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***PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES***

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The Council met at 11:19.

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

**APPROPRIATION BILL**

(Consideration of Votes and Schedule)

**CONSIDERATION OF APPROPRIATION BILL AND REPORT OF SELECT COMMITTEE  
ON APPROPRIATIONS THEREON**

The CHAIRPERSON OF THE NCOP: Thank you very much. Can we ask the chairperson of Appropriations, please.

Ms D G MAHLANGU: Hon Chairperson, hon members, the guests in the gallery, fellow South Africans, I greet you all. It is my privilege

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to make a few remarks as I table before this House, a report on the 2019-20 Appropriation Bill on behalf of the Select Committee on Appropriations. Please remember, members, that this is my maiden speech.

Let me remind the House of the package of five measures government will implement to stimulate economic growth which were outlined by His Excellency President Ramaphosa in September 2018. Implementing growth enhancing economic reforms such as broadband spectrum allocation; restructuring the electricity sector and regulation of the transport sector to lower prices; reprioritisation of public spending to support job creation and economic growth; establishing an infrastructure fund addressing urgent measures in education and health; and investing in municipal social infrastructure improvement.

Hon Chairperson and members, we note that the Bill was amended by the Standing Committee on Appropriations of the National Assembly through section 10(10) and section 14 of the Money Bills Amendment Procedure and Related Matters Act and thereafter referred to the committee on 23 July 2019.

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Hon members and fellow South Africans, we are confident to declare this as a pro-poor budget as it channels resources to departments and programmes charged with the responsibility of providing social services to the poorest segment of our citizens. The importance of the redistributive and pro-poor budget cannot be overemphasised in light of the challenging economic environment that we see in South Africa and the rest of the world.

Hon Chairperson and members, the committee together with the Standing Committee on Appropriation, conducted a successful series of public hearings on the 2019 Appropriation Bill.

*IsiNdebele:*

Sizwile kobana kukhona hlangana nathi abaveze imibono yokobana kwangathi irherho lethu lokukhulumisana nabantu besewula afrika njengencenye yehlelo lokubandakanya umphakathi azange likhambe kuhle.

Sifuna ukutjho siyiKomidi ekhethekileko yokwabiwa kweemali yeNCOP ukuthi sikhulumisene nabantu, sibabizile kwabakhona abasitlolelako abanye batlola ngesiZulu satjhugululela kusiNgisi. Hlangana nalaba abezileko bazosethulela imibiko ngomlomo sine-COSATU, ikomitjhini yezeemali zikarhulumende, i-ofisi lesabelomali lePalamende, uNum Guy

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Harris nabanye esele ngibatjhwileko abasivezele imibono yabo ngokusitlolela. Sifuna ukutjho ke ukuthi ...

*English:*

... the Bill was tabled on 20 February and referred to the committees on 28 March. However, the Bill lapsed after the sitting of the National Assembly prior to the 2019 general elections and was revived on 27 June 2019.

*IsiNdebele:*

Sifuna kuzwakale kuhle ukuthi into le asiyithomi phasi. Njengoba iPalamende yesihlanu yavumelana ngomthehtomlingwa lo, thina njengombana sifika nje, siyiPalamende yesithandathu, siyithatha ukusukela lapho ...

*English:*

... and the process has been very involving from the National Assembly. Together the Select Committee on Appropriations and the Standing Committee on Appropriations from both Houses were being part of the process.

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As the NCOP we noted that the 2019 general elections substantially reduced the time available for us to process such an important piece of legislation.

*IsiNdebele:*

Siyazi ukuthi kunalaba abalilako. Silila soke begodu siyavuma kobana isikhathi sibe sincani. Besinganakuzikhethela siyijamisele ngecadi ngombana yoke into esiyenzako siyenza ngokomthetho njengekomidi yokwabiwa kweemali. Siyavuma kilokho abakutjhoko ukuthi isikhathi sibe sincani. Kilokho esibonisene ngakho siyikomidi, sizwene kobana esikhathini esizako, sizozinikela isikhathi esinengi ...

*Sepedi:*

... gore re be le nako ye ntshi ya gore re lebeledišiše taba ye - re kwe dillo tša batho ...

*English:*

... and the Appropriation Bill must speak directly to the cause of the people - as we have been going around.

*IsiNdebele:*

Sithe nasihlangeneko ...

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*English:*

Let me go to this one ... noting that even the Appropriation Bill allocates resources across the national sphere of government, but the 69,7% of such allocations goes into transfers and subsidies for provinces, municipalities, public co-operations and other non profit making entities.

The Bill allocates a total amount of R882,6 billion for government expenditure, and this excludes direct charges. While the committee welcomes the 2019 Appropriation Bill which was tabled under difficult economic climate, the committee made note of the following: We are not happy at the way the funds are being managed and being spent on state-owned entities - the performance. Therefore, as the ANC we are not happy and collectively so as the committee we have raised concerns and we have made it clear.

Let me firstly start by appreciating the co-operation from Treasury and the Ministry for availing themselves when we were discussing the Appropriation Bill. We have raised, unconditionally so and very strong, to the Ministry and the leadership of Treasury that monies cannot just be given to state-owned entities as bailouts or guarantees without stringent conditions. We also said it loud and clear to the department or to Treasury that we want, as the select

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committee, to be given those conditions so that we can be able to do our oversight ...

*Sepedi:*

... re kgone go bona gore maemo ao ba ba beetšego tšona, ba a di latela naa. Ga re nyake gore ba ba fe ...

*English:*

... a blank cheque that does not have conditions. And they must not rely, all the time, on the state to come to their rescue.

The ANC-led government is firm in ensuring that state-owned entities are revitalised and improve their sustainability and profitability. It is for this reason the committee expressed concerns that while the Passenger Railway of South Africa's rolling stock was ageing and experiencing higher maintenance costs, funds were being taken away from capital projects and new locomotives programmes to fund the South African National Roads Agency.

The committee is also concerned about the movement of funds from non toll roads to fund e-toll roads and suggested that this was perpetuating inequalities especially the movement of funds to cater for the Gauteng Freeway Improvement Programme. This was a hot potato

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in the discussion during that session. We cannot disadvantage the rural and the previously disadvantaged because we know that ...

*IsiNdebele:*

... abantu abasebenzisa isitimela esikhathini esinengi babantu abatlhagako abanganazo iinkoloyi nofana iinthuthi ezizakukhamba eendleleni ezinama e-tolls. Angeze samuka abantu abatlhogako imali efanele ibasize siyokusekela ngayo ama e-tolls nge-Gauteng.

*English:*

So, we have agreed also, as the committee, and recommended that the Minister of Finance together with the Minister of Transport must find a way of funding the Gauteng Freeway Improvement Programme.

Hon members, we also welcome the signing of the memorandum of understanding between the National Treasury and the Department of Co-operative Governance and Traditional Affairs to clarify their roles and responsibilities to ensure better accountability and improved fiscal oversight of municipalities.

The committee is of the view that, although monitoring oversight support and reporting on audit outcomes of municipalities now resides with national and provincial treasurer, both the Committee

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on Appropriations and the Committee on Co-operative Governance and Traditional Affairs committee will need to monitor progress in this regard.

*IsiNdebele:*

Abomaspala basipha umraro ...

*Sepedi:*

... ba a re hlobaetša.

*English:*

The performance of municipalities needs our undivided and serious attention as parliamentarians because we cannot allow a situation where monies are being spent but the performance speaks something else. Hence we are recommending that the Minister in Monitoring and Evaluation in the Presidency together with the Minister of Co-operative Governance and Traditional Affairs should [Time expired.] Thank you very much. As the ANC, hon Chairperson, we want to present the Bill and request the members to support. Thank you very much. [Applause.]

The CHAIRPERSON OF THE NCOP: Hon members, just to make a very short announcement: The learners attending the NCOP plenary today are from

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Matabela Secondary School from Motale in Thohoyandou in Limpopo.

[Applause.]

As we proceed, hon members, let me indicate that that concludes the short input and debate in the order in ... we will now proceed, sorry, to look at the Votes in the way they appear in the schedule to the Bill. Before I do so, I would like to remind members that when voting doors will be closed. Therefore, if you are out, obviously, you can't vote. Now, the votes.

**APPROPRIATION BILL**

(Consideration of Votes and Schedule)

Vote No 1 - Presidency - put

*Declarations of vote:*

Mr G MICHALAKIS: Chairperson, just on a point of order. I would like to know if parties are not getting the opportunities to make declarations.

The CHAIRPERSON OF THE NCOP: If there is anyone who wants to make a declaration, I guess we will have to ... Nyambi?

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Mr A J NYAMBI: It is a procedural matter so that when we go on we must not experience problems. We have in terms of the rules to make sure that when a member has called for a division, at least we have that minimum of four supporting because we will have one member that will broke down plenary and call a division and get the four as a support. So before we can have the bells we were supposed to get the four that are supporting the division that has been called.

The CHAIRPERSON OF THE NCOP: Obviously the number is more than four. Having done that, can we then move over and have the declaration being made?

Mr T J BRAUTESETH: Chairperson, it appears like we have a problem with the microphones. Okay, they are on now. Shall I make the declaration from the podium or from here?

The CHAIRPERSON OF THE NCOP: You can make it from where you are hon member to save time.

Mr T J BRAUTESETH: I think everybody is in agreement that we save time today.

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Chairperson, Members of the House, fellow South Africans, on the 15th of February 2018, President Cyril Ramaphosa was inaugurated as the President of the Republic of South Africa.

The DA on that day had the good grace to congratulate the new president and wish him well in his endeavours, even though he had been Leader of Government Business for the past four ruinous years.

I had the honour to congratulate the President personally on the floor of the National Assembly after the proceedings. As I shook his hand, I also assured him that, as a then member of the Standing Committee on Public Accounts, SCOPA that I would hold him and his government to account. He encouraged me to do nothing less.

Many in South Africa were emboldened by the new dawn, widely known as Ramaphoria. Since then, the President has been involved in internal battles with Luthuli House over financial and constitutional policy. He has admitted, at the very least, that he provided incorrect information to Parliament which has led to a damning condemnation from the Public Protector.

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And this past weekend he was forced to challenge his National Executive Committee, NEC, to remove him at the next ANC National General Council, NGC, if they didn't like his leadership.

So before supporting any Budget, the essential question is: Who is running the Budget? Who is in charge? Is it the Secretary-General and Luthuli House? Or is it the President and the Union Buildings? Or is the canny Deputy President just biding his time as the ANC Titans clash, ready to step forward as the compromise candidate?

President Ramaphosa is fond of quoting Teddy Roosevelt's "The Man in the Arena" as a dismissive statement to those outside of government.

The President must be reminded today that the DA is in the arena. Our faces are marred by dust and sweat and blood. We do strive valiantly. We do dare greatly. And we shall know victory. And the ANC will know defeat. Siyabangena!! [Applause.]

The CHAIRPERSON OF THE NCOP: We will now proceed. Yes, is that a point of order, hon member?

The CHIEF WHIP OF THE NCOP: No, it is a declaration on this.

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The CHAIRPERSON THE NCOP: Okay.

The CHIEF WHIP OF THE NCOP: Okay. Chairperson, firstly, I want to start by saying that there is no amount of hypocrisy that will make the people of South Africa to understand what the DA stands for.

Allow me to rise on behalf of the ANC on the declaration of our undivided support for the Vote of the Presidency. This is the first Vote for the sixth administration after the renewal of the democratic mandate of the ANC by the people of South Africa. we welcome this Vote especially against the backdrop of the reconfigured national executive with the enhanced capacity to co-ordinate and monitor the implementation of strategic priorities for the current Medium-Term Strategic Framework.

Amongst key voices of our people during the election campaign were call for the intensification for government efforts against crime and corruption and addressing the triple challenges of joblessness, poverty and inequality. This Vote gives articulation to the capacity of the Presidency as a critical centre of policy planning implementation monitoring and evaluation.

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The reinvigoration and reanimation of the policy planning coordination and implementation in the Presidency is amongst the critical steps to build and strengthen capacity of the democratic developmental and capable state in line with the National Development Plan. Of course the DA advocates for a weaker state where market will dictate. It is our considered view as the ANC that any attempt to reject this Vote is the rejection of democratic mandate to fight crime and corruption address triple challenges unemployment, poverty and inequality. You shouldn't scavenge of the lives of our people. Our people need change and now.

The CHAIRPERSON OF THE NCOP: Hon Rayi?

The CHIEF WHIP OF THE NCOP: Chairperson, I would like to propose that we should divide the House, those that will be voting against must go that side and those for on the other side. And also propose that we have two people that will be counting to assist the table.

The CHAIRPERSON OF THE NCOP: Can we do as proposed. Traditionally this how voting has happened in the NCOP. Can we do so?

Mr G MICHALAKIS: On a point of order.

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The CHAIRPERSON OF THE NCOP: Yes.

Mr G MICHALAKIS: Chairperson, I refer you to Rule 65(1) which states that after a question has been put and the presiding officer has indicated whether the Ayes and Noes have it, any member may demand the division and then it continues to indicate what the procedure is in Rule 66. In other words the division can only happen after the vote has taken place otherwise what are you dividing on. So, therefore I would suggest that we vote and then a division be called and then we divide. Thank you.

The CHAIRPERSON OF THE NCOP: I think that throws the House somewhat into confusion. The call for division is the call to vote as I understand it broadly and I therefore without any waste of time call on members to divide the House in terms of the sitting arrangement so that we can proceed with the question of manual voting. Please sit down, hon members.

The CHAIRPERSON OF THE NCOP: What is the point of order?

Mr G MICHALAKIS: This House can't unilaterally decide to change the Rules of this House as they please. I have quoted to you from the Rules of the House what the procedure is and would request to you to

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please follow the Rules of the House as opposed to a hon member from the Eastern Cape suggestion. The Rules of the House are very clear. We vote then a division is called and then we divide in terms of Rule 66.

Ms C LABUSCHAGNE: Chair, on a point of order.

The CHAIRPERSON OF THE NCOP: what is the point of order, hon Labuschagne?

Ms C LABUSCHAGNE: Chairperson, I want to support what hon Michalakis said because the Rule 65(1) makes provision for a vote before a declaration. In the first place the order of this session started wrongly. I didn't interrupt because the order number one is fist Votes on the order paper. Order number two is the report on the Bill. We started with order number two and we didn't reject or accept the report. I left it; because of the chaos we started with I stood up and ask for a division. As the Chairperson you should rule but it is right in this House. So, the Rules are that we first vote and then we divide. So we first have to call for the people we agree or support the vote then for those who don't support the vote then count those who are abstaining and then we call for a division and then we continue. Thank you.

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The CHAIRPERSON OF THE NCOP: Yes, hon member.

Mr Y I CARRIM: Sorry about that chairperson, it seems the microphones are not working as they should. You will remember in the National Assembly at least. No, no, can I speak, please. It is my right to speak. I am not going to count out anybody.

The CHAIRPERSON OF THE NCOP: Please proceed.

Mr Y I CARRIM: Nobody. It is my right to speak. Now, here it is. As I understand it the words being used are causing the confusion but the process and you can't have two completely separate set of Rules for two completely different analyses in some substantial things. As I understand it, it is the use of words that is causing the confusion. As I understand it and I am not familiar enough for the NCOP. I hope is for those who will come in. it is this that you actually ask for what we call it Ayes and Noes and then what happens is by verbal indication you have a sense of where people are and then you say as I understand it those who want a division the Bells will ring for so many minutes or whatever but the difficulty with my colleague there and I understand it. It is that he is using the word called vote. The vote literally occurs I hope advocate Phindela is

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listening when you press the button or we vote in this case physically. Thank you.

The CHAIRPERSON OF THE NCOP: Hon members, we will now proceed and the way we are going to proceed is to find out and gauge whether members support the Vote broadly. Can we find out those in favour? Those against! Those abstaining! I guess those who support the Vote are seem to be in the majority but that being the case it seem ... Yes, hon member.

Ms N P KONI: The point of order is that you can't guess.

The CHAIRPERSON OF THE NCOP: Yes.

Ms N P KONI: You must know that the Noes have it.

The CHAIRPERSON OF THE NCOP: So the EFF is calling for a division?

Ms N P KONI: But you are missing a point.

The CHAIRPERSON OF THE NCOP: Okay, I am listening.

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Ms N P KONI: We are saying you guess that the Ayes have it but I am saying you can't guess.

The CHAIRPERSON OF THE NCOP: Yes.

Ms N P KONI: You must know.

The CHAIRPERSON OF THE NCOP: Okay.

Ms N P KONI: So I am telling you the Noes have it. Thank you.

The CHAIRPERSON OF THE NCOP: Is the DA calling for ... Yes. The DA?

Mr G MICHALAKIS: Chairperson, clearly according to what I heard the Noes have it, therefore I will call for a division in terms of Rule 65 and 66. Thank you.

The CHAIRPERSON OF THE NCOP: Therefore hon members that being the case, we will move to the actual voting and the bells will ring for a minute.

Division demanded.

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The Council divided:

[TAKEN IN FROM MINUTES]

Vote agreed to (Democratic Alliance and the Economic Freedom Fighters dissenting).

Vote No 2 - Parliament - put.

The CHAIRPERSON OF THE NCOP: Having gone through the process, this Vote is agreed to and we will move to the next ... [Interjections.] [Applause.]

Ms C LABUSCHAGNE: No Chair, sorry. Chairperson was there any calls for declarations?

The CHAIRPERSON OF THE NCOP: But hon members are expected to stand up and indicate ... [Interjections.]

Ms C LABUSCHAGNE: No Chair, you have to call that and if ... [Interjections.]

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The CHAIRPERSON OF THE NCOP: Will the DA like to make a declaration? Can we proceed? Now, thank you very much. We will proceed to Vote 3. Are there any objections on Vote 3?

Ms N P KONI: As we go according to Votes, when we arrive at Vote 3, just say Vote 3 - Communications. Because sometimes from your seat, you get confused and we you do, we are able to quickly correct you. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: Just indicate that again please.

Ms N P KONI: As you continue with the Votes, for instance, when you get to Vote 3 being Communications, please read Communications. Don't just say Vote 3 so that there is confusion we can be able to ... [Inaudible.]

