

WEDNESDAY, 16 NOVEMBER 2016

PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 15:00.

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

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS - see col
000.

QUESTIONS FOR ORAL REPLY

PEACE AND SECURITY

Cluster 1

MINISTERS:

**Implementation of language policy in Department of Justice
and Correctional Services and language-related challenges
in courts of law**

254. Mrs M R M Mothapo (ANC) asked the Minister of Justice and the Correctional Services:

With reference to the Use of Official Languages Act, Act 12 of 2012, which seeks to ensure that South Africa's linguistic diversity and respect for language rights as part of social cohesion and nation building is both protected and advanced, social justice is served and the principle of equal access to proceedings in our courts is enhanced, what is his department doing in order to (a) deal with the language-related challenges which can have a serious impact on those brought before our courts of law and (b) ensure that all brought before a court of law do understand the interpretation of the law and proceedings?

NO2889E

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Madam Speaker, may I, in terms of Rule 142(2), have two extra minutes for this first reply, as it's a bit longer?

The question is around language policy. In 2014, the Department of Justice and Correctional Services developed a language policy, as required by the Use of Official Languages Act, Act 12 of 2012. In terms of the policy,

three other languages were designated as official languages for the purposes of conducting business at a service point in a province concerned, in addition to English. The designation of official languages per province is based on the prevalence of other languages spoken in the province concerned. We have an attachment that we can submit which details those languages.

The language policy will be implemented gradually based on the availability of resources, and implementation will commence in the next financial year, 2017-18.

However, this language policy excludes languages used in court proceedings. In matters that come before our courts, the department is enjoined to give effect to the constitutional imperatives of a fair trial. This includes providing court interpretation in the language that is understood by the accused and the witnesses. That is specifically in terms of section 35(3)(k) of the Constitution.

So, with regard to court proceedings, there are two dimensions in the use of languages. The department provides services of court interpreters for this purpose, and the Justice College conducts ongoing training in court interpreting to improve the quality of interpreting.

From a historical perspective, court interpreting services are mainly provided for an accused and witnesses that speak any official language other than English and, in some cases, Afrikaans. You will then interpret the testimony of the latter into English or Afrikaans.

There is, however, an evolving discourse on the need to use any of the 11 official languages as a language of proceedings where circumstances so require. This would be instances where all parties, including the presiding officer and the legal teams, speak a common African language, for example. The envisaged policy in such instances will be that proceedings will be conducted in that African language understood by the parties, with the proviso that the record be translated, should this be necessary, for purposes of appeal or review.

We ran a pilot project in selected courts. This will assist us in developing a firm policy on that. I must also mention that we have a problem with regard to interpreting, and this is the large number of non-nationals that make use of our courts and the need for them also to have interpreting. Some of the most prevalent languages that are demanded by accused persons include Igbo, Chichewa, Amharic, Urdu, Swahili, and Shona. These above languages are demanded even if the official language of the country of origin of the

accused non-national is either French or English. We are therefore developing a policy on this issue as well which will mainly entitle the accused person to the interpreting of the official language of his or her country of origin and not necessarily the home language, unless interpreting in such a language is easily accessible. Thank you.

Ms M R M MOTHAPO: Madam Speaker, to the hon Deputy Minister: The National Development Plan, NDP, enjoins all South Africans to learn at least one indigenous language as part of nation-building and social cohesion. Has your department thought of engaging with the Department of Higher Education and Training with a view to making indigenous languages inclusive of the law curriculum? I thank you.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Speaker, I thank the hon Mothapo. We haven't had formal engagement with the Department of Higher Education and Training, but we have had informal engagements with some of the universities. Those of us who are slightly older may recall that, up until the late 1980s, to practice as an attorney or an advocate, you needed English, Afrikaans, and Latin. Those requirements, particularly the Latin one, were abolished.

The issue we are raising is whether there shouldn't be an additional indigenous African language that is used. I understand that students at the University of KwaZulu-Natal are being taught, or have to learn, another language. That is something that we are engaged in discussions on with the universities. Thank you.

Mr N S MATIASE: Madam Speaker, I am asking the question on behalf of the hon Louw.

Sengwathiswa sa bo 9, section 9 of the Bill of Rights, se re netefalletsa tshirelletso ya ditshwanelo tsa botho ka tekatekano tlasa tsamaiso ya molao. Mme, ditshwanelo tsena le netefalletso ena ke lefela la mafela mme ha di re letho, ha fela e le hore katamelolelo ya baahi makgotleng a dinyewe ha e phethahatswe ka hobane ba hanelwa ho bua dipuo tsa bona tsa setso.

Jwale, re batla hotseba hore na ke mohla neng makgotla a dinyewe a tla dumella batho ba Manamolela, batho ba Thohoyandou, batho ba Phuhaditjhaba, batho ba Lusikisiki hore batle ba fihlelle ditshebelletso tsa makgotla a dinyewe ka maleme ohle a puo: Sesotho, Isixhosa, Xhitsonga, Tshivenda, Sepedi le Setswana. Mme re batla hore lefapha le itlame hore selemo sena se tlang ha se na fela hono ho eso phethahatswe. (*Translation of Sesotho paragraphs follows.*)

[Section 9 of the Bill of Rights guarantees the protection of human rights under the rule of law. Yet these rights and guarantees mean nothing if the courts of law are not accessible to communities because they are denied their right to express themselves in their mother tongue.

Now, we would like to know when the courts of law will allow the people of Malamulele, Thohoyandou, Phuthaditjhaba, and Lusikisiki access to the courts of law in all the languages: Sesotho, isiXhosa, Xitsonga, Tshivenda, Sepedi, and Setswana. Therefore, we want the department to make a commitment to implement this by the end of the next year.]

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Madam Speaker, currently people do have the right to use any language they wish to in the courts. Currently, in the courts, the medium that is used is mainly English or Afrikaans, but people can use whichever language they want to.

As I have said – and I am not sure whether the hon member had followed it entirely – there is a policy that we are trying to implement where everybody in the court speaks the

same language as a way of ensuring that the court is then run in that language.

However, for appeals and reviews, that language would then have to be translated into English. Basically, everybody does have access to the courts in whatever language they wish. I read in the media that somebody had approached the High Court in Gauteng with a divorce application that was drafted in Sepedi. So, that is currently being used. Thank you.

Adv G BREYTENBACH: Madam Speaker, to the hon Deputy Minister: Is it in your view not necessary to also address this language problem by treating court interpreters in a more professional fashion? Have you considered appointing more interpreters to alleviate the shortage and then giving interpreters sufficient training and prior warning before you expect them to interpret complicated legal and other terminology in complex cases? Have such directives been considered, and, if not, why not?

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Speaker, interpreters are trained by the Justice College in an effort to increase the standards. Obviously, as I said, part of the complication is that it

is not just interpreting into South African languages, but it's also interpreting into foreign languages, given the high number of foreign nationals on our shores.

In terms of paying court interpreters better, I am sure they would appreciate that. The issue obviously is one of budget, and we can address that if Parliament votes us more money for that purpose. Thank you.

Mr N SINGH: Speaker, to the hon Deputy Minister: I think it's important to draw a distinction between the language of record and the language that people are allowed to speak in court. You are quite right in saying that any person accused or the presiding officer can speak any language and it gets interpreted, but I think my question relates to the level of interpreting and the standard of skill of the interpreters because a lot of the legal jargon can be lost in translation. To what extent are these interpreters trained to understand legal jargon? Do we have any legislation that defines the role of court interpreters?

I believe it's important that we have some kind of legislative framework that defines their role, especially in situations in which people are tried for serious cases like murder and rape and may even be wrongfully convicted,

for that matter, because of incorrect interpreting. Thank you.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Hon Speaker, we can look at that issue, but just to point out, obviously, if there is incorrect interpreting, that could result in a conviction being overturned on review.

However, one of the problems is this large number of non-South African languages. Often, when one acquires a Somali interpreter, for example, one is not necessarily assured of the quality of that interpreting, but that is the case given the shortage of Somali interpreters in South Africa or Somali interpreters with formal qualifications.

So, it is a complex issue, but we can look at the issue that the hon member has raised. As I have said, training is conducted for interpreters by the Justice College. Thank you.

The SPEAKER: We now come to Question 266, asked by the hon Horn to the Minister of Justice and Correctional Services. Hon Deputy Minister.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Speaker, I had requested that Question 266 stand down because the Minister would have liked to have answered it himself. The Minister, just for the benefit of the House, is attending the Assembly of States Parties of the International Criminal Court in The Hague. So, could I request that this question stand over, please?

HON MEMBERS: No! [Interjections.]

The SPEAKER: So, hon members, this is a situation that we cannot do anything about except to let the question have another opportunity back in the House when the Minister can attend.

Mr M WATERS: Speaker, may I address you?

The SPEAKER: On what grounds, hon Waters?

Mr M WATERS: Well, firstly, on section 55 of the Constitution, 55(2) to be precise, where it says that "the National Assembly must provide for mechanisms – (a) to ensure that all executive organs of state", which includes the executive, "in the national sphere of government are accountable to it", which is what we are currently doing

and, obviously, in relation to Rule 138, Questions to Ministers - that is what I am addressing you on.

Speaker, the Minister was well aware of his obligations to be in the House today to address these questions. Ministers are given due notice to be here. Whilst we were informed that the Minister would be overseas and that the Deputy Minister would try and answer the questions, it is quite clear the Deputy Minister cannot do so. If that is the case, I don't think the question should just stand down. In accordance with Rule 138(5), I thus request that the question is deferred to the next question day, which is next week Wednesday, and that an additional 30 minutes be added onto the time for questions so that the Minister, who wants to answer this question, can come here and answer the question properly. [Applause.]

The SPEAKER: We will consider your request, hon Waters. We come to Question 273.

Mr M WATERS: Speaker, with all due respect, if you say can consider the request, that means you may not consider it.

The SPEAKER: No, hon Waters. Please, let us not start arguing about this now.

Mr M WATERS: We just need ...

The SPEAKER: Hon Waters, I have heard you. May I proceed?

May I just proceed with the business of the House?

Mr I M OLLIS: We need an answer!

Mr M WATERS: Speaker, if I may, Rule 138(5) is quite clear:

If a Minister is absent on a day when a question relating to the relevant cluster is called and the question is not answered by the Deputy Minister concerned or another Cabinet member in accordance with Subrules (3) and (4), the Speaker may, if requested to do so by the member in whose name the question to that Minister stands, and after consultation with the Leader of Government Business, direct that—

- (a) such question to that Minister be placed on the Question Paper for the first question session for Ministers following that day; and (b) an additional 30 minutes be added to the question time for that session.

That is what we are requesting. Thank you.

The SPEAKER: I have heard you, hon Waters, as I have said, and so there is no problem.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Speaker ...

The SPEAKER: Hon Deputy Minister of Justice and Correctional Services, can you take your seat so we can proceed to Question 273, asked by the hon Molebatsi to the Minister of Police?

The MINISTER OF POLICE: Madam Speaker, in light of the fact that, several hours ago, I wrote to you in relation to the refusal by the executive director to provide written answers to this parliamentary question and others, of course, whether for Written or for Oral Reply, I therefore ask that Rule 144(1), which allows us to ask for this question to stand over, be invoked, so that it gives an opportunity to the hon Speaker to deal with the issue. Thank you very much. [Interjections.]

The SPEAKER: I would therefore allow for consideration of the issues that the Minister is raising before the House and ask the House to proceed to Question 256, asked by the hon Hlengwa.

Mr M WATERS: Speaker ...

The SPEAKER: Yes, hon Waters?

Mr M WATERS: Thank you. Speaker, on what grounds is the Minister refusing to answer the question? This is an oral question session. The Minister is quite aware of it. The question has been asked and put to him. It has passed all the internal Rules, so it is a legitimate Question for Oral Reply, and the Minister is here, from the executive, to reply to the question. We are here to hold the executive to account. On what basis, and on what Rule, is he refusing to answer the question?

The SPEAKER: The Minister is making reference to issues that sound like they are internal to the department.

[Interjections.] As things stand, the House cannot do much about that. [Interjections.]

An HON MEMBER: It can! [Interjections.]

The SPEAKER: In fact, there is nothing we can do about it, so I am saying, rather than waste our time, we allow ourselves to proceed to Question 256. [Interjections.]

Mr M WATERS: Speaker, may I address you? We are not wasting our time. In fact, the Minister is wasting our time by refusing to answer the questions.

HON MEMBERS: Yes!

Mr M WATERS: We're here to do a job, and we spoke about this yesterday. We spoke about it today in the Chief Whips' Forum and in the Rules meeting earlier on - to hold the executive to account. Yet here you are, allowing a Minister to get away with not answering a question!

We are supposed to apply the Rules, equally, to every member of this House, without fear or favour. I will put it to you, Speaker, that what you are doing is allowing the Minister to get off the hook by not answering questions.

The SPEAKER: Hon Waters, we are actually doing things according to the Rules. [Interjections.]

HON MEMBERS: No, you're not! You're not!

The SPEAKER: A question ...

An HON MEMBER: Speaker ...

The SPEAKER: Let me finish.

An HON MEMBER: Madam Speaker ...

The SPEAKER: Let me finish.

An HON MEMBER: You are a failure!

The SPEAKER: According to Rule 144, a Question for Oral Reply must stand over if the Minister to whom it is addressed so requests, either in the Assembly when the question is called for reply or by notice in writing to the Speaker before the start of question time on the day for which it is on the Question Paper. So, there is no reason for us to be arguing about this.

I now come to ...

Mr Z N MBHELE: Speaker, on a point of order ...

The SPEAKER: What's the point of order?

Mr Z N MBHELE: On your left, Speaker.

The SPEAKER: Yes, hon member?

Mr Z N MBHELE: Speaker, with respect, regarding the Minister's rationale given, that may apply to subsection (a) of the question. However, subsection (b) asks him directly: Will he engage with his counterpart, the Minister of Justice and Correctional Services? He does not need to consult Robert McBride to answer that question.

It is flimsy. It is baseless. It is unfounded. He must please account. Please do your job! [Applause.]

The SPEAKER: I note your strong view, hon member, and I proceed to ask the House for us to move to Question 256 ...

HON MEMBERS: No!

The SPEAKER: ... asked by the hon Hlengwa to the Minister of International Relations and Co-operation.

Mr M WATERS: Speaker, you are making a farce of oral questions - an absolute farce - and we will take this up in another forum. [Interjections.] We really will because it's a farce! What's the point of carrying on with oral questions if Ministers can come here and ...

The SPEAKER: Hon Waters, I now ask you to co-operate by taking your seat. [Interjections.]

Mr M WATERS: No, no. Speaker, what is the point of us continuing ...

The SPEAKER: I asked you to sit down, hon Waters.

Mr M WATERS: ... if you allow Ministers to cherry-pick which questions they are going to answer? It's a disgrace!

The SPEAKER: Who is standing in for the Minister? Oh, the hon Mahlobo. [Interjections.]

Budget for maintenance of foreign missions

256. Mr M Hlengwa (IFP) asked the Minister of International Relations and Co-operation:

- (1) What amount has her department budgeted for the maintenance of foreign missions in the 2016-17 financial year;
- (2) whether she will consider reducing the number of foreign missions as a cost-cutting measure, if not, why not; if so, what are the relevant details?

NO2893E

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Madam Speaker and hon members, on the question that has been asked, the Department of International Relations and Co-operation's maintenance budget for foreign missions abroad for the 2016-17 financial year is broken down as follows.

Firstly, foreign missions postings, referred to as chanceries, is R6 728 675 only. Secondly, residences, which is embassy posting, the cost of official residences comes to R4 287 477 only. Foreign mission housing postings, Madam Speaker, which is staff accommodation, is R2 782 693.

On the second question, the department is undertaking an assessment of what cost-cutting measures may be implemented, which will require a detailed analysis and an impact study on the implications for the bilateral relations and its global governance agenda. The department, however, is undertaking some serious assessment of what cost-cutting measures may be implemented. Thank you.

Mr M HLENGWA: Ngiyathokoza, mhlonishwa Somlomo. [Thank you, hon Chair.]

I will request that I get, first of all, Speaker, the actual written answer because I have a serious issue with

the figures that have been provided. Secondly, I want to ask the stand-in Minister whether, in light of the national competing priorities that South Africa is faced with and our economic interests at home and abroad, it is beneficial to have the second highest number of foreign missions in the world, after the United States. What purpose does that serve to have this global footprint instead of prioritising in terms of trade?

Now, the assessment that is being done is in fact long overdue, but even its focus does not seek to address the problems that we face. We are wasting money on luxuries of foreign missions that actually serve no purpose and money that is going abroad. So, when is it going to arrive at a point where these foreign missions are dedicated to trade and to ensure that the national spinoffs are realised as opposed to these junkets and vacation-like foreign missions? We have the second highest number of missions in the world without any reason. So, I would like to find out what benefit is it that we have these missions when the trade-offs are not there, and we are not receiving anything that we need as a country? Thank you.

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Madam Speaker, I would like to thank the hon Hlengwa for the follow-up

question. One of the most important issues is for the hon member to find time to familiarise himself, firstly, with our foreign policy as a country, which clearly articulates what we seek to do in terms of promoting peace and friendship in the world including our own continent.

The view that seeks to suggest that in the foreign missions there are no matters of trade being discussed is far from the truth. In terms of the composition of the South African missions that are led by the Department of International Relations and Co-operation, we do have individuals that are posted in those missions by various departments, including the Department of Trade and Industry in our country, and the issues are being discussed.

The trade between South Africa and our continent has increased, and opportunities are being enjoyed by our businessmen and women that are doing a lot of work there. However, in terms of other issues around cost implications, whether there has to be a review, the formal position of the department and government is that an assessment is being done. The work we do on the continent and all over the world must never be understated. We must underscore that we are part of a global village, and, if South Africa has to grow, it will grow in tandem with the growth of our continent and the globe as such. I thank you. [Applause.]

