of the portfolio, joint standing and select committees the press corps, Parliamentarians and members of civil society. This interaction is important for the exchange of views pertaining to the defence function.

SAMGD-lede wat op skaarsvaardigheids- en landelike toelaes wag

302. Adv C B JOHNSON (NNP) vra die Minister van Verdediging:

Met verwysing na koerantberigte (besonderhede verstrek) waarin beweer word dat meer as 200 gesondheidspersoneellede in die SA Militêre Gesondheidsdiens (SAMGD) op skaarsvaardigheids- en landelike toelaes wag terwyl hul eweknieë in die staatsdiens hul toelaes al vyf maande gelede ontvang het, (a) wat die werklike toedrag van sake is en (b) hoe lank SAMGD-lede nog op hul toelaes gaan wag? N339A

(Translation follows):

[SAMHS members waiting for scarce skills/rural allowances

302. Adv C B JOHNSON (NNP) asked the Minister of Defence:

With reference to newspaper articles (details furnished) wherein it is alleged that more than 200 health staff members in the SA Military Health Service (SAMHS) are awaiting scarce skills allowances and rural allowances while their counterparts in the public service received their allowances five months ago already, (a) what is the actual state of affairs and (b) how long will SAMHS members still have to wait for their allowances? N339E]

The MINISTER OF DEFENCE:

(a) An agreement on the payment of the Nonpensionable Recruitment Allowance (Rural allowance) and Recruitment and retention Allowance (Scarce skills allowance) for certain categories of the Health Personnel was concluded on 28 January 2004 in the Public Health & Welfare Sector Bargaining Council (PH&WSBC). The DoD is not party to the PH&WSBC. On receipt of agreement No. 1 and 2 of 2004, the DoD enquired of the Department of Health (DoH) whether the health professionals employed within the SA Military Health Service were also included in the said agreements as the scope of the agreements stated that it only applied to the employees in the public health sector as management by the health employer.

The Chief negotiator of the PH&WSBC confirmed to the DoD on 30 January 2004 that the DoD as well as other sectors eg SAPS, Correctional Services and the Department of Education were excluded from the agreements and had to request/negotiate their own approval for such allowances and funding thereof.

Consequently, a submission was made to the Department of Public Service and Administration (DPSA) to obtain the necessary authority. The Minister of DPSA advised the DoD on 19 June 2004, that the DoD should first deal with the collective bargaining arrangements in the DoD before she could make any determination on the matter.

(b) A number of administrative actions still need to be finalised and therefore an indication of the time period on how long the health professionals will still have to wait for the payment of the said allowances cannot be explicitly stated.

Shortage of medical personnel

303. Adv C B JOHNSON (NNP) asked the Minister of Defence:

(1) Whether his department is experi-

QUESTIONS

For written reply:

Steps to prevent SA nationals becoming mercenaries to destabilise continent

144. Dr S E M PHEKO (PAC) asked the Minister of Defence:

Whether, further to the arrest of 70 persons in Zimbabwe alleged to be mercenaries, any steps are being taken to prevent South African nationals becoming mercenaries with the inherent threat of destabilising the African Continent and leading to economic under-development; if not, why not; if so, what steps? N176E

The MINISTER OF DEFENCE:

In 1998, Parliament passed the Regulation of Foreign Military Assistance Act (RFMA) whose main purpose was to prohibit mercenary activity and to prohibit the rendering of foreign military assistance to parties and/or armed conflicts without Government approval.

Cabinet has tasked the Ministers cluster on justice, crime prevention and security to re-assess the effectiveness of the RFMA. An interdepartmental task team has been established to review the Act and to propose amendments where necessary.

