

UNREVISED HANSARD

NATIONAL ASSEMBLY

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**PROCEEDINGS OF THE NATIONAL ASSEMBLY**

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The House met at 14:00.

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

**PASSING OF FORMER MINISTER PRAVIN GORDHAN**

(Member's Statement)

Ms F HASSAN (ANC): Madam Speaker, as the Nation awoke last week Friday, we learnt with sadness of the passing of former Minister and activist Comrade Pravin Gordhan, colloquially known as, PG.

Comrade PG began his activism at a young age fighting the brutal apartheid regime in Natal. He was critical in the underground movement in Natal and played a vital role in forming the UDF. Later, he served as a chairperson of the

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multiparty negotiations in Codesa and was elected as an MP since 1994.

As Sars Commissioner, he transformed the revenue service to a world-class entity and continued to revolutionise government as a Minister.

Comrade PG lived his life, striving for the realisation of a democratic, non-racial and non-sexist society. Even to his dying day, Comrade PG fought for the renewal of the ANC and the clean-up of government.

We look up to comrade his bravery and courage in the face of corruption and the infamous state capture scandal. We will continue the struggle for a better life for the masses of our people. Consider the baton passed on. We, the younger generation have learnt from your staunch courage in the face of extreme violence and opposition. We will work till the very end to remove "corrupt, greedy and self-serving officials from public office" as contained in your last message and letter to us.

We are not afraid to fight for that non-racial non-sexist free and democratic society. We are resolute. We will not betray

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your courage and sacrifice. We are not afraid to fight for and defend that non-racial non-sexist, free and democratic society.

Please, send our regards to our fallen leaders.

*IsiZulu:*

Hamba kahle Mkhonto! Hamba kahle Comrade PG.

**NONPAYMENT FOR ELECTRICITY CONSUMED**

(Member's Statement)

Mr R W T CHANCE: Madam Chair, on Saturday, I spent the morning meeting ...

The SPEAKER: Order, hon members! Let us allow the member to make his statement.

Mr R W T CHANCE: On Saturday, I spent the morning meeting residents in my constituency in Dobsonville, Soweto. The issue that came up most frequently was the years of neglect by Eskom over electricity supply to thousands of homes in the neighbourhood. Some 17 years ago, Eskom contractors removed

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the postpaid meters from these houses, explaining Eskom's policy of replacing them with prepaid meters. But I was shown numerous meter boxes with no meters at all, just a cable from the Eskom supply to the house.

No meters, no payment for electricity consumed. I was also told about a transformer explosion in neighbouring Zola several months ago, which resulted in loss of electricity supply to these households. Even after it was mended, illegal connections overloaded the system, and still there is no power.

I met a young man who had set up a hair salon in his yard to earn money for his family. With the power going down, he had to close his business, because he could not operate the cutters and blowers. A budding entrepreneur had his dreams dashed.

It is no wonder these residents view Eskom's intention to increase prices by 40% with cynicism and anger. When their electricity supply is eventually restored and the prepaid meters are installed, they won't be able to afford to buy any of it. Solving the problem of illegal connections compounded by unaffordable price increases must be a priority for our

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government of national unity, as it seeks to find long-term solutions to problems experienced daily by our constituents. Thank you.

**THE AMENDMENT OF SECTION 25 OF THE CONSTITUTION**

(Member's Statement)

Mr M MANYI (MK): Speaker, the MK party reminds this House that around March 2018, this House voted to amend section 25 of the Constitution for land expropriation without compensation. By 4 December 2018, the National Assembly, reflecting on the overwhelming public support, endorsed the proposed amendment.

However, the drafters of the 18th Amendment Bill substituted the phrase "without compensation" with a contrary phrase, a shenanigan called, "nil compensation".

At face value and to those who don't pay attention to detail, nil compensation versus without compensation may appear like a semantic issue, yet in substance there is a fundamental difference.

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This is an absurd betrayal of the people's mandate. This trickery failed to pass, due to lack of votes, leaving the landless majority abandoned. Progressive forces rejected it and out of sheer coincidence but for a totally different and selfish reason, the reactionary forces also rejected it.

The MK party, the last hope of the poor, vulnerable and landless people of South, seeks to use this opportunity to place on record that in the next term, a clear proposal to resuscitate the people's will to amend section 25 ... [Time expired.] Thank you.

**FUNDING FOR THE GREEN TRANSFORMATION**

(Member's Statement)

Mr V A NKOSI (ANC): Hon Speaker, one of the significant resolutions that the ANC has adopted was towards green energy and to develop South Africa's capacity to participate in the global green energy value chain.

Giving impetus to this is the recent announcement of the deal between South Africa and the European Union, a deal that is worth R628 million to support the country's green hydrogen

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agenda. The European Union grant will be delivered in two tranches. A first R490 million European Union grant is expected to leverage R10 billion in private and public-sector finance across the hydrogen value chain, covering the production, transportation, storage, and downstream industries.

A second European Union grant of R138 million to assist Transnet in its turnaround strategy is expected to leverage additional funding for the green transformation of its core operational areas, including ports, rail, pipeline, engineering, and related facilities.

The main objective is to increase investments in green hydrogen infrastructure and contribute to reducing global greenhouse emissions, notably in sectors where it is particularly challenging, and promoting local development and economic growth by creating jobs, providing water treatment, and increasing access to green energy.

We welcome the partnership, as it aims to accelerate the green transition, drive sustainable ... [Time expired.]

**TRIBUTE TO TONY MARAIS**

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(Member's Statement)

*Sesotho:*

Mong N S MATIASE (EFF): Motsamaisi wa mosebetsi, re swabile nko ho feta molomo ho tsibisa hore masepaleng wa Mangaung, ditshebeletso tsa bophelo bo botle di putlame. Ditleliniki tse lokelang ho sebetsa dihora tse mashome a mabedi a metso e mene tse kang Dr Petro, Danile Ngatane, Harry Gwala, Lebohang, Bayswater, Batho le Phelindaba Multipurpose, ha di sebetse ka nako eo di tshwanetseng ho sebetsa ka yona. Hona ho mpefaditse maemo a bakudi ditleliniking tsena.

*Afrikaans:*

Ons gee ere aan Tony Marais, 'n voormalige lid van die Nasionale Vergadering, 'n baanbreker en die pasaangeër teen endemiese korrupsie, misdad, verkwistende en swak dienslewering. Tony het altyd opgestaan teen wanadministrasie en wanbestuur, en gewerk vir behoorlike dienslewering, soos om rioolstorting, rommelstrooi en slaggate aan te spreek, wat oral in die munisipaliteit van Mangaung 'n epidemie en teenspoed geword het. Ten einde hierdie situasie te probeer besweer het ons die Pelonomi Hospitaal op 9 Septemder vanjaar saam met Kommissaris Paulnita Marais besoek.

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Kommissaris Marais is die weduwe van vegter Marais en sy sit hier saam met ons as 'n lid van die Nasionale Vergadering. Ons besoek het ons ergste nagmerries en vrese bevestig. [Tyd verstreke.] ... die kraamsaal gekry. Ons moet vining optree om die situasie reg te kry. Baie dankie.

**NONPROFESSIONALISATION OF GOVERNMENT INSTITUTIONS**

(Member's Statement)

Mr K P SITHOLE (IFP): Hon Speaker, as we continue observing Public Service Month, we are reminded of the vital role a professional people-centred public service play in advancing South Africa's progress. Therefore, the nonprofessionalisation of government institutions has become a critical concern.

Public servants ought to be interested in ensuring effective service delivery and improving the lives of citizens. However, the growing lack of professionalisation has undermined this effort, manifesting in several detrimental ways. Issues such as fruitless and wasteful expenditure, poor execution of projects, and non-meritocratic appointments have affected public services, leading to inefficiency and corruption,

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nepotism, and recruitment of unqualified individuals, further weakening the public sector's capacity to meet its objectives.

Efficient service delivery is at the heart of the IFP values, where the focus always remains on serving the needs of our community with empathy and professionalism.

Professionalisation of the public service is crucial, if we want to restore public trust and ensure that government institutions function optimally. This includes a merit-based recruitment process and ongoing skill development ... [Time expired.]

**CALL FOR ETHICAL LEADERSHIP**

(Member's Statement)

Mr S I SUBRATHIE (ANC): Speaker, 22 August 2024 marked the 130th anniversary of forming the Natal Indian Congress, NIC. The ANC would like to pay tribute to the historic contribution of the Natal Indian Congress to our freedom and struggle and its contribution over several epochs, such as the Satyagraha Campaign, which produced marchers such as Valliamma, who was imprisoned at the tender age of 16 and who died a few days

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after her release in 1914, the Passive Resistance Campaign of 1946, the Three Doctors' Pact of Kuma, Dadu, and Nica, the Defiance Campaign, and the adoption of the Freedom Charter.

The Natal Indian Congress had inspired many people over the years and was at the forefront of fighting for the poor and the marginalised across all racial divides. Leaders of members of the Natal Indian Congress were banned, they were jailed, and even killed in the broader struggle for freedom. The organisation was prominent in the establishment of the UDM in the mid-80s.

We call for the reviving of the Congress alliance values, including the value of ethical leadership, nonracialism, equality, selfless service, and economic justice.

The ANC congratulates the NIC 130 Organising Committee for appropriately observing the 130th anniversary at the Sastri College Durban event on 8 September 2024. The anniversary not only celebrated the historical achievements of the Natal Indian Congress, but also served as a powerful reminder of the work that remains to be done. I thank you.

**THE PRIVATE LOBBYING OF SMALL INTEREST GROUPS**

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(Member's Statement)

Ms N L WEBSTER (BOSA): Hon Speaker, it was of great concern to read about President Ramaphosa falling victim to the private lobbying of small interest groups before signing the Bela Bill into law last Friday.

Separatist organisations, AfriForum and Solidarity have used their proximity to the parties within the GNU to force the President's hand in delaying two crucial articles in the Bill, these being the language policy and admission policy - two aspects of the Bill that are actually designed to promote inclusion and diversity in places of learning.

The truth is that there are two education systems in South Africa, one for the rich and one for everybody else. A dual education system is the dream of the apartheid regime, and it's our job to build one education system that serves all 24 000 learners, regardless of language or background.

Those who want to maintain separate development should not be able to pick up a phone to the President at the 11th hour and circumvent the entire public participation and lawmaking process. And so Bosa denounces any private lobbying. If there

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is a good faith need for the review of some parts of the Bill, then it must be returned to Parliament to consider, as this is the appropriate constitutional process. Thank you.

**ELECTRICITY FAILURE IN EKURHULENI**

(Member's Statement)

Mrs M O CLARKE (DA): Hon Speaker, the DA in Ekurhuleni is deeply concerned about the ongoing energy and water crises, particularly in the Germiston constituency. The city's Electricity and Water department is failing, with days of outages and no commitment from the mayor to resolve this crisis. Crippling staff shortages and an inadequate maintenance budget are driving the ... [Inaudible.] ... the metro's standby teams like vehicles and there is no funding for essential repairs. Since the establishment of the metro staff structure has depleted, now operating at less than 70% shortage, while the city's demands have grown, residents are pushed to breaking point or threatening rate boycotts.

Last week, the mayor called a public meeting in Germiston Ward 39 and failed to attend, leaving the community frustrated. Tempers are flaring, leading to physical altercations and

public representative safety is put at risk. This is unacceptable.

Furthermore, Nersa's proposed 40% tariff hike is an unjust burden on citizens who are already paying the price for years of fraud, corruption and mismanagement.

An urgent consequence management system must be established to hold the mayor, the city manager, as well as the HOD of Energy accountable. The mayor must be held responsible for endangering the safety of both residents and councillors. I urge immediate action to ensure accountability and respect to the community. I thank you.

**DISTRESSING STATE OF PUBLIC HEALTH CARE FACILITIES IN SOUTH  
AFRICA**

(Member's Statement)

Mr N L S KWANKWA (UDM): Speaker, the state of public health care in our country is in a very distressing condition. This has been shown by the recent experience which was brought to light by the radio broadcaster Tom London who was a patient at Helen Joseph Hospital in Gauteng.

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His video which he posted on social media exposed the bad state of our hospitals, showing dysfunctional medical equipment, ailing infrastructure and so on. The recent incident is not isolated, however, but rather typical of many public health care facilities in our country.

Reports by the Office of Health Standards Compliance over the past few years are worrisome and paint a horrific picture of most public hospitals in South Africa not meeting basic norms and standards that are crucial to ensure that health care facilities provide safe, effective and quality care to patients.

The negligence has been evident in many instances and also reminds us of Shonisani Lethole, a COVID-19 patient who passed away at the Tembisa Hospital after sending a tweet to the then Health Minister Zweli Mkhize, pleading for food as he had not been given food for 48 hours at the hospital. His death was confirmed by experts to have been avoidable and preventable.

The UDM is of the view that to address this critical issue and some of the challenges facing the department, we proposes that there should be an increased budget allocation to curb current challenges. There has to be continuous development ...

{Inaudible.} ... and a comprehensive audit of health care facilities in our country.

**ANC WELCOMES SIGNING INTO LAW OF BASIC EDUCATION LAWS**

**AMENDMENT BILL**

(Member's Statement)

*Setswana:*

Rre S T LOUW (ANC): Ke lebogile Mmusakgotla wa Kokoanotheomolao ya Bosetšhaba.

*English:*

The ANC welcomes the signing into law of the Basic Education Laws Amendment Bill, which aims to strengthen governance within South Africa's education sector. The Bill also seeks to address the challenges that have hindered the education system for years in relation to infrastructure, administration and the misconduct of learners and teachers. ... 1996 and the Employment of Educators Act of 1998.

Some of the key amendments include the making of the new compulsory school starting age, criminalising parents who do not ensure that their children are in school, regulating home

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school education, school governing bodies, SGBs, submitting their language policies for approval and confirming the ban on corporal punishment.

There is a common misconception that the Bill aims to erode the autonomy of SGBs. This is false. Instead it harmonises SGBs' powers with the directives of the relevant provincial head of department. While the SGB is initially ... unequivocally ... it asserts that certain policies are adaptable, inclusive and congruent with the constitutional right to basic education.

Another misconception of the Bill is the claim that it is an abortion Bill. The Bill does not empower teachers or school officials to participate in learners' decisions regarding abortion. The reference to learner pregnancy in the Bill is unrelated to abortion. The focus is on comprehensive sexuality education within the curriculum, seeking to redress the imbalances that exist within our education system. [Time expired.]

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**PUTS FIRING OF 50 000 COMMUNITY WORK PROGRAMME WORKERS ON HOLD**

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(Member's Statement)

Mr V G REDDY (MK): We don't want to sugar-coat this. Mr Ramaphosa's so-called government of national unity, GNU, was about to fire about 50 000 hardworking South Africans and put them on the streets. The same Mr Ramaphosa promised to create jobs but instead of hiring people his so-called GNU is busy firing people.

Our country's unemployment rate is catastrophic and is leading to mass poverty and hardships. Thanks to the decisive intervention of the progressive caucus and the relentless fight waged by the Maanda-Ashu Workers Union of SA, Mawusa, which is the union representing the workers, those families have been given a new lease on life.

The MK party welcomes the Department of Co-operative Governance and Traditional Affairs decision to put on hold the firing of about 50 000 Community Work Programme, CWP, workers. We want to be clear that this is not enough. As MK, we want permanent jobs so that our people will have dignity and escape the spiral of poverty. We are watching any attempts by any so-called GNU Minister to fire workers. We will never allow this.

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This includes the Department of Education which fired about 2 000 educators in the Western Cape.

In conclusion, the MK party sees all South Africans as African; those that are born in Africa. Thank you, Madam Speaker.

**REMOVAL OF 759 APPROVED BENEFICIARIES FROM HOUSING BENEFICIARY**

**LIST**

(Member's Statement)

*IsiXhosa:*

Nksz N J NOLUTSHUNGU (EFF): Somlomo ohloniphekileyo, kukho ingxaki yolwabiwo lwezindlu kuMasipala weNgingqi iGqr AB Xuma eNgcobo. Ngonyaka wama-2010, kwavulwa ithuba lokwakhela abantu izindlu.

*English:*

A total of 1 854 beneficiaries were approved for the project. However, since its launch the project has faced numerous delays; a story of broken politics and corruption. What is most concerning is the removal of 759 approved beneficiaries

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from the beneficiary list. They were removed without their knowledge and no explanation was given.

We have visited this project several times to meet with these homeless families and have tried to engage the government at both municipal and provincial level, including the premier. Unfortunately, they have shown no interest. As if this situation was not complicated enough, we have discovered that more than 1 333 beneficiaries from Echibini have been promised the very same houses. This is causing tension between the two communities. We are not only talking about the right to housing. We are also talking about justice and dignity for the people of Engcobo. We know that the people of Engcobo have submitted a memorandum of demands to the office of the Minister and we call on the Minister not only to respond to the memorandum but to have the decency to visit them as soon as possible in order to listen to their concerns. Thank you.

**CROSS-BORDER OPERATION BETWEEN SOUTH AFRICA AND BOTSWANA**

(Member's Statement)

Ms M MODISE-MPYA (ANC): The ANC regards the prevention of crime as a national priority and believes that transnational

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crime with the movement of people and commodities across national borders poses a significant challenge to law enforcement in the region. The recent cross-border operation between South Africa and Botswana, which has achieved good outcomes in fighting cross-border crimes along our shared borders, must be welcomed.

The operation which started on Thursday, the 5th of September and ended on Sunday, the 9th of September, focused on illegal activities related to transnational crimes as well as the strict enforcement of border management activities. The operation aimed to address drug smuggling, undocumented immigration and other forms of cross-border crime. Members from various divisions, including border police, border intelligence and stock theft and endangered species, worked together to combat these crimes. They were supported by SANparks and the Border Management Authority. The teams accomplished several actions, such as compliance checks, vehicle checks and border patrols. The operation led to 33 compliance visits and several fines related to traffic, gambling and liquor offences. The police also confiscated drugs, including dagga, and arrested an undocumented person for violating immigration laws.

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**AUDITOR-GENERAL REVEALS DIRE SITUATION OF LOCAL GOVERNMENTS IN  
SOUTH AFRICA**

(Member's Statement)

Ms A M VAN ZYL (DA): Speaker, on the 27th of August the Auditor-General, AG, revealed the dire situation of local governments in South Africa. It must be noted that failures of government to run its finances in a sustainable and effective manner has a negative impact on all communities in its area.

One such municipality is the Walter Sisulu Local Municipality in the Eastern Cape where I live. This municipality's financial health has created doubt for the AG that this municipality will be able to continue operating. Furthermore, this municipality takes an average of 1 072 days to pay its creditors and takes an average of 367 days to collect debt owed to it. It must also be stated that 43% of municipal debt cannot be recovered. In a recent review of the valuation role, it shocked its rates-paying residents with rates increases of 500% and more on residential properties, yet government buildings were valued downward with 96%.