Mr W A S AUCAMP: Chair, on a point of order. Chairperson, I am slightly confused now as well. I have joined the ranks of those members. [Laughter.] Hon Chairperson, on Vote No 2, you have firstly asked if there was an objection and we indicated that there was. And then we made you ask for a declaration, there wasn't. But no vote was taken. There is no indication how many members voted in favour

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or against that Vote. Now, we proceed to Vote No 3. I just need your explanation and clarity on that please.

The DEPUTY CHAIRPERSON OF THE NCOP: Well hon members, we will proceed.

Ms N P KONI: We can't move to the next Vote without allowing members who were locked outside to come in. That is one of the problems. You are dealing with us, blatantly like that.

The DEPUTY CHAIRPERSON OF THE NCOP: We now want to ...

[Interjections.] Because there was no ... Okay!

Mr T J BRAUTESETH: Hon Chair, it's quite easy. You cannot go to the next Bill if this House has not voted on the previous one. You have not asked for the "ayes" to "ayes" and the "noes" to say "noes". You cannot go on. So, put the Bill to the vote after the vote has been done verbally, then people can ask for a division. But you cannot expect this Vote to be carried through. Nobody voted on this.

The CHAIRPERSON OF THE NCOP: Yes, Deputy Chair.

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The DEPUTY CHAIRPERSON OF THE NCOP: Chairperson, one thing that I have observed is that there is confusion in the House because every time when the opposition rises, they want us to do things according to the Rules of the National Assembly. [Interjections.] No! No! I want to be listened to because we have listened to you. The declaration of vote is the first thing. When a question to be decided by the votes of individual members has been fully put, the Rules don't say how it is put.

So, the Chairperson said I am putting Vote 2 in front of you and there are any objections? There is an objection. After the objection there should be a declaration of vote. The issue of "ayes" and "noes" comes in the demand for division according to these Rules. Let us just read it properly. [Interjections.] According to these Rules, that is where it comes in. [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon members, to try and ...  
[Interjections.]

Mr T APLENI: On a point of order Chairperson. Chairperson, I would really like to help out.

The CHAIRPERSON OF THE NCOP: What's the point of order hon member?

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Mr T APLENI: The point of order Chairperson is the point to assist you. Can I call for a short adjournment to the House and yourself and the Whips of all the parties and the Table staff meet to discuss the procedure forward. Otherwise Chair, I fear I will go straight from this meeting to my 10'o clock committee meeting tomorrow. [Laughter.] I just want to suggest that we get clarity so that we don't have these fights the entire day. I am just to make common sense Chairperson.

The CHAIRPERSON OF THE NCOP: No hon member, we will not do that. We will not do that.

Ms M N GILLION: Chairperson, allow me to address you. I think some of the opposition members are in this House to waste our time. [Interjections.] The Deputy Chairperson already gave an indication of the Rules of the NCOP. I will ask you to proceed with the business of the day. We are not here to make jokes. The residences of South Africa are waiting for us to approve this Appropriation Bill. We can't be kept hostage because people wants to be technical and they don't understand the Rules of the House. [Interjections.] Can we proceed with the business of the day? Please Chairperson? [Interjections.]

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The CHAIRPERSON OF THE NCOP: Hon members, the dilemma that we are in, some is caused by people standing up saying this or the other, is that the Vote was put and was Tabled and there was one or two objections. We then proceeded to note the objections in terms of my guide in front of me here. And because no one called for a division ... [Interjections.] ... we didn't go to the process of the actual voting ... Can we go back to Vote 2, hon members? [Applause.]

Vote No 2 - Parliament - put

The CHAIRPERSON OF THE NCOP: The next step is to find out ... let me do it this way. The next step is to find out if we should then proceed to the next step. [Interjections.] The next step is ...  
Nyambi

Mr A J NYAMBI: Chair, I am appealing to all of us hon members, it is a very serious process so that we just confuse for no reason. Chair, if you call for an objection, allow all political parties that wants to object and then you note them. After you have noted all the political parties, because you can't go to a division with one party objecting, we have to note all political parties that are objecting. That is what is missing now because already we have noted an objection of the DA. Now allow any other party that wants to join

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the DA in terms of the objection. Then after that, then we go to the next one and then they will call for a division. And when they call for a division; that is why earlier on I talked about the issue of the numbers because it means that as Nyambi alone, I can say I call for a division and if I don't have support, I don't have the minimal number in terms of the Rules of the NCOP, it means that thing falls off. That is why at all times you have to make sure that we meet the necessary threshold. But now, allow other parties then we can go to the next one. [Interjections.]

The CHAIRPERSON OF THE NCOP: Can we find out hon members if there are any other political parties that wishes to make an objection.

Mr T APLENI: Thank you hon Nyambi, Chairperson, I think you cannot always be assisted. Maybe hon Nyambi must go there and you come here. [Applause.] [Laughter.] But we just want to put it on record that the EFF objects.

The CHAIRPERSON OF THE NCOP: Is there any other objection?

[Interjections.] Is the Vote agreed to? [Interjections.]

Mr W A S AUCAMP: Hon Chair on a point of order, in terms of Rule 65 and I want to read it to you. After a question has been put and the

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officer presiding has indicated whether the "ayes" or the "noes" have it, any member may demand a division - after the "ayes" or "noes" have been decided. You cannot carry on with anything before you ask this House to say "ayes" or "noes" - that is the Rule. And, you are supposed to have the Rule book. Ask whether this House agrees and ask everybody to voice his vote. Will all those in favour say "ayes" and all those against say "noes", that is easy as it is.

The CHAIRPERSON OF THE NCOP: Thank you very much hon members, there being no other objections, we will now proceed. Can I find out if any of the political parties present here wants a division?

Mr G MICHALAKIS: Thank you hon House Chairperson, if you would please indulge just for a second. You first asked - with respect - for a declaration on the vote because you need to explanation why you are voting in a specific manner. Then the Vote needs to be asked if there is anyone objecting, because if no one objects, then it's unanimous. If there is an indication that we are objecting; then the "ayes" and "noes" and the have to be put and if they "ayes" and the "noes" have been put and we don't agree that the "ayes" have it, then we call for a division so that we can physically see how many people are in favour and how many people are against.

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So, it's the declarations, then the objections and then a vote and then the division. Just those four things that you have to remember, with respect Chairperson, can we stick to those four things in that order? We haven't voted so we can't divide if we haven't voted. And it is not the National Assembly that I am following. We quoted to you from this book that you should know by now.

Mr E M MTHETHWA: Chair, I think we have done all that's supposed to be done. [Interjections.] I am saying this for one reason. This paper which is called a declaration paper, parties have indicated on it where they want to do their declarations. You have asked us, now we can't go back to declaration after we have agreed that the "ayes" have it. So, that is the procedure that we must follow. I think now we must go to point three. [Interjections.]

The CHAIRPERSON OF THE NCOP: Okay hon members. What the point of order? [Interjections.] We will try to push forward.

Ms C LABUSCHAGNE: Chair, on a point of order: Really this is not the way to start a new Parliament. The declaration form is not taking away the Rules of this House. It's very plain and simple as it has been explained and read from the Rule book - not from anything else - from the Rule book. This is Parliament and we have to do it

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according to the way the Rules spell out. Because whenever we deviate, that becomes a pattern and there are so many wrong patterns in the NCOP. We cannot let the last thing go. So, we have to go according to the Rules. This is a Budget of billions of rands that we are not prepared to follow the Rules in this House. Thank you.

The CHAIRPERSON OF THE NCOP: Thank you hon members. Can I try to push the process forward? And, this is what I am going to do. Having noted the objections from the various political parties, can I find out if any political party wants to make a declaration? Does anybody want to make a declaration? No declaration. Can we then move to raise the question?

Division demanded.

The Council divided:

AYES: 38: Bebee, L C; Carrim, Y I; Dangor, M; Gillion N M; Govender, L P; Gxoyiya, A B; Llatchmirain, T; Lekganyane, N M; Lucas, S E; Mamaregane, L M; Matibe, T B; Matiwane, T; Mfayela, S E; Mohai S J; Moshodi, L M; Motswana, A; Modise, T C; Mthethwa, E M; Mahlangu, D G; Maleka, A D; Mkiva, Z; Mokgonyana, E M; Mmoiemang, K M; Mmola, M P; Ncitha, Z V; Ndongeni, N; Nkosi, S C; Ntsube, I; Ngwenya, W;

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Nchabeleng, M E; Nyambi, A J; Njadu, E J; Rayi, M I; Rosho, M Z;  
Saziwa, M; Sekoati, S C; Selane, C B D; Shaikh, S.

NOES: 24: Apleni, T; Arnolds, A; Aucamp, W A S; Bara, M R; Baartman,  
D; Boshoff, H S; Brauteseth, T J; Christians, D C; Koni, N P;  
Lehihi, S B; Luthuli, S A; Labuschagne, C; Michalakis, G; Moletsane,  
M S; Motsamai, K; Nhanha, M; Ryder, R D; Smit, C B F; Sileku, I M;  
Visser, C; Wenger, M; Zandamela, S.

ABSTAIN: 2: Cloete, A B; Du Toit, S F.

Vote agreed to (Democratic Alliance and Economic Freedom Fighters  
dissenting).

Vote 3 - Communications - put.

Mr S F DU TOIT: On a point of order. Could the secretary perhaps  
indicate how many eligible voters are here in the House because a  
total number of people that voted in the first round and the number  
that voted in the second round are different? They don't tally up.

Division demanded.

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The Council divided:

[TAKE IN FROM MINUTES.]

Vote agreed to (Democratic Alliance, African National Congress, Freedom Front Plus dissenting).

Vote 4 - Co-operative Governance and Traditional Affairs

Vote 3 - Communications

Vote 4 - Co-operative Governance and Traditional Affairs - put.

*Declarations of vote:*

Ms C VISSER: Hon Chair, hon members of the House and guests in the gallery, the Department of Co-operative Governance and Traditional Affairs has a constitutional as well as a legislative mandate with regards to the functioning and development of local government systems.

The Department of Co-operative Governance and Traditional Affairs, Cogta, has to ensure that all municipalities perform their basic responsibilities and functions without compromise.

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Accountability, according to Municipal Finance Management Act, MFMA, is not enforced and the rule of law is not respected or honoured by those entrusted to ensure that there is compliance to the laws of this land.

According to the findings of the Auditor-General, the financial status of South African municipalities has become worse. The overall decline and the unbearable state of deterioration in the audit outcomes is proof of lack of oversight, control and discipline by the various local government role-players. The evidence speaks for itself. From a total of 257 municipalities that were audited, those with clean audits regressed from 14% in the previous financial year to 8%. This financial regression of municipalities across the country continues to worsen, directly affecting the delivery of services to the citizenry of South Africa.

In the 24 years of democratic local government, Cogta could not pursue the mandatory core function to implement and monitor the implementation of national policies and legislation resulting in the collapse of local governments and subsequent failure to deliver essential services.

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Legislation from Cogta during the 5th Parliament has also been flawed. The Municipal Demarcation Act, the Traditional Khoisan Leadership Bill and the 2017 Constitutional Court ruling based on procedural flaws on the 2011 Amendment Bill of the Municipal Systems Act being unconstitutional. The Department of Co-operative Governance and Traditional Affairs to be resolute and ensure a new respectable era of co-operative governance as envisioned in our Constitution. I thank you. [Applause.]

Mr S F DU TOIT: Hon Chair, members, the ANC government's greatest failure in the conditions of our municipalities has collapsed service delivery and most municipalities are dysfunctional, unsustainable and some even bankrupt.

We cannot approve a budget that will be squandered by municipalities where no consequent management is implemented. The ANC-led municipalities where cadre deployment and tender corruption is the order of the day and the moral compass seem to have been lost. These are municipalities where the Auditor-General's reports are blatantly ignored.

Out of the 257 municipalities that were audited, only 18 of them managed to produce quality financial statements, performance reports

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as well as comply with all key legislation thereby receiving clean audits. This is regression from the 33 municipalities that received clean audits in the previous year.

There is a clear indication that many employees who are employed by municipalities do not possess the necessary skills to perform their tasks and we submit that this is due to cadre deployment and affirmative action which does not favour merit above race.

With the high rate of fraud, corruption, poor debt collection and supply chain mismanagement, it is no wonder that there are no funds left for service delivery.

*Afrikaans:*

Met die vergrype in wanbestuur wat steeds plaasvind, word daar vandag in die J B Marks Plaaslike Munisipaliteit in Noordwes oorweeg om sekuriteitsbeamptes aan te stel om oor munisipale eiendomme te bewaak. Hulle moet aangestel word teen R600 000 per maand. Dit is as gevolg van populistiese onrealistiese uitsprake oor grond.

By Stilfontein in Noordwes en die Khuma-uitbreiding word 'n hele gemeenskap op die oomblik gyselaar gehou om die regering se aandag

daarop te vestig dat geen ontwikkeling die afgelope paar jaar daar plaasgevind het nie.

Suid-Afrika kan nie bekostig dat die ekonomie skade moet ly weens protesoptrede soos hierdie, as gevolg van 'n kultuur soos hierdie wat soos 'n verwoestende vuur verslind om sy selfsugtige lus, selfregverdiging en eiegeregtigheid te bevredig nie.

Ons kan nie reëls maak soos ons aangaan nie. Ons kan nie toelaat dat munisipaliteite nie optree volgens die reëlboek nie. Netso kan hierdie Huis nie aangaan om reëls te buig soos wat dit sekere mense pas nie. Dankie.

Ms Z V NCITHA: Chairperson, the ANC rises in support of Budget Vote for the Department of Co-operative Governance and Traditional Affairs. The Vote finances critical programmes to effective delivery of services in provincial and local governments.

In the financial year, Cogta will strengthen co-operative governance and improvement of relations between municipalities and the departments. The Community Work Programme is integrated urban development framework, which is also part of the programme that is led by municipalities and its economic development.

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The Back to Basics is key in Cogta's discharging of its mandate and building capacity at local government level. The ANC acknowledge the progress made within the 25 years and noted the challenges highlighted by the Auditor-General, which include lack of financial, technical and administrative capacity as identified in most and dysfunctional distress municipalities.

We call upon the spheres of government to take note of the recommendations made by the Auditor-General.

*IsiXhosa:*

Sitsho sisithi ke Sihlalo ohloniphekileyo, le voti sithetha ngayo yenye yezinto ezizakuqinisekisa ukuba kukho uthatho-nxaxheba lweeNkosi nokuqiniswa kweziseko zothatho-nxaxheba lweeNkosi koomasipala. Loo nto ke izakuqinisekisa ukuba iinkqubo ezikhoyo koomasipala ziyakwazi ukuya kuluntu ngokubanzi, ngentsebenziswano ephakathi kweeNkosi kunye nooceba.

Siye savana ke singurhulumente okhokhwelwe yi-ANC ukuba sizakuzithathela ingqalelo izinto ezithe zamiswa ziiNkosi, eziyi miceli-mingeni kwaye siqinisekisa ukuba i-ANC izakuzithathela ingqalelo ezo zinto kolu hlahlo lwabiwo-mali.

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*English:*

The ANC-led government introduced and implemented the Back to Basic programme guided the spirit of Batho Pele. This principle entailed a commitment to public service integrity and dedication to fight corruption - a hands on approach to deal with local government challenges, public participation and people-centred approach. Our commitment to this principle will contribute towards the required status of local government. It is about getting the basics right, building institutional resilience and administrative capacity for improved holistic and functional municipalities. I thank you Chair. [Applause.]

Mr C F B SMIT: Hon Chair, I just want to have clarity. The declaration by hon Ncitha was for which faction? [Laughter.] The Ace Magashule one or the Ramaphosa one? [Interjections.]

Ms Z V NCITHA: On a point of order, Chair. I am not representing factions here; I am representing the ANC. Thank you. [Applause.]

Declarations of votes made on behalf of the African National Congress, Democratic Alliance and Freedom Front Plus.

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The CHAIRPERSON OF THE NCOP: Now to the voting. The bells will be rung for two minutes. [Interjections.]

Ms M N GILLION: Chairperson, why? There is no call for a division? [Laughter.]

The CHAIRPERSON OF THE NCOP: It is because this is a procedure that you people thought was appropriate.

Mr W A S AUCAMP: Yes, but Chairperson, the results haven't been put to us and the division hasn't been called. I am confused as to why the bells are now suddenly being rung. [Inaudible.]

Mr A J NYAMBI: Chair, we only have the bells ringing when there is a call for a division. Now, we don't have a call for a division. If you are were saying the Ayes have it or the Noes, then we can take it from there.

The CHAIRPERSON OF THE NCOP: Okay. As I understand it, the Ayes have it. You call for a division. Thank you very much. The bells will be rung for two minutes.

Division demanded.

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The Council divided.

[TAKE IN FROM MINUTES.]

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Ms C LABUSCHAGNE: Chair, on a point of order. I can still hear the bells ringing. [Laughter.]

Agreed to.

Ms C LABUSCHAGNE: On a point of order. We are now coming right. Can we do it perfectly? The bells should ring and stop ringing. When they stop ringing, it's an indication to those people that are outside that they have to be in.

The CHAIRPERSON OF THE NCOP: Please seat down, hon member.

Ms C LABUSCHAGNE: While the bells were still ringing, people were outside and we were already closing the doors and counting.

Mr C F B SMIT: On a point of order, Chairperson.

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The CHAIRPERSON OF THE NCOP: Please seat down, hon member.

Mr C F B SMIT: Hon Chairperson, the last thing this country needs or want is for the budget not to pass because Parliament didn't follow procedure.

The CHAIRPERSON OF THE NCOP: Please, seat.

Vote No 5 - Home Affairs- put.

Division demanded.

The Council divided:

Mr W A S AUCAMP: Hon Chair, point of order. The bells have not rung once. The bells have not rung.

The CHAIRPERSON OF THE NCOP: Please sit down. The question upon which the Council will divide is Vote 5, Home Affairs, that this vote, be agreed to.