Mr A M SHAIK EMAM: Hon Speaker and hon Minister, what is very clear is that we spend a lot of money in our foreign missions in terms of leasing the premises, and I know at some stage we were talking about purchasing these properties rather than leasing it at exorbitant rentals and costs. Can you please tell us what the latest development in that regard is? Thank you.

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Hon Madam Speaker, I wish to thank the hon member for the question. We have indicated that there have been serious issues around the economic situation. The economic impact assessment that is going to be undertaken will look at the implications of the bilateral relations, whether the numbers of the embassies are sufficient or not, whether they have to be reduced, or whether we do have to share them like in certain instances, but also equally the money that is being used for operational reasons there, and whether we should actually lease or buy where those particular foreign missions are located. Let us not jump the gun and allow the economic assessment that is going to give us more of an impact.

Firstly, from our coverage of our relations there because that is the most important issue, but then the resources

also - whether it is buildings or bodies we need to be able to put on the ground, once the assessment and the study have been completed, the nation will be taken into confidence. Thank you. [Applause.]

Mr S MOKGALAPA: Hon Speaker, to the hon Acting Minister: This is a very serious question. It is not a massage parlour question. So, listen carefully. I am not sure if you will have an answer for it. [Interjections.]

The National Development Plan, NDP, and National Treasury have made strong recommendations to the department about the rationalisation of the foreign missions. It is costing the taxpayer about R3,6 billion in this financial year, and, surely, you know the challenges that are facing South Africa. This is fruitless and wasteful expenditure.

Frankly, we need to cut costs. Now the question is: Why is your government defying the National Development Plan and the National Treasury when they are calling for the rationalisation of foreign missions? I thank you.

[Applause.]

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Madam Speaker, I thank the member for the question asked. What is most

important is that, when we are in Parliament, we should have an opportunity to tell the facts. [Interjections.]

To come here and claim that the Department of International Relations and Co-operation has actually undermined the National Treasury and the National Development Plan ... We must reiterate that the ANC-led government is the one that brought the NDP and gave us the vision for the future of this country. As we speak, this National Development Plan was adopted here. Members, when we present our annual plans during the Budget Votes and in the Medium-Term Budget Policy Statement, we should be able to tell the nation that it was adopted by Parliament. This Parliament never cast aspersions on the department, saying the department's plan is outside the National Development Plan. We continue to implement the NDP.

Secondly, with the question of cost implications, we cannot be selective and choose the implications. A number of South African businesspeople are earning billions of rand through their involvement in trade relations facilitated by this government using our own embassies. [Applause.] Businesses in this country are thriving more than during the time of apartheid, including the white monopoly capital, which is the biggest beneficiary of our own missions outside this country. [Interjections.]

To suggest that this is irregular expenditure is an attempt to score cheap political points. [Interjections.] The reality is that we are going to say ... [Interjections.] ... the issue of rationalisation under the current economic conditions ... [Interjections.] We are going to do an assessment. When the assessment is provided, finally the results will be provided. Thank you, Madam Speaker.

[Applause.]

Rev K R J MESHOE: Hon Speaker, reports that South Africa has the highest number of embassies abroad after the US are truly outrageous when one looks at our economic conditions. When our country, South Africa, has more embassies in foreign countries and spends more money on them than wealthier countries, it does not make sense. So, what I want to know from the Minister is the amount of money that South Africa spends on foreign embassies and how that compares with the foreign investment that we get in return because it would not make sense to spend all that time in other countries when South Africa does not benefit. What is the comparison? Are we losing out in giving more, or are we getting more value for our money that we are spending abroad? Thank you.

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Madam Speaker, I

thank the hon Rev Meshoe. Firstly, we must correct the view that we have a number of embassies with no value. At a particular point in time, South Africa was a pariah state and not part of the international community. Thanks to the ANC, under the leadership of its former president O R Tambo, that started to form these relations, we were able to join the communities of the world and become part of the global community ... [Applause.] ... so that we, too, can advance humanity.

There are benefits that South Africans have received for the fact that we are part of the global community. We are maintaining those particular relations, whether security - keeping Africa safe - or making a contribution to Africa's development. You might sit in the House and not think there is value, but Africa and the rest of the world appreciate the role that South Africa plays. [Applause.]

When it comes to economic development and trade relations, our trade relations are surpassing the times of apartheid. A number of developments and foreign direct investment have been made on our continent because of the men and women who are working in those embassies. For a number of people in our country, this contributes to job creation, foreign direct investment, and a number of opportunities that unfortunately sometimes monopoly capital still enjoys

thanks to the number of these missions. In terms of financial prudence, wait for the economic assessment. The department will be in a position to come back. However, do not undermine the role that we are playing within the world community. Siyabonga, Sihlalo. [Thank you, Chairperson.]

Challenges relating to impact of prevalence of illegal immigrants engaging in business or informal trading

247. Prof N M Khubisa (NFP) asked the Minister of Home Affairs:

Whether his department has identified any challenges with regard to the impact of the prevalence of illegal immigrants who engage in business or any form of informal trading to sustain their livelihood; if not, what is the position in this regard; if so, (a) has he engaged his colleagues in the security cluster in order to attend to the challenges holistically and (b) what has been the outcome of the engagement?

NO2763E

The MINISTER OF HOME AFFAIRS: Hon Speaker, a multidisciplinary integrated national action plan was implemented by the National Joint Operational and Intelligence Structure, NATJOINTS. The project is

administered under Operation Fiela. In terms thereof, departments at national and local level, including the Departments of Health, Small Business Development, Agriculture, Forestry and Fisheries, and Labour, as well as the SA Revenue Service, Sars, the metro police, and emergency services, are involved in the key action of joint business inspections. The inspections are divided into three categories of informal businesses, formal businesses, and premises in the hotel and hospitality industries.

The challenges identified included, firstly, the health risks, as business premises were utilised for residential purposes. The shelf life of the stock in some of the shops had expired as well. Secondly, the businesses pose an increase in the crime rate, as the illegal immigrants do not utilise the formal banking system, and the irregular hours they keep make them more vulnerable to robberies. Thirdly, in terms of economic competitiveness, the often lower prices at which the goods are sold in the shops of foreign nationals as opposed to local shopkeepers could lead to xenophobic attacks in the community.

The sanctions resulting from the joint operations comprised of, *inter alia*, the arrest of undocumented foreign nationals for deportation purposes in terms of the Immigration Act, Act 13 of 2002, the confiscation of goods

not complying with the set standards, and the issuance of compliance notices in terms of the municipal bylaws. Thank you.

Prof M N KHUBISA: Hon Speaker, to the hon Minister: We are mindful of the role that Africans, in particular, played in the liberation of our country during the struggle. Of course, we understand that some of these people from other countries bring their much-needed skills.

However, you have alluded to the steps that have been taken to ensure that we deal with the challenges involved. What is being done to ensure that those who are here legally do not evade tax and those who are now employed and keep on selling their false documents ... Just recently, there was a case on the South Coast where one of them was selling documents. Of course, that one was apprehended. That said to us that there are so many of them. We have a plethora of them selling false documents. What is the department doing in that regard, and what is the department doing about those who are taking money abroad, instead of investing here, to evade tax? Thank you.

The MINISTER OF HOME AFFAIRS: Hon Speaker, there are several steps that we are taking as part of Operation Fiela to ensure that the businesses owned by foreign nationals

comply with municipal bylaws and our small business regulations. We take these steps so that those who operate these businesses can be registered for tax purposes and so that they can also bank the proceeds from their businesses, especially those who operate proper businesses that are properly registered and who have the necessary documentation to operate these businesses.

Regarding those who are using these businesses as a front to commit crime, the multidisciplinary task team under Operation Fiela is also paying attention to that. As I indicated in my answer, several of them have been arrested. As a result of this, we are continuing with these processes. The department is very active through its countercorruption unit in investigating those who are involved in crime and corruption and in ensuring that they are apprehended.

Furthermore, the immigrants in South Africa bring a lot of positive benefits to our economy and our country. We should not paint all of them with the same brush because of the wrongful activities of a few. That in itself would result in a number of challenges we would experience in our society, amongst others the challenges relating to xenophobia. Thank you.

Ms H O HLOPHE: Madam Speaker, to the Minister: As the EFF, we certainly do not support the narrow nationalism that seeks to demonise fellow Africans, while not questioning Western criminals who come to plunder this country of her resources. We are for progressive Africanism, for Africa without colonial borders, for the integration of African markets and cultures from the Cape to Cairo.

On 2 September this year, your department released a list of countries whose citizens do not need to have a visa for an intended stay of 90 days or less. In that long list, you only have about four African countries. What is being done to ensure that African citizens who enter and reside in this country are not treated as unwanted criminals but as our brothers and sisters with a common history of colonial resistance? Thank you.

The MINISTER OF HOME AFFAIRS: Speaker and hon member, in terms of the first remark, I agree with the hon member completely. We must not subscribe to a narrow nationalism that criminalises particularly African immigrants in our country. On that point, we agree completely.

On the second point, there are steps taken in terms of the new international migration policy framework that is under discussion to ensure that we make South Africa accessible,

particularly to African nationals from all over the continent on a variety of bases. That would include offering African businesspeople 10-year multiple entry visas, together with their families, and offering African academics 10-year multiple entry visas. In terms of these two aspects, we have already promulgated those regulations. Those visas are already available to these categories of people.

We have also taken the view that foreign students studying at South African universities towards critical skills are now able to apply for permanent residency upon completion of their studies. The main focus in that regard is African students who are studying at South African universities.

We are undertaking programmes with the Kingdom of Lesotho and the Republic of Botswana to ensure that we streamline movement between our two countries, with a particular focus on Lesotho, given the unique and special relationship that exists between our two countries. We are further in discussion with the Republic of Zimbabwe about the various challenges our two countries face, in relation to the movement of persons between the two countries on a short as well as long-term basis.

So, there are various initiatives that we are undertaking to free movement. Obviously, the freeing of movement and the opening up of South Africa to the nationalities of various countries, whether in Africa or abroad, cannot be the sole responsibility of South Africa. This must be undertaken on a neutral and bilateral as well as multilateral basis with the other countries. Other countries must understand the challenges and pressures that the South African economy, social services, as well as others would face if South Africa were to take a unilateral basis to free movement to South Africa. Thank you.

Mr M WATERS: Hon Speaker, on a point of order: I rise on Rule 142(8), which says time for supplementary questions is two minutes. You allowed the hon Minister to carry on for two minutes and 46 seconds. [Interjections.] No, you may laugh or find it funny, but the fact of the matter is you are giving 50% extra time, and we also have Rules which are meant to be implemented fairly. [Interjections.] So, where you cut opposition members off or tell them their time for asking supplementary questions is over, you should do the same with Ministers. They also have to adhere to the Rules. [Interjections.]

The SPEAKER: Hon member, I wonder whether you do take into account the minutes I add to every hon member, including from opposition parties.

Mr M WATERS: We do look at the time. I can assure you that we check. It is Ministers that get more and more time.

The SPEAKER: I am just telling you that I add minutes to members of the opposition as well.

Mr M WATERS: All we ask is for Rules to be implemented fairly. Thank you. [Interjections.]

Mr A M SHAIK EMAM: Hon Speaker, to the hon Minister: Allow me to start off by congratulating your department once again for a job well done. [Applause.] I was called about some youth in the Bluff in the Durban area who had to travel urgently to Swaziland and did not have the documentation because the child did not have an unabridged birth certificate. However, after intervention by your director-general, your provincial management, and the team in Durban, within three days, those kids were able to travel to Swaziland. Thank you very much. [Applause.]

Hon Minister, what is clear is that it is not necessarily the countries that assisted us, but it is the citizens of

the neighbouring states that assisted us in our struggle for freedom in this country. Can you please tell us if you, together with the Department of Health and other role-players, have a process in place to ensure that legal or illegal immigrants from the neighbouring states will enjoy the same benefits in our country? I am saying this specifically because one individual from one of the neighbouring countries was not able to get dialysis treatment in this country because of the preference of our people first. Thank you.

The MINISTER OF HOME AFFAIRS: Hon Speaker, our approach to the management of international migration is not based narrowly on our gratitude to our fellow African countries, particular from the frontline states, for the role they played in supporting our struggle for freedom. It is also based on our understanding of the significant economic benefits that our country has and will have from the process of international migration, particularly, if we manage the process very well.

Our current framework is very limited, and that is precisely the reason why we are moving towards a new international migration policy framework, which will focus, one, on being Afrocentric, two, on the whole-of-government approach where all of government, from the national to

provincial and local tiers, will be involved in the management of this process, and, three, on a whole-of-society approach.

So, there are various discussions that are taking place at present with regard to other government departments. Whilst the Department of Home Affairs may not be particularly responsible for the policies which pertain to the management of foreign nationals by those departments, it is necessary that we have conversations and work together as different government departments so that we align our policies in order to advance our policy. In that way, South Africa continues to reap the positive benefits from the processes of international migration. Thank you.

Ms D KOHLER: Then why did you destroy tourism?

Mr J A ESTERHUIZEN: Madam Speaker, to the hon Minister: As you know, illegal immigrants add greatly to the burden of our already constrained economy. We have a large number of our population already living in the most abject poverty. As you have mentioned, South Africa is seen as the economic hub of Africa. What pre-emptive steps are you taking in engaging with your colleagues and also engaging with your fellow neighbouring countries' leaders in helping to build

a better Africa as a whole so that we do not have the illegal immigration problem in the first place? Thank you.

The MINISTER OF HOME AFFAIRS: Hon Speaker, I don't share the generalised view that undocumented immigrants are a burden to the South African society. We should not share that view because many of them, even if they are undocumented, still comply with our laws and add positively to the South African economy.

The critical challenge for the African countries is to deal with the historical burden of colonial borders and to regulate the movement of the nationals of our different countries between our different countries so that there is a safe, proper, and mainstreamed process of the movement of people. That would obviously include each country taking responsibility to establish a population register to document its nationals for travel and ensure that the nationals of our various countries travel as regular travellers between our different countries.

To that end, the department has been very active in engaging with our neighbours. We have a programme that we are implementing with the Kingdom of Lesotho. This involves the Lesotho Special Permit, and it involves ensuring that, in the near future, through the sharing of the databases,

we should be able to enable the people of Lesotho to travel between the two countries, without requiring their passports to be stamped, but relying on reading their passports and taking their fingerprints.

We have a programme that we are implementing and piloting with Botswana at Tshidilamolomo to ensure that the residents of that area, both on the South African and Botswana sides, are able to travel as regular travellers without the burden of having to go to a border post, which is 100 km away.

We have also been engaging with Zimbabwe, Kenya, Swaziland, and various other countries to ensure that we regulate movement.

So, there are steps that we are taking to minimise irregular movement between our two countries and to encourage the nationals of our different countries to travel as regular travellers between the countries. Thank you.

Implementation of South African Defence Review

255. Mr D D Gamede (ANC) asked the Minister of Defence and Military Veterans:

With reference to the implementation of the South African Defence Review, which forms an integral part of government's efforts towards constructing a developmental state that is capable of addressing national challenges, including economic growth, safety and security, skills development and more importantly the eradication of poverty, what (a) lessons have been learnt from the challenges during the implementation process of the Defence Review implementation plan and (b) mechanisms has she put in place to address these challenges?

NO2891E

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Speaker and hon members, thank you very much. Let me start by reminding hon members that in our Budget Vote of 2015, we indicated that the year 2015 would be dedicated to planning for the implementation of the Defence Review. During the course of that planning, a number of interventions were identified and implemented as quick wins that have already borne fruit. The following are some of the achievements recorded: one, expanding the capacity of the Military Academy as a basis to migrate to the Defence Academy, and this includes the development of a new degree on cyberwarfare; two, executing Project Thusano for the ambulance and transport fleet, conducting repairs and maintenance to provide serviceability of operational

vehicles and skills advancement of personnel; three, consolidation of the Defence Works Formation as the Department of Defence and Military Veterans' in-house capability to repair and maintain facilities; four, drafting the cyberwarfare strategy as part of a collective justice, crime prevention and security cluster initiative, as a component of the National Cybersecurity Policy Framework, which is groundbreaking and is the first structured effort to brace against the cyber onslaught; and, five, developing an accelerated acquisition process that will be responsive to current operational commitments with the Armaments Corporation of South Africa, Armscor, and the Defence Matériel Division, working together to make this happen.

The initial phase of the implementation of the Defence Review is referred to as the Department of Defence and Military Veterans' plan to arrest the decline and is work focused on creating a firm base to move into the future. This phase consists of interventions that are both cost driven and noncost driven in nature. The approach to planning the implementation of the Defence Review has had to take into account a number of complications: Firstly, the Defence Force has to continue executing ordered operational commitments whilst implementing fundamental changes to its day-to-day functioning; secondly, only the

deliverables that can be achieved within the current funding baseline can be translated into annual performance plans; and, thirdly, prioritising the cost-driven interventions to ensure the best defence output and value proposition for South Africa - this is further complicated by the fact that no additional funding for this purpose has been allocated yet. I thank you, hon member. [Applause.]

Mr D D GAMEDE: Speaker, to the Minister: The Department of Home Affairs is the lead department in the establishment of the Border Management Authority, BMA. How will this authority reinforce the objectives of the Defence Review implementation plan? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Speaker, I thank the hon member. As you know, we operate as a cluster, and, therefore, the Department of Defence and Military Veterans is part of the cluster that deals with issues of the Border Management Authority. We have a responsibility for border control. Of course, the Department of Home Affairs in the main focuses on issues of migration into the country. So, yes, much as the Department of Home Affairs will be leading the Border Management Authority, all entities within the security cluster have a role to play to ensure that the Border Management Authority succeeds in its work.

So, we are going to have a co-ordinated effort of ensuring that no undesirable elements enter the country illegally. Thank you.

Mr Z R XALISA: Speaker, I will ask this question on behalf of the hon Mente.