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In Walter Sisulu Local Municipality, government buildings got a reduction in rates payable and the rate-paying residents of this municipality were shocked into massive rates hikes to absorb the financial costs of a failing institution to keep its doors open and the money flowing. Yet, due to a government's inability to perform its functions, the ratepayers will have to pay these extremely high rates. This will in turn cause a municipal-wide affordability issue, resulting in more ratepayers unable to pay for its services. Thank you.

**MUTUAL AGREEMENT REACHED AT SOUTH AFRICAN LOCAL GOVERNMENT  
BARGAINING COUNCIL**

(Member's Statement)

Mr M NONTSELE (ANC): Speaker, the ANC applauds the mutual agreement reached at the SA Local Government Bargaining Council, SALGBC.

Since 1994, the ANC has introduced the Basic Conditions of Employment Act, the minimum wage and legislation entrenching collective bargaining and rights of workers and trade unions. In this regard, the ANC caucus applauds the conclusion of a

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five-year collective agreement reached between parties at the SALGBC. This multiyear milestone agreement was signed by the SA Local Government Association, Salga, which represents 257 municipalities nationwide and unions which are the SA Municipal Workers' Union, Samwu, and the Independent Municipal and Allied Trade Union, Imatu, and will see employees receive a 6% salary increase effective from 1 July 2024 and an additional 1,5% on 1 March 2025.

It is the ANC's policy to resolve conflicts through peaceful dialogue and negotiations, so the ANC is encouraged to see parties using social dialogue to resolve their differences. This constructive dialogue and agreement paves the way for a more harmonious and productive working environment. The agreement reached by social partners highlights the importance of maintaining open communication channels and working towards mutually beneficial solutions.

The ANC commends the parties for not only signing the agreement but also for setting a positive precedent for future negotiations ... [Inaudible.] [Time expired.]

**CONCERNS SURROUNDING BASIC EDUCATION LAWS AMENDMENT BILL**

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(Member's Statement)

Adv S SALIE (Al Jama-Ah): Hon Speaker, Al Jama-Ah acknowledges that there are a few positive clauses in the Basic Education Laws Amendment Bill but we remain deeply concerned that there are more clauses that have negative impacts on faith-based communities. The three-month moratorium on two clauses of the Basic Education Laws Amendment Bill must be extended to other clauses that are of concern to faith-based communities.

The party's president will propose that President Ramaphosa makes further amendments in order to allow Muslim learners to attend full-time Hifz schools and make up the lost school years later. We are perturbed by the fact that the powers of SGBs are being taken away. Just how democratic is this? Why reduce the powers of SGBs when such a structure plays a critical role in the education of our children? We view this as a move to weaken the rights of parents' role within schools.

Some of the clauses are not just psychologically harmful but they are sociologically damaging. The Bill must be radically revised so that civil society can be properly consulted. This administrative Bill seeks to address administrative issues.

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The Bill must be more child and family-centred, which will give rise to a system that will instil morals and morality within our education system.

On another note, Al Jama-Ah believes that the Marriage Bill must confine itself only to registration. I thank you.

The SPEAKER: This concludes Members' Statements. I will now allow for seven Ministers' Responses. Can I get hands? I see the Minister of Water and Sanitation. Are there any other Ministers on the virtual platform? Basic Education. Okay. While we will start with the Minister of Water and Sanitation I'll be assisted to get ... Hon Ndlozi, are you a Minister of ...

Dr M Q NDLOZI: No.

The SPEAKER: I'm saying this because you did not say that you are raising a point of order. So I was saying did I miss the news?

Dr M Q NDLOZI: Speaker, with respect I just want to put it on record that the serial absence of Ministers in Parliament is worrying. Let's just put it on record that we have a very bad

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experience of Ministers not coming to Parliament in the seventh administration. They are serially absent, even in the committees. I'm hoping that you are going to fix it because the next step will have to be to bring them here physically with the parliamentary security forces.

The SPEAKER: Hon Ndlozi, given that we don't yet have a structure that can accommodate everybody, I am sure that your member of the Chief Whips' Forum did indicate that the Chief Whips' Forum agreed that for this session until recess, which we are going into now, is going to be a hybrid session, meaning that some people will be on the virtual platform while others will be present in the House. That was agreed to and that applies ... Order, hon members. That also applies to Ministers. There was no exception that in the hybrid situation Ministers would be the only ones compelled to be in the House. Hon Marshall?

Mr M M DLAMINI: Speaker, I think the context that you are bringing this matter in is not correct. We agreed that between now until we come back on the 7th we are going to have hybrid sessions but the issue ... of Ministers being present. It can't be that Ministers are not going to be here ... they are going to be on the virtual platform when they know that they

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have an important task when we come here, especially when there are questions that must be responded to by the same Ministers. They know the importance of them coming and being here physically in this session.

So, that was the context, not that important issues can be taken and then people on the virtual platform ... where last week we had an issue of a Minister ... [Inaudible.] ... until we had to ask someone to intervene. That's why it's important for them to be here.

The SPEAKER: Hon Dlamini? Hon Dlamini, I have noted the point of order, Chief Whip, but I want to indicate that the principle remains. When we say Parliament is going to have a hybrid session with no qualification, and I'm being emphatic, no qualification, that also includes Ministers. However, when it comes to questions Ministers have been in the House. It's only last week where the Deputy Minister, who was standing in for the Minister, was on the virtual platform and I ruled as the Speaker that that question would come back to the House for a response because the Deputy Minister was not audible. So, I would not want us to belabour the point because while I understand the principle that has been raised I think it's

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also important to respect the decisions we ourselves have made. Hon Chief Whip?

The CHIEF WHIP OF THE LARGEST MINORITY PARTY: Madam Speaker, I really want to reaffirm that position because we had a meeting, not now ... on several occasions where we took a decision that we are going to hold meetings virtually up until the end of this quarter and there was no provision in that decision which said that virtual connectivity will not be sufficient for Ministers if they are not going to be in the House in person. Our understanding is that the rules of Parliament regard the virtual connectivity of members who are not in the House as being part of the House.

The concern of Ministers not responding to questions is a concern that we all share and I think it's a concern that is being addressed on the basis of the intervention that you made the last time in terms of the Deputy Minister. With regard to all other Ministers we looked at the virtual logging in and besides Minister Majodina who is here there are quite a few of them, if not more than half of them, who have joined the meeting in the virtual space. That's what I want to clarify, Speaker.

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The SPEAKER: I see you, hon Manyi and I will recognise you. Hon members, can we actually bring this issue to a close so that we get Ministers to respond to the statements and then we can proceed to the statement by hon Majodina? Hon Manyi?

Mr M MANYI: Speaker, some of these things were decided when some of us were not part of the mix. One of the things ...

The SPEAKER: Order. Order, hon members. Order, hon members. Hon Manyi, you can continue.

Mr M MANYI: We will pick up this matter in the Chief Whips' Forum. The issue of Deputy Ministers deputising for Ministers here is inadequate because in the first instance they don't have executive authority and they also don't have the full background of the issues being dealt with here ...

The SPEAKER: No.

Mr M MANYI: ... because they don't attend Cabinet ... Therefore, when they respond to supplementary questions as Deputy Ministers on matters that were decided on in Cabinet they are not always as extensive as they should be.

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So, I'm saying that we will raise it at the Chief Whips' Forum but ... the issue of Deputy Ministers without executive authority ... should not represent Ministers. Ministers must come themselves.

The SPEAKER: Order. Hon Manyi, that matter was resolved. If the MK party wants to reopen the issue the Rules Committee is there where the issue can be reopened. However, can I please rule that we go back to responses to Members' Statements? Hon Ndlozi?

Dr M Q NDLOZI: Speaker, thank you for your indulgence. I understand the frustration. The thing we want to bring to your attention is that in terms of Members' Statements you are going to take seven Ministers, for example. There are only three in the House. This is becoming a norm. I'm saying that ... No, the hon ... [Inaudible.] ...

*IsiZulu:*

... uthi "mcim" kimi ... [...he is saying "mcim" (a clicking of the tongue used when showing attitude or irritation) to me ...]

*English:*

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... it's not right. [Laughter.]

The SPEAKER: Can you please speak through the Speaker? Speak through the Speaker.

Dr M Q NDLOZI: Please protect me so that I can finish quickly.

The SPEAKER: Hon members, I'm not going to entertain ...  
[Inaudible.] ... the debate that ... [Inaudible.]

Dr M Q NDLOZI: {Inaudible.}

The SPEAKER: Order, hon Ndlozi. Can you finish your point and let's go to the business of the day? I understand the issue that you have raised and as I said let's address it.

Unfortunately, in the Chief Whips' discussion they didn't make that qualification because it would've been addressed there.

So, for now let's go back to the issue ... What is it, hon Reddy?

Mr V G REDDY: Madam Speaker, I rise in terms of Rule 84, where an hon member of the House made ... [Inaudible.] I want to know if that is parliamentary.

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The SPEAKER: Hon Reddy, you missed your TV time last week. Somebody took your slot. Hon member, I will look at the gestures and come back to the House. Can we please allow Ministers to respond to the statements? Hon Majodina?

**MINISTERS' RESPONSES**

**LACK OF REINVESTING BY RETAIL SECTOR IN WATER INDUSTRY**

(Minister's Response)

The MINISTER OF WATER AND SANITATION: Hon Speaker, can I respond to question eight from the DA on energy and water crisis in Ekurhuleni, Germiston in particular? Municipalities across the country face challenges such as ageing infrastructure, water leaks, illegal connection, and a lack of investing in the retail sale of water to the water infrastructure. Therefore, it becomes impossible for people to get water as expected.

Also, user-pay, where people don't want to pay for services they've received from the municipalities. It is against that background that we have advised municipalities to enforce bylaws. For instance, in every town, you see so many car

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washes, but they are not even metered. Therefore, there's also a lot of nonrevenue water. Water is just running down the street and not reaching the beneficiaries. So, when we were in Germiston in Ekurhuleni for the Presidential Imbizo on the 23rd, the matter of water leaks was raised, and the municipality gave a comprehensive plan on how they are dealing with water issues. So, the hon member can get that plan on closing water leaks and ensuring people or the community around Ekurhuleni get water. Thank you.

**ANC WELCOMES SIGNING OF BELA BILL**

**FIRING OF 50 000 WORKERS PUT ON HOLD**

(Minister's Response)

The MINISTER OF BASIC EDUCATION: Speaker, I wish to respond to a couple of statements made by the members. The Basic Education Laws Amendment Act, which was the Basic Education Laws Amendment Bill has now been signed into law by the President on Friday, making it the Basic Education Laws Amendment Act. Indeed, it seeks to address some key gaps which have been found in our education system, which have emanated from various case laws.

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The President has decided to suspend the implementation of clauses four and five to allow for further consultation. As the Department of Basic Education, we will then be guided by the process of that consultation to understand where to from here in the implementation of those clauses. But as things stand, the Bill is now an Act and the various other provisions now need to be implemented, and at an appropriate time, we will brief the House on how that implementation will happen.

I want to raise another point that was raised by hon Reddy. I think it's important, once again, I implore that as leaders in this House, we don't spread misinformation. There are no 2 000 teachers in the Western Cape that have been fired, and hon Reddy is perpetually a person who likes to peddle misinformation in the House, and it is not right. The issue around ... [Interjections.] ...

Mr V G REDDY: Order!

The SPEAKER: I have noted you. Let us allow the Minister to finish.

The MINISTER OF BASIC EDUCATION: ... the education sector has been underfunded for many years, and it is because of these

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financial pressures that provinces are seeing the cuts affect their frontline services. That is why I am in talks with the Minister of Finance to see how he and his team can help us to make sure that we assist the provinces to shield frontline services from being affected by these cuts.

But no teachers have been fired. No teachers, I repeat, no teachers have been fired. What we are seeking to do is to make sure that we protect our teachers, and we protect the frontline services of our sector. Thank you.

Mr V G REDDY: Madam Speaker, on a point of order: We do not want the house to degenerate.

The SPEAKER: Order, hon members!

Mr V G REDDY: The House must not degenerate and become a matsheni. [free-for-all.]

The SPEAKER: Okay, can you indicate, what's the point of order?

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Mr V G REDDY: And the Ministers must know their responsibilities. In terms of the Order Paper, that Minister is not supposed to respond to me.

The SPEAKER: Order, hon member.

Mr V G REDDY: She has got a statement that she's supposed to make. She made the statement. Now, I want to respond to her. So, she's totally out of order Speaker and I think she should be educated. She is the Minister of Education and should understand what these things mean. Thank you, Speaker.

The SPEAKER: Hon Reddy and hon members, you are correct to say let's not degenerate the House. You had an opportunity to raise a statement. The Minister is responding to your statement and others. Yes, but if an hon member has made a statement, the Minister can indicate that I'm responding to so-and-so as an hon member. But that debate then is not allowed. And if there are issues of concern you have, I would advise you to write to the Speaker. Thank you very much.

**PUBLIC SERVICE PROFFESIONALISATION CONCERNS**

(Minister's Response)

*IsiZulu:*

UMNYANGO WEZEMISEBENZI KAHULUMENI NOKUPHATHA: Somlomo, ngicela ukuphendula isitatimende esihle sikamhlonishwa uSithole okhulume ngendaba yokwenza umsebenzi womphakathi ubungcweti. Ngicabanga ukuthi okokuqala okubalulekile akushilo ukuthi le yinyanga ebizwa nge-Integrated Public Service Month, lapho khona sithakasela umsebenzi obalulekile wabasebenzi bakaHulumeni ...

*English:*

... because we all understand that civil servants are about 1,3 million and servicing over 60 million of our population every day. So, we need to applaud them for their good work and for accepting the highest call to serve their fellow citizens.

*IsiZulu:*

Ngakhoke, udaba lokwenza ukuthi benze umsebenzi ngendlela efanele lumqoka kakhulu ngoba ukuze sikhule sibe yizwe ...

*English:*

... that is capable and developmental we need to have a professional public service.

*IsiZulu:*

Singagcini lapho kuphela, kodwa siqinisekise ukuthi ...

*English:*

... we also bring in the element of ethics because ...

*IsiZulu:*

... kuyiqiniso ukuthi uHulumeni ulahlekelwe ukwethenjwa ngenxa yokuthi ...

*English:*

... in the system, you've got people who are unethical which we need to deal with. So, also on the issue of corruption, there are systems that are put in place to make sure that we deal decisively and get rid of all the rotten elements that are within the system because corruption undermines our country so much, and I won't get into that. Also ...

*IsiZulu:*

... kuyiqiniso ukuthi ...

*English:*

... as a department, we have come up with a register ...

*IsiZulu:*

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... ukuthi labo abaxoshiwe emsebenzini ngenxa yamacala enkohlakalo nokweba nalaba ababaleka kungekaphothulwa ukuthi baqondiswe izigwegwe. Irejista ikhona. Wonke umuntu ofaka isicelo somsebenzi kuzothi nje ngaphambi kokuthi aqashwe, kufanele igama lakhe libhekwe ohlwini lwamankentshane ukuthi alikho yini. Uma likhona engaqashwa. Nobalekile washiya ngoba ebesaqondiswa izigwegwe. Uma kuwukuthi kuyatholakala ukuthi kunecala alibalekela, akwazi ukuthi abuyiselwe emuva ayoliqeda icala lakhe.

Ngakhoke, umnyango wenza umsebenzi omuhle kuleso sigaba. Siyabonga kakhulu, Jobe, ngesitatimende sakho. Ngiyabonga, Somlomo.

USOMLOMO: Ngiyabonga. Ngithembe ukuthi otolika bayalazi inkentshane yini.

**STABILISATION OF MANGAUNG METROPOLITAN MUNICIPALITY**

(Minister's Response)

The DEPUTY MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (Dr N D Masemola): A very good afternoon to you, hon

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Speaker, there are a few questions that I need to respond to that were raised by hon members.

The SPEAKER: Yes, you have three minutes. You can proceed.

The DEPUTY MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (Dr N D Masemola): The first relates to the Mangaung situation where matters around services were raised. We are certain as a department that the Mangaung Metropolitan Municipality is one of those councils under section 139 of the department, working together with the province to ensure the stabilisation of that metro for better provision of services.

So, we're very much on top of the situation with regard to the stabilisation of the finances, the management of their political stability, governance, as well as the general administrative repositioning of the city. So, we are hard at work looking at issues of infrastructure, which remains a big problem and a challenge in that metro. But be that as it may, working together with our technical teams from the Municipal Infrastructure Support Agent, MISA, as well as the province, we have put together a strategic team of the necessary engineers to intervene in the situation. I want to say to the hon member that ...

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*Afrikaans:*

... ons sal altyd seker maak dat die gemeenskap van Mangaung beter dienslewering kry.

*English:*

That is what I can say briefly about Mangaung. The second matter relates to the Auditor-General's issue with regard to the audit outcomes of the municipalities. Working together through the Inter-Ministerial committee, last week we already had our meeting where the terms of reference on how as a consultative team of various departments that are service delivery related or oriented, are going to be collaborating in their efforts to intervene in all our municipalities.

It is safe to say that the stabilisation programme on our side as a department, equally important, has been worked on and strengthened by Inter-Ministerial work. Once all those processes are finalised, they will be taken to the portfolio committee and the nation would have to know how we are going to be working together with municipalities. But already we have started visits as the department and the Ministry to a number of provinces interacting with particularly the most affected districts together with their locals to look at those

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critical areas that account for the betterment of their governance situation.

The third point, hon Minister Majodina has responded to that. On the eve of the Presidential Imbizo, we had a meeting with the mayor of Ekurhuleni, hon Xhakaza, together with Rand Water, where a detailed presentation was made on how they are going to be stabilising the provision of water, particularly in the former East Rand areas around Brakpan, Tsakane and the surrounding townships, as well as informal settlements. [Time expired.]

**LACK OF STANDARD COMPLIANCE AND NEGLIGENCE IN HOSPITALS**

(Minister's Response)

The MINISTER OF HEALTH: Hon Speaker, I hope you allow me to let the video remain muted because I'm struggling with reception.

The SPEAKER: Okay, you can proceed.

The MINISTER OF HEALTH: Thank you very much. I am responding to the question by the Chief Whip of the UDM on the issue of

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Helen Joseph Hospital. The incident that was shown in the videos did break our hearts. It was a painful situation, that nobody in the country would wish to see again. Fortunately, on the week that the video was circulating, I had called all the MECs of Education, most of them being new, for a whole week's retreat in Magaliesburg, where we were introducing them to the health care system. This matter was discussed in full.

We have put together mechanisms and plans on how we are going to deal with such matters. Yesterday, I spent three hours with the SA Human Rights Commission. I have just finished a meeting with the Public Service Commission. All of them, among the things we've discussed, raised this issue. The Office of Health Standards Compliance has already spent the week in Helen Joseph. On Tuesday, last week, I penned a letter to the Health Ombud, who I also met yesterday. We discussed the issue. This morning, I was in a meeting of the ...

[Inaudible.] ... Ministerial Committee on Budget. The two main issues that emerged there were the underfunding or cut spending for both health and education.