Mr G MICHALAKIS: Chair on a point of order. Chair, if I may have a chance, the reason we are raising these things, is not to be

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difficult. There is a reason why these rules are in place. There is a reason why the bells are being rung; it is to indicate to members who are not in the vicinity of the chamber that a vote is taking place. Every member has an individual right to vote in this house. They need to get an indication that a vote is taking place and they need enough time to get to this House. It is your duty, hon Chair, to protect the individual members.

The CHAIRPERSON OF THE NCOP: Please sit down hon member, please sit down. Please sit down. We shall now proceed, yes hon Nchabeleng.

Mr M E NCHABELENG: Is it Parliamentary for a member to come in the House carrying hot beverages, and just get in the House and start raising questions on order? The hot beverage with the person, so that, we can all bring our coffees in the house, is it Parliamentary?

The CHAIRPERSON OF THE NCOP: Thank you very much hon Nchabeleng, please sit down.

Vote agreed to (DA and EFF dissenting).

Vote No 6 – International Relations and Cooperation

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Vote No 5 - Home Affairs

Vote No 6 - International Relations and Cooperation - put

Division demanded.

The Council divided:

The CHAIRPERSON OF THE NCOP: I am sure the table can check that when the bells are ringing. I am told that the bells are ringing.

Hon Member: The bells are not ringing

The CHAIRPERSON OF THE NCOP: They are ringing.

Hon Member: Chair, we have just been informed that there is a technical problem with the bells, it cannot ring. [Interjections]

The CHAIRPERSON OF THE NCOP: The table-staff has indicated that the bells are ringing.

Mr W A S AUCAMP: Hon Chair, we have just been informed by officials of this Parliament that the bell system is not working. If the bells

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are not ringing they must do it manually, but the bells must be rung and the bells are not working. What will happen if I am sitting in the Marks Building and I am not notified of the votes? We must have the bells ringing, that is the law. [Interjections] I know that the ANC is used to not adhering to the law, but this is the Rules of this House. If they want not to have the bells ringing, that is fine but the bells must be rung. Thank you. [Interjections]

Ms C LABUSCHAGNE: Chair, on a point of order.

The CHAIRPERSON OF THE NCOP: Please sit down hon member.

Ms C LABUSCHAGNE: Chair, the whole procedure has been explained according to the rules why the bells are important. We are taking away the right of members sitting in this chamber to vote if they cannot hear the bells. My proposal is that, let us adjourn until the bells can be fixed and start all over again. [Interjections]

The CHAIRPERSON OF THE NCOP: Hon member, I have received an official report that the bells are ringing.

Ms C LABUSCHAGNE: Chairperson, you are a Presiding Officer. You must make sure whether the bells are ringing or not. The bells are not

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ringing and it was reported that there is a problem, so the procedure of correctness... [Interjections]

The CHAIRPERSON OF THE NCOP: Hon member, I have received the third report that the bells are ringing. Please sit down.

The CHIEF WHIP OF THE NCOP: Chair, I just rise on a point of order that, members are repeatedly giving falsified information in the House to create an impression that this is a House that is chaos, whereas the systems are functional. We trust your ability Chair, to facilitate the discussions around the adoption of the Appropriation Bill today. We would like that the House should proceed because all matters that were raised earlier, were clarified. All of us did agree to issues of the rules that were raised by members. Now, when they see that there is a floor with regard to the discussion in the House they find something that is nonexistent and want to create chaos in the House. Hon Chair I just move that we proceed with the House unhindered.

Vote agreed to (DA and EFF dissenting).

Vote No 7 -National Treasury- put.

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DA and EFF objected to the question on to Vote 7 being put.

*Declarations of vote:*

Mr D R RYDER: Chair, the Minister in an absentia, the Deputy Minister in absentia and the team at National Treasury have a massive challenge to address the ludicrous levels of debt incurred during the madness of the Zuma regime while trying to boost the economy to deal with a dwindling tax income and to turn around the trend of increasing unemployment. We just heard that it has increased to 29%.

The budget presented is a bailout budget, attempting to fill the holes left by state capture. If the Minister was here, we would acknowledge that he heard it in the National Assembly debate as well. If your actions are in the interest of growth and prosperity, we will support you fully. If your actions are politically directed and continue to feed the budget deficit, we will oppose you with everything that we have.

The introduction of the Fiscal Responsibility Bill is key to dealing with the way in which the public purse is managed. The handing out of large sums of cash to the failing SOEs, if it must be done, it should come with stringent conditions attached. Those conditions

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cannot be agreed in the offices of the executive; they must be disclosed and debated by Parliament - those who have been given the authority to exercise oversight over the executive.

How safe do you feel, Minister? Should there be a change of God in the highest office? And, an SOE fails to meet its conditions due to a fresh or dare I say continued frenzy of fiscal looting. Will we then get another Des Van Rooyen, Minister, who is compliant and willing to sign off the deviations? Make the conditions known, Mr Minister, to protect yourself, your department and South Africa.

Our credit rating hangs by a thread and honesty and transparency may be the only way to save it. The independence of the SA Reserve Bank needs to be protected despite the absurd attack on it, and the independence of SA Revenue Services need to be restored after the brutal dismemberment perpetrated by Tom Moyane.

This is austere budget; Mr Yunus Carrim even said so in the committee, although he then denied saying it. With money being taken from the government services to prop up government's bloated SOEs; another public expenditure. These matters must be taken into a hand with firmness and decisiveness.

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As this finance team contemplates some difficulties of having to do more with less, remember that this is the environment of poor growth and that this is a reality which most South African households face. So, also always keep South Africans – the people who we serve – in front of mind in every decision that National Treasury makes. Thank you. [Applause.]

Mr Y I CARRIM: Chairperson, firstly, I think Mr Ryder is not dealing with the issue at hand; he is dealing with the Budget of the country as a whole instead of dealing with Budget Vote 7, which is a specific budget for National Treasury. He is dealing with a Budget as a whole, which is an issue that falls partly under the discussion on the Appropriations Bill today, and the issue that we dealt with in the House before we came here after 8 May 2019, on the fiscal framework. Perhaps because he is new, it is understandable, but strictly speaking ... [Interjections.] No, I don't mean to be rude or ... [Interjections.] But, we must deal with the budget of the department.

However, since you allowed him to speak on the Budget as a whole, the first thing I should make clear as I have done repeatedly ... [Interjections.] I did in fact say that this is an austere budget, but it is not austerity. Austerity requires in World Bank terms

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privatisation, reduction of taxes and reducing the welfare state. So, I insist; I didn't deny it. It is an austere budget but it is not an austerity package! That's a big difference between the choices of words. And, I am very clear; there is nothing inconsistent about that.

On the matter of the state-owned entities, only a moment ago, Ms Mahlangu, the chairperson of Standing Committee on Appropriations says, "The ANC, no less, doesn't believe that the National Treasury should willy-nilly give money to the state-owned companies. The Minister and Deputy Minister, whom I might say should actually ideally be here. They are there in the National Assembly when the Appropriations Bill is dealt with.

They should actually be in the National Council of Provinces. This is something yourself, the chairperson and Mr [Inaudible.] have to look into. Why is it that the Minister and Deputy Minister are not here? On that Mr Ryder, I think you make a point and we leave it to your good office to look into it.

We are both equal - though complimentary - Houses. This is the most important thing we are looking at in the year. It is voting on the budget, one day before the deadline: Why is the Minister and Deputy

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Minister not here? I understand they are out of the country, but please, could one of them at least not be here – the Deputy Minister, at least?

So, on the state-owned companies, just look at the SABC. I read in the *Sunday Times* – no less – on page 2, that the Minister has made it very clear – there is a letter that the Appropriations Committee chair has, which maybe she will make available to Mr Ryder, where it is very clear: They will give the money – the R3,7 billion or whatever it is; I may have the figure wrong – in tranches, only if they meet certain conditions. The conditions are very strict. We welcome that!

Even on Eskom, a chief restructuring office is about to be appointed. Eskom is not going to just get money, and so it should be. So, there is no difference between us, Mr Ryder. Ultimately, it is the Standing Committee on Appropriations Committee that must do its job – as it, in fact, is doing – in ensuring that when the National Treasury allocates money to state-owned companies, that it does so in a way that ensures that there are returns and value for money. We agree on that!

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On the issue of ... I can't read my handwriting, I regret to say. As you get older ... [Laughter.] ... those of you who are younger might want to be careful, but I see the point that I've got here. However, in so far as Mr Ryder saying that there are issues that we have to monitor more effectively, we agree. In so far as he is saying that state-owned companies should not be offered government guarantees, which is not the same as bailouts, we do not agree!

Those state-owned companies are fundamental to a developmental state. Yes, we agree, we are partly responsible for its failures, but not solely responsible. We can't be held to account for the global economy going down. [Time expired.] Thank you, indeed. [Applause.]

The CHAIRPERSON OF THE NCOP: Thank you very much. Any other declaration? None! Can we move to the ayes and nays.

*Voting*

Division demanded.

BELLS RUNG FOR TWO MINUTES.

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The CHAIRPERSON OF THE NCOP: Please close the door. The question upon which Council will divide is that Vote No 7 National Treasury be agreed to. We shall now proceed to manual voting on the question, and I would like to request hon members to vote by raising their hands. [Interjections.]

Mr W A S AUCAMP: Sorry! Hon Chair, on a point of order, please! I have just taken a video. I have walked to the Marks Building, inside the Marks Building and inside the entrance hall of this Chamber: No bells are ringing! I just want to put it down on record! And, we can laugh it off; this is going to seriously jeopardise this whole vote today. No bells are ringing!

The CHAIRPERSON OF THE NCOP: Thank you, hon member. Your point has been noted. Maybe that is the best ... [Interjections.] Point is noted. Yes! We shall now proceed to manual voting, and I would like to request hon members to vote by raising their hands.

The Council divided:

[TAKE IN FROM MINUTES]

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Vote agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

Business Suspended at 13:31 and Resumed at 14:36.

Vote No 8 – Planning, Monitoring and Evaluation – put

Division demanded.

The Council divided.

AYES: 37 [TAKE IN FROM MINUTES]

NOES: 25 [TAKE IN FROM MINUTES]

Vote agreed to (Democratic Alliance and Economic Freedom Fighters Plus dissenting).

Vote No 9 – Public Enterprises – put

*Declarations of vote:*

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Nhanha, in future you must wait. Don't just jump!

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Mr M NHANHA: You must have been a principal before.

The DEPUTY CHAIRPERSON OF THE NCOP: You don't just jump!

Mr M NHANHA: You must have been a principal before.

The DEPUTY CHAIRPERSON OF THE NCOP: No, I am the presiding officer and I expect you to respect that.

Mr M NHANHA: You must have been a principal before, Deputy Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP: No, I was a mother. I am a mother and mothers know how to deal with children.

Mr M NHANHA: [Laughter.] Deputy Chairperson, it seems we will do a lot of progress this afternoon. We were bit sleepy in the morning. Hon members, it is no secrete that our state-owned enterprises became central hubs of the state capture project. Instead of these entities serving the people of South Africa through their various mandates, they ultimately became centres of employment for the card-carrying members of the ANC. They became penetrable piggy bags for the looters and trust funds for factional battles.

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Now, more than ever before, we have seen the consequences of those actions. We are now left with entities that, when put very bluntly and mildly, have collapsed and are in the intensive care unit.

Another Eskom bailout is making its way through Parliament as we speak to help the declining electricity supply despite there being no light at the end the tunnel. And you can bet that was a pun intended.

These entities have become behemoths of the industry they are often in - acting as the monopoly. This does not bode well for the economy that is already brittle with terrible conditions. The National Development Plan, NDP, aims to eliminate poverty and reduce inequality by 2030. This can only be achieved through an economy that grows by means of a free market system that allows for compensation. This will however remain a pipedream whilst Eskom looms over the energy industry albeit a bloody injured Goliath.

The national government needs to be decisive in handling these state-owned entities, SOEs. If an entity is continuously failing, as Eskom is, you either sell it or break it up. South Africans, especially the 10 million unemployed, have had enough time and it is time for action. You might have heard hon Carrim while standing here

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agreeing with Dennis Ryder. He was agreeing with everything that Dennis was saying. He stops short of telling South Africans that by the time when state capture started at the SABC he was the Minister of that department. Thank you, Chair.

Mr M C SEDIBE: Deputy Chairperson, here is the declaration by the EFF on Public Enterprises, which is headed by Jamnadas and controlled by Rupert. Across the world state-owned entities are used to drive economic development, growth and job creation. In China state-owned companies are involved in every sector of the economy, employ millions of people, drive innovation and earn hundreds of billions in profit every year. In Europe, during the 20th century state-owned companies were used to rebuild countries and economies after years of war. But in this country instead of strengthening our state-owned enterprises, the Department of Public Enterprises headed by the constitutional delinquent Pravin Gordhan, are being collapsed. After he engaged in illegal activities at the SA Revenue Service, Sars, the errand boy of white monopoly capital has now been deployed to the Department of Public Enterprises to privatise them and put them in the hands of his masters. Instead of repairing the damage done at Eskom, he has only made it worse resulting in blackouts and allocation of billion of rands to the independent power producers, IPP, programmes that contribute very little to our

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power supply. Who own the IPPs and who will benefit from the privatisation of our energy supply? It is white monopoly capital and their puppets.

Across our state-owned enterprises black executives are being purged by the constitutional delinquent, Jamnadas. This man should not be in office. The Public Protector ... [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, can I just call you to order. Although hon Gordhan is not a member of this House he is an hon member.

Ms N P KONI: Say, Jamnadas! [Interjections.] We mean Jamnadas!

Mr M C SEDIBE: We are talking about Jamnadas.

The DEPUTY CHAIRPERSON OF THE NCOP: Whatever you feel, can you just respect the decorum of this House. Thank you!

Ms N P KONI: No! How do you ... [Interjections.]

Mr M C SEDIBE: The Public Protector has found him in violation of the Constitution multiple times on a variety of illegal activities.

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In any other country this man would long have been out of job and probably in jail. But in this so-called new dawn as long as you serve the interests of the white monopoly capital you are safe and you can do as you please. The EFF cannot support this Vote. This department is led by a constitutional delinquent and under him we will see the selling of our state-owned enterprises to capitalists.

The appointment of Jabu Mabuza contravenes the King IV principle in terms of rule 7(34) which say that the CEO of an organisation should not also chair the governing body. The retired CEO should not become the chair of the governing body until three complete years have passed after the end of the CEO's term.

But immediately six hours after the court ruled in his favour, Jamnadas, appointed Jabu Mabuza as an acting CEO of Eskom. He was pleasing his master, Rupert. [Time expired.]

The DEPUTY CHAIRPERSON OF THE NCOP: Your time is up, thank you.

Mr M C SEDIBE: Jamnandas is the one who appointed Pillay with a matric at Sars. Thank you.

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The DEPUTY CHAIRPERSON OF THE NCOP: You're three minutes has lapsed. Your time is up.

The CHIEF WHIP OF THE NCOP: Deputy Chairperson, on a point of order: This House should not set wrong precedence. There is no constitutional delinquent which has not been found guilty by a court of law - the reference that is made that the hon Minister is a constitutional delinquent. I request you to rule on this matter because it will degenerate into something else that it is not.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you, hon Chief Whip. We did note it. We will follow it up and make a ruling.

Cllr T B MATIBE: Deputy Chairperson, the ANC rise to support the Vote on Public Enterprises. State-owned entities have an important role to play in the economy, both in terms of generating growth cross specific sectors and in facilitating inclusive growth in designated sectors.

The turnaround in performance of respective SOEs has been undertaken and the introduction this week of the restructuring officers will result in a very different SOEs going forward. The country is dependent on SOEs to facilitate functioning both of the economy and

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of the society and millions need SOEs that will bring about qualitative change in their lives.

With regard to the question of corporate capture of the state, we acknowledge that the department has collected some 3 000 forensic reports relating to SOEs and they are collaborating with the law enforcement authorities to ensure that criminal actions are reported and that civil recoveries are undertaken.

The investigating directorate in the National Prosecution Authority, NPA, is fast tracking any investigation including evidence that will be presented in the Zondo commission.

In the last 18 months, the restoring of good governance, skills management and effective operations of SOEs has been undertaken stabilising operations appointing new boards directly confronting corruption and has proceeded with efficiency, speed and purpose.

Hon Deputy Chair, looking for the future, the boards will be asked to review their current business models, develop models appropriate to the conditions they operate in and develop financial sustainability plans to ensure that SOEs are financially self-reliant. The Vote gives the department necessary capacity to perform

the oversight role of various SOEs. Our state-owned enterprises can play a critical role in leveraging their investment operational activities to support reindustrialisation of our economy.

Through their skills development programmes SOEs ensure the provision of scarce and critical skills. It is important to ensure that our SOEs are effectively managed, efficiently performed and well governed so that they can fulfil their dynamic role in delivering public services and public goods that enable the economic activity and improve the quality of lives of our people.

*Tshivenda:*

Rine sa dzangano la ANC ri khou tikedza hoyu muvhigo. Ndo livhuwa.

Division demanded

The Council divided

AYES: 37 [TAKE IN FROM MINUTES]

NOES: 24 [TAKE IN FROM MINUTES]

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Vote agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

Vote No 10 - Public Service and Administration - put.

No declarations.

Division demanded.

The Council divided:

AYES - 37: Bebee, L C; Carrim, Y I; Dangor, M; Gillion N M; Govender, L P; Gxoyiya, A B; Llatchimrain, T; Lekganyane, N M; Lucas, S E; Mamaregane, L M; Matibe, T B; Matiwane, T; Mfayela, S E; Mohai S J; Moshodi, L M; Modise, T C; Mthethwa, E M; Mahlangu, D G; Maleka, A D; Mkiva, Z; Mokgonyana, E M; Mmoiemang, K M; Mmola, M P; Ncitha, Z V; Ndongeni, N; Nkosi, S C; Ntsube, I; Ngwenya, W; Nchabeleng, M E; Nyambi, A J; Njadu, E J; Rayi, M I; Rosho, M Z; Saziwa, M; Sekoati, S C; Selane, C B D; Shaikh, S.