The Defence Review outlines five key milestones that South Africa must embark upon to rejuvenate the SA National Defence Force, SANDF, and establish commensurate capabilities. Planning Milestone 1 aims to arrest the decline in the military's critical capabilities through immediate directed interventions. Planning Milestone 2 aims to rebalance and reorganise the SANDF as the foundation of the future growth. Planning Milestone 3 seeks to create a sustainable SA National Defence Force that can meet current order defence commitments. Planning Milestone 4 covers the enhancement of the SANDF capacity to respond to the nascent challenges in the strategic environment, and Planning Milestone 5 aims to defend South Africa against an imminent or dire threat. All these require more money, but, as it is, we are reducing spending on defence. How are you planning to ensure that the recommendation of the Defence Review gets implemented without additional funding?

The MINISTER OF DEFENCE AND MILITARY VETERANS: Speaker, to the hon member: We are all aware that government faces significant and competing requirements. This, of course, puts enormous pressure on the fiscus and consequently leads to a constrained funding ceiling to defence. This has not allowed for the implementation of the Defence Review for now.

As part of closing the funding gap, the department is critically looking into areas that may assist in reducing its cost baseline. To this end, for instance, it is focused on improving budget efficiency and effectiveness in all areas. These measures have been identified and included in the Department of Defence and Military Veterans' plan to arrest the decline.

In addition, the department is looking at alternative sources of funding and the possible leveraging of certain assets and revenue streams to augment the Defence and Military Veterans allocation. If I may cite, hon member, one of the critical areas we are looking at is that we have conducted an audit of assets belonging to the Department of Defence and Military Veterans. We are looking at sweating those assets and seeing what we can get out of leasing those assets so that whatever money comes in goes into the national fiscus. I will not say the money will go to the

Department of Defence and Military Veterans because, obviously, the strain is on the entire national fiscus. So, whatever we benefit out of the sweating of the assets of the Department of Defence and Military Veterans, we then make whatever additions to the national fiscus. So, it will assist the entire government when we do that.

Obviously, we are also trying very hard to ensure that we keep the relationship very close between the Department of Defence and Military Veterans and the National Treasury. It is always important that National Treasury understands and appreciates what is being done by the SA National Defence Force. To this end, for instance, we have established what is called a budget task team that consists of both departments. Thank you.

Prof N M KHUBISA: Hon Speaker, to the hon Minister: I understand that there are benefits those who are in Defence and Military Veterans get, but I would love to know whether are there any benefits, in terms of education and other benefits, for our youth who happen to be out of the system because of ailments and sickness. What is it the department does to ensure that they continue to live after those compatriots have offered a lot to the SA National Defence Force? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Speaker, to Prof Khubisa and other hon members: My sense is that you are now raising issues relevant to the military veterans. I don't get a sense that ...

Prof N M KHUBISA: Yes, Minister, I am referring to military veterans. Plus, they could be some of our youth who had been in the Defence Force and had to be cut because they are either sick or they face some other problems.

The SPEAKER: Angikunikanga ke leyo mvume mhlonishwa Khubisa. Qhubeka Ngqongqoshe. [I did not give you that permission, hon Khubisa. Proceed, Minister.]

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Khubisa, regardless of whether you leave the Defence Force because you are physically unfit or for whatever reason, what's important is that once you have served in the SA National Defence Force and have come out of the system, it makes you a military veteran. Therefore, you do not belong to the Department of Defence. You go into the database of the Department of Military Veterans and then, of course, register and get benefits - whatever benefits are acquired or rolled out to all military veterans. So, I hope that maybe next time, we can have a longer discussion on the matter. Thank you.

Mr M A MNCWANGO: Hon Speaker, I just want to ask the Minister, and I appreciate the fact that this year has been declared the year of planning around the issue of the Defence Review. However, I do want to ask the Minister why she is not immediately implementing a phased-in approach of the Defence Review. Our existing equipment is becoming obsolete and large-scale replacement thereof is way beyond our existing budget and availability of funds for that purpose. The matter cannot be postponed any longer, as far as I am concerned, given the fact that there is a glaring decline of our military capabilities. I believe that a phased-in implementation of the Defence Review must begin in earnest, hon Minister. I thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Speaker, to the hon Mncwango, I must say: ...

... Awulalelanga. [... You did not listen.]

I said 2015 was dedicated to planning. We are now in 2016. Not only are we in 2016, but we have actually started a process of implementing the Defence Review. How are we implementing the Defence Review? We have looked at those areas that do not require cost measures. For instance, we have what is called Operation Thusano. Operation Thusano is a project between us and the Cuban government that focuses

on maintenance and repairs of all vehicles belonging to the Defence Force.

For a long time, we've had vehicles parked, dilapidated, and declared obsolete. As I am talking now, if you check with those who serve in the committee, they will tell you that they have been on site and have seen the work we are doing through Operation Thusano. So, Operation Thusano is the first phase, focused on arresting the decline of the capabilities of the Defence Force by repair and maintenance of vehicles and equipment. Thank you.

Violent protest action on higher education campuses

259. Prof B Bozzoli (DA) asked the Minister of State Security:

Whether the Government has established which persons, organisations and/or parties are responsible for the promotion of violent protest action on the country's higher education campuses; if not, when will the Government establish who the responsible persons are; if so, (a) which persons are responsible and (b) how are the specified persons being funded?

NO2896E

The MINISTER OF STATE SECURITY: Madam Speaker, on the question asked by the member, our response is yes. Government, through its law enforcement agencies of the security cluster, knows the context and the actors involved. Government has positioned education as one of its Apex Priorities, and the issues raised by students are genuine and deserving of all our support.

However, just like with any other right, the right to protest has obligations, and it is not unfettered. You will find the limitation clauses in the Constitution. We therefore must condemn the violence and wanton destruction of property that we have witnessed, including the loss of life, as it is setting back the country and impacting negatively on our planning trajectory and will be felt by many generations to come.

An HON MEMBER: Give us the names.

The MINISTER OF STATE SECURITY: The genuine struggles of students have been hijacked by certain nongovernmental organisations, NGOs, that come under the guise of humanitarian support while they are wolves in sheep's skin.

In addition, political parties have become opportunist and use this noble struggle for their narrow political agenda.

An HON MEMBER: Which parties?

The MINISTER OF STATE SECURITY: Students have been offered various forms of humanitarian support in the form of funds, refreshments, logistical, and legal assistance, amongst other things, thereby exploiting genuine struggles, as was confirmed by the SA Union of Students, SAUS, leadership and student representative councils, SRCs, when we met at the airport with the Minister of Higher Education and Training and the Minister of Police. They called on us to be in a position to warn them of such individuals.

The security services of this country have stabilised the situation at the institutions of higher learning, working through the interministerial committee the President established. Lectures were completed, and, as we speak, exams are currently under way at some institutions. The criminal justice system is also processing those students who were arrested, including those who are not students.

Education is a societal matter. Whatever difficulty and challenges we confront as a nation, we must know that these challenges we face are not insurmountable. On matters of national interest like education, we must be able to mature up as political parties and not make the education of our people a football to play around with. As the Freedom

Charter taught us, we must be in a position to sit down and resolve our challenges through peaceful negotiations. That is what we are known for in the world.

Mr I M OLLIS: So, no answer basically.

Prof B BOZZOLI: Speaker, before I ask my follow-up question, I would just like to point out that the Minister did not answer my question that asked which persons are responsible. It's no use just saying NGOs and political parties. That's not an answer. Can you please ask the Minister to answer before I ask my follow-up question?

The SPEAKER: Hon Bozzoli, can you please ask your follow-up question? Then it will be a plus when the Minister also clarifies whatever you were not satisfied with.

Mr M WATERS: Speaker, I rise on a point of order in terms of Rule 92. A member normally asks a follow-up or supplementary question based on the reply from a Minister. Now the question, as the hon Bozzoli has quite rightfully highlighted, asks for specific names. Who is responsible? The Minister has not told us who is responsible, and yet he is supposed to be the Minister of State Security. I mean, does the Minister and State Security actually know who is

responsible? That's the question that one should be asking.
It seems not.

The SPEAKER: Hon Waters, it is not the job of the Chair to make Ministers utter particular words in their answers.
[Interjections.]

An HON MEMBERS: Answers?

The SPEAKER: In fact, I am asking the hon Bozzoli whether she wants to use the opportunity to ask a follow-up question. If not, I will pass it on to the next person.
[Interjections.]

Prof B BOZZOLI: Speaker, I do want to ask a follow-up question, but I would like the Minister to answer the question I asked in the first place.

The SPEAKER: Hon Bozzoli, I am not going to dwell on this matter. I am yet again giving you an opportunity to ask a follow-up question.

Prof B BOZZOLI: Alright. Thank you, Speaker, for not assisting me. Minister, in your many meetings at your home, which were revealed to have taken place in last week's *Mail & Guardian*, with Mr Mcebo Dlamini, one of the most militant

leaders of the #FeesMustFall movement who now faces charges of public violence, theft, malicious damage to property, and assault with intent to cause grievous bodily harm, did you ever discuss any aspects of the student revolt with him, and did you provide him with guidance as to how to calm the situation rather than to inflame it?

The MINISTER OF STATE SECURITY: Madam Speaker, firstly, the member refers to a newspaper article as fact without actually putting the facts to the nation. [Interjections.] One, my answer is that the meeting never took place. [Laughter.] Mcebo Dlamini has not been in my house, and I am not his spokesperson.

Secondly, it's very interesting that some members of certain parties here were drawing joy from some of the challenges the students were facing. [Interjections.] Why would a self-respecting Member of Parliament, when there is the destruction of property and the disruption of academic activities, feel so sad that Mcebo was able to contain the strike, something that is also not factual? What are we dealing with here? [Interjections.] Are we dealing with people who actually want to disrupt a matter - education - that is so central in the development of a nation? South Africans have an opportunity ...

Prof B BOZZOLI: Madam Speaker? Madam Speaker?

The SPEAKER: Hon Bozzoli, please allow the Minister who is on the floor to finish.

Prof B BOZZOLI: No, no, no, Madam Speaker ...

The SPEAKER: Hon Bozzoli, will you allow ...

[Interjections.] Hon Bozzoli, please take your seat and allow the Minister to finish.

Prof B BOZZOLI: The Minister is suggesting that I am a liar and that I support violence. [Interjections.]

The SPEAKER: Hon Bozzoli, I have not given you the floor. Please finish up, Minister. [Interjections.]

The MINISTER OF STATE SECURITY: Thank you very much, Madam Speaker. I'm saying to South Africans there are those amongst us whose agenda is not to promote the development of our nation. The student struggle remains a genuine issue. There are challenges in education, and we must attend to them.

The ANC-led government has done a lot, but for a member to suggest that violence and the destruction of property,

something that is so barbaric and is taking the nation backwards ... A member feels so sad. We must be able to look in shame. [Interjections.]

Prof B BOZZOLI: On a point of order, Speaker: How can the Minister say that? I have never said anything about violence.

The SPEAKER: That's not a point of order. Please take your seat, hon member. Hon Hlengwa? [Interjections.]

Mr M HLENGWA: Madam Speaker, I would want to echo the sentiment that none of us, of course, agrees with the destruction and violence that have taken place, but a pattern is emerging. The same thing happened in Vuwani – one school, two schools, three schools. Then the protests have inflamed from one campus to another.

The question is as follows: Are the Department of State Security and the Intelligence Services equal to the task of actually taking proactive steps to prevent these things before they happen? Every time, they come in to dampen the situation – calm the situation. I put it to the Minister that prevention is better than cure. Does his department have the capacity and the capability to deal with these things? This damage has taken place at huge cost to the

state budget. Already, it is costing approximately R170 million to repair the schools in Vuwani. So, this emerging pattern needs to end. Where were the Intelligence Services to curb these things before they actually even began?

The MINISTER OF STATE SECURITY: Madam Speaker, I'm happy the hon Hlengwa says we agree that the issue of education ... to destroy property is wrong because if there are those amongst us ... the manner they conduct and say certain things just to score political points, we must expose who they are.

However, with regard to the question asked, it's very important for members to understand how intelligence works. Madam Speaker, through you to the hon member: When you gather intelligence, what happens is that the information is disseminated to the relevant authorities. Most of the time, people want to say we have securitised the country, when, before these issues became security matters, they were matters that should have been attended to at a local level by relevant authorities. Then they flare up.

With reference to the challenges of Vuwani, it was an unfortunate situation. It does not mean that there was no intelligence. Intelligence was provided to the government

of Limpopo. They were able to do whatever they could in terms of doing those things.

What is most important is that rather than pointing fingers at those who are trying to work hard, you must be able to commend them. Where we have weaknesses, the weaknesses must be pointed out.

When the situation happened in Vuwani, we in the security cluster worked tirelessly. [Interjections.] We brought the situation under control, including the perpetrators. They came under control.

As South Africans, one issue that we must never run away from is the situation of safeguarding our country and the security of our country, which is everybody's responsibility. [Interjections.] We cannot continue to be a nation that actually benefits in terms of pointing fingers when you know who the criminals are. We are giving them refuge. If we had never intervened in the situation in Vuwani, it could have been bad. Thank you very much, Madam Speaker.

Mr M S MBATHA: Speaker, to the hon Minister: You can go to town explaining your weaknesses, but the reality is that we have neither an Intelligence Service nor any protection as

a country. The #FeesMustFall movement is going to be with us for a long time, and the reason for the #FeesMustFall movement is because your government has consistently delivered inequality to our people, and, as result, they are responding.

Here is a question. In Stellenbosch and at the University of Witwatersrand, Wits, your Crime Intelligence and your ... whoever the Intelligence ... they were seen among the students, and it is alleged that some of them were the ones actually provoking the students.

The question is as follows: Instead of peacekeeping and protest managing or training the police better, why, at the height of a crisis, do you bring your intelligence operatives among the protestors? What is their role when they are with the protestors?

The MINISTER OF STATE SECURITY: Madam Speaker, I thank Mbatha ... [Interjections.] ... the hon Mbatha. It's very interesting that we have some leaders within our own country whose actions and expressions don't actually seek to build the country we envisioned in 1955.

An HON MEMBER: You mean like yourself?

The MINISTER OF STATE SECURITY: Firstly, Members of Parliament like the hon Mbatha will need to find the time to understand how government works. [Interjections.] If the hon Mbatha had checked how this state is, he would have understood that Crime Intelligence, as a function of the state, falls within the Ministry of Police. Therefore, his question is misplaced.

Secondly, with regard to the presence of Intelligence Services, we are being made to respond to unsubstantiated allegations here and to cast aspersions on other institutions or individuals. It is not written on intelligence officers' foreheads that this is an intelligence officer; this is a terrorist. If you can have this kind of leadership ... [Interjections.] ... where instead of actually ... If people had committed crimes, if intelligence officers were there, they were within the country in terms of their own mandate. However, if intelligence officers are breaking the law, this democratic dispensation has created a recourse mechanism. You would have reported to the Ministry concerned. There is a Joint Standing Committee on Intelligence. More important is to conclude the process of the Inspector-General of Intelligence so that if there are any abuses, those abuses can be responded to.

Unfortunately, this hon member cannot expect me to respond to issues of allegations but, more importantly, to a misplaced question because he doesn't understand the difference between the police and state security.

[Applause.]

Mr M A PLOUAMMA: Hon Speaker, to the hon Minister: I can't help it. When I look at you, I see a rhino being hacked to death ... [Laughter.] ... while you are hugging syndicates. Hon Minister, don't you think that you are a threat to security or a liability? If you still have any moral compass, won't you take special leave while you are cleared?

The MINISTER OF STATE SECURITY: Madam Speaker, it is very important for a member, even if you are a politician, just to have a sense of the ability to analyse. I have issued a statement. Then they make allegations without a shred of evidence. Instead of a member being consistent ... I'm the same person who went to open a case, which is unheard of. The member also has to understand what kind of a nation we want. There are a number of individuals. Actually, I have not even been charged. I'm not actually a suspect.

[Interjections.] However, more importantly, without actually allowing that to go through those processes ... Yesterday, you were saying something else. You even have

certain people here, members of the House, that, in certain instances, have to appear in front of our justice system. You don't actually ... because of cheapness and of politics ... [Interjections.] ... we are not actually referring to those individuals.

I am not above the law. I am going to subject myself to the issues that are being raised so that this thing of trying to scandalise people and tarnish their image is not going to succeed.

I have always believed that lies have short legs; they have short legs. [Interjections.] Very soon, whatever is happening is going to come out. However, more importantly, without this issue of running to open cases every day, there is a case number in Nelspruit. Follow the matter, and, if you think you have evidence, please don't be an accomplice. Assist the police and bring the evidence so that we bring this matter to finality. If I am wrong, the law enforcement agencies are going to demonstrate. However, with due respect, I am not going to resign. I've never been found guilty. We have not even brought an allegation against me. I wish you the best. [Applause.]

**Capacity of Office of the Inspecting Judge for the
Directorate for Priority Crime Investigation**

250. Mr F Beukman (ANC) asked the Minister of Police:

Whether the Office of the Inspecting Judge for the Directorate for Priority Crime Investigation has the necessary capacity and staff to process complaints with regard to the conduct of members of the SA Police Service; if so, what are the relevant details?

NO2884E

The MINISTER OF POLICE: Madam Speaker, the Office of the Directorate for Priority Crime Investigation, DPCI, Inspecting Judge has an approved structure and staff establishment to carry out its work. All positions in the structure have been filled, and there are no vacancies at this stage.

The office of the judge also has a dedicated budget that is placed within the Civilian Secretariat for Police. The Civilian Secretariat and the Office of the DPCI Inspecting Judge have embarked on an extensive marketing campaign in the last financial year and this current financial year, which has seen an increase in the volume of complaints lodged with the Office of the DPCI Inspecting Judge.

I have been reliably informed that these developments have triggered the need for a review of the structure and staff

complement of the Office of the DPCI Inspecting Judge, which is currently under way. Thank you very much, Madam Speaker.