So, Minister Gwarube is correct in what she said about the budget cuts because they all affect us, and we discuss these issues. But having said so, there is an elephant in the room

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here. As long as the total health spend of the country, which is more than half a trillion rand, as long as 51% of that goes only to 14% of the population, and the remaining 49% goes to a whopping 86% of the population, we are going to be debating these issues again.

The gross inequalities in health care in our country, which we want to bring to an end when we implement what the World Health Organization called universal health coverage because money is not spent universally, it's being spent inequitably. Thank you, Speaker.

**DEAL TO MOVE SA TO GREEN HYDROGEN PROGRAMME**

(Minister's Response)

The DEPUTY MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT (Mr N Singh): Hon Speaker, I'd like to welcome the statement by the Honourable Member with regard to the EU's R628 million deal to boost South Africa's Green Hydrogen Programme. Now, the silver lining about these grants, hon Speaker and hon members is that in the case of the R490 million grant, we are able to leverage a lot of money from those grants.

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To this extent, about R10 billion of private and public sector funding will be leveraged to promote green hydrogen. The other grant, as the hon member has indicated, will be going towards Transnet, where R138 million will be given to Transnet, and there the private sector will be able to contribute and will be able to get a much bigger programme.

So, all in all, we welcome these grants, whether they're from the EU or from any other organisation that provides grants to South Africa, because in the end, we all want to see a green transition, we want to see cleaner energy in our country, and I thank the hon member for raising the statement.

**STATEMENT BY THE MINISTER OF WATER AND SANITATION ON MEASURES  
TAKEN BY THE DEPARTMENT OF WATER AND SANITATION ON DAM SAFETY**

The MINISTER OF WATER AND SANITATION: It does not sound very nice ...

*IsiXhosa:*

... xa usithi nezelindle. [Laughter]

*English:*

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Hon Speaker, hon members of this august House, ladies and gentlemen.

*IsiXhosa:*

Malungu ahloniphekileyo ale Ndlu yoWiso-mthetho yeSizwe ...

*English:*

... I welcome this opportunity to make a statement to this House on matters pertaining to the safety of dams in South Africa. In the past four weeks, we have witnessed the terrible disaster that affected the community of Riverlands in the Swartland Local Municipality, where four dams failed and destroyed houses as well as damaged municipal infrastructure.

*IsiXhosa:*

Umonakalo oye wabonakala phaya awuthetheki. Abantu baye bashiyeka besentlungwini ngenxa yokuba la madama aye azisa amanzi amaninzi.

*English:*

The unfortunate disaster brought attention to the issue of dam safety in South Africa and how this affects communities residing downstream of the rivers of these dams.

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*IsiXhosa:*

Ukhuseleko lwamadama luxanduva lwalowo nalowo uthe wenza idama. Kufuneka alihoye kwaye aliqoqoshe kakuhle.

*English:*

Hon members of this House will recall how the community of Charlesville and Itumeleng townships were displaced from their houses and lives were lost when tailing dam failed in the Free State town of Jagersfontein in September 2022.

*Sesotho:*

Le kajeno, batho ba Frei Stata ha ba lebale koduwa eo hobane batho ba ile ba hlokahala le matlo a tsamaya.

*English:*

The two recent unfortunate incidents make it important for me to highlight the issues pertaining to the safety of dams in South Africa.

*IsiXhosa:*

Amadama ke kufuneka akhuselwe ngabo bathe bawomba.

*English:*

Chapter 12 of the National Water Act of 1998 as well as the regulation published in the Government Gazette requires that, an owner of them that meets the requirement of a dam with a safety risk, to register such a dam and to comply with all other regulations pertaining the type and the size of the dam.

Over and above the registration of the dam, the owner must apply for a dam safety license to construct, alter and repair the dam before construction can commence.

*IsiXhosa:*

Awuvuki ucinga into yokuba mawulongeze idama ulonyuse.  
Kufuneka uqale ufune imvume yokwenza loo nto.

*English:*

The owner of the dam must also appoint an approved professional person.

*IsiXhosa:*

Amadama ke afuna iinjinieli nobuchwepheshe ukuze bakwazi ukwenza umsebenzi.

*English:*

That person must have been registered with the engineers and an expert to conduct compulsory dam safety evaluation. At least every five years, each dam must provide or submit to the department the dam safety assessment. The National Water Act of 1998 defines a dam with a safety risk as a dam with minimum vertical wall height of five metres and capable of storing more than 50 megalitres of water. A dam that does not meet these requirements does not fall under the category.

According to the register of dams with a safety risk, in our register we have 5 703 dams. Out of that 323 dams are dams of the Department of Water and Sanitation. The department makes sure that we keep all our dams being regulated. Approximately, whilst our terms are few, 87% of total volume of water is stored in our dams. The 5 703 due to the size of other dams are not of the magnitude of what our dams are. That is why we don't understand if the owners are unable to maintain their dams.

Over the past two years, our department, the Department of Water and Sanitation, DWS has issued a noncompliance instructions, predirectives and directives to owners of dams who are found to be noncompliant with the regulation. However,

it takes time for courts to process such matters of noncompliance by dam owners.

We've also ensured increased compliance by organs of state such as water boards as well as Eskom and the mining sector, because they do own dams. This shows that we are not only targeting noncompliant private dam owners, but we are also focusing on dams that belong to the state, including those that are owned by my own department.

The National Water Act of 1998 puts the responsibility for safety of dams to the owner.

*IsiXhosa:*

Wonke umnikazi wedama makathathe uxanduva. Xa kuthe kwenzeka umonakalo, mayibe nguye olungisa loo monakalo.

*English:*

It was found that none of the dams in Riverlands Swartland Local Municipality have been registered with the department, let alone a permit. So, all these things will happen, especially as we approach summer. Heavy rains will see those dams failing or collapsing.

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The current owner of the four dams is Department of Land Reform and Rural Development. I have submitted a preliminary report on investigation to Minister Nyhontso. However, I must clarify to this House that, when the Department of Land Reform and Rural Development bought or procured that farm, they found those dams on the farm. They did not construct the dams, but also have leased out that farm.

So, the previous owners, when they were constructing those four dams on the stream did not apply for any permission. But the person that is going to be liable for this, should be the landlord which is the Department of Land Reform and Rural Development. Working in collaboration with Department of Land Reform and Rural Development, we have rehabilitated all the four dams that have collapsed because we don't want those remnants or failed dams to further cause injuries to our people.

On the issue of Jagersfontein tailing dam that failed on 11 September 2022, our department has concluded criminal investigation, and the docket has been handed over to the National Prosecuting Authority. The responsible prosecutor has acquired all statements and affidavits. The matter is expected to be enrolled in 2025. However, there are some humanitarian

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interventions that have been made. Some houses have been handed over to those who lost their houses.

My department has also appointed the University of Pretoria and the University of Witwatersrand to conduct technical forensic investigation on the failure of Jagersfontein tailing storage facility. The report may be used in the criminal proceedings and therefore cannot be made public until we are advised by the National Prosecuting Authority, NPA.

One of the roles of my department is to ensure water use licence to ensure that water resources are utilised sustainably and equitably. For example, the Middle Letaba in Limpopo catchment is water stressed. The community in the catchment have raised concern as to whether some users are over abstracting water from the three rivers that feed Middle Letaba Dam, resulting in insufficient water available for others.

To address this concern, we have established a Ministerial Advisory Committee chaired by retired Judge President Bernard Ngoepe, who is being assisted by various experts to ensure that they give us the report by January. Because we cannot allow anyone who blocks the water not to get to our people

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just because one is running a farm or a plant. They must ensure that they allow water to go down, especially those who are in downstream.

We are also working on plans to build additional infrastructure to enable available resources in the Middle Letaba system to be supplemented. Furthermore, we will be negotiating possible reduction in water in the interim. Whilst the investigation is on, let our people not be disadvantaged by that.

Hon Speaker, apart from strengthening the internal capacity, we have also employed a lot of water experts and engineers. We are working with the Engineering Council of South Africa to find ways of making it easier for young engineers and professionals to acquire necessary skills. That is why we also have bursaries for those who are interested in studying water engineering.

As part of the recommendation in the Riverlands, my report to the department has prepared a notice to be published in the Government Gazette to call on all those who have dams to register their dams before they could be prosecuted.

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Chair as I close, we must ensure that the notice will give all dam owners and those who wish to construct dams to apply for their license. Those who already have dams must also apply for the license so that they are recorded and registered accordingly, for them to be able to account on their on those dams.

A media awareness campaign including both print and electronic media is being planned by the department. We will also be engaging with organisations representing sectors such as agriculture and mining because a lot of the dams are within the agricultural sector.

Furthermore, we'll engage the Department of Cooperative Governance and Traditional Affairs, traditional leaders and National Treasury to find way of assisting municipalities that own dams and require support to ensure that their games are safe and compliant. This intervention will be extended to other state departments to ensure that all dam owners are compliant. I thank you very much, hon Speaker.

*IsiZulu:*

Nk N M GASA: Sekela Somlomo ohloniphekile, amalungu ePhalamende ahloniphekile abantu baseNingizimu Afrika

ngiyanibingelela. SiwuMkhonto Wesizwe kuyasimangaza nokho ukuthi uhulumeni uvumela abantu abazimele kanye nezikhungo ezisebenza ngasese ukuthi zengamele ziphinde zilawule ukuphathwa kwamadamu. Ebese uhulumeni uyahluleka ukubeka izinhlelo zokuvikela ubungozi obudalwa ukungaqinisekiswa kokuphepha kwamadamu emiphakathini yethu.

*English:*

It is for that reason that the MK party deems this misguided approach flawed for the following six reasons. Firstly, being lack of effective oversight and enforcement. The National Water Act of 1998 and Dam Safety Regulations 2012 placed the responsibility of dam safety largely on private owners, requiring them to ensure structural integrity and comply with safety standards. However, the government's inability to enforce their standards, effectively leaves significant gaps. With limited resources, the Department of Water and Sanitation struggles to conduct regular inspections or ensure compliance from private dam owners, especially those in remote areas. This leads to a lack of accountability, placing communities at risk of potential dam failures.

Secondly, privatisation of critical infrastructure dams, especially those used for agriculture, industrial or

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recreational purposes, are critical infrastructure with broad public safety implications. Placing ownership and responsibility in private hands without advocates, our government oversight is problematic. Dam safety is a matter of public interest. Given the risk of flooding, property damage and loss of life, and the events of dam failures relying on private individuals to self-regulate and lead to cost cutting measures that compromise safety. All dams must belong to the state.

*IsiZulu:*

Sicela wonke amadamu abuyele kuhulumeni.

*English:*

Thirdly, government's inability to address aging infrastructure, many privately owned dams were constructed decades ago and have aged significantly.

The DEPUTY SPEAKER: Hon member, please take your seat. The hon Ndlozi has a point of order.

Dr M Q NDLOZI: Thank you, Deputy Speaker, I was requesting that we release hon Koornhof because he is sleeping in the

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House. Go outside to get fresh air, Chief. You can't sleep here in the House. Hon Koornhof, be honest, you are sleeping.

The DEPUTY SPEAKER: Hon Ndlozi, thank you. I am sure your point is taken. Please proceed, hon member.

Ms N M GASA: Fourthly, vulnerability to climate change, increasing the frequent and intensity of extreme weather, events like heavy rains and droughts, the risk of dam failure is magnified. A robust national policy that ensures dam safety should consider these evolving environmental challenges. Leaving dam safety in the hands of private entities may result in an uncoordinated response to these threats, exacerbating vulnerabilities during extreme weather conditions.

Fifthly, public safety and liability, in case where private dam failures result in public disasters. The question of liability becomes contentious. The government often faces legal challenges from affected communities. While private owners may not have the resources or insurance coverage to address the consequences of dam failures. This creates a vicious cycle where communities are left exposed and the government has to step in, post disaster with reactive

measuring instead of proactively preventing such incidents. I repeat.

*IsiZulu:*

Amadamu awabuyele kuhulumeni. Okokugcina, ...

*English:*

... policy reform and public interest, reforming the government dam safety policy to shift the responsibility more squarely on through the states would align dam management with the principle of public safety and water. The government should play a more active role in regular inspections. Setting strict compliance requirements and investing in dam rehabilitation projects. By focusing on public interest, the states can eliminate the risk associated with private ownership of critical water infrastructure.

*IsiZulu:*

Sengigcina, isinqumo sikhulumeni sokuvumela ukuphathwa ngasese kwamadamu ngaphandle kokunikezela kwezokuphepha okwanele kuyiphutha elikhulu.

*English:*

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So, as the MK party, we want to see all dams being owned by the state. We reject the policy posture of this ANC-DA coalition.

Mr L J BASSON: Hon Deputy Speaker, today I welcome the opportunity to address this House on a vital matter of safety in South Africa. Over the past month, we have witnessed a terrible disaster in the community of Riverlands in the Swartland Local Municipality, where four farm dams collapsed, causing widespread destruction of private homes and municipal infrastructure.

*Afrikaans:*

Hierdie ongelukkige voorval bring hernude aandag aan die kritieke kwessie van damveiligheid, veral vir gemeenskappe wat stroomaf van damme woon. Die Riverlands-voorval is nie geïsoleerd nie. Net twee jaar gelede in September 2020 het die ineenstorting van die Jagersfontein-mynafvaldam in die Vrystaat families uit hul huise verdryf en tragies lewens in die gemeenskap van Charlesville en Itumeleng geëis.

Hierdie insidente herinner ons aan die belangrikheid daarvan om die veiligheid van ons damme in Suid-Afrika te verseker en

vandag wil ek die maatreëls en verantwoordelikhede rakende hierdie kwessies uitlig.

*English:*

Chapter 12 of the Water Act, along with the regulation outlines clearly directives for dam safety. Any dam that meets the criteria for a safety risk, defined as a dam with a vertical wall height of at least 5 m and water capacity of 50 000 cubic metres must be registered by their owners. Before constructing, altering or repairing a dam, owners must apply for a dam safety license. Furthermore, they must appoint an approved professional person who is a dam engineering expert registered with the Department of Water and Sanitation to conduct mandatory dam safety evaluations every five years. Currently, the department, as the Minister has indicated, oversees the registration of 5 703 dams, of which only 323 dams belong to the Department of Water and Sanitation that holds 87% of the total volume of our water in the country.

The preliminary investigation into the Riverlands disaster has yielded disturbing results. None of the four failed dams have been registered with the department as required by law, nor by the necessary license being obtained when they were constructed. The current owners of these dams are the

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Department of Rural Development and Land Reform. Regarding the Jagersfontein Tailings Dam disaster, the DA welcome the criminal investigation that has been concluded and that cases have been handed over to the National Prosecuting Authority.

Furthermore, the DA also welcomes the involvement of the University of Pretoria and the Witwatersrand University to conduct a forensic investigation into the failure of the Jagersfontein Dam. The DA urgently request the department to increase human resource capacity within the dam safety regulation unit. The department must recruit more engineers and work with the Engineering Council of South Africa to streamline the process for young engineers to qualify as approved professional persons without compromising on the high standards required for dam engineering.

*Afrikaans:*

As deel van hierdie aanbevelings van die Riverlands-verslag sal die departement 'n kennisgewing in die staatskoerant publiseer wat dameienaars 'n tydperk van 60 dae gee om enige dam wat aan die veiligheidsvereistes voldoen, te registreer.

Die DA doen egter 'n beroep op alle dameienaars om van hierdie geleentheid gebruik te maak om hul ongeregistreerde damme te registreer.

*English:*

We furthermore request the department to engage the agriculture sector to register farm dams and the mining sector to ensure that all tailing dams are compliant with safety regulations and also work closely with Department of Cooperative Governance and Traditional Affairs and National Treasury to support municipalities that need assistance in assuring the safety of the dams.

*Afrikaans:*

As deel van hierdie aanbevelings van die Riverlands-verslag sal die departement 'n kennisgewing in die staatskoerant publiseer wat dameienaars 'n tydperk van 60 dae gee om enige dam wat aan die veiligheidsvereistes voldoen, te registreer.

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*Sepedi:*

... e re ke tšee sebaka se ke dumediše batho bohle Afrika Borwa ka bophara, ke dumediše le bašomimmogo le nna, ke sa lebale ba mphato, le baetapele ba mokgatlo wa EFF - mokgatlo wo o ikemišeditšego go lwela batho le go kgonthišiša gore dilo kamoka di sepela ka thelelo.

*English:*

It was exactly 12 years ago in 2012 when the then Minister of Water of Water Environmental Affairs signed regulation regarding the safety of dams in terms of section 123, subsection 1 of the National Water Act of 1998. This regulation assigned very specific powers to the department and made it the ultimate authority for the guaranteeing of dam safety in this country. This included the powers to classify safety risk at dams, as well as the issuing of licenses, the approval of engineering drawings and so on and so forth. The department is the authority for these things. It was alarming to observe the Minister and her department trying to lay the blame at the Department of Land Reform and Rural Development after the recent collapse of the four dams in Riverlands. The Riverlands disaster in Western Cape was not the first, and it is now likely that it will not be the last because we have leadership that refuses to take responsibility.

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Minister, in 2022 we witnessed with horror as homes were destroyed and lives lost in Jagersfontein, Charlesville township in Free State as a result of failed tailings that the department was supposed to have monitored and passed on and safe. Four lives were lost, and the EFF is demanding compensation for those families that lost their loved ones. The family of Korokoro Mosala, and the family of Aaron Mosoeu, amongst others, must be compensated.

Regarding the Riverlands dam disaster, we now all know that the Department of Land Reform and Rural Development bought the dams in 2019 from Dassenberg Plaas (Pty) Ltd - the first owner of the property. We also know that that was Dassenberg that allegedly built three of the dams illegally. We know that Agrico Machinery, the second owners of the farm, then proceeded to construct the four dams, also without a licence.

Minister, commercial farmers like ZZ2 in Limpopo benefit from water resources by damming rivers which essentially cuts off provision to poor subsistence farmers down the streams.

Minister, I am inviting you to undertake an oversight to assess the way in which ZZ2 farm with the damming of rivers has hindered and created further poverty and struggles for subsistence black farmers and impoverished black communities.

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This is a pure human rights violation and those doing it must face the consequences and the law must take its course.

Where was the Department of Water and Sanitation when this happened? What action did they take to stop the construction of illegal dams? The problem we face as a society is the coalition government and interest of white people, specifically to the detriment of the nation as a whole.

Dassenberg, Agrico and all those who have conducted themselves in a similar manner must be held accountable, Minister. Only last year, the department reported that it had backlog in completing 474 dam safety evaluation reports.

This implies that the department was, and still uninformed about the safety condition at these dams. It is therefore unable to recommend intervention or conduct inspection to monitor compliance with recommendation. As things stand, Minister, none of the parties who are meant to be playing critical roles in dams' safety are doing anything because the department itself had no capacity to enforce its own regulation. Both private and public dams' owner, either do not have dam management plans, and if they do, they are not doing anything to ensure the implementation of those plans. Municipalities are none the wiser either.