NOES - 23: Apleni, T; Arnolds, A; Bara, M R; Botswe, M; Brauteseth, T J; Baartman, D; Christians, D C; Du Toit, S F; Koni, N P; Lehihi, S B; Luthuli, S A; Labuschagne, C; Michalakakis, G; Moletsane, M S;

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Motsamai, K; Nhanha, M; Ryder, R; Schafer, B; Sedibe, M C; Smit, C  
B F; Sileku, I M; Visser, C; Wenger, M.

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and  
Freedom Front Plus dissenting)

The DEPUTY CHAIRPERSON OF THE NCOP: Obviously, those who voted in  
favour are carrying the day. Let us continue and go to Vote 11.

Vote No 11 - Public Works - put.

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

*Declarations of vote:*

Mr T J BRAUTESETH: Chairperson, hon members in the run up to the  
2010 World Cup, the SAPS under the leadership of then General Bheki  
Cele asked the Department of the Public Works to give them two  
floors of accommodation in Pretoria, instead the department provided  
them with 17 floors at the princely sum of R2,8 million per month.  
The deal title the tidy sum of R500 million, there was no tender  
process, no observations of the Treasury regulations. The deal was

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done with the property mogul Roux Shabangu. The acting director-general at the time was none other than a current Public Works Director-General Adv Sam Vukela. Both Cele and Vukela lost their jobs at the time, but in compliance with a well established revolving door policy of the ANC government, the former police bosses now the Minister of Police and Vukela as a reinstated the DG and so we must question the credibility of any budget that Vukela has anything to do with.

A perusal of the Annual Performance Plan of the Department of Public Works will leave one thinking that they had been incorporated in the Department of Economic Development or Labour. The bulk of the APP talks to the employment opportunities provided by the department and the drive for transformation of suppliers to the department. Very little mention is made about supplying quality service in respect of engineering, maintenance and building cards. The situation of the property management, trading entities is equally dire. The entity is the second, so it is the largest landlord in the country. They have been struggling to define their asset register since 2014 and still have no idea of the value of their assets. To know the value of an asset, you must know its condition. It is therefore impossible to budget properly for the maintenance of an asset. Inevitably the department will continue in the guise of the glorified employment

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agency to lurch from one crisis to the other under the leadership of the dodgy DG seeking out the next enrichment opportunity.

Accordingly the DA cannot support this Budget. I thank you.

[Applause.]

Mr M I RAYI: Hon Deputy Chairperson, I see that the DA chose to go to 2010 because there was a turnaround for this department. Consistently, now it is achieving clean audit. That is why they had to go back to 2010. So, they can't declare about last year's financial year or the previous years because according to them there is nothing to declare. [Interjections.] The Department of Public Works in its strategic position acts as a catalyst for socioeconomic development and a significant driver in the creation of inclusive economic growth and job, subsequently it is vital in advancing economic growth and reduce historic inequalities.

Outcome 4 of the Medium-Term Strategic Framework put emphasis on the department to enable decent employment through inclusive growth. The ANC-led government remains resolute to continue its mission to build a capable developmental state based on social contract with the citizens. This notion has its resemblance on ANC ready to govern documents which sought to put people at the forefront of their own development.

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The White Paper on Reconstruction and Development Programme took it further to inculcate the ideas of participatory democracy into people centre development through Public Works. Vote the department seeks to, among other things, professionalise Public Administration to give maximum effects to social transformation, generating investment and creation of job opportunities, driving socioeconomic transformation for the interests of the majority of our people. The department has received R111 million over the medium term is earmarked to policy and research programme. The department will continue its review of the Construction Industry Development Board Act 38 of 2000. This review will see the culmination of the draft document during 2019-20 financial year. This will help to review policies and legislations amongst others to benefit youth and rural communities. I thank you, hon Chair.

Division demanded.

The Council divided:

AYES - 37: Bebee, L C; Carrim, Y I; Dangor, M; Gillion N M; Govender, L P; Gxoyiya, A B; Llatchmirain, T; Lekganyane, N M; Lucas, S E; Mamaregane, L M; Matibe, T B; Matiwane, T; Mfayela, S E; Mohai S J; Moshodi, L M; Modise, T C; Mthethwa, E M; Mahlangu, D

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G; Maleka, A D; Mkiva, Z; Mokgonyana, E M; Mmoiemang, K M; Mmola, M P; Ncitha, Z V; Ndongeni, N; Nkosi, S C; Ntsube, I; Ngwenya, W; Nchabeleng, M E; Nyambi, A J; Njadu, E J; Rayi, M I; Rosho, M Z; Saziwa, M; Sekoati, S C; Selane, C B D; Shaikh, S.

NOES - 25: Apleni, T; Arnolds, A; Aucamp, W A S; Bara, M R; Boshoff, H S; Botswe, M; Brauteseth, T J; Baartman, D; Christians, D C; Du Toit, S F; Koni, N P; Lehihi, S B; Luthuli, S A; Labuschagne, C; Michalakakis, G; Moletsane, M S; Motsamai, K; Nhanha, M; Ryder, R; Schafer, B; Sedibe, M C; Smit, C B F; Sileku, I M; Visser, C; Wenger, M.

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote No 12 - Statistics South Africa - put.

The DEPUTY CHAIRPERSON OF THE NCOP: Is there any objections?

Mr G MICHALAKIS: Yes.

The DEPUTY CHAIRPERSON OF THE NCOP: Can you indicate your objection?

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Mr G MICHALAKIS: Deputy Chair, the DA objects.

The DEPUTY CHAIRPERSON OF THE NCOP: The DA objects. Is there any other objections? There is none. It's only the DA. Then, we take note of the objection of the DA and we will then continue, which means the vote is agreed to. [Applause.] If there are no objections, the Vote is agreed to. That's the Rule. [Interjections.] I am correct.

Mr G MICHALAKIS: Deputy Chairperson, with respect, the purpose of indicating an objection is that there are members who are not in favour of the Vote. Therefore, I would request if we go over to a vote, please.

The DEPUTY CHAIRPERSON OF THE NCOP: No, I don't want us to fight about this. I have indicated earlier, according to the rules of the NCOP, if there is one objection; we take note of that objection. The only time that we will then continue is when there is an indication that we want to divide the House. But on the basis of one objection, we don't have to divide the House. We have been continuing like this to satisfy members so that we don't fight about it. So, that is a reason why I am saying ... So, that is the thing.

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Mr G MICHALAKIS: Hon Deputy Chairperson?

The DEPUTY CHAIRPERSON OF THE NCOP: Okay, let us continue because we have set the precedent. You may sit. I will continue the way you want me to because we have set the precedent. But what I have been doing now was the correct way in terms of the current Rules which is under review. It's the correct way of doing things in terms of the current Rules. We will continue now. Sit down!

Mr G MICHALAKIS: Deputy Chairperson, I just need clarity, please.

The DEPUTY CHAIRPERSON OF THE NCOP: Let us hear the clarity.

Mr G MICHALAKIS: Hon Deputy Chairperson, thank you. On that basis, the argument would be valid that since is an individual vote, you cannot surely then ask which parties are for it and which parties are against. If you want this precedent to be kept, then surely every individual member who is against it should then object. This is what we need. Please, I need an indication from you whether each member should object individually.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, I like the DA for one thing; you love the Rules as long as it suit you. Don't do what

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you are doing. If you read the Rules, what I have done is correct and because we have set the precedent, I will continue.

Division demanded.

Ms C LABUSCHAGNE: Chairperson, on a point of order. You follow the Rules quiet correctly but I don't know what happen now, whether it is sugar level or something. But you change your own Rules now.

The DEPUTY CHAIRPERSON OF THE NCOP: No, no, hon Michalakis, you are wrong.

Mr G MICHALAKIS: Deputy Chairperson, we respect you very as a presiding officer because you have indicated today that you are willing to follow the Rules. Thank you for that. [Interjections.] Would the hon members on my left stop hauling? However, you as the presiding officer, have a duty to be impartial whether it's off record or on the record, it doesn't matter. But pointing out parties and playing them against each other as the ANC member that surely is not impartial. I would like you to please continue as an impartial, presiding officer.

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The DEPUTY CHAIRPERSON OF THE NCOP: Thank you. I will put it in record. Hon member I am impartial. Just earlier, one ANC member spoke and someone stood up and asks this person in the House. I am in favour of which faction? This is why I am saying you must also respect each other equally.

Ms C LABUSCHAGNE: Chairperson, on a point of order. As a presiding officer, you should know better than anyone else that in this House there is a Rule that say there is a freedom of speech. We, on the floor have freedom of speech. You as a Chair, you can't decide to take part in party politics. You have to preside over the procedure fairly.

The DEPUTY CHAIRPERSON OF THE NCOP: I am very fair, hon Labuschagne, otherwise I wouldn't allow you to continue to be the prefect in this House. That's because I am fair.

The Council divided.

[TAKE IN FROM MINUTES]

Vote agreed to (Democratic Alliance dissenting).

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Ms N P KONI: The EFF would like to put it on record that, we are not doing this for the ANC but for the proper Department of Statistics South Africa. We are doing it for Statistics South Africa, not for the ANC. So, they must not come here and clap tables as if we are doing them a favour. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Koni, one thing that I love about you, you never refrain from being naughty.

Vote No 13 - Women - put.

Division demanded.

The Council divided.

[TAKE IN FROM MINUTES]

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote No 14 - Basic Education - put

Declaration of vote made on behalf of the Democratic Alliance.

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*Declarations of vote:*

Ms D C CHRISTIANS: Deputy Chairperson and hon members, the safety and security of teachers and learners at school do not receive adequate funding on the budget. There are currently only 48 schools identified on the National School Safety Framework, NSSF, programme that will be monitored in order to attain a safe and violence-free school environment. However, this is not adequately emphasised in the Annual Performance Plan.

The learners and teachers are being slaughtered by gangsters and there seems to be no immediate solution to this problem. The integration of the SA Police Service, Saps, into the education system is imperative and there is no integration mentioned in the Annual Performance Plan, APP. Our teachers and learners need support. Social workers and nurses have a supporting role to play in our schools. A [Inaudible.] solution needs to be found to this enormous problem compromising education everyday. Our children deserve to learn in an environment that is safe so that they can realise their full potential and live a full and happy life contributing to the growth and development of South Africa.

There are yet daily reports of learners falling prey to crime, drugs, gangsterism and unsafe school infrastructure such as pit

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latrines as they continue to claim young lives. Secondly, the President's failure to address to address Early Childhood Development in his state of the nation address and the department's inability to implement the Early Childhood Development programme is especially concerning. Given the infrastructural challenges experienced in schools across South Africa, any decision to bring very young children onto unsuitable school premises would open unconstitutional challenges and create several reputational and management problems.

The failure to implement is mainly caused by lack of co-ordinated provision of services to our children. Child nutrition, early language development and inclusive education should be a concerted effort by the department of education working in collaboration with the Department of Social Development. Without serious attention to these critical issues the results would not be pleasing in the future. Thank you.

Mr M E NCHABELENG: Deputy Chair, I must say that I am shocked and appalled by the toenadering [get together], the get together between the right wingers in South Africa. It shows here in this House that the right wing is getting together to oppose the progressive move to get our children improve their lives through education. This is

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really shocking to find that the people who claim to be representing the poorest of the poor find themselves voting with the Freedom Front Plus and the DA. Shame unto you! Any young person who voted for the EFF and the DA would have to change their stand after this.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Nchabeleng, one moment.

Mr S F Du TOIT: Yes, I have a point of order, Deputy Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: I am listening.

Mr S F Du TOIT: Initially when the hon gentleman started to speak, he referred to some members as right wingers colliding with ... we were quiet because I am not aware of any right wingers in this House. Then, the gentleman referred to the FF Plus and the DA. So, he is basically insinuating that we are a right wing group that is bringing division in this House. I humbly request ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... sorry, hon member. I really didn't hear. We will go to Hansard and come back to you.

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Mr S F Du TOIT: Deputy Chair, I am really appalled that it seem as if some people when they have selective hearing, they are only hearing what they want to hear in this House.

The DEPUTY CHAIRPERSON OF THE NCOP: I hope that is not a reflection on me. I really didn't hear because I was here you saw me, I was just doing something. I didn't hear that and I am saying that we will consult Hansard and will then come back to you on that one. I didn't hear the issue of right wingers. I really didn't hear. If I didn't hear, you will not really beat me up to hear what I didn't hear. Can I have EFF?

Mr S ZANDAMELA: Chair, the hon member must withdraw what he just said. It is just that as EFF, we don't want to find ourselves ... because they have a tendency ... their hands are very quick. So, we don't want ... we just object to corruption ... not the budget ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... hon member, I am sure that what you are saying is in the same vein of what was raised by the FF Plus ...

Mr S ZANDAMELA: ... he must just withdraw ...

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The DEPUTY CHAIRPERSON OF THE NCOP: ... no, the issue is that I haven't heard what he said and I don't know what you want him to withdraw. That is, you haven't said what you want him to withdraw. That is why I am saying, no, I don't know what he said. No, no, I cannot be that you will be the advocate for everyone. Please, hon Koni, seat down, seat down. You cannot be the advocate for everyone. So, can we continue? You must know that this is a very cumbersome process and you become a bit confused when we are not continuing. It is a little bit of a cumbersome process all of you can agree. Hon Nchabeleng, you may continue.

Mr M E NCHABELENG: Deputy Chairperson, the guilty are afraid. That is all that I can say. I just want to say that those who ... those who ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... hon Nchabeleng, continue with your declaration.

Mr M E NCHABELENG: Those who care for our children's education will support this Budget Vote. Education remains an apex priority for the ANC government with education and skills being critical for the development and growth of our people and the economy. The premise of the type of education and training system ... [Interjections.]

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Ms N P KONI: Thank you very much, hon Nchabeleng is free to do or to make his declaration, but he must not come here and grandstand and mislead the masses out there. The EFF objects to this vote because we are tired of corruption in this country. It is The EFF that is actually fighting corruption and for the free education in this country ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... hon Nchabeleng, can you continue ...

Ms N P KONI: ... so, this guy must not come here to grandstand and be dramatic ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... you still have time, you may continue.

Ms N P KONI: ... and lie about us ... Why does he think he is able to speak on behalf of the EFF? ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... hon Koni! ...

Ms N P KONI: ... who mandated him to come here and speak on behalf of the EFF? Mnx. He must not speak about the EFF ...

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The DEPUTY CHAIRPERSON OF THE NCOP: ... hon Koni, you are free ... you are free to disagree ...

Ms N P KONI: ... he must not speak about the EFF, he must speak about the corruption that is in the ANC. He must not tag us.

The DEPUTY CHAIRPERSON OF THE NCOP: ... you are free ... you are free to disagree ... I don't know why you want to really defend if you don't agree. You don't agree, you are free the Constitution guarantees your right to disagree. Hon Nchabeleng, can we continue?

Mr M E NCHABELENG: Madam Deputy Speaker, the truth hurts. This government deliberately and consciously declared improved quality basic education as top priority. We deliberately did that. It therefore, tells all of us to make an extra ordinary effort so that this objective is realised for the benefit of all our children of our country irrespective of economic background and the area they find themselves; rural, farm or township without any discrimination.

President Cyril Ramaphosa in his state of the nation address committed government to ... committed to a conducive environment for teaching and learning. He indicated that the accelerated school infrastructure delivery initiative is part of the national

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infrastructure plan. He further stated that the national infrastructure development programme continue to be a key job driver and catalyst for economic growth. In principle, the ANC fundamentally agree with the focus of the department to improve the quality of life of education, eradicate improper structures, prepare for the ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... continue ...

Mr M E NCHABELENG: ... and expand the access of education to all our people. Madam Chairperson, there is no noise that will make people to change them. You know the question of ... [interjections.] ... it doesn't belong ... interjections ... whether it belongs to you or not it doesn't matter, the fact is that there is the right wing in South Africa and I did not even refer to any person by name. [Time expired.] Down with [Inaudible.] of the right wingers. We will bury them alive. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: Can I explain? Hon members, this is not a debate where someone is participating in it. There is a declaration. Each and every political party is allowed three minutes for a declaration. So, if you interrupt the member, we will stop the clock and we will allow him his three minutes. That is what will

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happen. So, don't use that tactic in this one because it is not working here. Now, after the declarations ... [interjections.] ... thank you ...

Ms D C CHRISTIANS: Deputy Chairperson, you actually mentioned something very correct now. You said that it is not a debate, then I object that the hon member been referred back to me in objection. If it is a declaration we are making then he must make his declaration without declaring back to me.

The DEPUTY CHAIRPERSON OF THE NCOP: For the whole of the better part of the day, it has been done from both sides. Therefore, what is happening we are allowing it. Yes, because that is the thing, we are consistent as the Chairperson. We are consistent. Can we continue. We will vote now. We are very consistent here in the Presiding Officer's chair.

Hon members! Hon members, can I just request that all of us or some of you will tell me later ... I still have a flight to catch, but you are doing this ... [Interjections.] ... okay. No, it is fine I am not fighting I am just requesting that we be time conscious. Can we now continue? The next step that we have agreed to today is that, after the declarations any calls for a division ... Luthuli...

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I am presiding over this House and there was a ... [Interjections.] hon members, it is impossible to Chair this House if you continue shouting like that, no, man! Are we in the sports grounds or are we in the hon House of the NCOP? Please, toe, please. I want the little girl from Kuruman to really declare what she is saying now ... [Laughter.] ... There was a suggestion that we divide the House. Are there those who are in agreement, Can you just show? There is an agreement, we have four and half people that are in agreement ... [laughter.] ... with the issue of division of the House. We will allow the bells to ring for two minutes. He knows he did this, that is why I am saying four and a half ... [Laughter.] ... We are allowing the bells to ring for two minutes. ... [Interjections.] ... The half is the one that want to vote with both hands ... [Laughter.] All flights will leave tomorrow.

Division demanded.

The Council divided:

*Afrikaans:*

Onthou, ons is oor vyftig. Ons raak deurmekaar as daar so baie geraas word.