Mr F BEUKMAN: Hon Speaker, I thank the hon Minister for the response. The DPCI is the only institution in South Africa with a mandate to investigate organised crime between levels three and five. It is important that the DPCI must execute its duties without fear, favour, or prejudice. The Glenister judgment in the Constitutional Court highlighted the need for an effective and independent crime investigating unit.

The South African Police Service Amendment Act makes provision for the Office of the DPCI Inspecting Judge who is empowered to investigate complaints from citizens with regard to the conduct of DPCI members. Hon Minister, what further steps could be taken to promote the mandate and visibility of the Office of the DPCI Inspecting Judge amongst the citizenry? Thank you.

The MINISTER OF POLICE: Speaker, there are essentially two things that we could all do: The first one is the work that has already been undertaken, and that is the question of institutional capability promoting the development of that

office as an institution in a fully-fledged kind of manner. That is the work we are currently looking at.

The second aspect is the question of the extent to which the work of the DPCI Inspecting Judge is seen and driven at a public level so that anyone of us as ordinary members of the South African citizenry who have an issue and/or issues relating to the work of DPCI are able to know where to go to and report and take up issues at that particular level. Thank you very much, Madam Speaker.

Mr Z N MBHELE: Speaker, to the Minister: There will be no hope of deterring misconduct or ensuring accountability, either for interference in the investigations of the Hawks or for the abuse of their powers while the Office of the DPCI Inspecting Judge is as severely underresourced and understaffed as it is.

Currently, the office has only two investigators - two for the entire country - and that is likely the reason why it has received zero complaints from Hawks members because they do not trust it to do its job effectively. To add insult to injury, the Office of the DPCI Inspecting Judge had some of its funds poached by the Civilian Secretariat under the rationale of implementing cost-cutting and saving measures after your disastrous imposition, Minister, of the

"We are one humanity" anti-xenophobia campaign on the secretariat, which derailed its business plan and diverted a huge chunk of its budget.

This, by the way, was a contravention of the law because the budget ring-fenced for the DPCI Inspecting Judge is meant to be "for the specific and exclusive use of the official duties of the retired judge and may not be used for any other purpose". Breaking the law once again, we see. My question to the Minister is: Why have you been strangling and disabling the Office of the DPCI Inspecting Judge?

The MINISTER OF POLICE: Madam Speaker, I wouldn't really know as to where those particular accusations really emanate from because what we have provided here and now is a factual account of what is currently happening in terms of developing that particular institution. On the question of capacity, we have never stood in public to say the Office of the DPCI Inspecting Judge is fully capacitated and so on. We have said here, amongst other things, capacitating an institution such as that is work in progress. It should not be forgotten that the DPCI Inspecting Judge, as an institution, is a new development.

We have never come across a situation where, anywhere in the world, you will have an institution which would have been established, let's say, 48 months ago or even three or five years ago and then have it fully capacitated. The question of how an institution such as that has to grow is an ongoing question. That is basically that.

Now, the question of ... I do not know where you get it from, but Hawks members do not report to the DPCI Inspecting Judge. The DPCI Inspecting Judge is largely an oversight structure and function out there that is expected to assist members of the public in processing complaints and grievances they could be having in relation to the work of the DPCI.

There is no truth in funds having been poached. The location of the DPCI Inspecting Judge within the Civilian Secretariat is much more of an administrative sort of measure as part of the institution itself developing to capacitation of sorts in the near future. There is no question of funds having been poached, and I do not know where that essentially comes from. Thank you very much.

[Interjections.]

Mr Z N MBHELE: Speaker, on a point of order ... On your left ...

The SPEAKER: What is your point of order?

Mr Z N MBHELE: My point of order, Speaker, is that I would like to refer the Minister to section 17C(1), subsection 4, I think, of the South African Police Service Act. He will see exactly where the poaching comes from.

The SPEAKER: Hon member, that is not a point of order. It is now a further supplementary question or engagement with the Minister, for which permission was not given. I now move to the hon Mokause.

Ms M O MOKAUSE: Hon Speaker, to the hon Minister: There is a growing trend within your party, the ANC, to use the Directorate for Priority Crime Investigation, also known as the Hawks, to fight political factional battles. We saw horrible scenes at SA Revenue Service, Sars, offices last month when a member of the Hawks held a Sars official hostage and harassed him. What have you done to ensure that this situation does not happen again? How far is the investigation regarding the matter if there is any investigation?

The MINISTER OF POLICE: Madam Speaker, I think we are also on public record, having dealt with this issue of the so-called political factional battles. We essentially do not

know as to how such kind of an allegation could arise. Of course, you wouldn't control people's emotions and theoretical frames of sorts in terms of how they want to think and perceive particular situations. We are not in control of such situations, but it is also factually incorrect to even begin to suggest that there is some degree of political meddling, and it is being used for political ends and so on. [Interjections.]

I suspect that the second part of the follow-up question is largely a new question, and, if I am being requested to, at one point or another, field a report to account for what transpired as per this particular allegation, I am gladly available to do so. Essentially, it is a different question altogether. [Interjections.] Thank you very much, Madam Speaker.

Mr M A MNCWANGO: Speaker, I just want to ask the Minister whether the office of the Inspecting Judge is confident that its capacity for investigation extends to our outermost rural areas in respect of complaints against SAPS members because where we have been in terms of our oversight, we have discovered that there are already backlogs in this regard. Thank you.

The MINISTER OF POLICE: Hon Speaker, indeed the question of capacity is an ongoing challenge. The question on the extent and to which degree we will satisfy the rural constituencies insofar as this issue is concerned depends largely on the work I referred to earlier on, and that is the question of the capacity that we are building on an ongoing basis to be able to deal with these particular challenges as alluded to. Thank you very much, Madam Speaker.

**Successes and lessons learnt from pilot project on issuing
of ID smart cards**

251. Ms T E Kenye (ANC) asked the Minister of Home Affairs:

(a) What are the relevant details of the successes and lessons from the pilot project on the issuing of ID smart cards that was launched by his department in conjunction with First National Bank and Standard Bank and (b) what does he envisage for the future of the specified project?

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The MINISTER OF HOME AFFAIRS: Hon Speaker, there is a growing interest by members of the public to apply for their enabling documents through the banks. There has been notable quality of service and professionalism displayed by

both banks and government. This pilot project has contributed to the improved methods of combating fraud and corruption. It has further enhanced the image of the Department of Home Affairs as it leads to quick turnaround times in processing applications for both ID smart cards and passports.

This partnership with selected banks has allowed clients to lodge applications at their own leisure in the comfort of their homes. It has also provided a solution to long queues that were synonymous with Home Affairs offices in the past. There has been an improved efficiency in service delivery as a result of this partnership. The Department of Home Affairs has served as a catalyst in e-government services within the public sector as evidenced by awards it has won in this regard.

Currently, the pilot is limited to the Gauteng and Western Cape provinces. However, the department has been in constant engagement with the Banking Association of South Africa and individual major banks where a clear objective of rolling out to additional branches is being pursued so that the footprint of Home Affairs services being offered at the banks can be extended to other remaining provinces, thus reaching the larger part of our population. Thank you very much.

Ms T E KENYE: Speaker, firstly, the department must be commended on this initiative, which has further enhanced the quality of service delivery to our people. Secondly, what key lessons have come out of the pilot in Gauteng and the Western Cape to enrich the roll-out through the remaining provinces? Thank you.

The MINISTER OF HOME AFFAIRS: Hon Speaker, one of the lessons that we have learned relates to ensuring, at all times, the reliability of the network supply so that our offices are operating on a 24/7 basis to service our clients. Secondly, we have been able to determine through this that, once we roll it out to other provinces, we will drastically increase the numbers of people who convert their green barcoded ID to the ID smart card so that we can speed up the process of the conversion of the green barcoded document to reduce the levels of crime and the risks to the financial insurance and other industries, including the public sector, of people who possess documents that should not be in their possession.

It is in our very great interest that this process should be sped up so that we are able to ensure that we verify the identities of all the people who possess the green bar-coded document and convert those into ID smart cards to clean up the National Population Register and ensure that

the people who are in possession of South African identity documents are people who deserve to be. Thank you.

The SPEAKER: I see the hon Malema's name in the system, but I know that he is not here.

Ms H O HLOPHE: Yes, Speaker. It's me.

The SPEAKER: Alright.

Ms H O HLOPHE: Speaker, to the Minister: While innovation is commended, it is a fact that it is mostly people in rural areas that have difficulties with accessing Home Affairs services, but your initiative to partner with banks to issue ID smart cards ... When one looks at the branches selected such as Absa in Centurion, FNB in Sandton, and Nedbank in Morningside, it is clear that government is only concerned with access to services for white and rich people, and they do not have to deal with the incompetence and corruption of Home Affairs. Which other initiatives in your department, Minister, are you implementing to ensure that people in Thohoyandou, people in Nongoma, people in rural areas have access to Home Affairs services? Thank you.

The MINISTER OF HOME AFFAIRS: Hon Speaker, the hon member makes a very wild allegation based on a pilot. As we indicated when we announced these 12 branches, we said very clearly that these were pilots to enable us to study how the process is going to be rolled out. We have not even announced how we will roll out the process in all the other provinces and thus which other branches of the banks in rural areas are going to have access to the same facility so that we reach out to people in rural areas.

Secondly, the department is in the process of rolling out the conversion of our offices to large-capture offices around the country. We are undertaking the process on a gradual basis given the availability of resources and the volume of work required in the conversion of the offices. At the same time, we are expanding the footprint of the department beyond the four existing banks because there are two other banks that have requested to join the process. We are also discussing with the Department of Public Works the roll-out of Home Affairs offices in the rural areas by establishing the physical infrastructure in the areas where it doesn't exist.

Therefore, it doesn't make anybody look any smarter to make allegations that are both unfounded and untrue. Thank you.

Ms H O HLOPHE: Order, Speaker ...

The SPEAKER: No, hon member.

Ms H O HLOPHE: I am rising on a point of order.

The SPEAKER: What is the point of order?

Ms H O HLOPHE: I think what the Minister is saying in the latest statement is uncalled for because the truth of the matter is that the rural people are not catered for. You are prioritising white and rich people.

The SPEAKER: Hon Hlophe!

Ms H O HLOPHE: So, don't come and attack me.

The SPEAKER: That's not a point of order.

Mr M H HOOTSEN: Speaker, to the hon Minister: Overall, as far as the ID smart cards are concerned and the roll-out of the programme, we must recognise that it has been largely a success. You can apply for a card on a Monday, and you can receive it by Thursday. We must recognise that that is a great initiative.

Nonetheless, there still remains some massive problems, two of which are, firstly, the issue of long queues. You referred to it, but I am afraid those queues are still there. In a number of our offices, there are still massively long queues. Many people have to leave work to go and apply for these IDs. They get to the end of the queue, only to discover then that what compounds the problem is network instability - the problems that the department is still grappling to deal with.

Now, I understand that you are engaging with the State Information Technology Agency, Sita, to try and resolve it, but the problem still exists, and it has been there for a number of years. How long is it going to take for this thing to be sorted out and finalised once and for all so that there is faster turnaround and better quality of service delivery to our people? Thank you.

The MINISTER OF HOME AFFAIRS: Hon House Chairperson, indeed, we are quite concerned, and we have raised our concern as well as the department, with regard to the instability of the network we are supplied by Sita. We have had engagements with them. Even this morning, I had a discussion with the Minister, and we think the solution for us to access a more reliable network may, in fact, lie outside Sita. As we see, we need a 24/7 network supply

that's going to be available at all our offices. Even with the banks, once we announce the roll-out, because we will be depending on our system, we do run the risk of that network instability, which will make it difficult for people in the banks even to access the services.

Now, we are taking measures as quickly and speedily as possible to ensure that we fix these problems, considering solutions outside the available solutions that we have been implementing to resolve the problems up to now. We think that the availability of the banks and the roll-out of the online service will assist us a great deal in expanding the footprint and providing people with alternative solutions other than going to queue up at our offices. Thank you.

Mnu K P SITHOLE: Sihlalo, mhlonishwa Ngqongqoshe, kunesimo la esikhona sokuthi eMnyangweni wezaseKhaya kutholakala ukuthi abantu banabo omazisi kodwa iminyatheliso yeminwe yabo ayiveli. Manje ngizama ukubheka ukuthi kulesi simo esisha uzokuvikela kanjani njengoba iminyatheliso yeminwe ingaveli kulama pasi akhona manje, uma sekusemabhange akuzoba khona yini indlela ezobangela ukuthi kube nesimo esifana nalesi esikhona njengamanje?

UNGQONGQOSHE WEZASEKHAYA: Sihlalo, sinazo izinhlelo zokwenza isiqinisekiso sokuthi abantu labo izithupha

neminwe yabo okungaveli ohlwini esilisebenzisayo njengamanje sikwazi ukuzithola enhloko-hhovisi ukuze sizokwazi ukuqhubeka nohlelo lokubalekelela ukuthi bafake izicelo zikamazisi wekhadi. Kunalolu hlelo lwe-Home Affairs National Identification System i-Hanis lapho sathatha khona zonke izithupha zabantu ezazikade ziginqiwe sazifaka ohlwini lwethu lwezobuchwepheshe. Ngaleyo ndlela kunokwenzeka ukuthi abanye abantu izithupha zabo zazingazange zithatheke kahle ngenkathi senza lolu hlelo, osekuwukuthi manje uma befika kutholakale ukuthi kunenselelo enjengaleyo sibheke enhloko-hhovisi uma izithupha zingatholakali bese sibathatha izithupha kabusha. Into enhle kulokhu ukuthi siyithatha sisebenzisa lolu hlelo lobuchwepheshe olwenza ukuthi izithupha zomuntu zisheshe zingene kunqubo lena esiyisebenzisayo kungabe kusaba ukuthi mhlawumbe kwalahleka amaphepha ayekade ethwele izithupha zomuntu. Lokho-ke kuyaselekelela kakhulu.

Sicabanga ukuthi lapho esike saba nezingqinamba ezinjengalezi khona sikwazile ukuthi sizixazulule, abasebenzi bomnyango wethu baqeqesheke kahle ukuthi bakwazi ukuzixazulula lezo zinkinga uma bebhekana nazo ukuze sibalekelele abantu abazofaka izicelo zabo. Siyabonga.

(Translation of isiZulu paragraphs follows.)

[Mr K P SITHOLE: Chairperson and hon Minister, there is a situation at the Department of Home Affairs where you find that people do have identity documents, but their fingerprints do not show on the system. I am trying to establish how the department is going to prevent this, since with the current identity cards, the fingerprints do not appear. Are they not going to have the same experience when they go to the banks?

The MINISTER OF HOME AFFAIRS: Chairperson, we have a system in place to ensure that we can get the fingerprints from the head office in respect of those people whose fingerprints do not appear on the system so that we can proceed with the programme of assisting them to apply for their identity cards. There is an IT system called the Home Affairs National Identification System, Hanis, which enables cross-referencing of fingerprints and identification information, and we use it to capture all the fingerprints and to store them in our system. It might be that some of those fingerprints were not properly captured when we were using this programme, which is why, when we experience these challenges now, we consult the head office so that they can take fingerprints if there aren't any. What is good about this is that we take the fingerprints using this technology, which makes it easier for them to be captured, and we will no longer have a

problem of misplacing the fingerprint documents. That is really helping us.

Where we have had such challenges, we were able to resolve them; the department's employees are prepared to resolve those challenges should they come across them so that we can help our people with their applications. Thank you.]

Armcor tender to lease VVIP-configured intercontinental aircraft for transportation of senior government officials

269. Mr S J F Marais (DA) asked the Minister of Defence and Military Veterans:

Whether, with reference to her replies to Questions 1280 on 24 May 2016, 1687 on 13 October 2016, and 1709 on 12 September 2016, the Armaments Corporation of South Africa will issue another tender to lease a VVIP-configured intercontinental aircraft for the transportation of senior government officials, following the cancellation of the previous tender; if not; (a) what is the total number of aircraft that the SA National Defence Force is currently using to transport senior government officials and (b) what are the costs of running the specified aircraft; if so, what are the relevant details?

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The MINISTER OF DEFENCE AND MILITARY VETERANS: Hon Chair and hon members, on this matter, as you would know, we have three steps to follow - the first one being the request for information, then the request for offer, and then the request for proposals. At the second stage, when we made the request for offer, unfortunately we had to cancel the process because the bids received did not meet the critical user requirement criteria. The decision for a lease was initially regarded as a short-term solution. However, the SANDF requirement for an additional long-range aircraft still remains. In this regard, the Council on Defence has taken a decision that the process of a full acquisition should proceed.

Coming to the SANDF, which is the second part of the question raised by the hon Marais, we do have four aircraft at our VVIP Squadron, namely the Boeing Business Jet, BBJ, which is known as *Inkwazi*, the Falcon 900, which is used by the Deputy President, and then we have two Falcon 50s which are both unserviceable. The report on the total operational costs so far is not yet available, but I should say that for each of these aircraft, the cost per task is as follows: For *Inkwazi*, the BBJ, the cost is R84 000 per hour; for the Falcon 900, the cost is R54 000 per hour; and for the Falcon 50, the cost is R54 000 per hour.

I should also add that these aircraft are not just used to ferry the principals, but they also offer an opportunity to those who are training as pilots to acquire more hours to earn their stripes.

Mr S J F MARAIS: Chair and the Minister, during our oversight visit, it was reported that at 28 Squadron there was only one C-130, which was over 60 years old, and zero Dakotas, which is over 80 years old at 35 Squadron, operational. That means only one or basically zero long-haul aircraft capability. Defence logistics reported that the cost of chartering flights for the Defence Force cargo and trooped transport is draining all the financial resources because the Air Force does not have the airlift capability and their own aircraft to provide the service.