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Minister, the problem of dam safety is of crucial importance because it involves not just loss of property, there is also potential for loss of human life. Your statement with respect outlines no plan of action. It fails to acknowledge the gravity of the problem we face in relation to dams' safety in this country. Those responsible to constructing and benefiting from illegal dams must be detected early, and tough actions must be taken against them - including the expropriation of these properties in the public interest.

*Sepedi:*

Re a leboga.

*IsiZulu:*

Siyabonga.

*English:*

Thank you.

Mr N M HADEBE: Madam Deputy Speaker, unfortunately quite a number of incidents come to mind when we consider dam safety in our country. As far back as the Jagersfontein incident of 11 September 2022, where several people lost their lives, dozens were injured and rivers and grazing lands were

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inundated, or as most recently as the Riverlands dams wall collapse. These incidents are only two examples of a few that have sent shockwaves through our country and speak to the previous governments' unpreparedness and reactive nature, particularly the Department of Water and Sanitation.

Sadly, we note that many of the Jagersfontein victims are still awaiting justice. However, that is a discussion for another day. For years the IFP has called for the practice of oversight to be implemented as more than just the rubber stamp activity. Effective and efficient oversight is needed from both the department and the portfolio committees if we wish to ensure the prevention of yet another devastating dam collapse.

We are hopeful that under this new leadership, the department will turn a new page and be proactive in implementing the measures required to ensure dam safety instead of being reactive and placing an overreliance on contingency plans for damage control. In a country prone to severe floods, we urge the department to prioritise our small and medium-scale farmers, especially in the rural areas of provinces known for flooding such as KwaZulu-Natal, Eastern Cape, Free State and Western Cape.

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However, it has not been too far back that the threat of reaching day zero hung over our heads, yet water infrastructure remains a key concern, especially in our metropolitan and deep rural areas. While today the department focuses primarily on dam safety, the IFP is of the belief that this is an example of a larger challenge at play, which our country's overall dilapidated water infrastructure.

Our hope is that the Minister's statement on dam safety acts as a catalyst for the larger conversation we need to have regarding potable water and the measures needed to ensure all South Africans have access to pipe water. In conclusion, the IFP will continue to support any and all efforts made by the department and the Minister to ensure all dams across our country comply with the necessary safety regulations. I thank you.

Mr G F JONAS: Madam Deputy Speaker, many communities live downstream from dams often in lower lying areas are most vulnerable to flooding. Ensuring dam owners made safety standards vital not just for the protection of property but for serving lives. Past disasters like the Jagersfontein incident in September 2022 has showed the devastating

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consequences of dam failures. This does often displace the entire community, destroy homes and takes lives.

The Department of Water and Sanitation must enforce stricter regulation and ensure the dams safety is non-negotiable. Dam owners must be held accountable for maintaining the safety of the infrastructure as per the regulations. All dams, especially those posing a safety risk must be regularly inspected and maintained.

There is a discovery that before Riverlands dams were built without licences and were never registered with the Department of Water and Sanitation is alarming. It is unacceptable for any dam, especially one with safety risk to go unmonitored. Noncompliance owners must pay harsh penalties and the life of people living downstream are at stake. Many dam owners may not be fully aware of the requirements of the response by the dams.

The Department of Water and Sanitation should adopt a collaborative approach and focus to be on improving communities and education around dams' safety regulations.

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Traditional matters of outreach such as radio, print and community meetings should remain a priority by when these campaigns must also be extended to social media platforms giving the widespread use of these platforms informing owners of the requirements and the consequences of compliance and can prevent negligence.

The department should also make it clear that the failure to register dam with safety risk will result in severe penalties. This is a critical step in preventing tragedies like those seen in Riverlands and Jagesfontein. The Jagerfontein disaster is a case that demonstrate the higher consequences of poor dam management and regularity oversight.

It has been two years, and the case is still not only enrolled in court. That's far long to wait for justice in such a serious matter. The affected communities deserve closure and the owners responsibly for the dams' failures must face legal consequences swiftly.

The law in justice has seen in Jagersfontein case, a road public trust and the department must work towards more timeously resolutions. The government must expertise cases related to dams' failures to prevent future disasters.

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The Department of Water and Sanitation must strengthen its monitoring and accountability process, but it must also provide clear and accessible guidelines for the dam owners. I thank you.

Mr W W WESSELS: Hon Deputy Speaker, the recent disasters have once again amplified the paramount importance of dam safety and ensuring compliance of dam owners. Dams' safety is crucial to safe lives, protect livelihoods but also for infrastructural certainty to limit water losses as we remain a water scares country.

Much better oversight and enforcements are needed to ensure dam safety. All the problems be solved if all dams are owned by the government. No, it won't because one of the facts only two of the 20 largest dams owned by the Department of Water and Sanitation currently compliance with safety requirements. That's according to a report by the department. The compliance of 90% of the largest dams in the country should be prioritised, Minister. To avoid a very big looming crisis more must be done.

With regards to the Jagersfontein Tailings Dam tragedy, we have to recognise that the Department of Water and Sanitation

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failed to prevent that disaster. The Department of Water and Sanitation merely accepted the mining companies report blindly without any physical inspections. Lives were lost and properties were damaged. It is unacceptable that two years later the investigations are only now being concluded and nobody has been held responsibly. This community who suffered severely are being failed and they are not receiving the justice they deserve. More needs to be done and we must protect the integrity of our water infrastructure to also ensure a prosperous future for this country. I thank you.

Mr R A P TROLLIP: Hon Deputy Speaker, the National Water Act 36 of 1998 governs the management of all water resources in South Africa and includes dam safety regulation. It mandates dam owners to adhere to safety standards and to undergo regular inspections. The Act stresses the importance of regular inspections, and the Department of Water and Sanitation mandates at Category 1. Dams are inspected every five to 10 years to ensure safety and structural integrity.

Regular inspections are crucial to prevent potential failures and mitigate risk to public safety and property. Category 2 and 3 dams require even more stringent and regular inspections by approved qualified and registered professional persons.

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The Act safety requirements are required to be met by dam owners, and these include the state and the government and all spheres of government. They are also our own dams. But equally, it requires regular departmental assessment and inspections. It is one thing in acting legislation that require citizens compliance. The corollary is that the Department of Water and Sanitation has inspection responsibility, especially with the increasing incidents of unusual and catastrophic weather instances related to climate change.

A recent series of dam failures in Riverlands has highlighted the severe consequences of inadequate inspections and management. The failure which resulted in significant infrastructure losses and poses serious risk to life and limb of nearby communities.

The Jagersfontein tragedy should have highlighted the consequences of noncompliance. How many more tragic disasters are required to ensure compliance. Where the legislative inspection done in the Riverlands dams. If they were why not? If they were registered why did the Department of Rural Development and Land Reform not register the dams when they became the owner.

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Minister and Members of Parliament, lets this be a warning that the Department of Water and Sanitation and dam owners have equal responsibility. They are major state-owned dams that are compromised and noncompliant on major irrigation schemes. The compromised irrigation canal walls posed major risks to a community and agricultural activities that relies solely on the integrity of such dam's infrastructure.

In Sundays River Valley Municipality, the Nooitgedagt Water Scheme provides water to Nelson Mandela Bay that they get from Gariep Sundays River Canal. That only is compromised and broken still not have been repaired. There has been no new major dam and irrigation system is built. That's why is so important that the integrity and maintenance of pump water infrastructure that exposes the public to drastic water shortages if not maintained and not kept in a sustainable, we lose up to 49% of nonrevenue water. This cannot be sustained and when water pumps burst, they also pose a risk to life and limb. Thank you.

Rev K R J MESHOE: Hon Deputy Speaker and hon members, in times of extreme weather, accidents are bound to happen, particularly where there is negligence, lack of maintenance of infrastructure and noncompliance are the order of the day.

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Where disasters have happened the ACDP has been gratified to see medical services that would appear timelessly and provide for individuals who lost their essential and the Home Affairs Department assisting those who lost their ID's. But Madam Deputy Speaker, that should not be the only thing that happens. Much more needs to be done because justice must be done. Where lives and properties are lost, there must be measures that are taken that people are not left on their own. It is the responsibility of those who own those dams to ensure that compensation is done, and government must ensure that those responsible are paying their dues.

The department, including the Department of Agriculture and Land Affairs, has failed to conduct the due diligence to ascertain whether the five dams on the property were compliant with the latest disaster that took place and whether those dams were registered with the relevant authority, as all dams must be registered. It was found that the previous owners who constructed the dams were required to obtain a dam safety license to construct the dam before commencing with the construction. But there is no record of any permit or license that was issued by the Department of Water and Sanitation.

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After the three dams burst because of heavy rainfall, there were warnings of the possibility of another dam collapsing, but the engineers were quick to intervene to avert the disaster. South Africa can learn from how other countries manage the thousands of public reservoirs and dams on farms. In Australia, for example, the penalties for not complying with dam safety regulations can be very severe, with the maximum penalties for corporations being nearly a AU\$1 million. These penalties are designed to ensure that the dam owners take their responsibility seriously and maintain the safety and integrity of their structures. The ACDP, as I close, believes that there is sufficient will to ensure that people who live close to dams are warned of the dangers when the dams burst. Thank you, Deputy Speaker.

*IsiXhosa:*

Mnu. N L S KWANKWA: Mphathiswa, sithi thina siyiUDM, umthetho ucace gca oku kwekati emhlophe ehlungwini ukuba imigaqonkqubo ifanele ilandelwe nangabantu abazakhela amadama. Kuyabaluleka ukuba bafumane amaphepha asemthethweni ukwakha la madama ukuze baqinisekise ukuba umthetho bayawulandela. Ingxaki yokunqongophala kwamanzi eMzantsi Afrika ikhona yona kwaye ebangela ukuba abantu benze amalinge okubanamanzi. Loo nto

ayithethi ukuba mababeke ubomi babantu neziseko ezingundoqo emngciphekweni kwiindawo abantu abahlala kuzo.

Enye into enokuba yingxaki xa kungalandelwa imigaqonkqubo kakuhle kukuba...

*English:*

... even the mere sediment buildup which puts pressure on the structural components of the dam would pose a risk...

*IsiXhosa:*

... nakula madama, asuke agqabhuke. Kubalulekile ukuba kubekho indlela isebe eliqinisekisa ngayo ukuba onke amadama, nokuba ngawabantu okanye urhulumente...

*English:*

...that there is proper monitoring and evaluation of dam safety on a regular basis. Perhaps, the period...

*IsiXhosa:*

... efanele ukuba isetyenziswe kukuba sijonge ukhuseleko lwamadama ngaphaya kweminyaka emihlanu, ingakumbi la akhiwe ngabantu. Kufanele ukuba uMphathiswa abenenkqubo yokwazisa

nezakuthi ikhuthaze abantu ukuba beze ngaphambili, babhalise amadama wabo. Loo nto iya kuncedisa ekuphumezeni...

*English:*

... the monitoring and evaluation of the dam safety.

*IsiXhosa:*

Kuyacaca ukuba bakhona abanye abantu abanamadama angabhaliswanga nangahambisaniyo nomgaqonkqubo wesebe wokhuseleko nangokomthetho. Kufuneka bakhuthazwe beze ngaphambili ukuze xa kuhlolwa ukhuseleko lwala madama ibengabokuqala ukujongwa ukuba bayilandele kusini na imigaqonkqubo karhulumente.

*English:*

The engineers must also be able to assess the structural integrity of the dams...

*IsiXhosa:*

... ukuze kungathi xa kukho izandyondyo zemvula kwenzeke le ntlekele ibikhe yakhona apha eMalmesbury nakwezinye iindawo. Kufuneka ngoku ubengathi uyaqiniswa umthetho ze kuthi kwabo bawutyeshelayo bewazi libengathi liyafakwa iswazi kanobomi. Makwenziwe umzekelo ngabo ukuze kungabikwavula zibhuqe,

kwaxhel'eyakhe akabuzwa apha eMzantsi Afrika njengokuba abantu bethanda ukuzenzela. Siyabulela.

*Xitsonga*

Tat S M GANA: Mutshamaxitulu, ndza khensa ku nyikiwa nkarhi lowu. Holobye, ...

*English:*

... as you know dam safety is a critical responsibility of your department. When dam fails and collapse, lives are lost, property is destroyed, the livestock and livelihoods are also lost. This we know. We even know how we got here. We have the laws, but we are not implementing them. We need to be honest here...

*Xitsonga:*

... Holobye, ...

*English:*

...we are being soft on each other. Because it is either a government department, a state entity, or private investors that are owning these dams. Being soft on each other has got us here. This we know. But as it is said, knowing is not

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enough. We must apply and willing Minister, is also not enough, we must do.

*Xitsonga:*

Hi Xitsonga, hi ri: Mitirho ya vulavula.

*English:*

The National Water Act empowers you, Minister. It empowers you to act on dam owners who are not compliant. This must therefore be done with serious intention. We must be intentional that the committee in this House must be furnished with regular updates on the work of the dam safety office and its capacity.

In addition, the department must also move towards employing technology to monitor and police dam safety rather than relying on human and manual processes. I must say this, hon Minister, I found it very interesting that in your statement around dam safety, you sneaked in the middle tower issue. That has nothing to do with dam safety. We know it has nothing to do with dam safety. Unless this particular statement that you are making today, its intention was around the middle tower issue. If that was the case, you need to be honest with us. Because somewhere, it just happens on two paragraphs that it

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just came in. It is some kind of a political footwork. That you are performing on the middle tower and it might very well needs a statement on its own because that particular issue is not a damn safety issue. It is not connected with this particular issue. But I will remind you...

*Xitsonga:*

... leswaku: E-e, mitirho ya vulavula. Ndza khensa, Mutshamaxitulu.

Ms N L WEBSTER: Hon Deputy Speaker, we welcome the statement on dam safety across the country and the colleagues' contributions and responses to that statement. However, this is but one of the issues and problems facing water affairs in South Africa and they are issues that we cannot ignore. If you are spending time in communities across South Africa, we cannot ignore the issues that are faced and some of which are a crisis in some of the municipalities in this country.

The latest Blue and Green Drop reports from December while they found that Gauteng had the highest percentage of water systems with excellent or good performance, followed by Western Cape found that the Northern Cape had the highest percentage of water systems which had poor or critical

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performance and this has deteriorated since 2014. You can say the same about the Free State where there has been a deterioration between 2014 and 2023.

The SA Human Rights Commission has reported on mismanagement of water resources by municipalities. They have reported on lack of skills and lack of maintenance. The national water system is crumbling and the department knows about this. There are places and Brits that have not had water for about six months. There are reports of extortion eThekweni Metropolitan Municipality from water tanker providers because there is no water in those areas. Minister, it is up to you to turn this ship around.

In terms of provision of water reticulation of water to households, your hands are not tied. The Water Services Act makes it possible that where municipalities are failing to provide this human right, you are able to hand over that authority either to NPOs or to local service providers that can perform that function. We urge that you launch an investigation to ascertain which municipalities are failing to distribute water and to instruct for the transfer of that distribution to entities that can be capable until the municipalities are able to turn the situation around. We

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should not be surprised that we have an imminent water crisis because it has been hiding in plain sight and the government has either been indifferent or has not actually had the political will to change the situation, but we urge you, Minister, there are communities that are in dire need for a turnaround to this matter. Thank you.

Adv S SALIE (Al-Jama-ah): Deputy Speaker, *As-salaamu-alai-kum* [Peace be with you.] to all. Al-Jama-ah commends the Department of Water and Sanitation for its investigations into the collapsing of the four dams in the Riverlands and Malmesbury during the winter month of August, but it's a bit too late. The flooding of Riverlands left 157 families, about 447 people destitute. While we are thankful that there were no injuries or fatalities, we trust that measures are in place to compensate the losses that residents incurred due to the floods.

Currently there are 70 families scattered, some living with families and friends, whilst others who could no longer be the inconvenience, move back into their damaged homes even though it's not safe.

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There must be accountability as to the losses these families suffered. Who's providing them with material to rebuild the damaged homes. We need to know whether these families will be compensated for the damaged properties, one month and three weeks later since the incident.

Residents in Riverlands ... [Inaudible.] ... and Chatworth still do not have water. In some areas the water trucks arrive as late as 11:00 at night and no empathy for the sick older persons and people with disabilities.

The Swartland Municipality refuses to help people who live on an area called Landbou, saying it's private property. The fact is those people were affected by the floods and they have a right to social assistance.

The dams were privately owned for many years before being sold to national government in 2019. The cracks, lack of maintenance and other false should have been noted by national government, at the time of purchasing. The lack of provincial oversight in these dams, whilst these were private owned must also be investigated.

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The Department of Agricultural, Land Reform and Rural Development failed to inspect the condition of the dams at the time when it became the custodian of the property. This department must explain why it failed to meet the legal obligation to register the dams as required by section 122 of the National Water Act. They were indeed playing with people's lives, meagre belongings and property.

Al-Jama-ah calls on the department to ensure that all the affected residents must be consulted on the loss of material belongings and help rebuild their homes. Lack of accountability, compliance, responsibility and oversight is the reasons why this community continues to suffer from negligence and the lack of care by those they entrusted. I thank you.

Mr F ADAMS (NCC): Deputy Speaker, good afternoon colleagues, good afternoon progressive caucus. Our Minister, it was a very interesting statement. The progressive caucus expected you to be scathing about the issue of what happened in the Riverlands. Where people with money and no respect for the law and youth process, play with the lives of those who don't have.

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Minister, the answer to all of this is very, very simple. All dams and catchment areas must be nationalized as a matter of priority. The reason for this, Minister. You've heard the FF-Plus, you've heard the DA, you've heard them try to justify, one person should own all of these. There's no justification for that, Minister. It's a stupid argument.

Minister, at this critical stage, this country needs the ANC to come back to the centre and fight for a better life for all. Instead of standing by and watching the privilege do with us what they want. Thank you.

Mr S L DITHEBE (ANC): Deputy Speaker, hon Minister, Deputy Ministers, hon members, today I dedicate my speech to the people of Giyani in the nine villages that total 487 households, which have not had water for years and now have it.

From the Nandoni and Sami dams, and this water is treated and reticulated to them, hon Mohlala. We are also pleased that this Department of Water and Sanitation owned dams, will further bring relief to 15 more villages by December 2024. Which villages currently source water from communal taps. And

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31 more villages thereafter will have water reticulated to them at a composite cost of R5,5 billion.

And may I emphasize that this is just phase two of what was started with the nine villages, which would be followed by 15 villages. Which 15 villages, as I said, now receive water from communal taps, but everything is on course to ensure that they receive water.

Hon Deputy Speaker, this demonstrates that no problem is insoluble as long as we live, working with the people, we will help solve their problems and help enhance their safety and wellbeing.

Same with the topic of dam safety. It is important to recall that not all of the 5703 dams across the country are, for purposes of impounding raw water for treatment and drinking purposes later. Some are tailings dams, such as the Merriespruit tailings Dam which failed, on the 22nd of February 1994. Killing 17 people and destroying hundreds of homes and other movable assets, as well as the Jagersfontein Dam in the Kopano Municipality in the Free State, which tailings dam failed on the 11th of September 2022, thereby

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killing three people, with one missing and destroying hundreds of movable and immovable properties.