Cost of publicity/promotions/ information displays/entertainment to mark budget speech

282. Moulana M R SAYEDALI-SHAH (DA) asked the Minister of Defence:

(a) What was the total cost to his department of any publicity, promotions or information displays and entertainment of members of Parliament, media or public servants to mark the occasion of his budget speech in both the National Assembly and National Council of Provinces in 2004, (b) what were the specific costs related to (i) promotional items and printed matter, (ii) audio-visual materials and/or displays, (iii) hiring of equipment and personnel, (iv) transport, (v) venue hire, (vi) food and drinks, (vii) music and/or other entertainment and (viii) any other specified costs and (c) in what way did this expenditure improve service delivery by his department? N318E

The MINISTER OF DEFENCE:

(a) The total cost of publicity, promotions and information displays on the occasion of the Defence Budget Vote was R28 051,12. To make the exercise more cost effective, the exhibition material was also used at the National Youth Week and Africa Public Service Day.

(b) The specific costs related are as follows:

(i)	Promotional items and printed matter: Publications: 200 *SA Soldier* magazines at additional cost of R1 000	R1 000
(ii)	Audio-visual material was not displayed. Display cost implications: production of stand	R7 191,12
	S&T (planner, staff to build stand, Communicators);	R11 000
(iii)	No equipment was hired;	
(iv)	Transport of display material from Pretoria;	R2 000
(v)	Venue hire, no expenses;	
(vi)	Food and drinks	R6 860
(vii)	No music or other entertainment;	
(viii)	No other specified costs;	

Male/female membership of SANDF

310. Mr C V BURGESS (ID) asked the Minister of Defence:

(a) What was the (i) male and (ii) female membership of the SA National Defence Force as at 15 June 2004, (b) how many members serve in the (i) SA Army, (ii) SA Navy and (iii) SA Air Force and (c) how many members were dismissed from the SANDF (i) in 2003 and (ii) by military courts? N347E

The MINISTER OF DEFENCE:

(a) (i) There are 59 118 men employed by the SANDF.

(ii) There are 16 353 women employed by the SANDF.

(b) (i) There are 28 029 Defence Act personnel and 5 182 Public Service Act personnel employed in the SA Army.

(ii) There are 4 919 Defence Act Personnel and 1 776 Public Service Act personnel employed in the SA Navy;

(iii) There are 8 505 Defence Act personnel and 1 921 Public Service Act personnel employed in the SA Air Force.

(c) (i) 339

(ii) 109 Defence Act personnel were dismissed from the DoD by military courts in 2003.

Co-ordination between department/ other departments prior to signing of MOUs related to defence matters

372. Dr G W KOORNHOF (ANC) asked the Minister of Defence:

(1) Whether there is any co-ordination between his department, the Department of Foreign Affairs, and/or any other national departments prior to the signing of Memoranda of Understanding (MOUs) related to defence matters, between South Africa and other countries; if so, to what extent;

(2) what amount has his department (a) budgeted for and (b) spent on the signing of MOUs in the (i) 2003-04 and (ii) 2004-05 financial years? N439E

The MINISTER OF DEFENCE:

(1) In terms of section 231(1) of the Constitution 1996 (Act No 108 of 1996), the negotiation and signing of all international agreements is the responsibility of the national executive.

The strategic direction for the conclusion of all international agreements with a military or defence component is derived from South Africa's overall foreign and security policy framework emanating from amongst others the Department of Foreign Affairs, the relevant Cabinet clusters such as the justice, crime prevention and security cluster including the annual Cabinet lekgotla decisions.

(2) The DoD does not budget separately for the signing of international agreements. The conclusion of international agreements forms part of a complex foreign relations policy management process and funding for such purposes originates from specific items and series within the South Africa's bilateral/ multilateral diplomatic relations.

Police officers killed while on duty/off duty/off duty but in the line of duty

373. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

How many police officers were killed (a) in 2003 and (b) during the period 1 January 2004 up to the latest specified date for which information is available while (i) on duty, (ii) off duty and (iii) off duty but in the line of duty? N442E

encing a shortage of medical personnel; if so, what are the relevant details;

(2) whether his department is experiencing any problems in recruiting medical staff for the SA National Defence Force; if so, what are the relevant details? N340E

The MINISTER OF DEFENCE:

(1) The South African Military Health Services (SAMHS) has 230 vacant medical posts that include specialists as well as medical officer posts. The attrition rate of medical specialists during the 2003-04 financial year was 5% and that of medical officers was 14%. Most of these losses are from the Regular Force contingent, which directly impacts on the deployability of health services to foreign missions. After a cumbersome process, the final acceptance rate of medical officers appearing before selection boards is 30%. The net result is a shortage of medical personnel.