Armcor confirmed that no budget is available to procure or buy any aircraft, but they have R100 million available to lease aircraft. Gen Msimang reported that *Inkwazi* is safe, reliable, and is in serviceable condition, and is being used for pilot training and to fly senior Air Force officers around the country.

Now Minister, in light of the previous answers, can you confirm whether Gen Msimang lied to the portfolio committee during our visit, and, if not, whether you accept the fact

that *Inkwazi* is in safe and serviceable condition? Can you also confirm why the President is still refusing to use *Inkwazi*, especially in light of financial constraints and the reprioritisation of expenses by your department?

Thirdly, can you confirm that this R100 million, in light of all these financial constraints, will not be used for another long-haul intercontinental aircraft but rather for other essential SANDF equipment? Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Chair, the hon Marais has mixed up the two questions, that is, Question 268 and Question 269, because now he is making reference to C-130. That is where you are raising issues of transportation of cargo, for instance, and troops. This is where we use the C-130. I thought you were still dealing with the issue of the VVIP aircraft.

Nonetheless, I should say that, yes, we still have an obligation as the Defence Force and as the people who have a mandate of transporting our principals to buy an aircraft. Now, it is always easy for officials at times to say, yes, the aircraft is serviceable or not serviceable. At times, it takes time to even understand what it means to be unserviceable. At least, it has taken me years to understand that.

However, all I can tell you is that, as the Minister of Defence and as officials who serve in the Defence Force, whenever it is time for the principal to travel to whatever destination, you have sleepless nights because you are not sure whether the aircraft will reach its destination or whether something might happen along the way, as had happened before.

May I also remind you, hon members, that, on several occasions, the media has reported incidents which have occurred, for instance, as the President was travelling. I can cite, for instance, one trip where the aircraft could not bring back the principal because there were fuel fumes inside the aircraft.

There have been many other incidents where ... One time in another country on the continent, when the President was supposed to take off, the aircraft could not take off. I mean, we can count many. We can actually bring a list to you as to how many occasions we have had this kind of experience. Our major responsibility, amongst others, is to ensure the safety of our principals, and, by principals, I mean all principals, both the President and the Deputy President.

Now, Gen Msimang tells you that the BBJ is serviceable. There have been occasions where they have said the BBJ is readily available, and it is serviceable - I will cite, for instance, the last occasion when the President was travelling to Kenya. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon Minister.

The MINISTER OF DEFENCE AND MILITARY VETERANS: When we arrived at the airport, there was everything wrong with the aircraft, and the aircraft could not take off. That is the truth of the matter.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Why it is happening I do not know.

The HOUSE CHAIRPERSON (Ms M G Boroto): Before the next supplementary question is asked, I just want to remind members of Rule 142(7) whereby you are expected to ask not more than one supplementary question.

Adv B T BONGO: Chairperson, to the Minister: Thank you for the comprehensive answer. Hon Minister, there has been a

narrative which in the main was pushed by the opposition parties that it was unnecessary to purchase the VVIP jet. I take that narrative as propaganda. So, I am requesting you today to share with the people of South Africa what challenges are faced by these four VVIP jets that you have mentioned today. Thank you very much.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Chair, to the hon member: You know, some years ago - I think about two to three years ago - when former Deputy President Kgalema Motlanthe was still in office, you will recall there was a story in the media about the Falcon 900 that landed in the middle of nowhere during the night, somewhere in the jungle of the Democratic Republic of the Congo. It was because there was a challenge with the Falcon 900. We have not seen the Falcon 50s since the beginning of this year because both of them have been declared unserviceable. [Interjections.]

Mr D J MAYNIER: Why?

The MINISTER OF DEFENCE AND MILITARY VETERANS: I do not know, Mr Maynier. The other challenge we need to take cognisance of is that all of these aircraft are in fact old aircraft. Yes, they are. Even when we bought them, some of them were already second-hand aircraft. So, the fact is

that I am not a pilot, and I do not know what goes on when they report that aircraft are unserviceable, but I take advice from them because they are the technical experts, and they know what it means to be unserviceable or serviceable. Since taking over as Minister of Defence and Military Veterans, I can assure you there have been several occasions where undesirable incidents have occurred while our principals were airborne in those aircraft. Thank you.

Mr M A MNCWANGO: Madam Chairperson, to the hon Minister:

Firstly, I want to correct the misconception that I am not aware of what is going on in terms of the Operation Thusani. I was part of the oversight team that went to see what is going on at Wallmansthal. There we found Cubans busy polishing tyres, sweeping floors, and also fixing those obsolete vehicles. Therefore, I know exactly what is going on. However, my question arises from your response that there are jets that are actually out of service at this point in time. So, I just want to know how many of those VVIP aircraft are currently not in use due to poor or neglected maintenance.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Chair, to the hon Mncwango: I did mention that currently we have four aircraft: The BBJ, the Falcon 900, and the two Falcon 50s. The two Falcon 50s have been unserviceable since last year.

Now, the Falcon 900 - including the BBJ, by the way - whenever you send this out for servicing ... For instance, they are not serviced here in South Africa, which is another very strange matter. These aircraft are serviced out of the country, and, of course, they take no less than three to six months before they are brought back into the country.

Whilst an aircraft is being serviced outside of the Republic of South Africa, we then have an obligation to charter an aircraft for use by our principals. So, yes, I can also say maybe it is as a result of the skills drain. The truth of the matter is we do have people who take their exit packages from the SA National Defence Force just as it has happened in the entire Public Service, but we continue to train more people. We continue to train engineers and pilots so that they can take over the work of servicing our aircraft. The last thing we need to make sure of is that we sort out the contracts and make sure that in the service-level agreement, you have an agreement, firstly, for skills transfer so that the repairs and maintenance are done here in the country, and, secondly, that you get younger people to learn how to do it so that one day we can be self-sustainable.

Nks N P SONTI: Sihlalo weNdlu, ingaba uMphathiswa wezoKhuselo naMagqala oMkhosi uzicingisisile kusini na iindlela zokunqanda inkcitho-mali ezibekwe nguMphathiswa wezeMali? Ukuba ngaba kunjalo, zeziphi ezinye iindlela elithe isebe lakhe laziqwalasela phambi kokuba afikelele kwisigqibo sokungena kwesi sicelo sonaniselwano ngoshishino lwenqwelomoya eyi-VVIP configured intercontinental aircraft? Ingaba olu naniselwano alubandakanyeki kusini na kwezi ndlela zokunqanda inkcitho-mali? Enkosi Sihlalo weNdlu.

UMPHATHISWA WEZOKHUSELO NAMAGQALA OMKHOSI: Enkosi mama, nakuwe lungu elihloniphekileyo. Ezo zinto ozithethayo mama, zizinto esizijongayo kakhulu. Ukuqala nje inkqubo yonaniselwano siye sithi makubekho isimemo sokuba abantu bathumele iinkcukacha ngezinto zonaniselwano. Ngolu hlobo sibonakalisa ngokuthe gca ukuba sizama kangangoko ukuba singaziboni sithenga ngokungekhomthethweni.

Isizathu sokuba ndithethe ngolu hlobo yinto yokuba asikwazanga ukuba siqhubeke phambili ngesicelo sokuthenga ngenxa yomcimbi wemali. Bathe abantu xa bethumela isicelo sokuthenga kwabonakala ukuba asikwazi ukubanayo thina loo mali ingako yokwenza ezo zinto.

Nangona kunjalo, siyanyanzeleka ukuba inqwelomoya siyithenge ngoba ukuba asiyezi loo nto, ngenye imini sakuze sehlelwe yintlekele esingazange sayicinga. Le nto iya kuze yenzeke nokuba ngubani na oyakube esesihlalweni sokuba nguMongameli weli lizwe. Ngoko ke kuyanyanzeleka ukuba senze yonke into ukuqinisekisa ukuba abo basemagunyeni bakhuselekile xa bekwezi nqwelomoya.

Le nto iyingxaki kuba abanye abantu baza kucinga ukuba lixabiso elikhulu eli, xa bemamele, babe bengalithelekisanga ixabiso lokuyiqasha nexabiso lokuyithenga ibe yeyakho. Eyona nto ingcono yeyokuba ubenenqwelomoya eyeyakho oza kuthi uyilawule ngokwakho, iqhutywe ngabantu bakho, ilungiswe, nokutya kwenziwe kwangabantu bakho. Ngolo hlobo, ukhuseleko lwalowo wongameleyo luqinisekisiwe ngokungafaniyo nalo uqeshayo, ohlawule imali ube ungazi nabaqhubi beenqwelomoya ukuba ngoobani na kuquka nabanye abantu abasebenza kuyo.

Mandiyithethe kodwa ukuba xa siqasha inqwelomoya ibakhona inkqubo yokugocagoca, ngokhuseleko, inkampani leyo ukuqinisekisa ukuba ikulungele ukuba ingasebenzisana norhulumente. Ngoko ke siyazama kangangoko ukuba sijonge ukuba singenzi inkcitho kodwa ke eneneni kule ingxaki kunzima. Enkosi. *(Translation of isiXhosa paragraphs follows.)*

[Ms N P SONTI: House Chairperson, has the Minister of Defence and Military Veterans applied her mind to the cost-cutting measures that have been set by the Minister of Finance? If so, what other measures has her department considered before she entered into this procurement agreement involving the VVIP-configured intercontinental aircraft? Do these cost-cutting measures not apply to this particular procurement process? Thank you, House Chairperson.

The MINISTER OF DEFENCE AND MILITARY VETERANS: Madam Chair, I thank the hon member. The matters you are raising, hon member, are matters that we pay particular attention to. At the beginning of any procurement process, we send out invitations for people to send us details of the goods and services they provide. In this way, we make it clear that we are trying by all means to avoid getting involved in illegal procurement processes.

The reason I say this is because we could not continue with a request for offer on account of financial constraints. When people sent a request for offer, it became clear that we do not have enough money for this. Be that as it may, we are compelled to buy this aircraft because if we do not do that, one day we will have a huge disaster beyond our imagination. This would happen regardless of who is in the

Office of the President in this country. Therefore, we are compelled to do everything to ensure that those in authority are safe on these aircraft.

This is a problem in that some people hear the price of the aircraft and think it is too high, without weighing it against the cost of chartering it. It is best to have your own aircraft that you can manage yourself, to be flown and serviced, and have catering handled by your own people. In that way, the safety of the one in the presidential seat is guaranteed, unlike on a chartered aircraft, where you do not know who is flying the aircraft or who the staff members are.

However, let me make the point that we do make use of a screening process when chartering aircraft, to look at the safety record and the suitability of the service provider to contract with government. Therefore, we are trying our best to make sure that we avoid unnecessary expenditure, but, in this case, it is very difficult to avoid the high costs involved. Thank you.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Ngiyabonga, ngicela nabalandelayo asizameni ukuphendula phakathi kwesikhathi esisinikeziweyo. [Thank you. I urge the next speakers to please try to respond within the allocated time.]

**Use of private security guards in crowd control on
university campuses**

253. Mr J J Maake (ANC) asked the Minister of Police:

Whether, in view of the fact that crowd control during public protests is according to law a mandate of the SA Police Service, he has found that the use of private security guards in crowd control on the university campuses is inappropriate and illegal as they have not been trained nor mandated to perform that function; if not, what is the position in this regard; if so, what steps has he taken to address the matter?

NO2888E

The MINISTER OF POLICE: Madam Chairperson, the use of private security guards employed by universities as first responders to protect property and prevent crime on their own premises is not unlawful, and there is no law that prohibits them from protecting life and property, especially in circumstances of emergency. Until the SA Police Service is called in to assist, the private security guards are the first line of defence to manage unlawful attacks on persons as well as property. It would be unrealistic to expect universities to do nothing to

protect lives and property, especially when there is no appropriate police presence at a given time.

The Private Security Industry Regulatory Authority, PSiRA, established by the Private Security Industry Regulation Act, Act 56 of 2001, is obligated to promote a legitimate private security industry which acts in terms of the principles contained in the Constitution of the Republic of South Africa and other applicable laws. According to section 11 of said Act, the Minister of Police has a supervisory role in respect of the authority to ensure that acceptable standards are maintained.

Furthermore, the SA Police Service and PSiRA have recently signed a memorandum of understanding to enhance co-operation and address issues of mutual concern, including acceptable standards for private security providers. The SA Police Service and PSiRA have already commenced with the operationalisation of the memorandum of understanding.

Thank you very much, Madam Chairperson.

Mr J J MAAKE: Madam Chairperson and hon Minister, in relation to the memorandum of understanding signed between the SA Police Service and PSiRA, and in light of the extreme restraint that has been exercised by the police under these difficult conditions, is this the

professionalism that we have always been looking forward to, as prescribed by the National Development Plan, NDP, and can we expect this to continue in the future? Thank you, Madam Chair.

The MINISTER OF POLICE: Madam Chairperson, we have always emphasised the question of police officers in the service having to act professionally. Therefore, the starting point is that regardless of the pressure points we have seen in the recent past insofar the issue of public protests is concerned and so on, the starting point is that we are dealing with human beings, and therefore our response and our measures should also be part of a balancing act that essentially enhances that particular outlook and approach.

We would say, hon Maake, that even in the near future and further on in the future, this is what we will strive to achieve at all material times, but that goes along with the question of equipping ourselves from all different angles. That would include the question of ongoing training and also equipment that have to be factored in to ensure that we police such incidences quite responsibly and in accordance with the outlook of our Constitution. Thank you very much, Madam Chair.

Mr Z N MBHELE: Chairperson and Minister, I think you will agree with me that the need for private security only exists insofar as the shortcomings of the Police Service have created a gap for the private security sector to fill. The use of private security guards for crowd control at universities is because, for at least 10 years, the Public Order Policing, POP, units in the SAPS were grossly neglected in staffing, resourcing, equipping, and training, with personnel numbers declining from about 11 000 in 2004 to less than 5 000 only 10 years later.

The key to effective crowd control, whether by police or by private security, is sheer force of numbers. They struggle to police public unrest. They get panicky, they get highly strung, and they get trigger happy, which can worsen an unrest situation instead of de-escalating it smartly. We know the one example was where, on 20 October this year ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Please ask your question. You are already over your time allocation.

Mr Z N MBHELE: My question is, Minister: In light of the long-standing decline of the POP units, what is being done to fast-track capacity-building so that they are well staffed and well trained to maintain effective crowd control?

The MINISTER OF POLICE: Madam Chairperson, let me start with the first point that the hon member spoke to. I don't believe that you will come across a university that will tell you that they hired private security guards for crowd control purposes. The intention is not necessary that. The intention is the question of protection of private property and so on. It is also a matter of fact that the SA Police Service, beginning in December 2013, for example, has been rebuilding its own capacity to deal with the question of public order policing. Along with that is, of course, the question of personnel training, and associated with that is the question of equipping our members, and we have been gradually increasing numbers at that level in terms of intake as well as subjecting members to training. There is also the question of reviewing our equipment, for instance, to assist the police in policing such incidences of public violence, and we will continue to do exactly that.

Of note for us is the question of our own lessons as drawn out of the Marikana experience, for example, that indeed we have increased levels of public sort of protest situations which are a demand of the day, and we will certainly focus on that. Thank you very much, Madam Chair.

Mr M M DLAMINI: Chairperson and Minister, during the #FeesMustFall protests, we saw a growing trend of these

private security companies breaking the law by assaulting students, throwing stones at students, as we saw at Wits, and going as far as killing students, as we saw at the University of Johannesburg.

Are you empowered to arrest these people, and how many have you arrested like you did students? How many of these private security guards have you arrested so far?

The MINISTER OF POLICE: Chair, on this question, for instance, there have been a number of allegations relating to the question of private security guards abusing certain situations during the #FeesMustFall activities. These matters have been taken up with the Private Security Regulatory Authority for further investigation, and we will certainly follow through on such allegations, for example, against these private security companies. Thank you very much.

Mr M A MNCWANGO: Chairperson, I just want to ask the Minister the following: With the University of Johannesburg alone spending R15 million on private security by September of this year, and as these costs and the additional private security costs of every university will in all likelihood be passed on to students in the coming year or years, how is your department interacting with universities to assist

the SAPS personnel in times of protests, so as to reduce the number of private security officers, something that will actually enhance not only students' safety but also reduce university operating costs?

The MINISTER OF POLICE: Madam Chair, we get called in during emergency situations at universities as and when they occur. Our responsibility is therefore to respond accordingly in assisting universities. I think the point also has to be understood that the protocol arrangement is such that it is the university authorities that would have to alert the police and invite them to assist in beefing up security arrangements within the institutions. Indeed, there is co-operation and working together in such situations between security arrangements within institutions and us, the SA Police Service. Thank you very much, Madam Chair.

**Current proposals of the Republic of South Africa and
United Nations to resolve the war in Syria**

252. Mr M S A Masango (ANC) asked the Minister of
International Relations and Co-operation:

What are the current proposals that the Republic and
the United Nations have tabled to resolve the Syrian

war, which has seen the involvement and interests of major powers displacing Syrians, tearing at the fabric of the country and forcing thousands of Syrians to migrate?

NO2887E

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Chair, the South African government continues to be very concerned about the devastating human tragedy unfolding in Syria. Our highest priority remains to stop the killing and end the suffering of innocent civilians. There has to be an immediate end to the political violence and for the talks to begin to reach a Syrian-led political transition reflecting the will of the Syrian people.

South Africa condemns all human rights abuses, in particular the violation of human rights of vulnerable groups such as women and children in ethnic minorities. South Africa condemns human rights abuses and the increasing reports of war crimes and crimes against humanity that are surfacing as the fighting in Syria continues.

South Africa rejects any call for regime change and external military interference or any action not in line with the charter of the United Nations. We remain convinced

that, in a complex and diverse society such as Syria, there can be no military solution to the conflict.

South Africa remains committed to the sovereignty and independence, unity, and territorial integrity of Syria. South Africa strongly believes that the solution to the ongoing conflict must be Syrian led.