In such manmade disasters as these, there are always grave concerns about the possible slippage of radioactive elements into the local water sources and the hazards that this poses to humans and animals, both physically and otherwise.

Does the ANC commend, Minister, Majodina swift responsive, transparent and accountable reaction, to the handling of the four dams that collapsed in Riverlands area near Malmesbury in the Western Cape Province? We are satisfied, Minister, that you have your skin in the game. And your heart in the right place to ensure that no violation of the Water Act 36 of 1998 to reform this sector goes without consequences against those that are in violation of the law.

We call upon the Department of Water and Sanitation to put in place the requisite measures to address the illegal dam developments, especially in the agricultural sector. We welcome the actions to focus on prioritization of dam safety and progressively addressing the current dam safety evaluation backlog to safeguard our country's water resources and prevent future disasters, hon Ndlozi.

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We build dams in the main to store water and guarantee constant water supply for domestic and commercial use to ensure the rights of citizens, empowered by economy. Unsafe dams pose a serious threat to humans and animals and property, as well as the environment.

We thus, urge the Department of Water and Sanitation to take proactive steps to address illegal dam construction, particularly in the agricultural sector. This is important given the fact that ours, is a water scarce country and what water sources and resources there are, must be protected for sustainable use, because failure to do so poses national risk, both economically and from a security point of view.

We support the Minister's call for all dam owners to register their existing dams and submit effective measures that guarantee dam safety and compliance with our existing dam safety legislation. We should never have another Merriespruit, Jagersfontein and Riverlands disasters on our hands.

It has come to our attention that there have been instances where some farmers have built dams on their farms. However, while doing so, they close off river tributaries, going down the streams that supply water to communities living next to

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these farms. These illegal activities pose a serious risk to the availability of an already scarce resource, that water is. For this reason, we urge the department to go through the 2022 Water Summit resolutions, that the department itself convened to address water resource issues, including groundwater.

Hon Deputy Speaker, while he keeps quiet to address the persistence of illegal and unsafe dams in the country highlights weaknesses in the existing water related legislation and requires that the department move with speed in introducing the proposed amendments.

Currently, the existing legislation requires the Minister to issue section 118 directives to dam owners that fail to comply with legislation, including the registration of dams once they are built. And when they have failed, or when they fail to comply with dam safety measures and regulations must be affected.

In the interim, we wish to applaud and encourage the department to continue using this legislation to enforce compliance.

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Hon Deputy Speaker, some members have come here, Hon Webster has spoken very eloquently, but unfortunately, she was addressing very irrelevant issues, because it is about dam safety that we are concerned about. The blue drop, green drop and no drop reports will have time to debate those and when that time comes, please come and repeat the speech you made here, because yours, your speech today was not relevant.

And to those of the party of ubaba waseKwaDakwadunuse, it is inconceivable that we could have every little dam nationalized. It doesn't make sense. Actually, Manyi, if you go to the 5703 dams, that department owns only 6%, but that might be very misleading because of the 6%, it owns the largest volume of all of those dams, more than any other privately owned land.

Now, it is important that we understand that this is part and parcel of transformation and that we need to make sure that we got this very important resource, that is water, but it is dam safety that we are concerned about at this point in time. You know, we must refrain hon members, from opportunism ...

[Interjection.] [Time expired.]

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The MINISTER OF WATER AND SANITATION: Let me thank you all for your contributions this afternoon. The buzz word here is that the department must ensure that we enforce the law and put up measures to do evaluation and assessment across 5 703. That's the buzz word here. It is connected, hon Gana.

*Xitsonga:*

Swa hlangana, nkulukumba Gana. Leswi swa Middle Letaba Dam, swi hlangana kahle na leswi hi vulavulaka hi swona laha.

*English:*

The catchment dams that are built around the Middle Letaba Dam. Therefore, they are causing dam safety to the communities there. So, the preliminary report that was rejected by the people there said, those dams must close down. We had to do due diligence to check the impact of those dams. Therefore, they fall within ... It was not a political statement. If we want to make a political statement on the Middle Letaba Dam we will come here. We don't fear anything.

*IsiXhosa:*

... siza kuza siyithethe apha kule ndawo, kule ...

*English:*

... podium. On the issue of licences, surely we cannot nationalise dams. The Water Act is very clear on what is the responsibility of a dam owner and what is the responsibility of a department. We (Thina) play the role of regulation of the Act. However, when it comes to ownership of dams, the Act is very clear that those who are owning dams, must be compliant.

Today, this House is saying that we must ensure that compliance is enforced. On the issue of Jagersfontein, ...

*IsiXhosa:*

... awuzange utshintshe phaya kwaPrasa wena, yima.

[Kwahlekwa.]

*English:*

On the issue of Jagersfontein, we have received the report now that might assist us to ensure that people are held liable for what has happened there. Already, the Premier of the Free State has handed out houses as part of rebuilding the lives of the people of Jagersfontein. Unfortunately, ...

*IsiXhosa:*

... undikhombela ntoni ngoku?

*English:*

The DEPUTY SPEAKER: Hon members, please, talk through the Deputy Speaker.

The MINISTER OF WATER AND SANITATION: That tailing dam was not under our watch. Remember, that dam is linked to mining hence the first people who went there were from the Department of Mineral Resources and Energy at the time. Nevertheless, we had to come in because tailing dams are part of the dams. The primary responsibility at the time was linked to the Department of Mineral Resources and Energy.

On penalty and punishment, we fully agree with hon members that those who are not compliant must be penalised, punished and must take responsibility for all the wrongs caused by them not being compliant. Let us implement the laws, that is what the hon members are saying here. We do agree. However, it is difficult ...

*IsiXhosa:*

... into yokuba uyazi ukuba amadama angabhaliswanga aphi.

*English:*

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For instance, the dams that we are talking about from Riverlands, those dams are built on the stream. If you are not a dam engineer like, hon Ndlozi, you cannot see those dams because they are built on the stream. They just block the stream, build a dam and they don't use concrete. So, when you pass by, you think it is just a stream whereas it is a dam inside the stream. They are not built onsite outside but they are built on the stream. When dam four collapsed, it affected dam three, dam three affected dam two, dam two affected dam one. Then, dam one flooded to the township, that is where havoc was caused.

Therefore, we are saying that even if a person has built or constructed a dam on a stream - a dam is a dam - if it meets the requirements ... [Laughter.] ... it must then be registered accordingly. Therefore, we are making a call that all those who have dams must assist us. Also, we are working with municipalities that when they do their audit in terms of their space, they must assist us by giving information of the dams. That will assist us in knowing which dams are registered and which are not registered.

We will decommission - I think that is what you want to hear, hon Ndlozi - the dams that have been there for quite some time

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and fail to register. For Instance, these Riverlands dams were constructed between 1960 and 1989. That is how long they were constructed. Many of those privately-owned dams constructed at that time had no licences or permits to operate, hence our intervention.

*IsiXhosa:*

Andiyazi ukuba sibethelwa ntoni xa sisithi nantsi ingxaki kwaye sisiza nayo apha. Kuthiwa, hayi mawabephantsi korhumente la madama. Ayikwazi ukwenzeka loo nto. Into ekufuneka yenzeke kukubeka imimiselo emayithotyelwe apho kufaneleke khona. Kuphuma nina ke, kuba niyafika kaloku, nisebatsha iinyawo zisemanzi. Yonke into iza kulunga ethubeni.

Wena Manyi kudala ujikeleza apha uqala kweli iqela, usuke uye kweliya neliya, wakugqiba uthi uza kukhupha thina apha. Siza kukhupha wena apha ekuzuleni. Uzula kakhulu wena. Kumcimbi wamadama siza kukhupha imimiselo emayithotyelwe. Wena ngomso unganxiba ngapha, ngomso unxibe kwiDA kuba ujikeleza oko. Amadama wona siza kuwakhuphela imimiselo emayithotyelwe kwaye sime kuloo nto. Enkosi kakhulu.

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RATE, WITH EFFECT FROM 1 APRIL 2023, AT WHICH SALARIES,**

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**ALLOWANCES AND BENEFITS ARE PAYABLE TO THE AUDITOR-GENERAL  
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**CONSIDERATION OF DRAFT NOTICE AND SCHEDULE DETERMINING THE  
RATE, WITH EFFECT FROM 1 APRIL 2024, AT WHICH SALARIES,  
ALLOWANCES AND BENEFITS ARE PAYABLE TO THE AUDITOR-GENERAL  
ANNUALLY**

Mr W W WESSELS: Thank you, hon Deputy Speaker. Deputy speaker, the remuneration of heads of institutions supporting democracy, including the Auditor-General, Agsa, involves a process that is designed to be transparent, follows a clear legislative framework and involves recommendations from independent bodies. The Public Audit Act prescribes the process to be followed when determining the Auditor-General's remuneration.

In terms thereof, the President must consider the recommendations of the Independent Commission for the Remuneration of Public Office Bearers. That commission, on its account, takes recommendations and advice from the remuneration committee established in terms of the Public Audit Act.

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The President considered the recommendations made by the commission and submitted a notice to Parliament. The President's notice informs us that the recommendation is that the Auditor-General receives a salary increment of 3% for the 2023-24 financial year, and at 2,5% salary increment for the 2024-25 financial year.

The recommendation took into account the role, duties, functions and responsibilities of the Auditor-General and, also, took into account the current fiscal position and budget constraints faced by the country. It is important that whilst we remain vigilant regarding the fiscal constraints, the remuneration of the heads of institutions supporting democracy should be well aligned with the private sector and be competitive as to attract suitable and competent individuals.

Chairperson, the increases will amount that the salary of the Agsa for the 2023-24 year will be R5 551 713 and for 2024-25 will be R5 690 506 per annum. The Standing Committee on the Auditor-General considered this notice by the President and we recommend that the National Assembly approves the President's determination in relation to the 2023-24 and 2024-25 remuneration of the Auditor-General. I thank you.

*Declarations of Vote:*

Ms E R J SPIES: Hon House Chair, hon members and fellow citizens, as a concerned Member of Parliament, I rise today to emphasise the critical importance of the Office of the Auditor-General, the Public Audit Act and the determination of the Auditor-General's remuneration rate. The Office of the Auditor-General, as the nation's supreme audit institution, is a key pillar of our democracy, ensuring transparency, accountability and effective governance in the use of public funds, thereby building public confidence and trust in the nation's finances.

As outlined in the National Assembly Rule 251, the Standing Committee on the Auditor-General oversees the Auditor-General and performs functions specified in the Public Audit Act. This includes auditing national and provincial state departments, constitutional institutions, municipalities and various other entities and state-owned companies. Notably, the Auditor-General's office is mostly self-funded, receiving no government appropriation, except as per section 23 of the Public Audit Act, and consults on its budget solely with the Standing Committee and National Treasury.

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Having served on the standing committee and the preceding ad hoc committee that appointed the current Auditor-General, Ms Tsakani Maluleke, I have witnessed firsthand the outstanding work done by her office. Under her leadership, the office has demonstrated exceptional professionalism, achieving remarkable results, recovering financial losses amounting to R1,29 million, preventing financial losses of R560 million and currently processing R700 million in financial losses.

A fair, reasonable and competitive remuneration package ensures the Auditor-General's independence, credibility and effectiveness. The interconnectedness of these three components is vital in promoting accountability and transparency in government finances, maintaining public trust and credibility in institutions, supporting the fight against corruption and maladministration.

Therefore, as the legislative authority, it is essential that we strengthen the Office of the Auditor-General's independence and capacity; that we ensure that the Public Audit Act remains effective and relevant; and determine the Auditor-General's remuneration rate in a fair, transparent and fiscally responsible manner. In doing so, hon Chair, we reinforce the foundation of good governance, accountability and

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transparency, serving the best interests of all the people of South Africa. Hon House Chair, with these two remarks, the DA supports the report. I thank you.

Mr J A MNGXITAMA: Hon Chair, please protect me from Mrs [Inaudible.] [Interjections.] Hon members, the MK Party has noted the important work done by the Auditor-General of South Africa, in line with the Constitution and the Public Audit Act of 2004. This is one of the foremost institutions supporting constitutional democracy and accountability. The MK Party believes that the independence of the Agsa, which stems from the Constitution, is sacrosanct and undertakes to do everything as the official opposition to defend this position.

We are satisfied, as the MK Party, that the Agsa, as the supreme audit institution of our country, meets the very high standard it had set and expects from its auditees. In our contributions to the standing committee, the MK Party highlighted a number of critical risks arising out of the additional powers bestowed on the Agsa. This must be exercised with caution. The MK party supports the recommendations of the Independent Commission to approve the salary allowance and benefit of the Auditor-General by three and 3% and 2,% for the

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2023-24 and 2024-25 financial years, respectively. I thank you.

Ms K N F HLONYANA: House Chairperson, let me begin by giving greetings to the commander-in-chief, president Julius Malema, commissars, fighters and ground forces. House Chairperson, in a country like ours, where corruption, maladministration and financial mismanagement by the ANC have long crippled our state institutions, the Auditor-General plays an indispensable role in safeguarding the integrity of public finances. The work of Auditor-General has had a profound impact on uncovering widespread irregularities in municipalities, state department and state-owned entities.

Through thorough and independent audits, the Auditor-General has not only exposed billions in wasteful expenditure, but also has helped identify systematic weaknesses in how public resources. Managed the work of safeguarding the financial integrity of the entire nation cannot come cheaply, nor should we ever treat it as expendable. However, we must also ensure that this increase is in line with principles of fiscal responsibility.

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The EFF also emphasises that salary increases of key public officers must be matched by clear performance targets and accountability measures. While the salary of the Auditor-General is a matter of importance, it is a bigger issue at hand. It is ensuring that the office continues to function as the guardian of public funds. We must support and strengthen the work of a GSA by ensuring that the auditees that owe the office, pay up. It cannot be that the office is owed more than R1 billion in audit fees by municipalities, government departments and SOEs, and it remains business as usual in South Africa.

A better funding model in of this institution must be implemented, and the EFF will be in the forefront of protecting this office from those wanting to do it harm. Furthermore, the Auditor-General must play a pivotal role in ensuring that the portion of procurement is local. It is her responsibilities as well to drive the nation through industrialisation. Police uniforms must be procured locally. The food for school feeding schemes must be procured locally. The EFF supports the proposed remuneration. I thank you.

Mr N M HADEBE: Hon House Chairperson, one of the most important independent constitutional institutions is the

Auditor-General. The Auditor-General operates as the highest auditing authority in the Republic. The Office of the Auditor-General, AG, is entrusted with the task of monitoring and reporting on the spending of public funds at all state institutions, effectively, promoting transparency and accountability. Furthermore, the work of the AG helps Parliament fulfil its oversight role.

A developing country requires strong mechanisms to safeguard the public purse. The AG's report gives both the legislature and citizens the opportunity to scrutinise those in Public Service. Investigations into irregular, unauthorised, fruitless and wasteful expenditure have been a recurring issue in South Africa's recent history costing the state billions of rands.

However, as it is designed by law that these reports are made public it is now common knowledge that in the 2021-22 general report the government lost close to R12 billion due to suspected fraud and noncompliance with legislation.

The IFP has consistently commended the exemplary work done by the AG. Furthermore, the IFP was one of the first parties to call for the enhanced powers of the AG. We also voted in

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favour of the expanded powers of the AG allowing the office to take binding remedial actions against accounting officers of departments and officers of departments and entities where material irregularities have been uncovered. This is because the IFP understands what it at stake. The Auditor-General plays a crucial role in ensuring the responsible and efficient dues of state funds for the benefit of our people.

In consideration of the issues we have raised, the IFP accepts the recommendations. Thank you.

Mrs H DENNER: House Chairperson, the FF Plus supports the recommendations by the committee.

Mr T K S LETLAPE: House Chair, we hope in the Seventh Parliament it won't be business as usual. The Auditor-General does a good job every year, but nothing comes out of those issues. There has to be a better consequence management, and we hope the Auditor-General will be funded even more so that we can have prognostic commentary on the structures that they audit. If the place cannot work, we need to know. If we need to have replacement, we need to know. We need to be an active Parliament that takes action to fix matters. What is the point of recalling an artisan to come and tell you that your roof is

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leaking, but you do nothing about the leaking roof. They come next year, and it is leaking even more. The support structures are being impacted upon.

It is time we get value for money so that we cease to be a failing government. We have to get out of being a failing state when you have a fully functional Auditor-General that gives us reports and nothing comes out of it. Let us be a Parliament of action to save our nation.

We support the budget, but we expect more from those that are being reported upon. There has to be accountability to heads of department. We have municipalities that do not function. We have health departments, like the Gauteng Department of Health, that should be taken over.

Chair, can we ensure that we get value for money and stop spending money for few returns.

Mr S N SWART: House Chair, the ACDP supports the report. But I just want to add to what the previous speaker has alluded to. Next month we as Parliament will be embarking on the budget review reporting process where committees will be considering departmental annual reports and here is where the AG's report

will be included in those reports. Obviously, that is for the previous financial year.

When departments receive qualified report or even disclaimers, corrective action must be instituted. You will find that the AG's office would come to the portfolio committees and give a briefing as to the previous financial year. We as Parliament previously amended the Public Audit Act to give the Auditor-General additional powers, particularly when it comes to material irregularities. The AG has reported that the issuing of a material irregularity notification to accounting officers often jousting into action to address irregularities and transgressions that they should addressed previously. We saw that in the recent municipal report as well.

But we can take the steps further when it comes to consequence management. When it comes to reclaiming funds, we can request the AG in terms of the Public Audit Act to give us an indication of the steps that are being taken where a material irregularity has been found and where a notification has been issued, and they should. As the previous speaker from the ActionSA said far more consequence management, and far more funds should be collected. The AG has those powers, and we would urge them to take those powers and enforce them.

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Lastly, I fully support the sentiments about the funding model. Auditees must pay their dues otherwise the Auditor-General's office is severely impacted. I thank you.

*Xitsonga:*

Tat S M GANA: Mutshamaxitulu, ndzi khensa nkarhi lowu u nga ndzi nyika wona. Ekusunguleni ndzi vurile leswaku mitirho ya vulavula.

*English:*

When we consider these reports, we must ask ourselves whether the Auditor-General has done enough to deserve an increase. The answer to that question is, yes. The Auditor-General has done enough and therefore she deserves an increase. The Auditor-General deserves an increase because maybe the next Auditor-General might not be the same one now. Not only in terms of auditing the departments and municipalities, but also assisting ourselves as Members of Parliament in holding the executives and the entities accountable. If it was not the work of the Auditor-General we wouldn't know the extent of looting and the stealing of public funds that is happening in our municipalities and provincial government, state entities and everywhere else.

From ourselves as Rise Mzansi we say that the Auditor-General deserves an increase for both the years as stipulated in the report and we fully support the report

*Xitsonga:*

Ndzi khensile swinene, Mutshamaxitulu

Mr F ADAMS: House Chairperson, while the NCC is in support, we have concerns. With clean audits being flouted by the City of Cape Town, yet people before the courts for R850million worth of fraud. It leaves serious questions. The integrity of the Office of the Auditor-General can never be called into question. That's all, Thank you.