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Ayes 37: [Take in from minutes]

Noes 25: [Take in from minutes]

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote 14 - Basic Education

The DEPUTY CHAIRPERSON OF THE NCOP: We have requested objections first. We are continuing and I am putting Vote 15 of Higher Education and Training in front of the House.

Vote 15 - Higher Education and Training - put.

DA, EFF and FF-Plus objects.

*Declarations of vote:*

Ms D C Christians: Hon members the National Student Financial Aid Scheme, NFSAS is one of the key institutions that government uses to help financially disadvantaged students to access tertiary education. Without this scheme many South Africans would have been without any form of tertiary qualification. However, we must note

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and acknowledge that administrative hurdles at NFSAS currently face. These include: late funding disbursements; clearance of historical student debt; students still waiting for appeals; and lack of accommodation.

Furthermore, the following issues relate to NFSAS funding: accumulating student debts and the financial exclusion of students at universities and TVET colleges; student accommodation crisis, including student transport and student health services. It does not help that students' course fees are paid for but students are without viable accommodation and transport to their campuses. Making enough funding available for students with disabilities compromise student safety and security at campuses and ensuring funding is made available for security services at all institutions.

It is imperative for this department to pursue the undertaking of fixing NFSAS so that it can function more effectively for students and ensure a far smoother university career for our South African students. Thank you. [Applause.]

Mr I NTSUBE: Hon Deputy Chairperson, you know it is so nice to be an opposition in a democratic state because their responsibility and duty is to oppose and reject everything that the ANC has to offer as

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the solution to masses of our people in general. Let me greet the people of South Africa in general and hon members of the House. The ANC appreciates the injustices of the past and seeks to redress them through education. We believe that it is only free education and training where we can advance and develop as a society into greater heights.

Free education should no longer be rhetoric and must be rolled out through all the universities and NFSAS should be more effective and accessible to all the students. We welcome the progressive move by the department to set aside R150 million for TVET colleges to prepare students for industry requirements and drafting of the gender-based violence in institutions of higher learning. We appeal to the department to quickly finalise the drafting.

We are still making a plea to the department to increase capacity of universities and be billed for students to access higher education equally. The government should build and own student villages to prevent harassment that students face from the landlords that equally happens when the expropriation of land without compensation happens in South Africa. This is because you cannot build anything on heaven but a land to build student villages.

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The Department of Higher Education and Training must be at the centre of development of society. All types of professionals that universities and TVET colleges must be able to resolve the challenges of today. The education attained at the institutions of higher learning must prepare the students for conditions of our people and therefore provide the solutions to them.

Hon Chairperson this is no doubt that the ANC-led government is committed to uplift our people through higher education and training and this is noticed by when our government prioritise education as a fundamental force of change for development of society. Indeed education should not be a commodity. The ANC supports this vote because it directly addresses the needs and aspirations of poor students and gives access to higher education and training for them to self development and self determination as a country. Thank you very much Deputy Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP : You used your three minutes very well and I was just afraid that you will not give the whole message but you got it.

Ms N P KONI: Hon Deputy Chairperson, on a point of order: I do not want to insinuate but I know for a fact that if it was any other

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member not from the ANC, you would have called them to order for speaking too closely to the microphone because it makes it difficult for us to hear the speakers. [Interjections.] But now that it is hon Ntsube he had to go and almost finish his declaration then you called him to order because I was signalling. The same hon Ntsube still brought the microphone back after he got the assistance from you. We can still hear him; he does not need to shout. We do not have a problem with our ears. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: We are going to continue and that is definitely not a point of order. It is a point of keeping us here for longer. Can we continue and in continuing we are going to the point where we will ask members to vote.

Voting.

Division demanded.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon members, let me remind you that it does not follow automatically that there is a division of the House. I am not going change things to the extent that I do things automatically. I will still try to follow and be in keeping with the rules. Just remember that. So, there is a request for a

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division of the House and that request must be seconded by no less than four members.

House divided.

Bells rung for 2 minutes.

Voting.

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

Vote 16 - Health - put.

DA, EFF and FF-Plus objected to the question.

*Declarations of vote:*

Mr M R BARA: Deputy Chair, supporting this budget will be like accepting the status quo of the failing health care by the ANC-led government. The department is going to disburse R47 billion to provinces. However, there are no stringent measures of monitoring and accountability in place. A case in point: Mpumalanga, KwaZulu-Natal and the Northern Cape have received qualified audits from the Auditor-General of South Africa for five years in a row, since 2014,

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with no consequences. To support this budget, it will be giving the ANC another cash cow through the National Health Insurance, NHI, like the other state-owned enterprises. This will do nothing in improving the current health care, both private and public. As the DA, we stand firm on universal health care.

*IsiXhosa:*

Sifuna ezempilo ezibeka abagulayo phambili kwento yonke eyenzekayo.

*English:*

That will be affordable within the current budget. That will not lend in self-to-mass corruption. That will place the patient at the centre of its conception. The DA's Sizani Health Care is the answer to South Africa's failing health care system. We support quality universal health care for all South Africans, but we don't need to follow the NHI model that will ultimately nationalise health care, lead to a brain drain and cripple the economy. That is why we will not support the NHI in its current form. We would further implore the Minister of Health to publicise the outcomes of the NHI Pilot projects which we believe were a dismal failure across the country.

Fix the management of public health facilities and address the shortage of doctors and other health care professionals. Shortage of

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medication must be addressed and ill treatment of patients in health facilities be addressed with immediate effect. As the DA, we do not support this budget. It is not in the interest of ordinary South Africans. Thank you, Chair.

Ms M N GILLION: Hon Deputy Chairperson, the ANC rises in support of the appropriation of Vote 16 on Health, because it is aligned with our people's manifesto commitment. We welcome the amount of R51, 46 billion that has been allocated to this vote in the 2019-20 budget. Health continues to be an apex priority of the ANC and in South African Government.

We welcome the following interventions as announced by the Minister of Health in his 2019 Budget Speech to improve the health services, which will be implemented simultaneously with preliminary steps to introduce the National Health Insurance: Equitable funding for the public health sector; the shortage of staff; supply of medicines; quality improvement; improving management and governance; infrastructure building; strengthening PHC and reorganising the district health system; stakeholder management; implementation of National Health Insurance; and health programmes.

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The ANC will continue implementing NHI because the current health model has proved to be the most expensive system and not the NHI, contrary to the view of the opposition. It is estimated that 4,4% of the NHI will be far less than the current cost, as the NHI will seek to address the current skewed funding model and equalise services for all South Africans.

It is for this reason that the National Health Insurance's implementation is consistent with the National Development Plan Vision 2030 because it will provide access to an equal standard of care, irrespective of a person's socioeconomic status. It is with this in mind that the ANC is in support of the appropriations' vote on Health. I thank you. [Applause.]

*Voting.*

Division demanded.

The Council divided:

BELLS RUNG FOR TWO MINUTES.

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Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote No 17 - Social Development - put

Ms D C CHRISTIANS: Deputy Chairperson, we support apologies, but with a declaration.

The DEPUTY CHAIRPERSON OF THE NCOP: No, the issue will be part of a declaration; the problem is that objection doesn't necessarily mean it's a declaration. You can have ... [Interjections.] I understand what you are now saying, hon Christians. Let us then go to declarations. The DA? Hon members, I really mean that you guys should learn to visit each other in the parks, so that you can speak these things you are saying here. Hon Christians, continue with the declaration?

*Declarations of vote:*

Ms D C CHRISTIANS: Deputy Chairperson, South Africa's population is estimated to have increased to 57,73 million in 2018, and 30,4 people are still living in poverty, 43,5% of these people are children who are living below the median income per capita. It is also estimated that social grants will grow to 18,1 million

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beneficiaries by the end of March 2022. Social assistance is currently budgeted for 175 billion for 2019-20 and this includes grant for old age, war veterans, disability, foster care, care dependency, child support, grant-in-aid and social relief of distress. While it is commendable that we should look after our vulnerable in society, it remains extremely concerning that so many people depend on this social grants and there seems to be no light at the end of the tunnel in terms of sustainable jobs.

Furthermore, for many South Africans, the SA Social Security Agency, Sassa, grant means the difference between putting food on the table and going hungry, yet over the years there has been technical clichés which have hit many recipients of the grant very hard. While the transition from Cash Paymaster Services, CPS, to the SA Post Office has been implemented, it has not been without problems. Many recipients complained about the distance from post offices in rural areas, where taxi fare is expensive, and many have no choice, but to make use of these services. Where shops have been identified in certain areas to assist with payments, these charges have been extremely high, and many people cannot afford to pay the levy the shops are charging. Adding to this dilemma is the delay in appointing enough doctors to evaluate the disability grants, and

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this has meant that many disabled people are still without their grants for months at a time, waiting to be attended to by doctors.

It is imperative that we continue working hard to improve the conditions of South Africans. The DA supports this budget; however, as our country's people remain in social distress, it is extremely concerning. South Africa's unemployment rate stands at 29% as at this morning news report, the worst since 2008. Thank you.

Before we continue, I have noticed that there was a member that entered the House. According to the Rules of this legislature, each province delegates members to participate in the debate. The names from the Western Cape are the hon B Schafer, the hon D Bartman and the hon M Wenga. I would want to be informed whether the member that just entered now is one of three members.

Ms H S BOSHOFF: Deputy Chairperson, I had informed our NCOP liaison personnel that due to the length of the sitting, that the hon Schafer would be replaced by the hon Mitchell, the Deputy Chief Whip in the Western Cape Provincial Parliament.

The DEPUTY CHAIRPERSON OF THE NCOP: We have not received such correspondence, and that should have been ... [Interjections.]

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Ms H S BOSHOFF: Chairperson I ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... and that should have been ... [Interjections.] Can you sit down, hon member. That should have been cleared with the Whips, and the Chief Whip should have informed us about that. We are now setting a very bad precedent because if we now allow this member to sit, we will have other parties wanting to call members just to come in and out of here without ...

[Interjections.]

Ms H S BOSHOFF: Deputy Chairperson, on a point of order. I would like to stand on a point of order that with regard to correspondence from the NCOP, the DA was asked to send three delegates, and we have three delegates in the House, presently.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, the Rules are very clear that the province should delegate members to this House, and in terms of the delegation from the Western Cape, it is the three names that I have read out here. We have not received any further correspondence to tell us that there will be another member. If that member is here, he cannot be part of the proceedings in this House. He cannot; he cannot be part.

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Ms H S BOSHOF: Deputy Chairperson, on a point of order, the Chief Whip of that particular party delegated the three members, or the members as prescribed.

The DEPUTY CHAIRPERSON OF THE NCOP: I don't know why we are debating this thing. [Interjections.] Hon members, there is a right ...  
[Interjections.] ... and there is a wrong.

Ms H S BOSHOF: We have delegated the three members and in addition ...

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, can you take your seat.

Ms H S BOSHOF: I haven't concluded my point of order ...  
[Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, can you take your seat. I am just requesting that you take your seat. [Interjections.]  
I am just requesting that you take your seat. Hon members, it is not because of who you are, but it is because we are a House of Rules and a quorum. Hon Koni, let me conclude before you come with your point of order. If this member is not one of the three names

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mentioned, can we request that he either leave or not participate in the deliberations in this House. [Interjections.] The problem is that ... hon Koni, can you sit down, don't worsen the crisis. Yes, please.

Ms N P KONI: No, it is the same. If I am supposed to debate - I am just giving you a typical example that is very close. It is the same issue where if I am supposed to debate and I am not feeling well, it cannot happen that Luthuli jumps in the House, it must be communicated. It is the same issue that it should have been ...

The DEPUTY CHAIRPERSON OF THE NCOP: ... and anything that changes, the Chief Whip must be consulted, that is very clear in the Rules. So, I don't want the DA to think that they can take advantage of me.

Ms H S BOSHOF: Deputy Chairperson, on a point of order ...

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, can you sit down, you haven't asked for a point of order; you have not asked for anything. Sit down and allow the hon Koni to finish and sit down.

Ms H S BOSHOF: You made an accusation that I was trying to take advantage ...

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The DEPUTY CHAIRPERSON OF THE NCOP: Sorry, hon member! Sorry.

Ms H S BOSHOF: Deputy Chairperson, I followed the correct procedure as set out between the NCOP and ourselves, and what I have done is that I have in fact emailed our NCOP liaison personnel, hon Shelembe ...

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, I will explain for the last time. Whatever you have agreed with your members should have been clarified with the Table and the Chief Whip who is responsible for drawing up the list for us. It has not been done. I don't know what makes you stand while I am speaking! I don't know what makes you stand while I am speaking! So, what I am saying is that ... [Interjections.] ... no, there is order in this House. We will allow the Chief Whip, I didn't see him standing. We will allow the Chief Whip because ... [Interjections.] ... hon Nhanha, ah, ah, ah! You are a grown up and you are an elder. [Interjections.]

Mr M NHANHA: Chairperson! [Interjections.] Chairperson!

The DEPUTY CHAIRPERSON OF THE NCOP: You are the one that will be ... can you sit down!

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Mr M NHANHA: Chairperson, the only thing I would ...

[Interjections.] Your Chief has been standing whilst you were talking.

The DEPUTY CHAIRPERSON OF THE NCOP: I don't have eyes here!

Mr M NHANHA: I am telling ... I know! I know!

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Nhanha, you want to shout at me!

Mr M NHANHA: Do not be sarcastic; I am just saying to you that you must be even-handed.

The DEPUTY CHAIRPERSON OF THE NCOP: Don't point your finger!

Mr M NHANHA: I am pointing at you. I am pointing at you. I am just saying to you that you must be even-handed. [Interjections.] That is all what I am asking from you. You can't be treating this lady so badly and you think that you can get away with it. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Chief Whip, we will now allow you to speak.

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The CHIEF WHIP OF THE NCOP: I think I must put it on record, I stood up in a disciplined manner and waited to be recognised at the right time. I have never called for the attention of the Deputy Chairperson, I just stood up and waited for the moment to be recognised. Deputy Chair, I am standing on a point of order that no member in the House is allowed to engage in an endless dialogue with the Chair. The Chair has made a ruling and any member of the party should follow the right procedure in raising their matters and we should not be brought down here by people who want to operate in shifts. Let's continue to be working here and consider matters that are at hand.

The DEPUTY CHAIRPERSON OF THE NCOP: Hon members, since we don't know the name of the member that entered here, can we request the foreigner to excuse us. [Interjections.] No, it is ...So, I don't know what else to say. He is a foreigner to me; I don't know him. [Interjections.] I don't know him. [Interjections.] I don't know him. [Interjections.] I don't know him and I have not been informed that he will be in this House. I have ruled and if he doesn't leave this House now, I will request that he to be removed from the House. [Interjections.]. Can you continue with the business of the day, and we will request the ANC if they have a declaration on Vote No 17. [Interjections.]. Yes. [Interjections.] We were busy with

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declarations. We were busy with declarations; the DA was the only party that made a declaration. [Interjections.]. No, we have finalised that matter. We have finalised. You were sleeping, wena! We have finalised that matter. Can we request the ANC if they have a declaration to continue.

Ms N NDONGENI: Deputy Chair,

*IsiXhosa:*

Lungu elihloniphekileyo u-Koni, ndiqinisekile ukuba ixesha lide, ubufanele ukuba udlala nabanye abantwana, ngoku awuseva nangeendlebe, uxolo nana. Uxolo nanana uyeva! Ungafi, uxolo!

*English:*

The DEPUTY CHAIRPERSON OF THE NCOP: I didn't hear what she said. [Interjections.] Hon Ndongeni, I don't know ...

Ms N NDONGENI: No, I am apologising. I am apologising.

The DEPUTY CHAIRPERSON OF THE NCOP: No, she is apologising.

Ms N NDONGENI: I am apologising. [Interjections.] I withdraw.

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The DEPUTY CHAIRPERSON OF THE NCOP: Hon Koni, you are very much out of order! [Interjections.] You are the one who is always calling for order all the time, but you are very much out of order now! Hon Ndongeni?

Ms N NDONGENI: The ANC rises in support of Vote No 17 on Social Development. We do so because of the significant and strategic role that the Portfolio Committee on Social Development has to do in social transformation of our people's lives for the better. The primary goal is to uplift our people and empower them - to lift them out of poverty. This means that we are agreeing that our social development narrative must transcend from being perceived as an engine of disbursing social grants but one of development. Our people must see and use grants as instruments of entering the economy.

We have to boldly state that despite the sentiments expressed by the opposition to the budget of the department, there is a general consensus that we have, that is to work together, to take social development to where it should be. It can be that the opposition is continuously raising challenges, but we have to be collective and ensure that this sector, through this budget, not only achieve its target but that see meaningful impact and transformation in the

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lives of our people when conducting oversight. If the DA really care about the wellbeing and empowerment of our people as they allege, we as the ANC do not understand the opposition and rejection to this budget.

The budget will ensure amongst others the following, the social assistance programme which provides social assistance remaining the main spending focus. [Interjections.] The finalisation of the finance strategy of early childhood centres, ECDs, will ensure a long-term approach to finding quality improvements and increasing coverage across a group, using different approaches such as learning playgrounds, toy libraries and home visiting programmes for parents. It will ensure that payments are transferred for the national development agents - we will ensure that sustainable community-driven projects are implemented to support nonprofit organisation working on ECDs - and also ensure the implementation of the White Paper on the right of persons with disabilities. Upon implementation, this is important as a measure to ensure reasonable accommodation support measures are available in all social development services for persons with disabilities. The ANC support the Budget Vote. Thank you.

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Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

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

Vote No 18 - Correctional Services - Put

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

Division demanded.

The Council divided.

[TAKE IN FROM MINUTES].

Vote agreed to (Democratic Alliance, economic Freedom Fighters and Freedom Front Plus dissenting).

Vote No 19 - Defence and Military Veterans - put

Division demanded.

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The Council divided.

[TAKE IN FROM MINUTES].