As part of the Brics nations, we also issued a statement during the recent Brics Summit that was held in Goa, India, in which we called on all parties involved to work for a comprehensive and peaceful resolution of the conflict, taking into account the legitimate aspirations of the people of Syria through inclusive national dialogue and a Syrian-led political process. Thank you, Chair.

Mr M S A MASANGO: House Chair, I do have a follow-up question, just for the record, to our Minister in our Parliament in our country, nothing like your government. [Interjections.]

The follow-up question is the following, Minister: Could it possibly be true that the Syrian civil war bears the hallmark of a second so-called Cold War playing itself out in a Syrian theatre?

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Chair, what we have noted in Syria is the question of the involvement of many players, and the players that are involved have different intentions and are not properly co-ordinated by the United Nations.

The war that is going on in Syria has caused untold suffering, with more than 6 million Syrian refugees distributed within the European community. Already, as we speak, there have been more than 400 000 deaths since this conflict started to emerge as early as March 2011.

Therefore, there are also issues that have happened there where you find that fundamentalists, terrorist organisations, and foreign terrorist fighters are all coming into Syria as part of a particular conflict, and some of them are funded by a certain organisation, by Western powers, that are actually influencing the space with an aim to do certain issues of regime change. It is very important to note that the agreement of the Vienna process, in terms of the International Syria Support Group, must be allowed to proceed, as should the discussions that are happening to try and resolve that particular matter. As we have said, South Africa does not believe in a military solution in that particular space but in negotiations and

less interference but more support because the international community is also very important to come in to support without dictating terms on the Syrian question, like trying to form a transitional government without President Assad, who is very important in terms of the key negotiation process. Thank you, Chair.

Mr S MOKGALAPA: Chair, to the Acting Minister: In light of the travesties that you have mentioned in Syria, which include gross human rights violations, it begs the question then to ask why the South African government chose to prioritise diplomatic immunity over our constitutional mandate of a human rights-based foreign policy, when you decided to smuggle out Al-Bashir, who is a wanted war criminal, and made the decision to withdraw from the International Criminal Court, ICC. Don't you think that smacks of double standards? [Applause.]

Mr M WATERS: Hear! Hear!

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Chair, the issue that the member raises is very unfortunate in that, instead of dealing with the untold suffering that the people of Syria are experiencing, we are trying to score the lowest,

cheapest point while we know that we're part of a global community.

South Africa is not confused. In our own history and experience, we have always confirmed that when it comes to these matters, we actually push the question of peace and friendship. We have learnt that the resolution of conflict can only happen through negotiations, not war. If you happen to feel happy that certain powers are trying to effect regime change, let's deal with those particular issues.

It is very clear that when we went to the Brics Summit, including when we went to the United Nations General Assembly, we said there should be the cessation of hostilities. The issues of migration that is happening, the refugee crisis, and the number of people that are losing their lives, those are the issues that we're dealing with.

I am not going to stoop low and go to the question of why we have withdrawn from the International Criminal Court.

[Interjections.] That matter has been answered here by the Ministers that are responsible, and, as government, we have taken the right decision. Instead of discussing a political matter like the ICC, you chose to run to the courts, and the courts have made a ruling that they've dismissed your

application. Come back to the House, and let's discuss these issues. [Interjections.] We respect the decision of the court. I thank you. [Applause.]

Prof N M KHUBISA: Chair, to the hon Minister: You referred to taking at least a stance that says you respect the sovereignty of the Syrian government, but of grave concern is the issue of the gross violation of human rights, as you have alluded to. The gravest human rights violation is the abuse of women that have been raped in squatter camps and other camps where they are being kept and issues of health that are unbearable at the moment.

Whilst we understand that we respect the sovereignty of the Syrian government, will our government, working with the African Union, AU, and the international states, ensure that they bring about good health conditions and also counselling for women who have been abused? That is just to mention a few because that's really a gross violation of basic human rights. Thank you.

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Chair, we're very happy that we're on the same platform of respecting the sovereignty of nations. It is very important that, as a

country and its people, we respect sovereignty, like other countries must respect ours.

Our position has always been the same. We are the architects of human rights. Even before South Africa, even when the United Nations adopted the Declaration on Human Rights, the ANC as an organisation was very advanced around those. We have condemned the human rights violation that has happened, and we are supporting the calls that independent investigations must be conducted. We have also called for the cessation of hostilities and no military solution to the conflict but that, more importantly, humanitarian support must be given to those particular people that are going through untold suffering.

It was very unfortunate that in the cessation agreement that had to be observed by the Syrian government, supported by the Russian Federation but also the rebels, there was interference. An untold number of people were killed and displaced.

Therefore, South Africa will continue to work as we have worked within other international forums, whether it's the African Union or United Nations in terms of the human rights humanitarian support that they provide there. We'll always be there to play our part. Thank you, Chair.

Ms N V MENTE: Chair, to the Minister: I'm happy when you indicate that the Syrian problem must be Syrian led because the last time South Africa got involved in Western-driven conflict resolutions, we ended up with Gaddafi dead, and Libya is destroyed today.

My question to you is very polite:

Isebe lakho lenze ntoni ukuqinisekisa ukuba abantu baseLibya bayakubona ukuzisola koMzantsi Afrika ngokungenelele kwiindaba ezingabafuniyo ezabulala uGaddafi?
(Translation of isiXhosa paragraph follows.)

[What has your department done to ensure that the people of Libya do feel the sense of regret on the part of South Africa over its involvement in the domestic affairs of that country that led to the death of Gaddafi?]

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Chair, the hon member should find time and familiarise herself.

Firstly, with the resolution that the United Nations Security Council took and the resolution that the African Union took around the question of Libya, one of the things that have happened is the abuse of power, especially the

veto powers, by certain members of the Security Council. They act unilaterally. South Africa and our President, in particular, were part of the leadership that the AU dispatched to Libya to resolve the problem because we do believe that for all African problems there must be an African solution. [Interjections.]

If you have not been following issues over the last two weeks, our President, together with the Minister of International Relations and Co-operation and supported by the Minister of State Security, discussed this important issue in Addis Ababa to find a solution in helping bring to an end the untold suffering experienced by the Libyans.

The issues around transitional government that is happening there and assisting with the humanitarian crisis ... The story to try and create the impression that South Africa had a hand in it is not going to fly. However, if you want to be in a position to score a point, go and check how the Libyans appreciate the role we played in the past and the role we continue to play today. [Interjections.] I thank you, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): The next question is Question ... [Interjections.]

Ms N V MENTE: On a point of order ...

The HOUSE CHAIRPERSON (Ms M G Boroto): What's your point of order?

Ms N V MENTE: It's on Rule 91, with reference to explanations. Chairperson, the Minister must not distort me; it's not point-scoring when the signature of Mr Zuma is on that resolution.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. You are noted. We're done with that question. The next question is Question 260 asked by the hon Robertson to the Minister of State Security.

**Questions about threat to life of Minister leading to
convoy performing risky movement**

260. Mr K P Robertson (DA) asked the Minister of State Security:

Whether there was an imminent threat to his life when his convoy pulled off a risky movement to overtake a car on a blind rise, resulting in the death of Mr Hermanus van Schalkwyk; if not, why did his convoy perform the specified risky movement; if so, on what

statutory ground is his convoy allowed to perform the risky movement if his life is not in imminent danger?

NO2897E

The MINISTER OF STATE SECURITY: Hon Chairperson, following this unfortunate incident, the Ministry of State Security issued a statement on 28 December 2015, confirming the accident and conveying the Minister's condolences to the family of the deceased. Once more, we convey our condolences to the family of the deceased.

It is unfortunate that a matter that involves a loss of life is being used for cheap political posturing in this House. [Interjections.] The hon member who asked this question should know that, not so long ago, the Minister of Police did brief this House on the progress that has been made on the mandatory investigation that took place following the accident. I am informed that the investigation has proceeded and reached a stage where a summons to appear in court has been served on the driver, to appear in court, on 6 December 2016.

Given the circumstances that this matter is now in the hands of our capable courts, it would be inappropriate to comment on the matter any further. I thank you, Chair.

Mr K P ROBERTSON: Hon Chair and hon Minister, the question was this: Were you driving defensively, which warranted or justified the speeds at which you were driving?

Now, on 23 December 2015, video footage and eye-witnesses account to your convoy driving in excess of 190 km/h.

[Interjections.] It took your convoy 8,5 minutes to cover a distance of 24,7 km, which includes a mountain pass, a four-way stop, and three children's crossings. In addition, 10 km out of those 24,7 km are designated 60 km/h and 80 km/h speeding zones. [Interjections.]

Your convoy then attempted a dangerous tactical manoeuvre on a blind rise, causing the head-on collision with Herman van Schalkwyk, who was on his way to visit his family for Christmas. You and all of the occupants of the convoy allegedly left the scene of the accident before the necessary and relevant authorities had arrived.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Robertson, please ask your question. You have exceeded one minute.

Mr K P ROBERTSON: My question is: Based on what statutory grounds did you and the occupants of your vehicle leave the scene of the accident while Mr Van Schalkwyk was dying in his vehicle? Thank you. [Interjections.]

The MINISTER OF STATE SECURITY: Chairperson, I thank the hon member. Firstly, the member speaks as if he was on the scene - and, with confidence, says the Minister was driving. I must assist the member: The Minister does not drive. [Interjections.]

Secondly, as the member will know, in terms of my answer, the accident was unfortunate. A political party which has nothing to offer ...

An HON MEMBER: You ran away!

The MINISTER OF STATE SECURITY: ... other than actually trying to create ...

An HON MEMBER: You ran away! [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, hon members! [Interjections.] Order, hon members! Order!

Mr P D N MALOYI: Chairperson, may I rise in terms of Rule 66?

The HOUSE CHAIRPERSON (Ms M G Boroto): Can you take your seat for a while, hon Minister?

Mr P D N MALOYI: Chairperson, may I rise in terms of Rule 66? For completeness, I would want to read it for you: "No member may interrupt another member whilst speaking ... "

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you.

Mr P D N MALOYI: Now, the members on that side are interrupting the Minister when he is speaking. Can you call them to order? [Interjections.]

HON MEMBERS: He ran away! [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, hon members! Hon members, order! Order! Let us not drown out the Minister when he responds, or any other speaker who is speaking in the House. We know that we can heckle, but you cannot drown out a member to the extent that he or she cannot speak.

The MINISTER OF STATE SECURITY: Hon Chair, as I was saying in my initial response, the accident that occurred was unfortunate, but because of the quality of an opposition ... when government tried to go to the family and wanted to engage, the family agreed. These are the kinds of leaders when people want to be comforted and assisted, the DA

Member of Parliament, trying to become relevant in our politics, went there and stopped the family.

[Interjections.] As I have said, I am not going to go into the technicalities of the information from a person who tried to behave like an expert.

An HON MEMBER: You ran away!

The MINISTER OF STATE SECURITY: The matter will come before the courts on 6 December, this year. The matter is going to be heard. Therefore, I am not going to entertain any further question on a matter that is being discussed by the courts. I thank you. [Interjections.]

Mr M WATERS: On a point of order, Madam Chair ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. I must also remind hon members about Rule 89 ...

Mr M WATERS: Which is?

The HOUSE CHAIRPERSON (Ms M G Boroto): ... matters that are sub judice. [Interjections.] The matter is before the courts. We know. Continue, hon member. Is that a point of order?

Mr M WATERS: Madam Chair, yes: Rule 92. I would like to refer you to the 2004 Guide to Procedure, which indicates that the Chair should apply the Rule of sub judice in such a way as to impose minimum limitation on open debate. This means that members should be allowed to refer to a matter before a court but cannot discuss the merits of it. So, we can still talk about it.

The HOUSE CHAIRPERSON (Ms M G Boroto): The merits. Yes, that's what I was saying. Thank you very much.

Mr M WATERS: So, the question asked to the Minister was why he fled the scene of a crime and left someone to die.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you.

Mr M WATERS: He hasn't answered that yet.

The HOUSE CHAIRPERSON (Ms M G Boroto): No. Thank you very much. You are noted. The Minister has responded, and, if you are not satisfied with the answer that he has given, you know that there are avenues in this Parliament where you can take your dissatisfaction. Thank you.

[Interjections.]

Mr M WATERS: Well, Chair, like before, with the hon Bozzoli, he hasn't answered the questions.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you very much. The next follow-up question will be asked by the hon De Freitas.

Mr M S F DE FREITAS: Hon Chair, to the hon Minister: You personally witnessed how the reckless and dangerous driving by a blue-light brigade resulted in this carnage. Would you pledge, today, your support of any change in legislation to allow security detail to drive defensively only when there are threats to Ministers' lives and, beyond that, that they would drive according to the rules of the road and not risk the lives of fellow road users unless absolutely necessary? Would you give us that pledge? [Applause.]

HON MEMBERS: Hear! Hear!

The MINISTER OF STATE SECURITY: Hon Chair, the member is well aware that if he wants to initiate any process in terms of amending legislation, the member will have an opportunity to do so. As a member of this Parliament, I will express my views when that document is tabled. I thank you. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, please!
Hon Mbatha?

Mr M S MBATHA: House Chair and hon Minister ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Order, hon members!
Let's listen to the hon Mbatha's follow-up question.

Mr M S MBATHA: Hon Minister, besides being a Minister of state, you are a Minister in the peace and security cluster. The onus is on you to take responsibility here, whether you were driven by a driver or not.

My question to you is this: A man was not meant to die on the road when you, as a responsible leader of the country, were involved. Why did you not stop and try to assist the man who was dying as a result of you? [Interjections.] We don't even know where you were rushing to. Perhaps you were rushing to that strip club there with your Chinese ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Alright. Thank you very much. You have asked your question. Hon Minister?
[Interjections.]

The MINISTER OF STATE SECURITY: Thank you very much.

Sibonga kakhulu kulungu elihloniphekile. Kunenye indawo la, kunobaba uMbatha odulayo bese kuba nobaba uMbatha iLungu lePhalamende elinepolotiki eshibhile. [Ubuwelewele.]

(Translation of isiZulu paragraph follows.)

[Thank you very much, hon member. There are two things here - there is the hon Mbatha who employs expensive politics and then there is the hon Mbatha who is a Member of Parliament that resorts to cheap politics.]

[Interjections.]]

Mr M S MBATHA: On a point of order, Chair ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Order! On what point of order are you rising, hon member?

Mr M S MBATHA: On whatever Rule. We are elected here. There is nothing called cheap politicking.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon member. Noted.

Mr M S MBATHA: You must protect me, Chair.

The HOUSE CHAIRPERSON (Ms M G Boroto): You are noted. Thank you.

Mr M S MBATHA: Yes, my views are ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, that's a point of debate. I agree. That's a point of debate, not a point of order. Continue, hon Minister.

The MINISTER OF STATE SECURITY: Ngibonga kakhulu Sihlalo.

[Thank you so much, Chairperson.]

Ms H O HLOPHE: On a point of order, Chair ...

The MINISTER OF STATE SECURITY: Engingakusho ukuthi ...

[What I can say is that ...]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Minister, please take your seat. Hon Mkhalihi?

Ms H O HLOPHE: No, Chair, he must withdraw. The Minister of Rhinos must withdraw his statement that the hon Mbatha is cheap. No. He must withdraw.

The HOUSE CHAIRPERSON (Ms M G Boroto): No, hon member. I am not going to entertain that. Continue, hon member.

Mr P D N MALOYI: Chair, on a point of order: The hon member referred to the Minister as the Minister of Rhinos.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): I said I was not going to entertain that. I think I made a ruling.

[Interjections.] Continue, hon Minister.

UNGQONGQOSHE WEZOKUVIKELEKA KWEZWE: Sihlalo, lungu elihloniphekile, besengishilo ngaphambilini ukuthi inhlekelele eyenzeka ngaleyo mini inhlekelele sonke esathi uma yenzekile safuna ukudlulisa amazwi ethu okuzwelana nomndeni. Ngenxa yezinga lepolitiki eshibhe kakhulu futhi engabizi, leli lungu lazi kahle ukuthi udaba olufana nalolu lusezithebeni zenkatolo, kuyosiza-ke ukuthi noma ngabe ipolitiki yakho isezingeni eliphansi kodwa ukwazi ukuzifundisa imithetho yeNdlu yesishaya~~am~~thetho yasePhalamende ukuthi isebenza kanjani. Ngiyabonga.

[Ihlombe.] *(Translation of isiZulu paragraph follows.)*

[The MINISTER OF STATE SECURITY: Chairperson and hon member, I have stated that the accident that happened on that day was an unfortunate accident and that, when it happened, we all wanted to convey our condolences to the family of the deceased. Because of the cheap politics that is not expensive, this hon member knows very well that this

matter is still before the court. It will then help you, even though your politics has a low standard, but you must learn how the Rules of the National Assembly work. Thank you. [Applause.]

The HOUSE CHAIRPERSON (Ms M G Boroto): The hon Esterhuizen?

Mr M WATERS: Chairperson, I rise on a point of order in terms of Rule 92: The hon Minister has just used the sub judice Rule, once more. I would like to refer to another ruling given in this House by the then Speaker, on 13 February 1998. [Interjections.] The Speaker said that references to cases in the courts and to the facts in the cases would not be a violation of the sub judice Rule. So, clearly, the Minister can answer the question.

Secondly, he seems to be an expert at massaging the answers that he's giving us.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I think that is not a point of order you are raising now.

Mr M WATERS: Thirdly, on another point of order: Earlier on, when he answered the hon Bozzoli's question, he indicated he does not know Mr Dlamini. We have a recording of him ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon member. We are not there. We have passed that question.

Mr M WATERS: ... and he has deliberately misled the House.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, we are not going back there. That was answered. [Interjections.] There were questions, and there were answers. The last follow-up question is from the hon Esterhuizen. What is it, hon Mbatha?

Mr M S MBATHA: My question was never answered.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): What should I do? Should I put words into ...

Mr M S MBATHA: You must force it from his mouth.

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): No! Hon Esterhuizen?