Mr S I SUBRATHIE: Hon Chair and hon members ...

*Islamic:*

... as-salamu alaykum ...

*English:*

... and good afternoon. The ANC supports the report of the Standing Committee on the Auditor-General regarding the determination of the remuneration of the Auditor-General in South Africa. We debate this report after the passing of

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former Minister Pravin Gordhan. He was a fearless freedom fighter and nation builder who in this time in government tackled many of the issues the Auditor-General had raised as challenges in the governance system. By strengthening the Auditor-General as the government of national unity in the Seventh administration, we will be honouring the lives of those who have died for our freedom as we prepare to celebrate Heritage Day.

In this month we also celebrate 130 years ... [Interjections.]

Dr M Q NDLOZI: On a point of order, Chairperson. We are making a declaration on the Auditor-General and he is raising fallen heroes and funerals. This is a point of relevance

The HOUSE CHAIRPERSON (Mr C T Frolick): No, that's not a point of order, hon member. Take your seat, hon member. Proceed, hon member.

Mr S I SUBRATHIE: In this month we also celebrate the 130 years of the Natal Indian Congress which also contributed to the liberation struggle in South Africa.

The report before us is related to the remuneration of the Auditor-General as head of an institution supporting democracies, ICDs. They are remunerated in terms of the Determination of Remuneration of Office Bearers of Independent Constitutional Institutions Laws Amendment Act.

The ANC notes that in the Sixth administration the Auditor-General has had to implement the Public Audit Amendment Act which the ANC had advanced to deal decisively with the levels of financial mismanagement in the Public Service by giving the AG the necessary teeth and more powers to follow up and ensure consequence management due to material irregularities. The Auditor-General of South Africa, AGSA, as its core mandate has always ensured that public funds are used efficiently, effectively and for the intended purpose. This amendment, that the Public Audit Amendment Act, resulted in positive outcomes which the current AG has focussed on its implementation. For the national and provincial governments as was alluded to earlier, R1,29 billion in financial losses was recovered whilst R560 million was prevented.

Concerning the Municipal Financial Management Act, AG report focussing on local government, R924,1 million was recovered.

In the evolving landscape of governance and public administration accountability, transparency and integrity are foundational principles that underpin effective and equitable management of public resources.

The AGSA is ranked amongst the best auditing institutions globally. This is an indication that amongst us in the public sector we have the best minds in the field of accounting. The AGSA goes beyond the traditional financial audit utilising the elements of performance audit to provide comprehensive evaluations of the public sector efficiency. These are embodied in the reports we see from time to time. We emphasise that the 2,5% to 3% adjustment in the financial years provides much-needed relief in a period where the cost of living is high due to inflation which was 6% in 2023. The increase rate factors in the economic conditions and the state of the fiscus which requires prudent dues. We commend the dedication of the AGSA and her team. They have chosen the Public Service over lucrative private sector opportunities. Their hard work is reflected in the consistence commitment to the country's development and transformation.

It is crucial that accounting officers timeously implement the reports of the AGSA and consequence management should be

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implemented as poor outcomes are also related to the level of quality of expenditure. To achieve these outcomes various stakeholders and the accountability ecosystem have to play their role including the hon this House, our Parliament.

Hon members, we are concerned that cumulatively several state institutions owe the AG over R1 billion. If paid, it would enable the AGSA to continue building its capabilities in the digital age and to enhance its capacity and capabilities. The strengthening of the AGSA will further improve financial management as it provides required advice and feedback to state institutions in the audit sector.

As I conclude, the ANC remain steadfast in advancing an ethical and capable development state which respond to the needs of our people and addresses the injustices of the past towards creating a national democratic society which is democratic, nonracial, nonsexist, equitable and prosperous nation. The fact that all parties have stood here today and supported the budget and the recommendation is an ample proof that the AGSA is a national asset and it must be protected at all times. I thank you.

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Report adopted and Draft notice and schedule determining the rate, with effect from 1 April 2023, at which salaries, allowances and benefits are payable to the Auditor-General annually accordingly approved.

Report adopted and Draft notice and schedule determining the rate, with effect from 1 April 2024, at which salaries, allowances and benefits are payable to the Auditor-General annually accordingly approved.

**CONSIDERATION OF DRAFT NOTICE AND SCHEDULE DETERMINING THE  
RATE, WITH EFFECT FROM 1 APRIL 2023, AT WHICH SALARIES,  
ALLOWANCES AND BENEFITS ARE PAYABLE TO MEMBERS OF THE  
ELECTORAL COMMISSION ANNUALLY**

**CONSIDERATION OF DRAFT NOTICE AND SCHEDULE DETERMINING THE  
RATE, WITH EFFECT FROM 1 APRIL 2024, AT WHICH SALARIES,  
ALLOWANCES AND BENEFITS ARE PAYABLE TO MEMBERS OF THE  
ELECTORAL COMMISSION ANNUALLY**

*Xitsonga:*

Tat M S CHABANE: Mutshamaxitulu ...

*English:*

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... and hon members. We consider this notice following the conclusion of the 2024 national and provincial elections. The work of the Independent Electoral Commission, IEC, in line with its constitutional mandate, has always been a critical matter of oversight for the Portfolio Committee on Home Affairs. The committee, therefore, will express itself on the work of the Home Affairs upon receipt of a comprehensive report of election, as well as its annual performance, and it will be tabled in this House before the end of this year for consideration. We highlight this, House Chair, noting issues which were raised in the committee meeting before we can receive this report. The Portfolio Committee on Home Affairs have been considered the draft notice of the President determination of salaries, allowances of members of other institutions, including the Commissioners of the Electoral Commission of SA, ECSA.

A notice stated on 8 May 2024 was received by the President of the Republic, requiring the National Assembly to consider the determination of salaries and allowance of various institutions, including the IEC, in terms of determination of remuneration of office bearers for the financial year 2023-24 and financial year 2024-25, usually required by end of financial year. Section 219(2) of the Constitution of the

Republic of South Africa provides that national legislation must establish framework for determining salaries, allowances and benefits of office bearers of Chapter 9 institution and members of commissions provided for in the Constitution, including the Electoral Commission referred to in Section 192 of the Constitution.

Section 7(2) of the Electoral Act provides that the condition of service and remuneration allowances and other benefits of Commissioners shall from time to time be determined by the President after consultation with the commission established by Section 2 of the Constitution and a distinction may be made between the Commissioners appointed in full-time and part-time capacity. The President received annual salary recommendation from the public office bearers of independent constitutional institution from independent commission for the remuneration of public office bearers. The Commission recommended 3,8 salary increment for all categories of public office bearers, including members of the independent constitutional institutions.

The President considered the commission's recommendation and serious economic challenges facing the country and decided on the 3% increment for all members of the independent

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constitutional institution. The one part-time IEC Commissioner is a judge, and as such, is remunerated in terms of the Section 2(4) of Judge Remuneration and Condition of Employment Act 47 of 2001. The committee, having deliberated, concur with the President's determination on the remuneration of adjustment of IEC Commissioner that an increase of 3% be implemented for the 2023-24 financial year, at 2,5% for 2024-25 financial year, for chairperson and other full-time Commissioners. A part-time Commissioner would be remunerated a daily rate or hourly rate, calculated on the basic salary of judges of the High Court.

Hon members, in our deliberations we must keep in mind the need to ensure that the commission require adequate skills and experienced Commissioners, to ensure that our electoral systems are responsive to the current challenges. The salaries increment considered by the President of the IEC Commissioners, is below the annual inflation and has taken account of our economic challenges. The committee recommends that the National Assembly approved the notice determining the remuneration of Commissioners of the IEC.

*Xitsonga:*

Ndza khensa.

*Declarations of vote:*

Mr A C ROOS: House Chairperson, we are here to consider a retrospective salary adjustment of 3% to be implemented for the 2023-24 financial year and two and a half percent for the 2024-25 financial years, for the chairperson and other full-time Commissioners of the Independent Electoral Commission. This is down from 3.8% recommendation of the President received from the Independent Commission for the Remuneration of public office bearers, who considers the annual salary adjustments for public office bearers of the independent constitutional institutions. Now this is not a performance bonus, but it serves to keep the role more or less in line with inflation.

The DA supports the salary adjustment to keep the IEC Commissioner salaries in line with the rates required to attract the highly capable and specialised individuals who are required to fill these critical roles. The IEC is responsible for one of the most important democratic functions in South Africa, ensuring that we have free and fair elections, and we need the best of the best to steer the ship. The salary increase is substantially below the rate of inflation, and in no way comparable to the astronomical and overinflated increases we saw across the public service during the state

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capture years. The state capture era emptied our coffers, hollowed our state institutions, and sent our economy into a tailspin.

How many of the architects of state capture and the situation we find ourselves in are proudly seated to our left in this House, whose benches read like a roll call of the Zondo Commission? Are these opponents to the salary increase for IEC Commissioners, or have you believed that increases to these roles must be determined by the performance of the individual, which is very ironic, and not by their skills and competitive rate needed to fill the posts? This is simply irrational. What the opponents to this increase fail to see is that without a competitive salary, when it comes time to fill the post, if it's not competitive, you will not be able to attract the skills needed to fulfil the constitutional mandate of the Commissioners, and ultimately, you will undermine our democracy.

We agree that an electoral review is critical, and that senior leadership needs to be held accountable. By all means, challenge bonus payments to IEC Commissioners and challenge the suitability of Commissioners to hold that office, but we cannot afford to devalue the office itself. The DA believes

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that we must build a capable state, and this means paying for specialist skills and services. We must be careful that the salary after all is not determined by the performance of the individual in that post, doing this with disregard standard procedures when determining salaries to ensure that the skills required for the position are acquired. For example, Home Affairs general management positions increase, they've received over the top salary increases since 2009, while they've struggled to appoint, a suitably qualified Chief Information Officer, CIO, in recent times, as the salary for that role is too low.

Now, without the strategic and expensive resource, system down time increased in the alarming rate over this time period. So, we need a capable state that can attract top professionals with a laser like focus on fulfilling the mandate of the IEC. The DA is in support of the proposed remuneration adjustment of the IEC Commissioners and recommends that the National Assembly approve the notice determining the remuneration of Commissioners of the Electoral Commission of SA. I thank you.

Mr M MANYI: Chairperson, His Excellency, President Zuma, is conveying his greetings to everyone here.

*IsiXhosa:*

I-IEC ayisafani.

*English:*

The Brigalia Bam, Prof Mandla Mchunu IEC was a beacon of hope. That IEC knew that every vote counts while this IEC dismisses genuine complaints of vote rigging and characterise them as immaterial. This IEC dismisses efforts of our gogos who braved the weather and enjoyed long queues at the polling station to cast their votes. They say their votes lack materiality. Wow. This IEC has no regard for constitutional rights of individuals to vote. They say your vote is immaterial. This IEC has some of its Commissioners mired in a whole range of alleged corruption elsewhere in the continent and in the country. This does not inspire confidence.

This IEC is clouded with allegations of being even collaborators with the Central Intelligence Agency, CIA, a strategic enemy of developmental and the colonisation agenda. The IEC requires us to have unquestionable moral authority. The MK Party demands an IEC with ethics and integrity that are beyond reproach. The MK Party demands that the IEC does not put the country at avoidable risk of unrest. It is totally irresponsible to be discussing salary adjustments of this IEC.

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This EIC must be overhauled so that 2029 can represent the real will of the people, not a predetermined outcome. As the MK Party, we reject these salary adjustments with contempt, as irrational ... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members.

Mr M MANYI: We are calling for a revamp of the IEC so that we have a proper IEC that we can believe ... [Interjections.]

Mr V G REDDY: Point of order, Chairperson.

*IsiZulu:*

Mnu M MANYI: Gwaza Mkhonto, gwaza!

*English:*

Mr V G REDDY: Point of order, Chairperson.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members.

Hon member, why did you disrupt your Chief Whip?

Mr V G REDDY: Hon Chairperson, the member there needs to get a breathalyser test. I am worried she might be under the influence of alcohol ... [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): It is not a point of order.

Mr V G REDDY: She's interfering with the speaker ...

[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, take your seat. It's not a point of order.

Mr V G REDDY: ... that's unparliamentary. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Please take your seat. Order.

Mr T P MOGALE: Hon Chairperson, the IEC is a critical institution of democracy responsible for ensuring free and fair elections. The independence of the Electoral Commission is crucial for maintaining public confidence in the electoral processes. While we support the 3% adjustment for IEC commissioners, we, however, have several issues we want to raise regarding the performance of the IEC in the recent 2024 national and provincial elections. The 2024 elections were amongst the fiercely contested elections thus far in the history of our democracy and have been in historic in the

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sense that for the first time in 30 years, independent candidates could stand for public office, and the ANC for the first time in 30 years was reduced to a 40% party. As important and historic as these elections were, they also exposed serious failures by IEC commissioners on numerous fronts. Voter Management Devices, VMD, abruptly stopped working on voting day, the queues at voting stations were long, with people having to wait hours just to cast their votes. What is even more sad is that some people were turned away from the voting stations. In the lead up to the elections, the IEC website kept going down and this meant that thousands of online registrations could not be processed on time, and this denied thousands of would-be first-time voters an opportunity to cast their votes.

When people were anxiously waiting for results, the results dashboard, the National Operations Centre, went down just like the VMDs and just like the website. We will remember the 2024 election as an election where every system of the IEC kept going down to the detriment of ordinary voters. We must remind the IEC that in South Africa the right to vote is very sacrosanct and it is not to be taken lightly, because it did not come on a silver platter. It came through years of struggle, pain, and death. Thousands of enthusiastic first-

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time voters were turned away on voting day due to section 24, which we warned and spoke against in the committee, because we know that many of our people are labour migrants, they are on the move, all the time. The IEC failed to do proper voter education on the three ballots, and what made matters worse is that in some of the voting stations, the IEC staff lacked sufficient training, and they were ignorant on how many ballots a voter is entitled to. Some people ended up being denied the full set of ballot papers. As we speak now, thousands of ordinary IEC temporary staff were still waiting to be paid. [Time expired.] Alright. We support.

Ms B E MACHI: Hon Chairperson, having carefully considered the submission by the portfolio committee, the IFP is in full support. Further, considering the Commission's recommendation and the serious economic challenges facing the country, a decision to implement a 3% salary increment for all members of the independent constitutional institutions is recommended.

Hon Chairperson, the role of commissioners is critical, and as such, it must be compensated accordingly, and in that way talented individuals can be attracted and retained in this role. It is for this reason that the IFP supports all efforts that seek to compensate a role in constitutional institutions.

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The process of determining the salaries and allowances of members of various institutions has followed the prescribed procedures espoused in our laws. As the IFP, we are therefore in support of these adjustments.

Hon Chairperson, the IFP has always adopted a stance of transparency when it comes ...

The HOUSE CHAIPERSON (Mr C T Frolick): Hon member on the podium, will you just take a seat, please?

Mr V G REDDY: On a point of order. We are getting a bit blinded here with all the shining coming from the hat. Can the member please ...

The HOUSE CHAIPERSON (Mr C T Frolick): Hon member ...

[Interjections.]

Mr V G REDDY: It is affecting our eyes. Please.

The HOUSE CHAIPERSON (Mr C T Frolick): Wait ...

[Interjections.] ... Hon members, hon Minister. Just calm down, hon members ... [Interjections.] ... Hon Reddy, we don't reflect on the attire that especially female members wear in

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this Chamber. It can be interpreted as sexist, and it is unbecoming. I want you to withdraw that remark, please.

Mr V G REDDY: I withdraw, House Chair. It's a time, and it is getting a bit tiring now.

The HOUSE CHAIPERSON (Mr C T Frolick): Hon member, take your seat now. Yes, hon Deputy Minister.

The DEPUTY MINISTER OF TRANSPORT: Hon House Chairperson, I rise in terms of Rule 85. Thank you for your ruling, but I would like to ask you that there is even an application of the Rules on members. The hon member, the whole afternoon has been rising on frivolous and clownish points of order and has not been called to order about that, rendering the whole notion of a point of order to be useless. So, I am asking you, Chairperson, whether it is in the Rules Committee or in the Chief Whips' Forum that there is a stricter application of this ... but this clownish behaviour and abusing points of order lends us with these racist remarks that he is making.

The HOUSE CHAIPERSON (Mr C T Frolick): Thank you, hon Deputy Minister. Please proceed, hon member.

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*IsiZulu:*

Nk B E MACHI: Ngizomphoxa, ukuthi ngiyahlonipha nje.

*English:*

Hon Chairperson, the IFP has always adopted a stance of transparency when it comes to remuneration of public office bearers. In this regard, the IFP commends the thorough work the committee has done.

In conclusion, the IFP notes the ... [Inaudible.] ... salary increase of 3% for the financial year 2023-24 and 2,5% for the 2024-25 financial year given the constraints in the fiscus. The IFP accepts the report. Thank you.

*IsiZulu:*

Ngizokuphoxa wena Reddy!

Ms S G KHOJANE: House Chairperson, initially I did not have a declaration, but I think considering what hon Reddy said to a female today, we do not need to get personal, we are also human beings here, and we can respect each other having different political views, but not on a personal level, hon Reddy.

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Mr V G REDDY: House Chair, I withdrew, and I apologized.

The HOUSE CHAIPERSON (Mr C T Frolick): I did not recognize you, hon Reddy. Yes, hon member.

Ms S G KHOJANE: Again, while I am raising my point, you are asking me to sit down. Respectfully for what?

The HOUSE CHAIPERSON (Mr C T Frolick): Hon member, address me as the Chairperson, and not the member.

Ms S G KHOJANE: Before we are politicians, we are human beings, hon Reddy. And you are again doing it. and maybe it is that glow and I am glad you were talking about ...

[Inaudible.]

The HOUSE CHAIPERSON (Mr C T Frolick): Thank you. Please take your seat now. Thank you.

Ms S G KHOJANE: It might be the glow and the glitter of the GNU ... [Inaudible.] ... would not last. We are trying to make a change ... [Inaudible.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, please take your seat. You said you don't have a declaration. I allowed you ... [Inaudible.] ...

Ms S G KHOJANE: Thank you, Chairperson.

The HOUSE CHAIRPERSON (Mr C T Frolick): I have ruled on the matter. Thank you.

Mr P A VAN STADEN: House Chairperson, my apologies for not using my video, the FFPlus will support the recommendation of a portfolio committee where the committee concurred with the President's determination on the remuneration adjustment of IEC commissioners and with a retrospective salary increase of 3% being implemented for 2023-24 financial year, and 2,5% for 2024-25 financial year, for the chairperson and other full-time commissioners relative to the last salary level adopted for over the 2022-23 financial year.

*Afrikaans:*

Hierdie Huis moet ook vandag met mekaar eerlik wees en die vraag vra of hierdie verhogings wel verdiend is. Ons het tydens die 29 Mei verkiesing gesien en ervaar dat die OVK nie ten volle gereed en voldoende voorbereid was, om die betrokke

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dag te hanteer nie. En orals regdeur die land het daar enorme probleme ontstaan, wat honderde duisende kiesers laat omdraai het sonder om te stem, omdat daar groot probleme by verskeie stempunte ontstaan het. Die kiesers wat wel nie omgedraai het nie en vir ure lank in toue gestaan het om te stem wil ons graag hartlik bedank.