(2) Medical personnel that apply for positions in the SANDF always enquire about the remuneration packages that are available. The fact that there is no incentive to join the Regular Force increases the burden placed on the dwindling amount of doctors in uniform. The fact that no scarce skills or rural allowances are paid to medical personnel in the SANDF causes many potential applicants to rather choose the public sector where these allowances are paid.

Bedanking van SAMGD-lede wat op toelaes wag

304. Adv C B JOHNSON (NNP) vra die Minister van Verdediging:

(1) Of enige lede van die SA Militêre Gesondheidsdiens bedank het omdat hulle nie langer op toelaes wou wag nie; so ja, hoeveel;

(2) of sy departement enige stappe beoog om te verseker dat nie nog lede bedank nie; so nie, waarom nie; so ja, watter stappe? N341A

(Translation follows):

[Resignation of SAMHS members waiting for allowances

304. Adv C B JOHNSON (NNP) asked the Minister of Defence:

(1) Whether any members of the SA Military Health Service have resigned because they were no longer prepared to wait for allowances; if so, how many;

(2) whether his department intends taking any steps to ensure that no further members resign; if not, why not; if so, what steps? N341E]

The MINISTER OF DEFENCE:

(1) Some members have indicated as their reason for service termination, the non-payment of the scarcity and rural allowances that are currently only being paid to health professionals within the Department of Health. As formal exit interviews are not conducted in all cases, the exact number of members resigning with this specific reason cannot be determined.

(2) The Department of Defence (DoD) is in the process of obtaining the necessary authority and funds to implement the scarce skills and a revised rural area allowance for employees/members of the DoD. The Minister of Public Service and Administration advised the Department of Defence on 19 June 2004, that the DoD should first deal with the collective bargaining arrangements in the DoD before she could make any determination on the matter. The matter was tabled at the Military Bargaining Council on 19 July 2004.

effected. All applicable clothing items are then recorded for disposal according to existing South African Police Service instructions in the Property Register (SAPS 13) at the police station concerned.

(2) Yes, due to the fact that reservists perform a voluntary function without remuneration, reservists do not always formally resign from the SA Police Service, but just refrain from turning up for further duties. In such instances, it is required that station commissioners must trace such reservists in an effort to collect all items of uniform and other equipment in their possession.

The SA Police Service has also initiated a verification process to determine the current numbers/strengths of all reservists. During this process particulars of all inactive reservists will be identified with a view to embark on a process to recover all uniforms in possession of reservists, whose items of uniform or other insignia have not yet been handed in or collected at resignation or discharge.

University council receiving complaints about rector

443. Mrs S M CAMERER (DA) asked the Minister of Education:

(1) Whether the council of a certain university (name furnished) has received any complaints about the rector (name furnished) and members of his staff; if so, what was the nature of the complaints;

(2) whether the complaints related to financial mismanagement; if so, what amounts were involved?N553E

The MINISTER OF EDUCATION:

(1) According to the council, no complaints against the Rector and his staff have been received. What has come to council's attention are allegations by anonymous persons. These anonymous allegations were tested within the Institution and after receiving feedback from the students' representative council, unions, senior management and members of the Rectorate, the council is satisfied that these anonymous allegations do not merit any further attention.

(2) The question falls away.

Salary package of Rector/ Vice-Chancellor/others at certain university

445. Mrs S M CAMERER (DA) asked the Minister of Education:

What is the salary package of the (a) Rector and Vice-Chancellor (name furnished), (b) Executive Assistant to the Rector (name furnished) and (c) Senior Director, Finance (name furnished) of a certain university (name furnished)? N555E

The MINISTER OF EDUCATION:

According to the university council, the university has complied with the disclosure requirements in respect of salaries for all senior employees and full details are available in the audited financial statement of the institution. The details are:

Vice-Chancellor	Executive Manager: VCs Office	Senior Director: Finance
Prof AT Mokadi	Dr E Tshikwatamba	Mr DF Tsieane
R1 543 000	R643 000	R611 000

The MINISTER FOR SAFETY AND SECURITY:

	Murder	*Motor-vehicle accidents*	*Fire-arm accidents*	*Other accidents*	*Total*
(a)(i)	56	40	4	4	104
(a)(ii)	67	74	8	24	173

(a) (iii) Not available.