Mr J A ESTERHUIZEN: Madam Chair, I am actually going to respect the Minister and not ask any further questions on the specifics. However, the core of this question is about the blue-light brigade, the VIP Protection Unit.

Minister, in your portfolio as Minister of State Security, how can you justify the VIP drivers acting like gangsters when they shot at an 84-year-old man who couldn't get out of the way of a government convoy fast enough? Especially coming from you, what example are you going to set? Thank you.

The MINISTER OF STATE SECURITY: Hon Chairperson, I thank the hon member for respecting the fact that the matter is still before the courts. On the question of the blue-light brigade, there is clear legislation on why, as a law-abiding country and as Members of Parliament, we should be able to defend the laws. If there are weaknesses in the laws, the member is at liberty to try to initiate a legislative process. Let's engage on it, rather than to try to introduce a change or amendment to a law in an unprescribed manner.

On the allegations that are being made against members of the VIP Protection Unit ...

An HON MEMBER: No, it's against you!

The MINISTER OF STATE SECURITY: ... these are allegations because I have not seen the facts. If there is misconduct of any one of us in authority, our democracy has checks and

balances. If there was an incident of people that were shot, it is also the responsibility of those who have information to come forward and report the matter to the law-enforcement agencies. If we are not happy with that, there is a body, established by the laws of this House, that oversees. If you don't believe in that body, we also have an opportunity to go to our courts.

Our democracy remains strong. If there are wrongdoings, don't cast aspersions on the conduct of one or two individuals. Let's go there and subject them to the accountability system. I thank you, Chair.

**Implication of Morocco's reapplication for readmission to
the AU for Western Sahara**

249. Mr M S A Masango (ANC) asked the Minister of
International Relations and Co-operation:

Because of Morocco's illegal occupation of Western Sahara, it has not been a member of the Organisation for African Unity for decades nor the current African Union. However, recently Morocco has reapplied to the African Union for readmission. What are the implications of this development for Western Sahara?

UNGQONGQOSHE WEZOKUPHEPHA KWEZWE (ESIKHUNDLENI
SIKANGQONGQOSHE WEZOBUDLELWANO NAMAZWE OMHLABA
NOKUBAMBISANA): Kubonakala sengathi ngizoyisebenzela le
mali namuhla, Sihlalo. [Uhleko.]

USIHLALO WENDLU (Nk M G Boroto): Yisebenzele.

UNGQONGQOSHE WEZOKUPHEPHA KWEZWE (ESIKHUNDLENI
SIKANGQONGQOSHE WEZOBUDLELWANO NAMAZWE OMHLABA
NOKUBAMBISANA): Ngibonga kakhulu, Sihlalo. Sibonge umbuzo
welungu elihloniphekile ubaba uMasango. (*Translation of
isiZulu paragraphs follows.*)

[The MINISTER OF STATE SECURITY (for The MINISTER OF
INTERNATIONAL RELATIONS AND CO-OPERATION): It looks as if I
am going to earn my living today, Chairperson. [Laughter.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Earn it.

The MINISTER OF STATE SECURITY (for The MINISTER OF
INTERNATIONAL RELATIONS AND CO-OPERATION): Thank you very
much, Chairperson. I thank the hon member Masango for the
question.]

The Kingdom of Morocco voluntarily withdrew from the
Organisation of African Unity after its decision to admit

the Sahrawi Arab Democratic Republic as a member state. It was never a member of the African Union. Its current request is therefore neither for readmission nor reapplication. The AU succeeded the Organisation of African Unity, OAU, and the Constitutive Act of the AU was adopted in 2000. The Constitutive Act establishes the AU and, through its provisions, sets out how it will work, including engagement between member states. Any state might at any time request the chairperson of the commission to be admitted without reservations to the Union, and the relevant procedures, in terms of the Act, and the rules and procedures of the Assembly then become applicable. I thank you.

Mr M S A MASANGO: House Chairperson and hon Minister, will South Africa and the AU support the admission of Morocco into the AU, and will they relent in their demand that the Western Sahara must get self-determination? Thank you.

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Chair, the answer to the first question is that South Africa, as we have indicated, like any member state, is expected to consider the request to accede to the Constitutive Act. For a country to become a member state, it must receive the support of the majority of the Union's member states, thus

meeting the simple majority required for its admission. As I have been told, we have noted that the current indications are that 28 member states already support Morocco's accession.

South Africa is confident that if the Kingdom of Morocco is seeking to become the 55th member of the African family of nations, it will unreservedly respect the AU Constitutive Act, firstly, and its decision particularly with regard to the Sahrawi Arab Democratic Republic as well as the international law and resolutions of the United Nations General Assembly and Security Council on the question of the right to self-determination of the people of the Western Sahara. If you don't come with conditions, and you follow the Act, your membership will be supported. However, we will not be in a position to assert a condition that says that the rights of the people of the Sahrawi must not be respected. I thank you.

Ms H O HLOPHE: Chair, today, you are working, and, Minister, you are working for money. I hope after this you will go straight to the massage parlour. Nevertheless, Chair, I am interested in the position of South Africa in this case because Morocco withdrew from the OAU in 1984, when the then OAU recognised the autonomy of the Western Sahara ...

Mr P D N MALOYI: Chair, I think the hon Hlophe is addressing the Minister in a disrespectful manner, and she is not supposed to do that. [Interjections.] Can you request her to withdraw the massage parlour thing?

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, let us allow the freedom of speech. It is not insulting. To go to the massage parlour is not insulting. Continue, hon Hlophe. [Interjections.]

Ms H O HLOPHE: To the Minister, I was saying that Morocco has not changed and has not withdrawn from its illegal occupation of the Western Sahara, and this contradicts the founding principle of the African Union. I want to know from you ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Hlophe, I am sorry.

Mr P D N MALOYI: Madam Chair, I respect your ruling, but, if you read section 85(1) carefully, it says:

No member may impute improper motives to any other member or cast personal reflections upon a member's integrity or dignity or verbally abuse a member in any other way.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, I think I have ruled on that one. [Interjections.] Thank you very much. Please continue.

Ms H O HLOPHE: Chairperson, will South Africa support the readmission of Morocco to the OAU? If yes, why? If not, what will we be doing in the meantime to mobilise the AU member states to reject Morocco's request for readmission? Thank you.

UNGQONGQOSHE WEZOKUPHEPHA KWEZWE (ESIKHUNDLENI SIKANGQONGQOSHE WEZOBUDLELWANO NAMAZWE OMHLABA NOKUBAMBISANA): Ilungu elihloniphekile liphambanisa izinto Sihlalo. Besengishilo ukuthi okokuqala, izwe lase-Morocco alifaki isicelo sokungena kabusha futhi i-OAU ayisekho, sekwabakhona i-African Union, AU. Engakusho ukuthi amaLungu ePhalamende kufanele azi ngoba sishaya umthetho wokuthi nenhlangano yethu yeAfrika inawo umthethosisekelo wokuqhuba ngayo izinto, lokhu okubizwa i-Constitutive Act ekhuluma ukuthi uma izwe lifuna ukuba yilungu lenhlangano yaseAfrika kunemigomo okufuneka liyilandele.

Kufuneka likwazi ukuthi uma lifaka isicelo njengoba izincwadi bezithunyelwe wuSihlalo weCommission, bakwazi ukuthi amazwe ngamazwe abone. Kuba nenombolo edingakalayo ukuthi mangaki amazwe avumayo. Uma futhi umthetho lowo we-

AU uthi; uma ufika laphaya awukwazi bese ubeka imibandela yokungabaza ukuze wemukelwe. Lowombuzo sesiwuphendulile ukuthi izwe lase-Morocco ukuze libe yingxenye ye-AU alinakwazi ukusibekela imibandela okungafana nombandela wokuthi izwe lase-Sahrawi Arab Democratic Republic likwazi ukuthi likishwe lapho. Izwe laseNingizimu Afrika ngeke lakuvuma, umthetho we-AU, umthethosisekelo, awukuvumeli lokho. Ilungu lePhalamende malikhululeke ukuthi uyolandelwa lowomthetho. Ngiyabonga.

Mnu M A MNCWANGO: Mphathisihlalo, angibonge kumhlonishwa uNgqongqoshe uMahlobo. Mpangazitha! *(Translation of isiZulu paragraphs follows.)*

[The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): The hon member is confusing issues, Chairperson. First of all, I have already stated that Morocco is not applying for readmission and that the OAU does not exist anymore, as it was replaced by the AU. What I can say is that the hon Members of Parliament must know that, as we are making laws, our African organisation too has a constitution through which it runs its affairs. That law is referred to as the Constitutive Act and states that if a country wants to be a member of this African organisation, there are conditions that it must follow.

It must know that when it applies ... Like those letters that were sent by the commission chairperson, all countries will be able to see them. A certain number of countries has to accept the application. If the law of the AU states that, when you get there, you cannot have reservations for being accepted - and I have already answered that question - for Morocco to be part of the AU, it cannot have conditions like saying that the membership of the Sahrawi Arab Democratic Republic must be terminated. South Africa will not agree to that, the AU legislation will not allow that, and the AU constitution does not allow that. The Member of Parliament must relax, for this legislation would be followed. Thank you.

Mr M A MNCWANGO: Chairperson, let me thank the hon Minister Mahlobo. Mpangazitha! [clan name of the Mahlobos]]

All I want to ask is this: What is the South African government doing to champion the cause of the Western Saharan people in the multilateral fora that South Africa participates in, such as in the United Nations and the AU itself, considering that, in the past, we actually successfully mobilised the frontline states against the apartheid regime?

Ngabe senzani, mhlonishwa, ukulekelela abantu base-Western Sahara?

UNGQONGQOSHE WEZOKUPHEPHA KWEZWE (ESIKHUNDLENI SIKANGQONGQOSHE WEZOBUDLELWANO NAMAZWE OMHLABA NOKUBAMBISANA): Lungu elihloniphekile Sihlalo, sibonge ilungu elihloniphekile uMpangazitha. Esingakusho ukuthi uHulumeni ka-ANC, uholwa uNxamalala, kuzozonke izigcawu ezikhona, noma kungezalana esifundeni noma kwizwekazi luhlale udaba olufana nalolu lukhulunywa njalo. Okwesibili, uma uya kwinhlangano kaMhlabuhlangene kunesinqumo esathathwa ukuthi abantu base-Sahrawi Arab Democratic Republic mabanikezwe ilungelo labo lokuba bazimele njengezwe.

Njalo kuyo yonke indawo esihlale sikhona siye sikwazi ukuthi sikusekele lokho. Umama uSihlalo lwekhomishana lwe-AU waze waba nenxusa lakhe alithumela, ubaba owayenumongameli, uMongameli u-Chisano wase-Mozambique ukuthi makaye laphaya e-Western Sahara ayokhulumisana nabo ukuze kukwazi ukuthi isimo esifana nezinto ezikhona laphaya ezenzakalayo ngendaba yezokuphepha nokuthi bakwazi ukuthi bahlangane njengesizwe ekugcineni balithole leli thuba lokuthi babenayo inhlolovo yokuthi bafuna ukuzimela, bahlonishwe njengezwe. Kodwa okubalulekile, izwe lase-Western Sahara, thina siyi-AU futhi singamazwe angamalungu

siyalihlonipha njengezwe elizimele. Ngiyabonga kakhulu
Sihlalo. *(Translation of isiZulu paragraphs follows.)*

[What are we doing, hon Minister, in support of the people
of Western Sahara?

The MINISTER OF STATE SECURITY (for The MINISTER OF
INTERNATIONAL RELATIONS AND CO-OPERATION): Chairperson, let
me thank the hon member Mpangazitha [clan name of the
Mncwangos]. What I can say is that the ANC-led government
is led by Nxamalala on all available platforms where issues
like these are discussed, be they from this region or from
other regions of the continent. Secondly, when considering
the United Nations, there is a resolution that was taken
which states that the people of the Sahrawi Arab Democratic
Republic should be granted their self-determination as a
country.

Wherever we are, we are always able to support that. The
madam chairperson of the AU Commission ended up having her
own ambassador, former President Chisano of Mozambique, go
to the Western Sahara to talk to them about the things that
are happening there with regard to safety and that they
should unite as a nation and that, if they were to act on
the opportunity to conduct a referendum on the need for
self-determination, its outcome should be respected by the

nation. What is important is that we, as the AU and as member states, respect the country of Western Sahara as a sovereign state. Thank you very much, Chairperson.]

Mr S MOKGALAPA: Chairperson and Acting Minister, I have to agree with you today. You are working very hard for your massage parlour slush funding. I hope you have a happy ending. [Laughter.] This is a long standing ...

[Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, can you clarify the words "slush funding" because I don't have a problem when you say the Minister will be tired and go to the massage parlour, but what is this "slush funding"?

Mr S MOKGALAPA: He is just accessing resources and funding. That is all it is.

The HOUSE CHAIRPERSON (Ms M G Boroto): Are you meaning the payment for the massage?

An HON MEMBER: No! [Laughter.]

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you. Continue.

Mr S MOKGALAPA: Acting Minister, this is a 50-year long long-standing conflict. You have referred to the issue of the referendum which is the bone of contention at the moment. I think once the Sahrawi people are given that opportunity to decide on their own self-determination and their own independence, it is very important and critical for that.

The question is: What action steps are being taken by the South African government to ensure that the referendum is taken in an open and very democratic way and that the will of the people of the Sahrawi is respected in order to ensure that the main goal of independence and the sovereignty of the Sahrawi people is achieved?

The MINISTER OF STATE SECURITY (for The MINISTER OF INTERNATIONAL RELATIONS AND CO-OPERATION): Chairperson, there is a level of deterioration and the kind of very bankrupt politics where we have a situation where a member - because the country must see the type of opposition we have - instead of engaging in a debate makes an insinuation. Chair, I thought you would rule on the "slush fund". The issue of trying to tarnish people and cast aspersions must be attended to because it is an abuse. [Interjections.] That is my first response.

Nevertheless, on the question that is being asked, the member would be quite aware that South Africa doesn't work alone. We work within the family of nations in the structures that countries and member states have agreed to. To suggest that South Africa alone should do something, that is not our policy position. We work within the regional body, which is the Southern African Development Community, SADC, try and articulate our position, and influence the issues. We work within the African Union, and we also work within the United Nations.

We can mention that the progress that has been made around the question of the people of the Sahrawi is not satisfactory, and we have noted that there have been disturbances where the United Nations had been in a position to intervene. We will remember the outgoing secretary-general had an opportunity where he used words in March this year when he called what is happening an "occupation". However, there was retaliation by the Moroccan government when it expelled civilian staff members from the missions there. This has hampered the ability of the United Nations missions to carry out its mandate as mandated by the United Nations Security Council.

The fact that Morocco now is coming to the party, is applying for membership, and is saying it will respect the

Constitutive Act of the African Union creates the hope that engagements will happen. As the South African government, within this family of nations, we will press ahead that the question of the Sahrawi has not been resolved. They need to be given their inalienable right to freedom. Therefore, the question of the referendum is going happen. We are going to continue to raise the voice. If, member, you are one of those peace-loving people, join the ANC-led government, and let us raise the matter until their freedom is achieved.

Lastly, the ANC-led government does not tire. It took our freedom many decades to be achieved. Therefore, the people of the Sahrawi must never give up. They have our solidarity. Thank you, Chairperson.

Mr A R MCLOUGHLIN: On a point of order, Madam Chair: May I ask you to remind the Minister that this session is questions and, supposedly, answers. It is not a debating session. The debate happened yesterday.

The HOUSE CHAIRPERSON (Ms M G Boroto): That is not a point of order. I will disregard what you said. Hon members, the time allocation of three hours for questions today has expired. There is only one unanswered question that was transferred from a written question to an oral question in terms of Rule 146(1). As all other questions in this

category have been discharged in terms of Rule 146(2), an additional 30 minutes has been allocated in this regard.

I now take Question 42, which has been asked by the hon Mbhele to the Minister of Police. Hon Minister, Question 42 was an unanswered question that was transferred from a written question to an oral question. Are we together, Minister?

The MINISTER OF POLICE: No, we are not together.

The HOUSE CHAIRPERSON (Ms M G Boroto): I can give you time to check, Minister. I believe that ...

The MINISTER OF POLICE: I am not sure whether Question 42 used to be Question 2264.

The HOUSE CHAIRPERSON (Ms M G Boroto): I am told that the Minister's office had been informed of this question that is due to be answered today, but if the Minister is experiencing a problem, please tell us.

The MINISTER OF POLICE: No, Madam House Chair. I have Question 46 and Question 47. I don't have Question 42. They were quoted differently before, and that is why I am asking ...

Mr I M OLLIS: Madam House Chair, if I could assist?

Question 42 today is, in fact, the former Question 2204.

The HOUSE CHAIRPERSON (Ms M G Boroto): Did I ask you to assist, hon member? [Interjections.] It is Question 2204 but ...

Mr P D N MALOYI: Madam House Chair, may I rise on Rule 31? Are members of the opposition walking out because they don't want to vote for the report on the finances of this country?

The HOUSE CHAIRPERSON (Ms M G Boroto): I don't want to preempt their reasons, hon member. [Interjections.] Hon Minister, if there is a problem, it can be dealt with. We can report to the Table to reschedule that question.

The MINISTER OF POLICE: No, I'll probably ... As a last resort, I may probably want to prefer that route, but I don't have Question 2204. I have Question 2264 from the hon Mbhele. I am not sure whether that's the question.

The HOUSE CHAIRPERSON (Ms M G Boroto): It's on this paper, but it's fine. We can defer the question.

The MINISTER OF POLICE: Alright.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you.

The MINISTER OF POLICE: Thank you very much, Madam House Chair.

Mr M WATERS: House Chair, on a point of order ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, hon member?