Gedurende stembag was daar gaos by meeste van die stempunte in die Pretoria-area en dit was duidelik dat die OVK-beamptes en selfs die hoofkiesbeamptes nie voldoende opgelei was nie. En by verskeie stempunte het al die ander skandeermasjiene nie gewerk nie. As dit wel gewerk het, was daar een in gebruik in plaas van vier. Dit het baie kiesers frustreer.

Die fiet dat hoofkiesbeamptes by verskeie stempunte nie die verskil tussen nasionale en provinsiale verkiesing teenoor die plaaslike regeringsverkiesing geken het nie, was skrikwekkend.

Verskeie hoofkiesbeamptes het die streek stembrief-stembus gemerk as 'n munisipale stembrief-stembus en behalwe hiervoor was daar by verskeie stempunte in Pretoria, veral in die noordgebied algehele gaos.

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Ons partyagente moes help om die gaos te ontlont en kiesers was by sekere stempunte so kwaad oor die OVK-beamptes wat nie opgelei was nie, dat die SAPD by sekere lokale in 'n gesiene area geroep moes word, om die situasie te ontlont.

*English:*

Then we have the counting of ballots after the closing of the voting stations, many voting stations' final tallies were wrong and parties had to declare and dispute for votes at the voting stations to be recounted so that the final tallies could be rectified. These recounts took place on Saturday night and Sunday morning before the official announcement of the results. Therefore, a question needs to be asked: Can the salary adjustments be justified? Irrespective of that, the FFPlus support the recommendations. [Time expired.] Thank you.

Mr T K S LETLAPE: Chair, we support the increases to the officials, but we would like to ensure that we put that money to good use.

Dr M Q NDLOZI: On a point of order. Hon House Chair, the previous one. We object. We are almost done hon Frolick. Just finish the session.

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The HOUSE CHAIRPERSON (Mr W Horn): Thank you, hon Ndlozi.

Please take your seat.

Dr M Q NDLOZI: Chairperson ... Deputy Speaker, please save us.

The HOUSE CHAIRPERSON (Mr W Horn): Hon member, please continue.

Mr T K S LETLAPE: Chair, can I have my 15 seconds back?

The HOUSE CHAIRPERSON (Mr W Horn): Yes. I will give you that. Courtesy of the hon Ndlozi.

Mr T K S LETLAPE: ... My appeal is to the members to ensure that the IEC is fully supported to do proper voter education. We have challenges in our society, where our children cannot read for meaning, and we are destroying educational budgets by reducing the number of teachers. The greatest work that they have is in between. To ensure that the vote has meaning, we need to improve the ability of our citizen to think critically, because if you cannot think critically, a vote is wasted on you. We need to ensure that this burgeoning democracy survives. We would like to see the IEC go into the 21st century, where technology should be utilized to ensure

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that voting is easy. We can walk and chew gum. We can accommodate the youth, accommodate the modern age, and ensure that those that still want paper, can get paper. But we need to ensure that in between now and the next election in 2026, voter education begin now. We cannot have a situation where we have a 15% poll, or a 30% poll, because that means there is something wrong fundamentally. We are not educating society about the importance of voting. We are making the vote meaningless. I appeal to all of us that we need to ensure that those that are in Grade 7 now, that will be voting in four years' time have to be given the knowledge and the resources to use that vote properly. No political partisanship from officials. They should be neutral. They should put the country first, and promote a multiparty democracy as envisaged by our Constitution. I thank you, Chair.

Mr S N SWART: House Chair, the ACDP supports the report of the Portfolio Committee on Home Affairs. I think it's very important that we share the concerns that other parties have expressed from this podium about the previous elections. The long queues, very undertrained staff, voting machines, issues at the report centre and we believe there must be significant improvement in the commission's performance in the run up to the next elections.

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Whilst we're talking about elections, it's also important to note the work of the Electoral Reform Consultation Panel, which has now on the 26 August, invited submissions on reform of our election system, and of course, building on the Van Zyl Slabbert Commission, the Motlanthe High Level Panel and the Ministerial Advisory Task Team on Electoral Reform.

Now, this is a further opportunity for Electoral Reform and what we believe was a missed opportunity in the previous Parliament. This panel will be guided by various principles and its incumbent upon all of us to be involved in that process. But I think getting back to the issues raised earlier, I think voter education is paramount in the run up to the next elections, particularly given the decrease in the number of voters, the disillusioned youth. I think that is something we should all be very aware of. The ACDP as indicated will support this report. I thank you.

Mr N L S KWANKWA: House Chair, the UDM supports the report because the salary increase is necessary to help the commissioners to keep up with the rising cost of living. However, it is our considered view that the IEC failed to deliver free and fair elections in the 2024 national and provincial elections. Some of the failures include the changes

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in the IEC legislation which were not communicated properly to the voters, which then caused confusion and resulted in a lot of people not voting. The capacity, as already indicated, of IEC staff on the other hand, was also questionable as they lacked adequate training prior to the elections. Not only that, the voter management devices, VMD, machines that were purchased turned out to be dysfunctional, as in many voting districts, VDs, had to revert back to manual use which slowed down the voting process and procedures drastically, resulting in long queues.

Many voters from across the country experienced a series of challenges such as the delays attributed to glitches, which voter management devices caused the late opening of some voting stations due to delayed arrival of election material and confusion among voters over the requirement to fill in the section 24A forms for changing voting stations. Even our president Holomisa was affected by this. He had to leave a voting station at Mthatha town hall after being told that his name was not on the voters' roll. Such was the confusion around the elections and such with the challenges which in our view contributed significantly to the low voter turnout that we saw because we are off the view that some of the voters actually gave up while waiting in long queues outside of

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voting stations. And if we cannot address this, IEC cannot address these issues going forward, it means that their actions undermine the credibility of the electoral process which might even control lead to instability in the country. Thank you, Chair.

*Xitsonga:*

Tat S M GANA: Ndza khensa, Mutshamaxitulu. A ndzi yingiserile mutshamaxitulu wa komiti. Loko ndzi mi yingisela, makwerhu, mi ri karhi mi andlala xiviko lexi, na wena wa swi vona leswaku swilo a swi fambanga kahle eka nhlawulo wa lembe leri. Swilo a swi fambanga kahle hikokwalaho ka Khomixini ya swa Nhlawulo Leyi Tiyimeleke, IEC.

*English:*

It's like they were surprised that there was an election. It's like they didn't know that there was an election. If there's one thing that I will ask of you, ...

*Xitsonga:*

... makwerhu, ...

*English:*

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... is for the 2026 readiness, when they come to report on what happened in the 2024 elections, on that very same meeting, they must start reporting on the readiness for 2026 because we all know we are going to an election in 2026. They must not act surprised. Like that at 10 o'clock we are told that no, you are no longer using the machines because the machines are offline. If we are going to use the machines - whichever machines that are going to be used in 2026 - they must present to you this year, not wait for 2026 because the problem is that we have a commission that acts surprised that there's an election.

*Xitsonga:*

Makwerhu, nhlawulo wa 2026 wu le mavokweni ya wena. Sweswi hi tshembela eka wena, wena na komiti ya wena. Loko hi ri karhi hi languta xiviko lexi, ...

*English:*

... this report, we understand where it comes from and the basis on which we are asked to support this report. We don't have a problem supporting it. But let it be known, let it be known that this is the last time. If they continue, they won't get it. It's the last time.

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*Xitsonga:*

Ndza khensa swinene.

Ms N L WEBSTER: House Chair, as Bosa we are in support of the reports, and this is because it is imperative that we retain and grow the trust of the public and the electorates and not only the electoral process, but also the institution that is mandated with overseeing free and fair elections in South Africa. We believe that how the institution is resourced is a powerful message to the public and there is a powerful show of the commitment to ensure that this institution is able to uphold free and fair elections. Thank you.

Ms M MODISE-MPYA: House Chair, the ANC supports the Portfolio Committee on Home Affairs report in agreeing with the President's decision on the 3% increment for all categories of public office bearers, including members of the commission, for the 2023-24 and two and a half for the 2024-25 financial years.

We agree with the chairperson of the portfolio committee that this increment is the most rational and judicious thing, considering the serious economic challenges facing the country. Also that the increments are part and parcel of the

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rights that workers enjoy under our labour laws. It will be inconsistent of us with the labour laws if we are to deny the office bearers of the independent constitutional institution an annual increment that they are entitled to.

We reiterate the point that we should not conflate the matters of the performance of the IEC in the recent 2024 national and provincial elections with a matter of considering their increment. We are saying this because, as lawmakers, we cannot make a decision on the basis of presumptions. The IEC is yet to present its report to the portfolio committee on the 2024 national and provincial elections. The committee will be guided by facts emanating from that report to decide on the next course of action. Therefore, we are not yet debating or considering the report of the performance of the IEC on the 2024 national and provincial elections. The ANC has carefully considered this report, and we are fully in support. Thank you.

Question put.

Report adopted and Draft notice and schedule accordingly approved (uMkhonto weSizwe dissenting).

Question put.

Report adopted and Draft notice and schedule accordingly approved (uMkhonto weSizwe dissenting).

**CONSIDERATION OF REQUEST FOR APPROVAL BY PARLIAMENT OF  
PROTOCOL TO AMEND THE CONVENTION ON OFFENCES AND CERTAIN OTHER  
ACTS COMMITTED ON BOARD AIRCRAFT TERMS OF SECTION 231(2) OF  
CONSTITUTION, 1996**

Mr S D SELAMOLELA: Hon Chair, colleagues, on behalf of the Portfolio Committee on Transport I'm presenting before this august and hon House, the National Assembly, for the consideration of the request for approval of the report of the committee on the ratification of the protocol to amend the Convention on Offences and Certain Other Acts Committed on Board of Aircrafts.

The International Civil Aviation Organization, ICAO, is a United Nations-linked structure which has 193 countries affiliated and deals with important air transport policy and standardization innovations which are approved by member states, which constitute the International Civil Aviation

Organization Assembly or by the Council, which the assembly elects.

Civil aviation plays a critical economic role in transport logistics in the country. South Africa has always maintained world class standards in terms of safety and security in civil aviation. Therefore, this protocol seeks to further strengthen the country's safety and security in civil aviation.

The committee received a brief on the ratification to amend the Convention on Offences and Certain Other Acts Committed on Board of the Aircrafts.

There were numerous loopholes in the Tokyo Convention which the country ratified in 1972, and in order to deal with the lacuna or the loopholes that exist in the convention, the convention met in Montreal and adopted the protocol to amend the Convention on Offences and Certain Other Acts Committed on Board.

South Africa signed the protocol on 25 September 2019 during the 40th year ICAO Assembly. The Montreal Protocol entered into force on 1 January 2020 following the ratification by 22 member states.

The rationale for this protocol is that the unruly and disruptive behaviour of minority passengers as an adverse impact on the safety of other passengers in the cabin crew. However, the problem is that over time is significant number of unruly passengers who commit these offenses rarely face prosecution or penalties as the Tokyo Protocol gave jurisdiction of over offences committed on board aircraft to the state of registration of the aircraft in question.

This protocol, which South Africa is a signatory to, seeks to ensure the extension of the jurisdiction over offenses and acts committed on board aircraft to the state of landing and state of the operator.

Disclose the existing legal gap whereby unruly behaviour on board will now be an offense to which will be liable for prosecution.

The Montreal Protocol 6 to protect aircraft persons and property on board and maintain good order and discipline on board.

Thus the committee report resolved that the Portfolio Committee on Transport, having received a briefing on

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10 September 2024 and having considered the request for approval by Parliament on the protocol to amend the Convention on Offenses of Certain Other Acts Committed on Board Montreal Protocol of 4 April 2014 referred to it, recommends that the House in terms of section 231(2) of the Constitution of the Republic, 1996, approve the said protocol.

I, therefore, present as a committee and request the approval of this august and hon House that this protocol has associated benefits for the country in ensuring safety and security in civil aviation and will have the legal basis to take action where there is unruly and disruptive behaviour on aircraft.

I, therefore, submit. Thank you.

*Declarations of vote:*

Dr C H H HUNSINGER: House Chair, I believe it is safe to say that no one will argue that this is unimportant, especially if one has experienced, read about or seen events involving unruly behaviour by passengers in an aircraft 30 000 feet.

Despite its obviousness, in retrospect, this agreement amongst member states was adopted as a protocol 10 years ago,

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committed to by South Africa six years ago and implemented by the majority of other airlines five years ago.

Ministers, Peters, Maswanganyi, Nzimande, Mbalula and Chikunga, appeared to have disregarded this issue till now. Have they simply placed this matter in the bottom drawer of the desk, which they've shared for the past seven years? Or did the department spend so much time administering and planning for operational implementation?

Much of this became obvious during our questions and answer session with the department last week. Seeking approval today by this House should, after all, be about readiness to implement, given the number of years which passed and the undertaking which we agreed to half a decade ago. This approval here today is premature and would simply reconfirm our standing as nothing more than wiping the dust off a seemingly forgotten file.

Approval of this agreement would require inflight security officers. Now, will SA Police Service, SAPS, deploy the inflight security officers? Will this fall within civil aviation, given its responsibilities under the Civil Aviation Act? Whose budget is providing for this? How will shifts and

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personnel schedules impact aviation human resource management? Will Airports Company SA, ACSA, play a role in this, either by supplying infrastructure or by managing inbound and outbound logistics?

Approval of this agreement would also require clarity of jurisdiction. How will South African citizens be protected by this agreement, particularly when the legislation of the country in whose aircraft you fly or state to which you fly or land surpasses our own?

Citing section 231 of our Constitution as part of your contribution, hon Selamolela, does not imply our citizens are protected. What will South African passengers rely on in this agreement in a foreign airline or nation?

Approval of this agreement would also, as a last example, require impartial justice. How, when and where, with the right to be heard take effect? Will South African passengers receive and support, and if so, in what form? Are we planning to provide a 24-hour emergency access? How will our embassies in foreign countries be involved? Do we have agreements in place with destination countries that allow South African people to choose where they want to appear, defend and appeal?

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It is important to admit before this House that none of these questions could be answered last week in the committee. Also, despite the promise, no questions have been answered in writing over the last week.

The tabling of this item here today, in our view, is, therefore, premature. It requires no approval, yet we are a member state and have committed as a signatory years ago. What it does require is planning towards implementation.

In the last 10 years the department has failed to modify a single piece of aviation or related law to prepare for or accommodate today's request for approval in this House. Rushing to carry out the decision does not guarantee successful implementation, preparedness does. Surviving the scrutiny of critical details is the key to obtaining trust and confidence.

As always, the DA will continue to seek clarity before enactment and accountability of the implementation.

Lastly, until outstanding answers and plans are in place, we strongly recommend that everyone behave during flights. Maybe

this was part of the strategy all along, and if so, well done, Minister.

*IsiXhosa:*

Ndiyabulela ngexesha enindiphe lona.

*English:*

I thank you.

*Afrikaans:*

Ek dank u.

Mr T L MONTANA: Chair, the safety of passengers should never be put at risk due to delinquent behaviour of other passengers on board aircraft.

The ratification of the Montreal Protocol is important, if not strategic for South Africa. Twenty-two members of ICAO, an international arm of the United Nations specializing in civil aviation, had already ratified the protocol.

For years South Africa had been a proud member of ICAO Council. We were not representing ourselves, but we were asked and mandated by various African countries to be its voice,

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taking into account South Africa's own capacity and its state of aviation safety, we were the pride of the continent in this particular regard.

But the MK Party finds it disheartening, though, that there is underspending on transfers and subsidies which resulted from nonpayment of membership fees to international organizations and that this is on the part of the Department of Transport. This means nonpayment to critical bodies like ICAO.

So, as we support the ratification and that the department should perform this role, it is even unable to pay and perform such simple tasks, and ensuring that we play a leadership role, not only to the African continent but to many parts of the developing south all over the world.

We've also noted that despite this support, the Department of Transport ... [Interjections.] ... the Department of Transport has delayed some of the critical projects on aviation. One of the most important ones is the single African air transport market pilot implementation project.

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Now, we talk aviation, we talk about creating a single market, yet we do not have the ability as government and the capacity to manage the very same instruments that we are creating.

Chair, I want to say that as much as we support and we want to ratify, as I was part of the discussion in the committee, we received the report that the International Air Travel Association, IATA, reported that over 58 000 offences have been committed globally; which resulted in this particular manner.

We have requested from the department to share with us the information in terms of South Africa and I know, Deputy Minister, that between Johannesburg and Cape Town, ziyabuya [it's always happening] because people when they fly on Friday, most of the reports will come from there.

But I want to confirm that MK Party supports the ratification by the National Assembly of the Montreal Protocol. Thank you.

Mrs N J NOLUTSHUNGU: Chairperson, the objective of the Montreal Protocol, also known as the Tokyo Convention of 1963 is to protect the safety of the aircraft passengers and maintain good order and high discipline on board. The request

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to amend the Montreal Protocol seeks to give jurisdiction over the law enforcement agencies of the state of origin and state of destination over offences and acts committed on board aircraft. This was prompted by the rise in the bad and unruly behaviour of certain passengers on board aircraft. The need to keep unruly and disruptive behaviour and restore discipline was necessitated.

We know that we have had incidents of discriminatory practises against people of colour and for that reason the EFF believes and advocates that in order to avoid misuse of power and harassment of passengers there must be a set of descriptive rules written on paper that will serve as guidelines to the aircraft commander as to what characterised someone who is about to commit an aircraft offence. It is a good initiative but unless there is clarity on certain procedures and rules, if we do not define or clearly stipulate these offences, we will find ourselves dealing with frivolous legal claims. We support the report.

Mr K P SITHOLE: Hon Chairperson, the Portfolio Committee on Transport have received a comprehensive briefing on 10 September 2024 regarding the protocol to amend the convention on offences and certain other acts committed on board

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aircraft. It has carefully considered the request for Parliament approval of this imported international agreement. The IFP supports the approval of this protocol which is vital to ensuring the safety and the security of international travel by modernising and enhancing the framework to address offence committed on board aircraft.

The protocol is strengthened by the co-operation in combating acts that threaten aviations' security. This approval will align South Africa with international standards ensuring we uphold the commitment to maintain safety and security aviation sectors. The IFP fully endorsed the committee in recommendation by the House to approve the Montreal Protocol. This is not only a step towards a safer aviation industry, but also a reflexion of our nation's responsibility to participate in global effort to protect passengers and a crew of board aircraft. The IFP accepts the report. Thank you very much.