Vote agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

Vote No 20 - Independent Police Investigative Directorate - put

*Declarations of vote:*

Mr G MICHALAKIS: Deputy Chairperson, the budget for the Independent Police Investigative Directorate, Ipid, has been an issue for as long as I can recall. Every year, members express the shock of how underfunded the directorate is and saying in the committee that this needs to change immediately. This year we were made privy to the information on how effectively, in terms of time, the directorate can deal with criminals within the police. The conclusion was that, no matter how a job they do, the current caseload versus capacity problem will sooner, rather than later, will render Ipid entirely ineffective. The consequence is, through its carelessness in this budget, the government is single-handedly protecting criminals in the police and ensuring that this mafia mob continues to thrive. It is in the hands of this House today to vote down this budget and to

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ensure that the Ipid gets properly funded. Each member voting for this budget is voting despite their best intentions in the committee for the protection of criminals within the SA Police Service, SAPS. Now is not the time for my hon colleagues in the ANC to sit back and toe the party line. It is time to act in the interest of your constituents or to explain to them why a New Dawn means, that criminals continue to be protected and why their safety – that of the people who voted for you – don't seem to matter. I appeal to you, for once, do the right thing and vote this down for the sake of the people we serve, every woman, man and child and their safety. The DA cannot support this budget and neither should you. Thank you, Chair.

The DEPUTY CHAIRPERSON OF THE NCOP: I wanted you to vote for the Women budget.

Ms S SHAIK: Deputy Chairperson, the ANC supports Budget Vote 20, the Independent Police Investigative Directorate, this vote reflects the ANC's unwavering commitment and determination to fight all forms of corruption and malfeasance by corrupt police officers who are entrusted to protect and promote public safety. The Ipid plays a critical role in ensuring that professional ethics are maintained within the policing environment and ensuring that we have a police

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service that is free of corruption and adheres to a high level of professionalism and ethics.

The Ipid conducts independent, impartial and quality investigations of identified criminal offences allegedly committed by the members of the SA Police Service and the municipal police services and to make appropriate recommendations in line with the Independent Police Investigative Directorate Act while maintaining the highest standard of integrity and excellence and promoting respect for the rule of law and human dignity. The Ipid will continue to investigate and work on high-profile cases to ensure successful prosecutions, work with the National Prosecuting Authority, NPA, to ensure the successful prosecution of cases and ensure that the Ipid investigates cases effectively and efficiently. As the ANC, we agree that the budget allocation to the Ipid needs attention, and this directorate needs to be better resourced to tackle corruption in the police force. Despite the budgetary challenges, the Ipid has had successes in criminal convictions. They have referred cases to the NPA for prosecution and they have secured disciplinary convictions and clearly the DA, in terms of what they are saying, is a serious contradiction.

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This Budget Vote resonates with our National Development Plan, NDP, which provides that in 2030, people living in South Africa, feel safe at home, at school and at work and they enjoy a community life free of fear, women walk freely in the streets and children play safely outside and the ANC's 54th national conference resolutions. The ANC supports this Budget Vote. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: I am tempted to say that the "noes" have it but they really don't have it. The "yeses" have it. [Interjections.] ... can you go on record.

Mr G MICHALAKIS: Deputy Chair, perhaps we should not be treated like school children and be able to at least put on our own mikes because it is quite an irritating thing but, in any case, the DA calls for a division.

The DEPUTY CHAIRPERSON OF THE NCOP: I do not know what that is about, you can ask the Table.

Mr G MICHALAKIS: It is a nuisance to get you mike on Deputy Chairperson. We have to wait for someone from above.

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The DEPUTY CHAIRPERSON OF THE NCOP: We can ask the Table during the break to explain to us what is happening here.

Division demanded.

The Council divided.

AYES: 34: Bebee, L C; Carrim, Y I; Dangor, M; Gillion N M; Govender, L P; Gxoyiya, A B; Llatchminarain, T; Mamaregane, L; Matibe, T B; Matiwane, T; Mfayela, S E; Mohai S J; Moshodi, L M; Modise, T C; Mthethwa, E M; Mahlangu, D G; Maleka, A D; Mkiva, Z; Mokgonyana, E M; Mmoiemang, K M; Mmola, M P; Ncitha, Z V; Ndongeni, N; Nkosi, S C; Ntsube, I; Ngwenya, W; Nchabaleng, M Nyambi, A J; Njadu, E J; Rayi, M I; Rosho, M Z; Saziwa, M; Sekoati, S C; Shaikh, S.

NOES: 19: Apleni, T; Arnolds, A; Aucamp, W A S; Bara, M R; Boshoff, H S; Botswe, M; Brauteseth, T J; Baartman, D; Christians, D C; Du Toit, S F; Koni, N P; Lehihi, S B; Luthuli, S A; Michalakakis, G; Moletsane, M S; Ryder, R; Schafer, B; Sileku, I M; Visser, C.

Vote agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

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Business suspended at 17:10 and resumed at 17:27

The DEPUTY CHAIRPERSON OF the NCOP: Hon members, there was an issue that we ruled on earlier. What is a bit concerning is that I would want the Chief Whip to report this to me, and not anyone to communicate or correspond with me directly on it - because I am not responsible for the speakers' list and other things in the House. It is the responsibility of the Chief Whip and I want the secretaries to give this letter to the Chief Whip so that he can clarify it for us. In the meantime, let us continue whilst we are waiting for the Chief Whip's clarity. Yes, please. If you can, it would assist. It would really assist.

The CHIEF WHIP OF THE NCOP: Deputy Chair, it is regarding the earlier ruling of the Deputy Chair concerning the special delegate from the Western Cape province. We have since received confirmation that the hon member was designated to be in the Council today. So the matter was forwarded to the secretary's office, Adv Phindela. He was putting the matter on our attention and I think it will be a matter that will be handled through normal channels.

The DEPUTY CHAIRPERSON OF THE NCOP: Can I just say this. No one will ask me to apologise, because I am here as a Presiding officer and I

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work with what is in front of me and with what the table officials have with them. If there is nothing on the table, I am just continuing.

Mr G MICHALAKIS: Deputy Chairperson!

The DEPUTY CHAIRPERSON OF THE NCOP: I don't owe anyone an apology.

Mr G MICHALAKIS: Just on a point of clarity, I am not quite clear right now whether the member is now allowed to participate on the vote, I gather from what the Chief Whip said that all the papers are in order and that he may now participate. But I don't have clarity on that.

The DEPUTY CHAIRPERSON OF THE NCOP: Can I start by saying, I requested the secretary and the table to clarify to me at the moment when I ruled - was it correct or was it incorrect - Because, there was no correspondence to that effect in front of us. We were correct when we did that ruling as there was no correspondence.

Subsequently, I received a handwritten letter here on my table of which I still said it cannot be my issue. It should be something

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that the whip should have clarified and it should have been reported to this House through the Chief Whip.

The Chief Whip is now reporting that the secretary subsequently said that he was contacted. In fact, the secretary said after the ruling, he was contacted and people showed him that there was a kind of correspondence. It's not about whether I was wrong or right, it is about what is the way forward now.

If the Chief Whip say, in terms of the way forward, this person can participate, it is not for me to say yes or no. I just work with what is in front of me and what has been clarified by the Chief Whip. It seems as if it is not clear for the DA whether the member... and I have subsequently heard from the secretary that the name of the member is hon Dylan Michelle.

I am just saying it because ordinary English have become so distorted that when I say foreigner someone think I am speaking about something else. But when I went to school my teacher taught me that vreemdeling [stranger] is foreigner. And a person that I don't know is a vreemdeling [stranger] to me. No. English is my fifth language, so don't come and tell me I was... A foreigner is a vreemdeling.

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It is because you distort English in South Africa. That is where this thing is coming from. If you go to the dictionary and you say, antonym or synonym you will see the synonym for stranger is foreigner. Go and check that.

The CHIEF WHIP OF THE NCOP: Hon Deputy Chairperson, on dealing with matters of this nature, I have consulted with the provincial whip, hon Labuschagne, who confirmed that matters that were not clear are now since clarified and there is a formal communication. In good faith, we believe that the Secretary of the NCOP, Adv Phindela will submit such correspondence. It is my view that the member should be allowed to participate in the House.

The DEPUTY CHAIRPERSON OF THE NCOP: I don't know the member. I have nothing against him and I am here to make sure that I uphold the rules and the decorum of the House. Thank very much hon members and welcome to hon Michell. We are going to proceed to the vote.

Vote 21 - Justice and Constitutional Development- put and agreed to.

I am sorry the ten minutes was a bit short for me to address that to you but I will definitely address it.

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Mr S ZANDAMELA: No, it is fine, Deputy Chair. The EFF objects.

The DEPUTY CHAIRPERSON OF THE NCOP: thank you very much. The EFF, DA, FF plus objects.

*Afrikaans:*

Die EFF, FF-besigheid maak ons bietjie deurmekaar hier.

*English:*

Is there any *Declaration of Vote*? The EFF – you may continue.

*Declaration of vote:*

Mr S ZAMNDELA: Deputy Chair, our democracy is built on the principle of constitutionalism, the separation of powers and accountability. For five years we seen how this separation... [Interjection.]

The DEPUTY CHAIRPERSON (Ms S LUCAS): ...use the microphone hon member, you are not audible, just yes...yes you are not audible, ...

MR S ZAMNDELA: ... is it? No, the must just listen and not talk...

The DEPUTY CHAIRPERSON (Ms S LUCAS)...they are, we are, all of us are listening, but you are really not audible.

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MR S ZAMNDELA ... my voice, yah, it's fine. For five years we have seen how this separation of powers and these systems of accountability have protected our democracy. At the forefront of that is the fight with the office of the Public Protector by the ruling party, but it seems that in this country and this very Parliament, there are people who do not respect Chapter 9 institutions unconditionally and as a matter of principle, EFF is the only organisation in this Parliament that has consistently defended the constitution and the office of the Public Protector.

The Public Protector is the constitutional body established in terms of section nine of the constitution, yet the constitutional delinquent, Pravin Gordhan who have been find to have violated the constitution on multiple occasions, continue to be the member of this Parliament. We can not continue to allow political parties and individuals, particularly office bearers and the executive to discredit the office of the Public Protector and undermine our constitution, but protecting the office of the Public Protector is the only way that things that need to happen in this term of office, in Sixth Parliament to be precise.

There are number of issues that need to be urgently addressed and top of the list is the release of all political prisoners. All

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prisoners who are in jail for political reasons more specifically the struggle for liberation need to be released. We can not continue to have butchers like F W De Klerk walk free while freedom fighters languished in jail. Secondly we need to pardon all *Fees must fall* activists who are currently in jail or who have to regularly appear in court for fighting for free education. You and all of us, here as members we supported the struggle for free education, so you must allow yourselves to be guided by your revolutionary conscience and release all *Fees must fall* activists.

There is also an urgent need to introduce measures to strengthen the Judiciary Service Commission to ensure the filling up of the judiciary vacancies. We can not continue to have vacancies in our judiciary and justice system - because that reduces capacity and the people's overall trust in the state to deliver justice. So EFF objects the Budget. Thank you.

Mr G MICHALAKIS: Deputy Chairperson, we have among a few others one serious concern with this Budget of the Department of Justice and Constitutional Development and that is the Budget of National Prosecuting Authority has been cut for the third year in row. The consequence of this is that more 600 posts of prosecutors have been cut. The country where police who have to go after the criminals are

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having their cut, Independent Police Investigative Directorate, IPID, which has to keep police free of criminals are grossly underfunded and now two few prosecutors are appointed to see that these criminals are sent to jail and posts being cut further.

It's clear that the new dawn does extend to a more effective criminal justice system. Our safety does not matter to the ANC - you know that, this is true. The DA government would have made this a priority because we know that safety is vital to individual freedom, again for the sake people we serve, every woman, man, child and their safety, the DA can not support this Budget and neither should you.

Ms Z V NCITHA: Deputy Chairperson, maybe let me first put upfront that the ANC is the custodian of the constitution of this country. Secondly we support and respect the justice system of the country. I rise here to support the Budget Vote of Justice and Constitutional Development. The national development states upfront that the South Africa which we want in third years of this democracy. Among others is that, all people are safe in this country by building a safer communities and developmental state which is free of corruption. The Justice and Constitutional Development, therefore plays critical

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role in ushering the country to the desired state in which, we wish to find ourselves and future generation living in 2030.

The ANC has been resolute on the war on corruption and led by the President Cyril Ramaphosa, who is the State President of this country, who said in his speech:

The decisive steps we have taken to end state capture and fight corruption including measures to strengthen the National Prosecuting Authority, Special Investigating Unit in South Africa.

Revenue services and State Security are achieving important results but there is still much work to be done. The following is commitment to bring about ability to leadership in the NPA, to make sure that the appointment of new National Directorate of Public Prosecution. The NPA which is an entity of justice funded by the Budget plays a critical role in the functioning of the criminal justice system. The NPA ensures that justice is served.

We are encouraged that the aspirant prosecutor programme has been resuscitated as is this will strengthen the capacity of the NPA. We are also encouraged by newly established Investigating Directorate within the NPA; it will assist in rooting out social corruption,

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crime and state capture. We encourage the department to avail some funds to directorate as a special skills and capacity is needed.

The ANC struggle with the human rights, which include the right to legal representation. There is no justice when courts can only be accessible to the wealthy. Legal Aid South Africa is also funded by the department and assists those who can not pay for their legal fees. Over the years legal services has good work to do. Thank you very much.

Vote No 21 - Justice and Constitutional Development - put

There was no debate.

Division demanded.

The Council divided:

[TAKE IN MINUTES]

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

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Vote No 22 - Office of the Chief Justice and Judicial Administration  
- put and agreed to.

Vote No 23 - Police - put

*Declaration(s) of vote*

Mr G MICHALAKIS: Deputy Chairperson, the SA Police Service, SAPS, is ineffective, underfunded and rotten with criminals serving within its ranks. It is failing in its constitutional duty of keeping us safe and this is the main issue. The Minister's target of curbing serious crime statistics over the next 10 years is not good enough, for the more than 18 000 people who get murdered every year in this country, a decade is time that they do not have.

To make things worse, this department's budget is allegedly being cut by R6 billion, the statistic on which the minister and the Commissioner could not even agree on. The point is, SAPS is underfunded and so poorly structured that the funds that it does have, is not used to effectively prevent crime. We need police that can deal with murders on arms in townships and at the hands of gangsters.

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We need a service that is trained, equipped and most of all, trusted by the people. What is more is that the Minister's salary is most likely the biggest item of fruitless and wasteful expenditure. We need someone who can take himself, this job and the safety of the South Africans seriously.

Again I say, for the sake of the people we serve, every woman, man, child and their safety; the DA cannot support this budget and neither should you. Thank you.

Ms S SHAIKH: Deputy Chairperson, the ANC supports Budget Vote 23, the Department of Police. This Budget Vote reflects the ANC's commitment in promoting safer communities and it also gives special attention to fighting crime as anticipated in the National Development Plan, NDP, Vision 2030. Chairperson, the SA Police Service, SAPS, intends curbing crime within the next 10 years.

They intend doing this by amongst other things, identifying high crime working stations in different provinces; they have launched the antigang unit; they are committed to building a professional, capable and well resourced police service and building strong community police partnerships through community policing forums.

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Deputy Chairperson, the department is also dedicated to making the police professional and increasing community participation. The ANC has taken into account all constructive criticisms from various political parties in the battle of ideas during Budget Vote debate on how to promote and build safer and secure communities to achieve a stable, secure and prosperous society.

This budget is a key statement of policy of government. It informs the process through which government makes choices about completing priorities that need to be funded for services to be delivered. This Budget Vote resonates with the Constitution and the ANC's 54th National Conference Resolution in fighting crime. Deputy Chairperson, the ANC supports this Budget Vote. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon members, we will now request those that are in favour of this vote to say yes.

HON MEMBERS: Yes.

The DEPUTY CHAIRPERSON OF THE NCOP: Don't get time to sleep here. All those that are not in favour would say no.

HON MEMBERS: No.

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The DEPUTY CHAIRPERSON OF THE NCOP: It is obvious that the yes have it.

Division demanded.

The Council divided:

[Take in from Minutes.]

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Ms C LABUSCHAGNE: Deputy Chairperson, I am standing on a point of order. Those voted against is 24 not 34.

The DEPUTY CHAIRPERSON OF THE NCOP: No, I didn't say that. I started with those against. Thank you very much, hon Labuschagne, I was actually confusing you, and no, you are not someone who gets easily confused.

Vote No 24 - Agriculture, Forestry and Fisheries - put.

*Declarations of vote:*

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Mr C F B SMIT: Hon Deputy Chair, the current drought disaster in the Northern Cape deserves serious attention with an adequate responsive plan from the provincial and national government. Funding needs to be provided in order to avoid the potential loss of approximately one million livestock, as well as an estimated 62 000 affected agricultural jobs by December.

It is because of this government's inability to address the matter seriously that the DA cannot support this Budget Vote. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: Can we get the correct time here. [Interjections.] No, it has nothing to do with you. The Table staff must just correct the time here. It is not correct.

Ms D G MAHLANGU: Deputy Chair, the agricultural sector is very important to grow our economy. [Interjections.]

The agricultural sector is very important to grow our economy. The sector has a great potential to create many of the much-needed job opportunities and can help to grow our economy. The agricultural sector, as many other sectors of our economy, is still dominated by a few players and there is thus a great need to ensure inclusive economic participation by all.

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The ANC government is committed to ensuring an increased agricultural production to boost our slow economy. The budget is very important to ensure the realisation of the objective and as the ANC, we support this Budget Vote.

We call upon the DA to come on board and help the department in advancing our agrarian and land reform programme. There is a great healing when we pull together in one direction. We noticed that, in the Western Cape, there is a slow pace of inclusive participation in the sector.

We cannot grow our economy when we continue to work in silos. We need a co-ordinated effort from all provinces and municipalities to advance Outcome 7 and Outcome 10 of our Medium-Term Strategic Framework, MTSF, and these are aligned to our NDP goals.

The budget will help unleashing a number of job opportunities under Operation Phakisa, with the target to assist about 435 000 farmers by the end of the Medium-Term Strategic Framework period.

Why does the EFF claim that the ANC government is failing our farmers? This is unwanted and we have made considerable progress in

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a certain area under our land reform, especially in the land restitution and security of the land tenure. [Interjections.]