Mr M WATERS: House Chair, it is unacceptable. This is the second question the Minister has asked to be deferred today alone. [Interjections.] Secondly, the Minister is well aware that, within the ambit of the Rules, written questions that are not answered within 10 days can be transferred to oral questions, which was done. Because the Minister did not answer the oral question by noon today, he has an obligation, according to the Rules, to reply to the question in this House. As far as I can see - and you must please guide me - he doesn't have the latitude to defer the question one more time. He has to answer the question today, according to the Rules.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, after my consultation with the Table, I have been advised that because the Minister is saying that he doesn't have the question now ... What do we expect the Minister to reply to

when he doesn't have the question? So, they advised me that the question can be deferred.

An HON MEMBER: On what Rule? On what Rule?

Mr M WATERS: House Chair, first of all, there is no Rule on that. I don't know on what advice you ...

[Interjections.] Secondly, a Minister should ...

Mr P D N MALOYI: Madam House Chair, on a point of order ...

[Interjections.] Madam House Chair, on a point of order ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Can you allow him to finish?

Mr P D N MALOYI: What is special about ...

Mr M WATERS: Am I addressing you? Can I continue?

The HOUSE CHAIRPERSON (Ms M G Boroto): Yes, continue.

Mr M WATERS: Thank you very much. House Chair, a Minister should also know their brief. They should know what is going on in their department.

The HOUSE CHAIRPERSON (Ms M G Boroto): We know that. That is a point we note. [Interjections.] That's the point we note. If we are making a mistake with the Table Staff, we will come back to the House and apologise for what has happened, but that's how I have been advised. Please allow the House to continue with today's work. Hon member?

Mr P D N MALOYI: Madam House Chair, I wanted to rise on Rule 92. The member has a tendency to just stand up and raise issues without being recognised. Secondly, the same Rule's subrule 11 says that once you have made a ruling, no member must debate that ruling. It must be taken to the relevant structures. Continually, the member debates the rulings of the presiding officers. This cannot be allowed. He is in contempt of the Rules of this House. Thank you very much.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, that means the allocated time for questions - even the written to oral - has expired. What we are concluding on the issue is that the hon Minister is asking for the question to stand over, in accordance with Rule 141. So, we continue. As we continue, I will ask the Secretary to read the First Order of the Day.

Ms Z S DLAMINI-DUBAZANA: House Chair, can I address you on Rule 84? The gesture that has been displayed by the hon members of this House is so unacceptable - dumping the responsibilities that were given to them by the South Africans. It is therefore becoming unparliamentary for hon members to dump the responsibilities given to them.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, unfortunately the point of order does not refer to any process that we are dealing with now. Thank you very much.

See also **QUESTIONS AND REPLIES.**

DIVISION OF REVENUE AMENDMENT BILL

(Decision of Question on Second Reading)

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, I wish to remind you that, on Tuesday, 15 November 2016, the decision on the Question of the Second Reading of this Bill was postponed. Are there any ... So, we have to go back to the voting. I am going to allow the bells to be rung for five minutes.

Mr M WATERS: House Chair, the division has not been called yet. You have not put the question. I mean, is that not what you should do?

The HOUSE CHAIRPERSON (Ms M G Boroto): Alright. Hon members, I took it that, because this was a postponed question, this is where we start. Can we continue?

Hon members, order! We need this laughter sometimes. I remind members that they may only vote from their allocated seats, when requested to do so.

Members must simply indicate their vote by pressing the appropriate button below the "yes", "no", or "abstain" signs. If a member inadvertently presses the wrong button, the member may thereafter press the correct button. The last button pressed will be recorded as the member's vote when the voting session is closed.

The question before the House is that the Division of Revenue Amendment Bill be read a second time. Are all members in their allocated seats?

HON MEMBERS: Yes!

The HOUSE CHAIRPERSON (Ms M G Boroto): Voting will now commence. Those in favour of the Bill being read a second time, should press the "yes" button.

HON MEMBERS: Yes!

The HOUSE CHAIRPERSON (Ms M G Boroto): Those against should press the "no" button.

HON MEMBERS: No!

The HOUSE CHAIRPERSON (Ms M G Boroto): Those wishing to abstain should press the "abstain button". Have you all voted, members?

HON MEMBERS: Yes!

The HOUSE CHAIRPERSON (Ms M G Boroto): Is your machine not functioning? [Laughter.]

The MINISTER OF HOME AFFAIRS: Chair, my machine is working, but I mistakenly voted on the wrong side ... on the side of Minister Mthethwa.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you for reporting that because it is a serious misconduct. They

will take care of that. Does any other member have a problem? None? All have voted. The voting session is now closed.

AYES - 193: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanya, V; Bapela, K O; Beukman, F; Bhengu, F; Bhengu, N R; Bhengu, P; Bogopane-Zulu, H I; Bongo, B T; Booi, M S; Buthelezi, N S; Capa, R N; Capa, N; Carrim, Y I; Cele, B H; Cele, M A; Chauke, H P; Chikunga, L S; Chohan, F I; Chueu, M P; Cwele, S C; Dambuza, N B; Davies, R H; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini-Dubazana, Z S; Dlomo, B J; Dlulane, B N; Ebrahim, E I; Esterhuizen, J A; Filtane, M L W; Fubbs, J L; Gamede, D D; Gcwabaza, N E; Gigaba, K M N; Gumede, D M; Gungubele, M; Hanekom, D A; Hlengwa, M; Holomisa, S P; Jeffery, J H; Jonas, M H; Kalako, M U; Kekana, H B; Kekana, C D; Kekana, E; Kenye, T E; Khoarai, L P; Khoza, M B; Khubisa, N M; Kilian, J D; Koornhof, G W; Koornof, N J J v R; Kota-Fredericks, Z A; Lesoma, R M M; Loliwe, F S; Luyenge, Z; Luzipo, S; Maake, J J; Mabasa, X; Mabe, P P; Mabilo, S P; Madella, A F; Madlopha, C Q; Maesela, P; Mafu, N N; Magadla, N W; Magadzi, D P; Magwanishe, G; Mahambehhlala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Mahlobo, M D; Majola, F Z; Makhubela-Mashele, L S; Makondo, T; Makwetla, S P; Malgas, H H; Maloyi, P D N; Maluleke, B J; Manana, D P; Manana, M C; Manana, M N S; Mandela, Z M D; Manyoni, T M; Maphanga, W B;

Maphatsoe, E R K; Mapisa-Nqakula, N N; Martins, B A D;
Masango, M S A; Masehela, E K M; Maseko, L M; Mashego-
Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B;
Maswanganyi, M J; Mathale, C C; Mathebe, D H; Matlala, M H;
Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbalula, F A;
Mbete, B; Mchunu, S; Mdakane, M R; Memela, T C; Mjobo, L N;
Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mncwabe, S C;
Mncwango, M A; Mnganga-Gcabashe, L A; Mnguni, P J; Mnisi, N
A; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motimele,
M S; Motshekga, M S; Mpumlwana, L K B; Mthembu, J M;
Mthethwa, E M; Mudau, A M; Muthambi, A F; Nchabeleng, M E;
Ndaba, C N; Ndabeni-Abrahams, S T; Ndongeni, N; Nel, A C;
Newhoudt-Druchen, W S; Ngcobo, B T; Ngwenya-Mabila, P C;
Nkadimeng, M F; Nkwinti, G E; Nobanda, G N; November, N T;
Nqakula, C; Ntombela, M L D; Nxesi, T W; Oosthuizen, G C;
Patel, E; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini,
I A; Pilane-Majake, M C C; Radebe, B A; Radebe, J T;
Radebe, G S; Ralegoma, S M; Ramaphosa, M C; Ramatlakane, L;
Ramatlhodi, N A; Rantho, D Z; Raphuti, D D; Senokoanyane, D
Z; Shabangu, S; Shope-Sithole, S C N; Sibande, M P; Singh,
N; Siwela, E K; Skosana, J J; Skwatsha, M; Smith, V G;
Sotyu, M M; Surty, M E; Thabethe, E; Tleane, S A; Tobias, T
V; Tolashe, G N; Tom, X S; Tongwane, T M A; Tseke, G K;
Tseli, R M; Tshwete, P; Tsoleli, S P; Tsotetsi, D R; Tuck,
A; Van der Merwe, L L; Van Rooyen, D D D; Van Schalkwyk, S

R; Williams, A J; Xasa, T; Xego, S T; Yengeni, L E; Zulu, L D.

NOES - 5: Lotriet, A; Maynier, D J; Mazzone, N W A; Ollis, I M; Waters, M.

As the result of the division showed that there was not a majority of the members of the National Assembly present for a vote to be taken on a Bill as required by Rule 96(a), decision of question postponed.

**CONSIDERATION OF REPORT OF STANDING COMMITTEE ON FINANCE -
REQUEST FOR APPROVAL BY PARLIAMENT OF AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND
THE GOVERNMENT OF THE UNITED ARAB EMIRATES FOR THE
AVOIDANCE OF DOUBLE TAXATION AND PREVENTION OF FISCAL
EVASION WITH RESPECT TO TAXES ON INCOME**

**CONSIDERATION OF REPORT OF STANDING COMMITTEE ON FINANCE -
REQUEST FOR APPROVAL BY PARLIAMENT OF AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND
THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE FOR THE
AVOIDANCE OF DOUBLE TAXATION AND PREVENTION OF FISCAL
EVASION WITH RESPECT TO TAXES ON INCOME**

There was no debate.

Declarations of vote:

Mr M HLENGWA: Hon Chairperson, the IFP would like to support these agreements, and we want to emphasise the need for tax programmes such as these to carry on. We are actually worried about the high levels of tax evasion that are going on in the country, and the fact that, firstly, people are not registered in a manner which is conducive for ...

The HOUSE CHAIRPERSON (Ms M G BOROTO): Order, hon members! I can hardly hear the speaker at the podium. Continue, hon member.

Mr M HLENGWA: Hon Chairperson, in supporting it, the most important thing now is implementation, and we must explore further initiatives in this regard moving forward. The issues of tax must take priority moving forward. We are concerned though that the areas that have been cited for these issues of tax are areas that are very vulnerable, and we've already seen now people travelling to those areas with large sums of money. That on its own puts into question whether we are serious about these things. Therefore, our support goes with a high level of concern that there may be an abusive enforcement of them if it is not prioritised. Thank you, Chair.

Prof N M KHUBISA: House Chairperson, we support these agreements. We say taxation as a form of government revenue is of great importance ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Order!

Prof N M KHUBISA: ... as it enables government to maintain law and order, peace and security, and satisfy the requirements of basic needs and public utilities. Tax is however more than a source of revenue and growth. It also plays a key role in building up institutions, markets, and democracy through making the state accountable to its taxpayers.

Just as excessive tax burdens might hinder growth and wither countries in developing economies ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Order! Hon Khubisa, please take your seat. Thank you, hon members. Continue, hon Khubisa.

Prof N M KHUBISA: ... a lack of tax structure is a major cause of weak and unresponsive governance and also leads to an overreliance on aid. With tax, the public can hold governments to account for their decisions and not feel tied to the will of aid donors. Because tax revenues are

relatively predictable, governments can plan ahead with greater certainty.

Bilateral taxation agreements are very important for two important reasons: Firstly, such agreements avoid double taxation on persons and business enterprises, and, secondly, they prevent fiscal evasion with respect to taxes on income. The bilateral taxation agreements we are requested to approve today will assist South Africa as well as the United Arab Emirates and the Republic of Singapore to regulate tax on cross-border income.

These agreements are comprehensive and cover the majority of income tax categories, ensuring that taxation-related ambiguity is erased and that certainty is established. The agreements also stipulate to whom the cross-border income taxation applies, inclusive of national and juristic persons, and apply to all existing and future legislative formats, applicable to each and every party state. The NFP wants to see them implemented, and we support them. Thank you.

Ms N V MENTE: Chairperson, tax treaties and agreements, especially dealing with the double taxation and tax avoidance, are necessary and important. Modernisation of tax treaties is in line with international standards. Given

the aggressive and complex nature of illicit financial flows and the threats to fiscal stability, we must prioritise exchange of information and assistance with tax collection with other countries. Especially now that the immoral, corrupt, and manipulative Gupta family has decided to move the stolen money to Dubai, agreements such as these two are very important. The problem is that we are not dealing aggressively with illicit financial flows, particularly in the mining and financial industries.

We are failing to enforce the administrative tax legislation, as it is. We are failing to build much-needed and necessary capacity to deal with illicit financial flows, as it is. We do not even know the scale of these illicit financial flows. If we deal with illicit financial flows in a much more aggressive manner, South Africa can afford fee-free higher education today.

As the EFF, we have presented to the Davis Tax Committee. We have met with the SA Revenue Service, Sars, and other stakeholders and provided proper, concrete, and complete recommendations. One of the recommendations was to establish a law, an anti-tax avoidance Act. This will put in place a solid foundation to deal with illicit financial flows going forward. Thank you very much.

The CHIEF WHIP OF THE OPPOSITION: Madam House Chair, I am delighted to tell you that we are supporting these two reports before the House today. We believe they are well thought out and well made. However, I do want to spend a little time, if I may, on why we have done what we have done over the past two days.

Mr Hanekom took to Twitter yesterday to have his say - he seems to take to Twitter when he is upset, but he doesn't have the guts to say it in the House, ever - about why we did what we did yesterday. It is not our job to drive your legislative programme with your majority through Parliament. That is not what the opposition is here for.
[Applause.]

This is your Division of Revenue Amendment Bill. We proposed amendments in the committee and several alternatives that you could have put in place, but you chose to reject every single one of them. So, please don't expect the opposition to arrive in this House to slavishly help you prop up your quorum.

I think the bigger question South Africans should be asking themselves, as they watch this House from wherever they are in South Africa, is: Where are the ANC Members of Parliament that we elected to come and represent us in this

House? [Applause.] Why - and I see Mr Dirks is making lots of noise at the back there. I am not surprised that his caucus told him to keep his mouth quiet at the caucus meeting a few days ago. I wish you would carry that advice through in this House because that caucus gave you good advice, Mr Dirks. Close your mouth!

I think South Africans need to ask themselves that ...

Mr P D N MALOYI: Chairperson, on a point of order: The issues raised by the hon member are irrelevant to the topic before us. Can he be relevant?

The HOUSE CHAIRPERSON (Ms M G Boroto): Noted. Continue, hon member.

The CHIEF WHIP OF THE OPPOSITION: I think the bigger question we should be asking is: Why? We have seen the SMSs - two days of three-line Whips calling on the executive and all members to be present in this House. An SMS sent out ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Steenhuisen ...

The CHIEF WHIP OF THE OPPOSITION: This is harassment.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member?

Mr S G MMUSI: Chair, on a point of order: I raise the same point of irrelevance.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member, can you be relevant? Continue.

The CHIEF WHIP OF THE OPPOSITION: Well, the ANC are irrelevant! So, it is hard to actually talk about relevance. [Applause.]

Mr P D N MALOYI: Chair, on a point of order: We cannot have the Whip of the DA continuing what he is doing all the time. [Interjections.] He must follow the Rules. Follow the Rules so that we can respect you.

The HOUSE CHAIRPERSON (Ms M G Boroto): Continue, hon Steenhuisen.

Mr D W MACPHERSON: Chairperson, on a point of order, Rule 92: This is harassment of the speaker at the podium, and I ask you to protect the speaker. The truth may hurt, but you have to protect the speaker.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Steenhuisen, continue.

The CHIEF WHIP OF THE OPPOSITION: Therefore, unlike this taxation law amendment Bill we are discussing - taxation laws reports that we are talking about here - we didn't support the Division of Revenue Amendment Bill. However, why, with two three-line Whips and the SMS, can you not get your members to this House? It is an indictment on you and the ANC, not the opposition. [Interjections.]

Mr P D N MALOYI: Point of order, Chair ...

The HOUSE CHAIRPERSON (Ms M G Boroto): Point of order, yes?

Mr P D N MALOYI: Chairperson, we raised a point of order on ...

The HOUSE CHAIRPERSON (Ms M G Boroto): On the subject of relevance.

Mr P D N MALOYI: ... the relevance - that the matter he is debating is not the matter on the table. You said you heard, but he is continuing to be irrelevant. We want you to rule and tell the member either to sit down or be relevant.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member,
continue.

Mr D W MACPHERSON: Hon Chairperson, I rise on Rule 66 -
that no member should be continuously interrupted - which
is exactly what the ANC members are doing to the hon Chief
Whip.

The HOUSE CHAIRPERSON (Ms M G Boroto): I am not going to
rule again on this matter. [Interjections.]

Mr D W MACPHERSON: May I please ask that you afford him the
protection he deserves?

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, fine. I
am not going to talk on this matter anymore. At the same
time ... I believe that your screen - we had a problem with
our - what do you call this? - technicality, whatever,
machines, technology. Please, the time on your screen - you
are left with 60 seconds.

An HON MEMBER: 60 seconds?

The HOUSE CHAIRPERSON (Ms M G Boroto): I mean, yes, which
is a minute.

The CHIEF WHIP OF THE OPPOSITION: No problem. I can say what I need to say in a minute. I won't actually even take the full minute. How is that? I think that there needs to be some very hard introspection on the government benches about how they take the mandate to govern that has been entrusted to them by the people of South Africa. This is how they treat it. They treat it with disrespect.

So, South Africans must understand that, if they want to a government that's going to come to work every day to fight for them, to fight against unemployment, to fight for job creation, to fight for our economy, to fight for our Constitution, and to fight for the rule of law, they can't trust these people on this side of the House. You need to vote for the opposition. Change your vote, and, in 2019, send a party to this House that actually pitches up for work. [Applause.]

Question put: That the Agreements be approved.

Agreement between the Government of the Republic of South Africa and the Government of the United Arab Emirates for the Avoidance of Double Taxation and Prevention of Fiscal Evasion with respect to Taxes on Income approved.

Agreement between the Government of the Republic of South Africa and the Government of the Republic of Singapore for the Avoidance of Double Taxation and Prevention of Fiscal Evasion with respect to Taxes on Income approved.

The House adjourned at 18:40.

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