The following total of members were killed during the period 1 January 2004 to 31 July 2004:

(b)(i)	24	25	1	3	53
(b)(ii)	37	44	3	15	99

(b) (iii) Not available.

Measures to reduce contact crimes by between 7% and 10% annually

375. Mr R JANKIELSOHN (DA) asked the Minister for Safety and Security:

Whether any additional measures are in place to reduce contact crimes by between 7% and 10% annually over the next ten years as stated by Cabinet; if not, why not; if so, what measures? N444E

The MINISTER FOR SAFETY AND SECURITY:

Yes. In dealing with this priority, the JCPS cluster has completed profiles of the 63 areas in the country with the highest incidence of contact crimes. This information has been enriched with information obtained from Statistics South Africa. Planning sessions with the relevant provincial government departments and local authorities to obtain further information, as well as to get an indication of projects being implemented/planned to ensure the necessary development in the areas, are currently being conducted (10 to 20 August 2004). A gap analysis is also being done to identify further projects to be implemented, including social crime prevention to address the causes of crime ie job creation, infrastructure development etc. Immediate operational measures have been introduced, which include clean-up operations over the period July to September 2004. The areas also receive special attention in respect of the tracing of wanted suspects, illegal drugs and substance abuse and the seizure of illegal firearms.

SAPS recovering uniforms/insignia from former police reservists

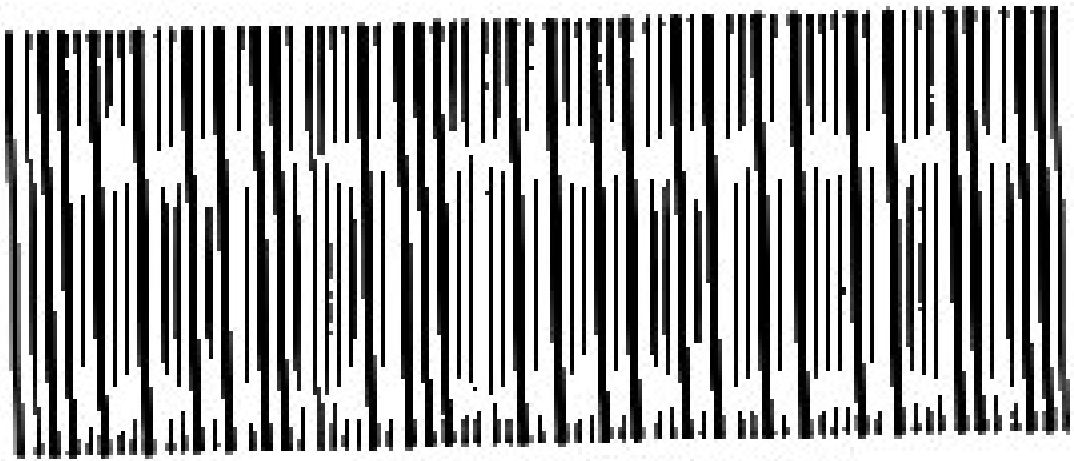
379. Mr J SELFE (DA) asked the Minister for Safety and Security:

(1) Whether police reservists who resign from or who no longer serve in the SA Police Service are required to hand in their uniforms and police insignia; if not, what is the position in this regard; if so, how soon after their resignation are they required to do so;

(2) whether the SAPS takes any steps to recover uniforms and insignia from former police reservists; if not, why not; if so, what steps? N448E

The MINISTER FOR SAFETY AND SECURITY:

(1) Yes, National Instruction 1/2002 for the South African Reserve Police Service determines that all items of uniform and other equipment of a reservist who retires, resigns, or has been dismissed or discharged must be handed in, immediately after resignation or discharge at the nearest police station, or at the police station where the discharge is



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