The last 25 years have provided us with a lesson and the department has taken note of areas that still need attention and that will be attended to, as recommended by this Parliament. The ANC supports this budget.

No, the seconds was just too few. It was ... [Inaudible.] ... worth it.

Ms N P KONI: Deputy Chair, on a point of order: I am very happy that she said it on record and that everybody in South Africa heard that they are saying that the ANC is not failing the farmers. The ANC is failing the farmers and if they do not want to accept that they are failing our farmers, it means that the killings of our farmers ... [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: It is not a point of order. Can we take it to a debate? It is not a point of order. [interjections.] It is not necessary ... [Interjections.] Hon Koni, I am speaking! Hon Koni, I am speaking! Why are you debating with me? Can you sit down, my dear, please? Hon Koni, it is not necessary for you to

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defend the EFF when anybody just says, EFF. They will have to pay you double. You don't have to defend everything that is said about the EFF. [Interjections.] It is not necessary. Some things don't need comment. [Interjections.] Young lady, hon Gillion is on the floor; she called a point of order. [Interjections.] Hon Koni, can you sit down, please? Hon Koni, can you sit ... [Interjections.] You are not an old lady. [Interjections.] Hon Koni, I never said ... You don't have to shout. You don't have to shout. If you are not a young lady, I withdraw the fact that I called you a young lady. Will you sit down? [Interjections.] I don't know why all of you are standing. Can you sit down? [Interjections.]

Ms C LABUSHAGNE: Chairperson, on a point of order: Really the decorum of this House can be ... [Interjections.] Can we just ... [Interjections.] ... be sorted out? [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Koni, can you sit down? If you are not sitting down now, I am going to request that you be removed. Sit down, please! [Interjections.] Sit down, please! Hon Mthethwa, you can also sit.

Ms M N GILLION: Deputy Chairperson, ...

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The DEPUTY CHAIRPERSON OF THE NCOP: Hon Luthili, you cannot do that in this House, not at all. You cannot tell him to shut up. You will have to withdraw it. [Interjections.] I clearly heard you saying, shut up. You are wrong. You are very wrong. Nobody is now defending you. You are very wrong. You cannot shout at someone to shut up. [Interjections.] The word that you used to tell him to shut up!

Ms S A LUTHULI: Chairperson, you could not hear him but you could hear me.

The DEPUTY CHAIRPERSON OF THE NCOP: I heard you shouting, shut up.

Ms S A LUTHULI: You are bias, Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP: I am asking you to withdraw the fact that you said he must shut up.

Ms S A LUTHULI: I withdraw those words.

*Afrikaans:*

Mev M N GILLION: Adjunkvoorsitter, miskien moet ek Afrikaans praat.

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Die ADJUNKVOORSITTER VAN DIE NRVP: Praat asseblief Afrikaans, as jy wil, want jy is vry om een van die elf amptelike tale te praat.

Mev M N GILLION: Adjunkvoorsitter, miskien moet ek Afrikaans praat, want dan gaan die agb lid van die Noord-Kaap my beter verstaan. Ek wil dit net beklemtoon dat elke politieke party die reg en die voorreg het om in die Huis 'n stemverklaring te maak. Ek wil vir u vra om dit asseblief onder die aandag van elke politieke party te bring en 'n beroep te doen dat, indien enige politieke party nie gebruik maak van die reg wat hulle het om 'n deklarasie te maak nie, moet hulle asseblief sit en luister, want dit gaan die waardigheid van die Huis beïnvloed.

Division demanded.

The Council divided.

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote No 25 - Economic Development - put

Division demanded.

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The Council divided:

AYES: 36: Bebee, L C; Carrim, Y I; Dangor, M; Gillion N M; Govender, L P; Gxoyiya, A B; Llatchmirain, T; Lekganyane, NM; Mamaregane, L; Matibe, T B; Matiwane, T; Mfayela, S E; Mohai S J; Moshodi, L M; Modise, T C; Mthethwa, E M; Mahlangu, D G; Maleka, A D; Mkiva, Z; Mokgonyana, E M; Mmoiemang, K M; Mmola, M P; Ncitha, Z V; Ndongeni, N; Nkosi, S C; Ntsube, I; Ngwenya, W; Nchabaleng, M E; Nyambi, A J; Njadu, E J; Rayi, M I; Rosho, M Z; Saziwa, M; Sekoati, S C; Selane, C B D; Shaikh, S.

NOES: 24: Apleni, T; Arnolds, A; Aucamp, W A S; Bara, M R; Boshoff, H S; Botswe, M; Brauteseth, T J; Baartman, D; Christians, D C; Du Toit, S F; Koni, N P; Lehihi, S B; Luthuli, S A; Labuschagne, C; Mitchell, D; Moletsane, M S; Motsamai, K; Nhanha, M; Ryder, R; Sileku, I M; Smit, C B F; Visser, C; Wenger, M; Zandamela, S.

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote 26: Energy – Put

Division demanded.

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The Council divided.

AYES: 36: [TAKE IN FROM MINUTES]

NOES: 24: [TAKE IN FROM MINUTES]

Agreed to (Freedom Front Plus, Economic Freedom Fighters and Democratic Alliance dissenting.)

Vote 27: Environmental Affairs - Put

*Declaration of vote:*

Ms L C BEBEE: Hon Chairperson, I rise on behalf of the ANC to declare support for Vote 27. Our declaration as the ANC is guided by our environmental policy resolution and it is built into the 2014 manifesto.

The ANC understands the importance of a healthy and sustainable use of our environmental resources. We note the importance of our environment that is conducive towards jobs creation and sustainable livelihoods.

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As we promote the inclusive use of environment, we bear collective responsibility to ensure that its use and protection will help grow our economy.

The mandate of the Department of Environmental Affairs, now reconfigured together with forestry and fisheries, is to lead the South African environmental sector to achieve sustainable development towards a better quality of life for all.

Climate change is a global problem and poor states suffer the most consequences. We have felt the effects of drought on our farmers, wild fires in forests, contamination of our rivers and seas, flash floods across most of our provinces and air pollution.

It is important to know that our department has come up with measures to combat these challenges, and we need everyone to support them.

Government has allocated money to programmes that will raise awareness and caring for our environment. In the industrial sectors, increased compliance and environmental laws must be promoted and enforced.

To the EFF,...

*IsiZulu:*

Nashawa wuvalo, cha!

*English:*

We would like to state our acknowledgement of your concern around environmental degradation, exclusion of the poor society from the use and benefits of our environmental resources, the unhealthy state of our townships and pollution caused by big industries to our environment. These we believe, are genuine concerns and we assure you that this department understands its mandate very well.

In conclusion, we know that the budget allocation of this department is not enough and we are confident that the diligent use of these allocations will yield better results for the people in future.

Allocation to the department's programme on oceans and coasts will ensure that our economy benefits from the vast resources found therein.

Increased healthy air and surface environment will promote better health and increase life expectancy.

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We welcome R2 085 billion allocated to the environmental programmes, and we also welcome the job opportunities to be created under these programmes.

*IsiZulu:*

Awu siyabangena, siyabangena kahle hle.

*English:*

You thought you were going to frustrate us, DA, with your deviations. Shame! We are here to stay.

*IsiZulu:*

Sizolala la sonke! Yi-36 i-ANC, nina ke? Niya shoda nje kuphela. Thina sila, asiyi ndawo, wo, wo!

The DEPUTY CHAIRPERSON: Time is up.

Ms L C BEBEE: Thank you.

Division demanded.

The Council divided.

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AYES: 36: [TAKE IN FROM MINUTES]

NOES: 24: [TAKE IN FROM MINUTES]

Vote agreed to (Democratic Alliance, Freedom Front Plus and Economic Freedom Fighters dissenting).

Vote No 28 - Labour - put

*Declaration(s) of vote:*

Ms H S BOSHOFF: Hon Deputy Chair, today my heart goes out to the more than 10 million unemployed and many job seeking South African citizens, which cover 56,4% of the youth between the ages of 15 and 24. As I speak, South Africa's official unemployment rate has jumped from 27,6% in the first quarter to 29% in the second quarter, the highest since the start of 2008.

Hon Deputy Chair, the new dawn of President Ramaphosa seems to be a deceased dawn and a pipedream. During the state of the nation address debate the President announced that 200 000 jobs will be created, a few days later though, he stated that massive job cuts are on the table. Unemployment is a time bomb waiting to explode. With an unsustainable economy, we will only see many more job cuts

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which this country can no longer afford. This country is in dire need of a desperate boost which can be bought about with policy changers.

Another Eskom bailout, hon Deputy Chair, this time of R59 billion is an absolute insult to South Africans for having to again foot the bill for government failures. The Northern Cape is enduring a harsh drought with 62 000 jobs at risk if no intervention is initiated by the provincial government.

Hon Deputy Chair, with the DA's proposed Jobs Act, we can stimulate the economy to benefit South Africans, as the Act covers many interventions which will lead to creation of jobs, where techniques will be streamlined especially for our business owners and we must revive sectors like the manufacturing sector through tax incentives.

In June this year, the economy suffered a huge blow with poor Gross Domestic Product, GDP, the worst in a decade and the continuous mixed messages from Luthuli house and the government, especially, theirs around the Reserve Bank mandate, this left many prospective investors that could have assisted in job creation in a state of utter unease.

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Hon Deputy Chair, we need strong leadership to build a capable uncaptured state that can save South Africa and our unemployed. In order to halt the ever-growing level of unemployment, government needs to invest more resources into education, create an environment for entrepreneurs to thrive and ensure clean and transparent governance. Deputy Chair, in light of this, the DA can therefore not support the budget. Thank you.

Mr C F B SMIT: I am sorry, I didn't want to interrupt my fellow member in the House, but this hon member this side, unfortunately I don't know his name said while she was speaking that, o maaka [she is lying.] [Laughter.] He said it three times that she is lying. So, can you please remind him that it is not parliamentary to say that the member is lying in the House. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP: We will have to check, or let me ask, hon member, did you say that? Okay, we will have to check. Hon members, can we continue? The ANC can go on making declaration of vote.

Mr K M MMOIEMANG: Deputy Chairperson of the NCOP, the ANC supports Vote 28, particularly because of the ANC's commitment to spearhead and make strides in terms of developing laws to enforce the

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legislation in workplace. Amongst our key laws, is the Labour Relations Act 1995 that indeed has made tremendous impact in terms of how workplace must be organised.

Secondly, we rise as the ANC to support this budget allocation precisely by virtue of its commitment to ensure that indeed the Minimum Wage Act is a step closer to mitigate the impact on our working class and the poor, such that we are able to ensure that there is smooth implementation of this Act.

Also, the ANC supports this budget because of its commitment to finalise the Employment Equity Bill which has to be finalised before or during 2019-20 Medium-Term Expenditure Framework, MTEF. We also support this Bill precisely by virtue of the fact that it will be able to empower the Minister to set a sector specific employment equity targets and the promulgation of section 53 of the Act.

It is upon this background that the ANC sees the budget as vital in reducing income gap in the workplace. Also, the allocation on labour policy and industrial relations programme is also vital on South Africa to co-chair the international labour relations organisations and global commission. We also take note of the department's commitment to utilise the Unemployment Insurance Fund, UIF, as a

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platform to be able to reskill and retrain, so that we are able to mitigate the effects of job losses.

The ANC also continues also with its work to increase labour intensive industries to accommodate the demand for jobs, particularly with regard to public employment programme creation which also will be able to ensure that we broaden the space for the working class and the poor to be able to get access to decent jobs.

The Department of Labour's mandate on ensuring that there is decent work is pursued under the conditions of freedom, equity, security and human dignity, the ideals that drove our people to create a blueprint called the Freedom Charter. Therefore, the ANC supports this budget. Thank you, Deputy Chair. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you hon members. I will now request those that are not in favour of this Budget Vote to say no.

HON MEMBERS: No.

The DEPUTY CHAIRPERSON OF THE NCOP: Can I now ask those that are in favour to say yes.

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HON MEMBERS: Yes.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much. It's clear that the yeses have it. If there is no request for division we will continue. Yes hon Smit. In fact, I would give a chance to your colleague at the back, but it's fine you can continue.

Division demanded.

The Council divided:

[Take in from Minutes.]

Vote agreed to. (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote 29: Mineral Resources, put.

*Declarations of vote:*

Mr S ZANDAMELA: Hon Chairperson, since the discovery of the diamonds and gold at the end of the 19<sup>th</sup> century, mining and mineral resource have defined South Africa. It brought the industrial revolution to the country and it was the need for the land and the labour in the

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mining industry we were one of the key reasons while the Black majority were dispossessed of their land. It is because of the importance of the industry to our economy that the current Minister of mineral resource acting on behalf of an Australian mining company want to kick the people of Xolobani of their land. That is why 34 mine workers were killed in Marikana at Lonmin, when the current President was once a shareholder. The 25 years into democracy and the mining industry, still serve the interest of the white monopoly capital as it always has. This is why we are disappointed in the Minister's decision with the raw minerals and petroleum resource development amendment Bill. The Bill was a unique opportunity to advance the state ownership and sharing in profit of mineral and petroleum resource. It was a unique opportunity to allow for the development of our economy and creation of quality jobs. We cannot continue to have an economy that has extracted mineral resources. Those mineral resources also need to be processed and go through a process of beneficiation so that they can be turned into industrial products that South Africa consumes.

But this government remains intent on keeping our economy in a relationship of dependence with west and the other parts of the world, which only serves the benefit of the capital and not the people of South Africa. This is why mine workers receive poverty

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wages. This why the death from mining incidents continue to increase and this why your department withdraw the MPRDA Bill. The EFF rejects this Vote, I thank you.

Cllr T B MATIBE: Thanks very much deputy Chairperson, the ANC supports the mineral resource budget vote. In appropriating finance to realise the vision of reviving mining, as a sign rise industry in line with the President's Sona. South Africa is blessed with world class mineral deposits and our country needs an appropriate policy regime to ensure that our minerals contribute to economic development, creating jobs, lift our people out of poverty.

This budget vote deputy Chairperson, focuses on resuscitating the green field exploration and government has focussed investing in the geosciences mapping programme through increased transfer to the department's entity, the council for geosciences. This programme will increase investment and exploration of new minerals and petroleum deposits, thus contributing to the President's drive to attract R100 billion US\$ investment into our economy over the medium term.

The fruits of stable policy and regulatory framework are visible and this is key to government's growth and competitiveness strategy for

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the mine. The success of this is evidenced by the significant investment totalling to 45 billion and the creation of an estimated 4 000 permanent jobs just in the past years. This includes 21.8 billion by Vendatta resources in the Northern Cape, SASOL, 14 billion mine replacement programme in Mpumalanga, the Exaro, 3.3 billion mining investment in Belfast also in Mpumalanga.

In the medium term, department has reported that the total of 60 mineral resources projects are in the pipeline with an investment estimated value at 110 billion and projected creation of jobs deputy Chairperson of 3 2000 jobs. In order to maximize the impact and minimize the potential harm in mining, the vote makes transfer of mine health and safety. Government will also ensure that the mining industry engages proactively with the other stakeholders such as agriculture, environment and tourism sector as well as our mining communities. So that, our people can benefit. So, the ANC supports the budget vote, I thank you.

Division demanded.

The Council divided:

[TAKE IN FROM MINUTES]

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Vote agreed to (Democratic Alliance and Economic Freedom Fighters dissenting).

Vote No 29 - Mineral Resources

Vote No 30 - Science and Technology - put.

Division demanded.

The Council divided.

[TAKE IN FROM MINUTES]

Vote agreed to (Economic Freedom Fighters dissenting).

Vote No 30 - Science and Technology.

Vote No 31 - Small Business Development - put.

Division demanded.

The Council divided.

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[TAKE IN FROM MINUTES]

Vote agreed to (Economic Freedom Fighters, Freedom Front Plus and Democratic Alliance dissenting).

Vote No 32 – Telecommunications and Postal Services – put.

Division demanded.

The Council divided:

[TAKE IN FROM MINUTES.]

Vote agreed to (Economic Freedom Fighters, Freedom Front Plus and Democratic Alliance dissenting).

Vote No 33: – Tourism

Vote No 32 – Telecommunications and Postal Services

Vote No 33: – Tourism – put.

Division demanded.

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Council divided.

[TAKE IN FROM MINUTES.]

The DEPUTY CHAIRPERSON OF THE NCOP: After the next two votes we quickly take a body break, a comfort break of 5 minutes. Is it fine? And then we come back. We are not far from concluding so it will be 5 minutes.

Vote 33: Tourism agreed to.

Vote No 34 - Trade and Industry - put.

Division demanded.

The Council divided:

[TAKE IN FROM MINUTES]

Vote agreed to (Economic Freedom Fighters, Economic Freedom Fighters and Democratic Alliance dissenting).

Vote No 35 - Transport put

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Vote No 35 - Transport put.

Division demanded.

The Council divided:

[TAKE IN FROM MINUTES]

Vote agreed to (Democratic Alliance, Economic Freedom Fighters  
Freedom Front Plus dissenting).

Business interrupted at 19:31:04... and resumed at 19:42:52...

Vote 36: Water and Sanitation put.

Division demanded.

The Council divided

AYES: 36: [TAKE IN FROM MINUTES]

NOES: 24: [TAKE IN FROM MINUTES]

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Vote 36: Water and Sanitation agreed to.

Vote 37: Arts and Culture put.

Division demanded.

The Council divided

AYES: 36: [TAKE IN FROM MINUTES]

NOES: 24: [TAKE IN FROM MINUTES]

Vote 37: Arts and Culture agreed to.

Vote 38: Human Settlements - put.

*Declaration(s) of vote:*

Mr I M SILEKU: Hon Deputy Chairperson, the overall performance rate of the department is 52,4% with a 99,7% budget expenditure. Rate suggests that the performance function and budget for the department do not appear well-aligned. A seemingly recurring challenge for the department.

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Over the past three years, programme 3, which refers to the department's delivery support, has underperformed when compared to other programmes. Thirty one point five percent of targets were met during the 2017-18 financial year while 76,32% of the finale appropriated budget for the programme was spent.

Compare this to 2016-17 financial year where 41,2% of targets were met and 69,7% of the final appropriated budget was spent. While there has been an improvement in the expenditure, there has been a regression in terms of performance.

These are some of the targets that were not met during the 2017-18 financial year: out of a planned 400 informal settlements that well planned to be assessed, only 61 were assessed; out of a planned 300 informal settlements upgrading plans that had to be developed, only 109 were completed; out of a planned 1 700 nonstatutory military veterans that had to be adequately housed, only 480 received adequate housing; out of a target of 6 000 social housing units, only 3 535 units were delivered.

Gee my kans, ek is daar. [Give me a chance, I'm there.]

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According to the presentation by the department to the select committees on 19 July the post 1994 backlog for title deeds as of 31 March 2019 is 500 845.

In 25 years of democracy the government has failed to provide dignified housing for our poor people. This has resulted in the much rooming of illegal shacks and land invasions. It is not clear how the department plans to offer support to municipalities and provinces as to improve the delivery of human settlements.

This budget does not provide a solution on how to address these serious challenges, except *baie dankie, enkosi kakhulu* [thank you very much]. [Applause.]

Mr A B GOYIYA: Hon Chairperson, let me greet the viewers at home who are listening and looking at this mockery that people are doing here in Parliament.

Let me premise by saying that as the ANC we rise in support of Budget Vote 38 o Human Settlements.

The ANC has been consistent on the need to providing suitable integrated human settlements that encourages social cohesion and

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allocated in the well placed areas within proximity to economic opportunities where people can find jobs and social amenities. In line with our guiding document, the Freedom Charter, which declares that there shall be housing, security and comfort.

We acknowledge the challenges in the department, namely: the backlog in the issuing of title deeds, the increase in land invasions perpetuated by some political parties for cheap political games, the increase in farmworker evictions, to name just a few.

We, thus, call on the department to utilise this budget towards transforming the sector and ensuring that the masses of our people living in informal settlements, backyards and ghettos are placed in dignified and well located human settlements. Unlike in the Western Cape where some of the poor people are subjected to mobile toilets, *ipotipoti*; and there's no white person who's using *potipoti*.

We call on the department to act with haste and do the following: accelerate the issuing of title deeds to ensure security of land rights; intensify the fight against corruption and act decisively against both the corrupters and the corruptees; investigate and act against those who drag the department's good name by being involved in fraudulent housing allocations; ensure that the mismanagement of

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public funds is the thing of the past; ensure that money spent matches the number of houses built in line with the budget; employ men and women who are capable of spending this budget for the benefit of the working class and the poor.

The ANC condemns the opportunist tendencies incited by some anarchists who incite people to grab the land, thereafter leaving them to fend for themselves when they have to be arrested for illegal land occupation.

As much as the expropriation of land without compensation is the resolution of the ANC's 54th National Conference, we condemn anarchy with the contempt it deserves. [Applause.]

We are committed to changing the apartheid spatial planning

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member, just one minute. Hon Koni? You forget that you have a mic that you can speak through; your throat will get sore.

Ms N P KONI: I know I've got a servant this side. [Laughter.]

Chair,

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*Setswana:*

... ga re kitla re tla go letlelela mo teng ga Ntlo eno gore re tle go emela lekoko le le emetseng batho re reetse ka go rogakakiwa, le gatakakiwa ke batho bao e leng kgale ba utswa mo pusong ya magodu, fa at la go roga lekoko leo le iseng le buse.

Re buile ra re mafatshe a a loleya go duliwe mo go ona. Mme le gompieno re sa ntse re bua jalo. Ka a me a le makalo, ke a leboga.

*English:*

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Koni, the point you raised is a point of debate, it's not a point of order.

Hon, just conclude, conclude.

Mr A B GOYIYA: Hon Chairperson, I just want to advice the hon members that if the shoe fits you, please wear it. [Applause.]

As we conclude, Chair, the ANC continues to honour its commitment to improving the quality of households' life for the poor people in the gap market in line with the call made by the Freedom Charter as well as the vision of the National Development Plan, NDP.

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It is, therefore, for the above reasons that [Time expired.] the ANC will support this budget unconditionally. Thank you very much, Chairperson. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon members, you help us, we are not young anymore. [Inaudible.] so much noise you could become *deurmekaar* [confused].

Mr G MICHALAKIS: Deputy Chairperson, just a friendly request that if we ring bells in the future that they be rung for the same three minutes as the three minutes you gave that gentleman. [Interjections.]

Division.

Voting

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote No 39 - Rural Development and Land Reform - put

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Ms C LABUSCHAGNE: Hon Chair: Is it parliamentary to flirt from the Chair? [Laughter.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon member Labuschagne, you must ask who flirted first. Any declaration of Vote, FFP?

*Declarations of vote:*

Mr S F DU TOIT: Hon Deputy Chair, I think the night is getting too old for you at this stage for making such assumptions and the mentioning things like that. I do have a declaration to make. My problem is the mic, it is short and I am standing up straight.

The DEPUTY CHAIRPERSON OF THE NCOP: Stand up straight and put the mic up straight. It will reach your voice. [Laughter.]

Mr S F DU TOIT: Thank you so much to be so educative tonight, Deputy Chair. The Department of Agriculture, Rural Development and Land Reform is predicating its plans to alleviate the land issue on data and statistics that are inaccurate. In fact, the recent report by the Presidential Panel on Land Expropriation suggests that decent audit be done to establish exactly how much land is owned by the state.

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*Afrikaans:*

Ons kan nie 'n begroting goedkeur as 27% van die geld op projekte spandeer word waarvan die data nie akkuraat is nie. Dit is gevaarlik om iemand die sonnebok te maak, as jy nie die korrekte feite het nie.

Ek gaan dit kort hou. Sedert 2012 was daar oproepe en versoeke is gerig dat daar bepaal moet word aan wie die grond behoort en hoeveel van die grond aan die staat behoort. Die vraag is dus nou: ...

*English:*

... The question is: Has the land audit being done? If yes: Where is it?

The other question is: The outcome of that audit; was the ANC satisfied with it or not? The department was unable to fulfil its legislative mandate last year. We cannot accept this budget.

Mr C F B SMIT: Hon Deputy Chairperson, the DA rejects the report released this week by the Advisory Panel on Land Reform. The suggestions that have come out of the report are completely high-risk and simply will result in low reward for those who are continuously locked out from owning land or property.

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It should however be noted that despite the report, reporting land expropriation without compensation, this decision was not anonymous amongst the panel members themselves.

The report further rejects providing land title and security of tenure to South Africans who live on communal land. Denying communal land is purely a continuation of the oppressive style of apartheid.

The report's recommendations would be dangerous for our fragile economy. Should some of the recommendations include relocating the department to the Presidency, despite the entire departments already existing with a mandate of land reform.

It is imperative that this government moves away from populous quick fix policies regarding land reform and instead introduce and implement ideas that will provide adequate support to our economy without having to take away the right to property ownership.

I want to also make it clear to South Africans that they take note that the IFP has been voting with the ANC on everything the whole evening. Hopefully they stand also against this Vote as the Ingonyama Trust will be nationalised. The DA rejects this Vote.

[Applause.]

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Ms N P KONI: Hon Deputy Chair, it is a fact that no country in the world is more unequal than South Africa. It is also true that there is no country in the world where there are such inequalities in how land is distributed. This is not a coincidence. For 350 years the white minority committed genocide and disposed our people of their land.

That is why the struggle for national liberation is centred on the return of our land. Yet, to date 25 years after our first democratic elections and 23 years after the adoption of our Constitution, the black majority still own 4% of all privately owned land, while the white minority owns over 70%.

The ANC has for 25 years in this government failed to redistribute even 10% of land back to its people. Of the land that has been redistributed, they have failed to provide any meaningful postsettlement support to land recipients condemning them to future. Instead, this government has used proactive land acquisition strategy to allocate land to their own comrades.

The ANC government has through its own internal incompetence failed to use recapitalisation programme to recapitalise land reform farms, but rather have used to entrench their patronage networks. That is

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why it falls upon the EFF to carry on the struggle of Ntate Robert Sobukwe, Mama Winnie Madikizela-Mandela, Ntate Steve Biko, Ntate Chris Hani and Ntate Harry Gwala and the first step is amending section 25 of the Constitution, so that land can be expropriated without compensation.

All other alternatives have failed for a quarter of a century. That is why the Constitution needs to be amended.

Secondly, land must be placed under the custodianship of the state. This must be done in a manner that gives maximum security of tenure to citizens and to businesses. This along with other policies and programmes will lay the basis for successful land reform. Not this thing of what the ANC is doing of buying back what is rightfully ours. You are just misusing money for nothing; you could take that money to free education.

Hon Anele neh ...

*Setswana:*

Maloko a EFF otlhe a lekanwa ke ditlhako tsa ona. Go simolola ka baeteledipele go ya kwa malokong a a kwa tlase, ga go ope yo o

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kileng a amangwa le bosenyi. Maloko otlhe a robala boroko, ga ba tshwenngwe ke sepe.

*English:*

The EFF rejects this Budget Vote. [Applause.]

Ms T C MODISE: Hon Deputy Chairperson, good afternoon. The land reform and rural development now with agriculture, is one of the most important departments in our government.

*Setswana:*

Mokgatlho wa ANC jaaka e le mokgatlho o mogolo wa naga eno, o atlenegisa Tekanyetsokabo 38 e e filweng lefapha. Lefapha le filwe matlole a a kanang ka R10,946 ya dimilione e e bonalang e le kabo e e kwa tlase, mme re lebogela go itse gore motshwaratekanyo o tla kgona go e dirisa ka tshwanelo. Re le mokgatlho wa ANC re batla go itsise jaana gore Moporesitente wa rona o amogetse ditshitshinyo le dikakanyo tsa mokgatlho wa DA ka Puo ya Moporesitente ya Pulo ya Palamente.

O tlhagisitse fa go le botlhokwa thata gore lefatshe le neelwe beng ba lona. Go ya ka kgobokanyo ya Freedom Charter mo ngwageng wa 1955, mokgatlho wa ANC o ne wa bonela pele gore lefatshe le boele go beng

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ba lona. Gompieno re makatswa ke go bona bo mabinagotsholwa ba ba tlolatlolang ba bina pina ya tshwene e ba sa itsing gore e lediwa ke mang.

Ba bua dipuo tse ba sa di itseng, mme ga ba itse gore kgang ya lefatshe e simolotse leng. [Legofi.] Re le mokgatlho wa ANC, re batla go bona gore ba tla ikamanya le mokgatlho wa DA o o leng kgatlhanong le gore lefatshe le busediwe mo go rona. Lefatshe le le thupilweng ke dinwamadi e leng mmuso wa maloba wa kgatelelo. Re le mokgatlho wa ANC, re sa le re na le ponelopele ya go busetsa lefatshe go beng ba lona.

Re tshegetsa kakanyo ya poelo ya lefatshe go beng ba lona e e tlhotlhomisitsweng ke Moporesitente Rre Matamela Ramaphosa mo pegelong ya lefatshe. Pego eno ga e na matshosetsi mo setšhabeng jaaka ke utlwa dinotshi di opela mo teng ga mafuti. Pego eno e bontsha jaaka go tlile go nna le kanelo mo go rona jaaka baagi le gone e bontsha gore lefatshe le fiwa batho botlhe ka kakaretso, e seng jaaka ba bangwe ba bua gore ke la batho ba ba rileng. ...

[Tsenoganong.]

Re le mokgatlho wa ANC re dumalana le tekanyetsokabo eno. [Legofi.]

[Nako e fedile.]

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Division demanded.

The Council divided.

[TAKE IN FROM MINUTES].

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Vote 40: Sport and Recreation - put.

Division.

Voting.

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

Schedule put and agreed to.

Vote agreed to (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

CONSIDERATION OF APPROPRIATION BILL [B6B-2019]

*Declaration(s) of vote:*

Mr D R RYDER: Chair, the speed with which this Appropriations Bill is being processed through the two Houses of Parliament does little justice to the people of South Africa.

The attitude of many in the NA seem to be that this appropriation is the legacy of the Fifth Parliament and we need to process it to get it out of the way, and then get on with building the next budget to ensure that the Sixth Parliament can shape matters going forward.

What travesty? And this at the time when the economy is under severe threat, revenue is falling and yet we are seeing growing pressures on expenditure from a nation increasing the dependence on government support and government-led growth.

But the sad truth is that any money available needs to first be used to fill the gaping holes that have been left by state capture and years of bad policy decisions.

Hon Mahlangu earlier, quite correctly, pointed out that, yes, this is an election year and the timing of the elections was partly to

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blame for the rush job that we've done. But, in the committee it was also agreed that the ANC's internal power plays caused a delay in the starting of the work of Parliament, putting this process under strain like never before.

Chair, we should be debating this Bill, not merely making declarations. We are not here to rubber stamp the work of the NA. Part of our job is to make sure that they have done their part correctly.

The reason given for not holding a debate today is the absence of the Minister and Deputy Minister from the country. They did not prioritise this House's decision on this Bill.

We are prevented from doing our work by the disdain shown by the executive for this House. Never again.

I have the word of the Appropriations Committee Chair that we will debate the next Appropriations Bill and I intend to hold her to it.

Deputy Chair, this Bill takes money from services desperately needed by South Africans and gives it to South African National Roads

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Agency SOC Ltd, Sanral's etoll project, to Eskom and other failing state-owned enterprises.

The alternatives and the amendments proposed by the DA have been ignored.

This Bill pushes the National Health Insurance, NHI, forward despite the advice that that it is presently unaffordable and with no consideration of the alternatives put forward by the DA.

This Bill takes South Africa backwards.

Chair, public participation is sometimes uncomfortable, but it is necessary. Take the example of the DA's led Midvaal Municipality who have made changes to the annual budget based on inputs received through public participation.

Every year, for the last six years, listen to the people; give them a chance to have their say.

The DA cannot in good conscience support this Bill or this report.

Thank you, Chair. [Applause.]

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*Afrikaans:*

Mnr S F DU TOIT: Agb Voorsitter, ...

*English:*

... the Freedom Front Plus voted against most of the budgets.

*Afrikaans:*

Ons het teen die begrotings gestem, nie om die gemeenskap te na te kom nie. Ek dink dit is 'n misverstand wat bie mense dalk nie begryp nie. Ons het daarteen gestem aangesien fondse verkeerd aangewend word op projekte wat nie weldeurday is nie en aangesien korrupte politici en amptenare steeds in poste bly en meeste van hulle bevordering kry. Cadre deployment. [kaderontplooiing]

Hierdie persone moet voor stok gekry word. Tot tyd en wyl dit gebeur, kan en sal ons nie die begrotings kan goedkeur nie, want dit het nie ten doel om 'n beter lewe vir ons mede Suid-Afrikaners daar te stel nie. [Tussenwerpsels.]

*English:*

We don't have to say a lot to say something, hon.

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Mr Y I CARRIM: Chairperson, firstly, let's start with this, even if we've spent six months on the Appropriations Bill, the DA still would not have voted on it, actually, that's fact. They didn't do it in the last year, they didn't do it in the year before and there was no process that was truncated or reduced. So, it's disingenuous to suggest that they are not voting for this Bill simply because of the special circumstances.

Now, Mr Ryder reduces his own argument to this disingenuity because he acknowledges the committee report said that we as a whole, including the EFF and the ANC, the EFF was not there, Freedom Front Plus, we all agreed that these are special circumstances, like in any democracy in the world, it was election time. The space and time was eroded, Parliament had to rise on 28 March if I'm correct. So, these circumstances reduce the prospects of us paying considered attention and concerted attention to the Bill. We agree, but there's no other choice.

What we did plead for in our report is that in future, Chief Whip, Deputy Chairperson, when the government decides on the elections, it should also take into account that you have to vote on the budget before the end of July. So, maybe we should have the elections, as

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we have done before, earlier in April, middle of April. We've asked you to think about that, chairperson.

Secondly, what we in fact did, thanks to our very effective Chairperson of the Appropriations Committee, she conferred Sifiso Mahlangu on the other side, Mr Sifiso Mahlangu, Mr Sifiso Buthelezi sorry.

And of course, we had Joint Sittings all the time with them, but the decisions that we finally took were our own, the NCOP is not subordinate to the NA, it is not here to rubber stamp it. In fact, it's the ANC that keeps saying that ... and I've raised this on behalf of our committee, the finance committee with the Chief Whip of the NCOP that we should have a debate here that doesn't actually substitute or duplicate what the NA does. Our focus should be more on provinces and local government, and he has said yes to it. And no doubt when we have our strategy discussion, when we come back in the first week, that will rise. Our committees have taken a decision, he, Mr Ryder, supported it, right?

On the issue of the absence of the Minister and the Deputy Minister, we've already agreed that they should be here. Here sitting in the official component of the NA right now is Sindi August, a very

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effective parliamentary leader of [Inaudible.] she will communicate to the Minister and the Deputy Minister the unhappiness of the House, that at least one of them surely should have been here. And House Chair, I plead with you, Deputy Chairperson, that in future you ensure that it happens and so does the Chief Whip of the NCOP. Surely one of them could have been here, we are agreeing on that, I don't know why he's bleating on about it, we've agreed on that earlier.

Then on the issue of a colleague of his he's raising this morning, in a very cowardly way to say, yes, of course, when I was the Minister of Communications the SA Broadcasting Corporation, SABC, state capture occurred. Maybe he wants to Google Carrim. Koos Bekker, his friend, MultiChoice and the decision about Hlaudi Motsoeneng, and Google it and see, maybe he can then conclude why I wasn't reappointed. Do I care? No. I went for five years to the NA and I'm here right now. I didn't run away. [Applause.] [Interjections.]

And what has the Freedom Front said? Nothing. I don't think hon Fanie Du Toit knows what to say. I'm just saying, Mr Fanie Du Toit, with due respect, you said nothing. You simply said monies have been allocated to the wrong votes. What votes? Why precisely? No answer.

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So, it would be better if you didn't speak. Thank you. [Laughter.]  
[Applause.]

Question put: That the Bill be agreed to.

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

The Council adjourned at 20:49.