Mr P A VAN STADEN: Chairperson, the Montreal Protocol amends the Convention on Offences and Certain Other Acts Committed on Board Aircraft done a Tokyo on 14 September 1963, known as the Tokyo Convention of 1963. In short, this protocol expands the grounds of jurisdiction by recognising under certain conditions the competence of a state of landing and the state

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of operator to exercise jurisdiction over offences and acts on board an aircraft. The establishment of such jurisdiction over offences is mandatory if the criteria set out in the protocol are met. The protocol extends legal recognition and certain protections to in-flight security officers. It also contains provisions addressing such issues as co-ordinating among states, due process and fair treatment, and the right to seek recovery under national law.

The aim of the convention, protocol and decisions are that state parties to the protocol will be obliged to establish state of landing jurisdiction over unruly passenger incidents on board flights that land in the territory irrespective of whether aircraft is registered. On 18 October 2023, Cabinet approved the ratification of a protocol that is in place to combat unruly and disruptive behaviour by some passengers on board aircrafts.

Although it is good to have this in place, the question that must be asked is: Why now, if the protocol expires on the 26th, and what impact will this have on the constitutional rights of South Africans? The FF Plus understands that this is extended by all member states and not to South Africa only. Questions also arise as to which entity will take the lead to

establish the in-flight security officer programme, and if this will be a requirement that falls on civil aviation operators, and if the Department of Transport or its aviation entities take on the responsibility to establish an in-flight security officer programme.

The FF Plus welcomes the efforts being made to apprehend such perpetrators who make themselves guilty of unruly and disruptive behaviour on board aircrafts. This again must not be something that is just on paper, but it must actually be enforced on South African airplanes when this occurs. We have seen too many times that perpetrators get away with this sort of behaviour on South African airplanes. [Time expired.]

Thank you.

Mr T K S LETLAPE: We have no declaration, Chair. We just hope that the consequences will be managed properly, and citizens will be protected and that airlines registered in this country comply.

Mr S N SWART: House Chair, the ACDP supports the report, although there are certain concerns regarding implementation. Because it is imperative to ensure the safety of passengers and crew on flights. Those of us that have been around for

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some time will remember the incident in 2012 when a South African Member of Parliament was unruly and threatened to open the door of a SA Airways flight on its way to India.

There was an ad hoc committee that was instituted to look into the issue, and he was let off with an apology and he had to repay his subsistence and travelling expenses, S&Ts. But at that stage, SA Airways chose not to lay any charges. That was a very serious incident, and one trusts that now with this protocol being enforced, that far more stringent action would be taken against a person of that standing and any other unruly passenger. I think Mr Hunsinger is correct when he says that maybe this is a warning to us as Members of Parliament, given that incident in the past, and maybe a deterrent to anyone that wants to interfere on their flights.

Section 231(2) requires that international agreements that bind the Republic must be passed by both Houses. And so, yes, there are concerns about the implementation agency, but we do believe as the ACDP that this is a step in the right direction and may be a deterrent to any disruptive and unruly passengers. I thank you. Thank you.

*Xitsonga:*

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Tat S M GANA: Mutshamaxitulu ...

*English:*

So, we have made our views known in the committee that this is a very important protocol and it will assist, because there's a gap. The reason we support this is because there's a gap. We know people get excited, including some that are visiting our country. So, whilst we know of incidents of the hon Montana, and of people who take the 8:30 flight from Cape Town to Johannesburg, there are those that are coming from other countries and they misbehave. Then when they get here, we say, that the jurisdiction is not right.

So, this particular protocol will assist us. But after we have accepted it, the department must implement it. But sometimes we come here and agree on laws and so forth, but there is no implementation. Later we are told that people were singing and dancing and trying to open doors. It will not be tolerated. Let's protect the other passengers, the attendants and everyone else and ensure that people enjoy travelling within the country, into the country and out of the country, visiting other countries.

*Xitsonga:*

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Ndzi khensile, Mutshamaxitulu.

*English:*

We support it.

The HOUSE CHAIRPERSON (Mr W Horn): Thank you. All of a sudden, I am very glad that I only travelled to Bloemfontein.

Mr C N MALEMATJA: House Chair and Chief Whip, let's welcome those who see progress and willingly and voluntarily declare that they support. Because in that committee, we deal with the life of the passengers who find themselves up in the sky. Now, if we don't deal with this in a simpler manner, people will think that it's about photoshooting.

*Sepedi:*

Re bolela ka batho bao ba tšwago malapeng a bona ba tsena ka gare ga difofane moo go tsebegago gore ga se ga gabo motho. Batho ge ba Thabile ka ge ba iphile madila, ba tsena ka gare ga difofane ba palelwe ke go itshwara. Ba thoma ka go tsoša lešata le go šitiša tshepetšo ya sefofane, gomme seo se dira gore bao e lego la mathomo ba namela sefofane ba se hloye. Ke ka moo re bago le mathata a gore re swanetše re ba tšhireletše.

Re sa le mo tabeng ye, gona le ba bangwe bao ba tšwago malapeng a bona ba lwele le bahumagadi ba bona goba banna ba bona, ge ba fihla ka kua, ka gore ba palelwa ke tša malapa a bona, ba ntšhetša kgatelelo ya monagano wa bona mo difofaneng le go basepediši ba difofane. Seo se dira gore basepediši ba difofane ba bee maphelo a banamedi kotsing. Bjale, se bohloko ke gore ge se tsorama ba a theoga, ba itsamaela okare ga go na molato. Ka molawana wo re re monamedi yoo a bilego le maitshwaro a mohuta woo ka sefofaneng, ge a fologa o tla kopana le ba molao. Ba tla mo swara ba ba ba mo sekiša, a fiwa kotlo ya dikgwedi goba ya mengwaga ntloleswiswing. Seo se tla dira gore go be le polokego go dinamelwa - gagologolo difofane, gore ge batho ba di namela, ba se tle ba na le letswalo.

*English:*

The ANC support the decision of the portfolio committee to approve the Protocol to amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft. The ANC support the report by the portfolio committee submitted to the National Assembly, which approved the Protocol to amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, and seek the approval of this House for the ratification of the protocol in terms of the Constitution.

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*Afrikaans:*

Dankie.

*IsiZulu:*

Siyabonga.

*Sepedi:*

Re a leboga.

Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft accordingly approved.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON TRANSPORT ON  
2023-24 FOURTH QUARTER AND 2024-25 FIRST QUARTER EXPENDITURES  
OF DEPARTMENT OF TRANSPORT**

Mr S D SELAMOLELA: Hon House Chair, on behalf of the Portfolio Committee on Transport, allow me to introduce and present before this august and honourable House the National Assembly, the report of the Portfolio Committee on Transport on the 2023-24 financial year fourth quarter and the 2024-25 first quarter expenditure.

The report on the department's 2023-24 fourth quarter expenditure and the 2024-25 financial year first quarter expenditure were adopted by the portfolio committee on 10 September 2024. For the financial year 2023-24, the budget was at R78,3 billion and the bulk of the budget was geared towards transfers and subsidies, while the administration programme was around 15% of the total budget. The budget for the 2024-25 financial year is at about R80,6 billion.

The department has improved in terms of its spending and the underspending is marginal, and it's explained in the report. The first quarter expenditure was within the budget and programmes are expected to perform optimally and within the budget.

It is important that there is an accountability framework developed for the transfers and subsidies in order for the department to take corrective measures in times where challenges are experienced. The current methodology, which is what we reflected about as a committee, only allows the national department to arrange challenges post factor after the Auditor General has audited entities, the province and local government in terms of transfers.

Another issue that the committee reflected on is the improvement in the civil aviation and maritime programmes that must occur in this financial year as the fourth quarter performance indicated some challenges which required to be resolved.

It is important that under budgetary constraints and fiscal consolidation there is qualitative and impactful spending. The department must ensure that has suitable, qualified and capable people to fill vacancies which will ensure that the programme and project fulfil key performance areas of the department.

The report sought accountability from an oversight over the department and therefore makes important observation and recommendation, for example, on the fact that the department needs to align its key performance areas with social delivery on the ground as the working class and the poor must feel and see the improvement in public transport.

The filling of important posts and vacancies should not be delayed as this negatively impact on performance of the department. A means needs to be found to ensure that cities found wanting in the implementation of the bus rapid

transport, BRT, system are assisted to implement the BRT rather than taking a negative approach to remove the funding from cities that are not performing.

Road safety remains a major concern as far as too many people are still losing their lives on the road and this programme needs to be implemented with speed. Traffic policing must ensure that motorists comply with road safety on public roads. The performance of the entities must continue to strive to constant improvement and deliver on their core mandate. The public should not be frustrated when we deal with learner driver tests and learner's licenses as well as drivers licenses. There must be an efficient process. Reports are required from the department in terms of this report on recommendation on transport subsidy and interns employed by the department.

While the department has made such progress under difficult conditions with the transport sector, this report reflected that there is still much hard work to be done by the department in ensuring efficiency and affordability in the transport sector. The committee seeks such progress constantly in that it is what the people of our country expect, which is in line with the principle of providing a better life for all.

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The report was adopted by the portfolio committee and the committee hopes that this august House, the National Assembly, will also adopt this report and deal with the committee's important observations and recommendations. Thank you.

The CHIEF WHIP OF THE LARGEST MINORITY PARTY: Hon House Chairperson, I move that the report be adopted by the House. Thank you.

*Declarations of vote:*

Mr T B MABHENA: Today we make declarations on the 2023-24 fourth quarter expenditure report and the 2024-25 first quarter expenditure report of the national Department of Transport. We note concerningly that the national Department of Transport has consistently underspent on the Taxi Recapitalisation Programme mainly as the programme is not attractive to taxi owners. It has underperformed for years as it remains preposterous to beneficiaries who continue to drown in debt due to new taxi purchases.

Both reports show that the Old Taxi Scraping Programme is consistently poorly performing while the department insists that the programme is demand driven and that demand is low. That is simply unacceptable considering the high number of

unroadworthy taxes remaining on our roads. Instead, we witness a lack of political will in addressing this critical issue.

The underperformance of this programme has been consistent under successive Ministers with further evidence being the R1 billion COVID-19 Taxi Relief Fund that to date the department has simply fumbled. Long after COVID-19 the Taxi Relief Fund is now extended until 30 November 2024. This is concerning as taxis are means of travel for over 65% of commuters in our country.

We note in both reports again, a vague reference made to some silver lining in the form of taxi empowerment, which has yet to be brought to the Portfolio Committee on Transport. While vague references are made to the so-called taxi empowerment project, both reports again seemingly blame the National Treasury for the failed start of the unknown new programme. We wonder whether this will solve the underperformance of the Old Taxi Scrapping Programme, as nothing justifies R28,6 million being moved from the Old Taxi Scrapping Programme to other programmes. This is a trend we have witnessed over the years, and nothing seems to have changed.

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Another pressing issue in the Department of Transport is the non-filing of funded vacancies. We continue to write speeches with disappointment and pain on the high unemployment rate in our country. Yet in both reports, the department's under expenditure is attributed to this lame, irritating and quite frankly unsatisfactory reason. A clear and simple case of incompetence.

It is evident that the national Department of Transport HR department is in shambles. The reasoning that the Department of Public Service and Administration, DPSA, issued a cost containment secular is just a convenient excuse as this has been the trend in the department over the last five years in the Sixth Parliament and there was no secular 49 from the Department of Public Service and Administration then.

Even if we were to accept that the DPSA secular 49 had an impact, it is still not justified. Of the 124 funded vacancies, the secular only froze 24 vacancies, meaning that over 100 vacancies could not be filled at the time of the quarter one report being compiled. Yet, young capable graduates are desperate and depressed because of joblessness. It is totally unacceptable.

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We are encouraged, however, by the Director-General of the department for implementing consequence management with regards to the non-adherence to the 30 days of settling of invoices for small businesses. This goes a long way to ensure that small businesses are not affected negatively in terms of cash flow management. It is welcomed to see that the frustrations we air in the portfolio committee are being taken seriously.

We are however concerned that the corrective measure is just a letter to deputy directors-general, which the report does not specify whether it is a written warning or not because it just says a letter has been written to them, so we want to understand if it is a written warning. If not, why not?

In closing, transport is the lifeblood of any thriving economy. A vital link that determines whether people can access opportunities or remain trapped in cycles of poverty. If we are to build a truly resilient and growing economy, this department must get its act together and ensure that we can move and reignite this economy.

*IsiNdebele*

Ngiyathokoza. Bayethe ngwenyama! Ndlulamithi kaMbhongo!

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The HOUSE CHAIRPERSON (Mr W Horn): Order, hon members! It's a second speech, but let's keep order.

Mr T L MONTANA: House Chair, because I am making so many speeches in one day, maybe I'll also qualify for the 3% increase like the Auditor-General. The MK Party notes the expenditure report of the Department of Transport for the fourth quarter financial year 2023-24 and the first quarter 2024-25.

Whilst the expenditure report suggest improved and in some instances increased spending by the department and its entities, a detailed analysis, however, indicates these were not qualitative spending or they did not translate into improved delivery of transport services on the ground. The MK Party is concerned with the delayed implementation of some of the key strategic programmes of the Department of Transport, including the Transport Master plan, which should guide investment in our transport systems to meet future demands.

We are concerned about the delayed implementation with regard to the Taxi Recapitalisation Programme, which forms an integral part of our public transport strategy and ensuring that we facilitate greater access for the majority. I will not

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repeat what I said about the delays in the aviation space that are currently happening.

As the MK Party, whilst we note some of the progress that has been made, we want to highlight quite a number of things. One of the areas that we want to bring to the attention of the House is a report which related to the devolution of some of the commuter rail functions. We, as the MK Party, will not support any devolution of commuter rail function. Like I stated in the portfolio committee this morning, if you close devolve and concession in the Western Cape, you'll be forced to close it in the Eastern Cape. If you do that in eThekweni you will never be able, Chief Whip of the Majority Party, to provide services in the south of KwaZulu-Natal and the north of Durban.

So, we are looking with interest on the development and the unveiling of the devolution strategy that you are talking about. We know the modus operandi already that we have seen over the past few years and it's very simple. You plunge public entities and state-owned entities, SOEs, into crisis and you come and say that we're fixing that because there was state capture. Now we will not support that. We have spent over R400 billion on transport over the last decade, but

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there's not much that we can show for as a country, and I think that this is something that we need to look at.

Finally, House Chair, the department promised to share with us its private sector participation model and I think the Deputy Minister spoke about this it this morning. However, we need to make it very clear as the MK Party that there are areas within that there's this fascination with private sector participation, even where it is not necessary. I think that there is no problem in commercial areas in property, but in the passenger rail sector where the volumes will not support private sector.

This simply means that we will bring the private sector and then because the operations are not profitable, we ask government to give money to these particular companies. So effectively we would be very careful as the MK Party that we don't have a private sector participation model that seeks to subsidise the rich and becomes socialism for the rich companies who will not be able to change the transport trajectory.

I think that the report goes into more detail, and we won't go into some of the issues, but we'll support that the House

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adopts the report with all the concerns that we face. I thank you.

Mrs N J NOLUTSHUNGU: Chairperson, the failure of the Ministry of Transport to fill vacancies has become the norm. And this is having an impact on service delivery. Of the 124 funded posts for the first quarter of 2024/25, only sixty-four posts are in the process of being filled. How can the Department of Transport or any other department operate with sixty unfilled posts? This department is operating 50% dysfunctional.

The Tax Rehabilitation Programme was launched in 2006 with the goal of improving road safety by taking unroadworthy vehicles off the road, and 18 years later, the department has not yet achieved the goal it set itself. Since the introduction of the programme, under-spending on Taxi Recapitalisation Programme has become the norm.

The ANC-led government boasts about having introduced scholar transport, but thousands of schoolchildren in the rural areas of KwaZulu-Natal and Eastern Cape are still walking long distances to school. The failure of the ANC-led government to provide a safe, dependable, accessible, and affordable public transport is once again evident as there are areas where the

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train system, which is the most affordable and the mover of millions of commuters, is not functioning.

The transportation of people with disabilities is still not adequately addressed, especially the transportation of wheelchair users. The railroads in the Eastern Cape are still not operational, they are being vandalised and the stations are overgrown with tall grass. The delays in issuing driver's licenses and the corrupt activities of transport officials are a cause for concern. Arresting corrupt traffic officials in KwaZulu-Natal is not enough today. The first step to curbing the increasing corruption is to ensure that these officials receive a decent salary.

Finally, we encourage the procurement of local goods by all transport companies. The tender for the driver's licence was awarded to a French company as if there is no local capacity, it is condemned in the strongest terms. Attitudes should change to stimulate the local economy. We support the report. Thank you.

Mr K P SITHOLE: Hon Chairperson, the Inkatha Freedom Party commends the diligent work of the committee, which has produced a detailed report on the financial management of the

department. Firstly, we would like to acknowledge the effort made by the Department of Transport in managing its budget amidst the challenges of economic development. We recognise that the transport sector is critical to our national economic infrastructure and development and that it is important to have sound oversight to ensure that accountability and effective services are delivered within the department. The Department of Transport has both overspent and underspent in certain areas. We urge the department to consider the committee's recommendation and address these issues.

The IFP supports the request that the department submit a detailed report within one month of the National Assembly's adoption of the report that addresses the cost of providing public transport for people living with a disability. It is important that the Ministry takes concrete measures to improve access to transport services for people with disabilities.

*Isizulu:*

Mhlonishwa Sekela likaNgqongqoshe lo Mnyango Wezokuthutha unyaka nonyaka awuyisebenzisi imali ngendlela eyiyo. Seloku ngaba khona kwikomidi lezokuThutha awukho unyaka okwake kwathiwa uMnyango ukwazile ukusebenzisa imali kahle. UMnyango usebenzisa imali kancane noma usebenzisa imali ngokweqile.

Ngicela ukuthi ngaleyo ndlela nithathe izinyathelo ukubhekana naleso simo.

*English:*

The report should address the costs associated with the provision of public transport services for people with disabilities. With national awareness of the rights of people with disabilities both due in November, it is important that the department makes tangible decisions to improve access to transport services for people with disabilities. Thank you.

*Afrikaans:*

Mnr P A VAN STADEN: Voorsitter, gedurende ons eerste debat oor die departement se begroting wat op 15 Julie vanjaar plaasgevind het, het die VF Plus gesê dat hierdie departement met 'n plan vorendag sal moet kom om hierdie departement om te keer aangesien hierdie departement en sy entiteite groot probleme in die gesig staar.

Wel, ons was in alle opsigte nie verkeerd nie. Daar is enorme probleme; probleme soos die onderbesteding van die begroting

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Die HUISVOORSITTER (Mnr W Horn): Agb Van Staden, net so 'n oomblik asseblief. Hier is 'n hand in die Huis. Ek vermoed dit het met die tolkdienste te doen.

*English:*

Hon Deputy Minister?

The DEPUTY MINISTER OF TRANSPORT: Chairperson, one would really want to hear everything. Can we be assisted with translation, please?

The HOUSE CHAIRPERSON (Mr W Horn): Can the Table Staff please alert the translation services.

*Afrikaans:*

Mnr P A VAN STADEN: Probleme soos die onderbesteding van die begroting in die spoorvervoer, die padvervoer, die maritieme vervoer en die openbare vervoer sektor. Gevriesde poste en vakante poste is 'n enorme probleem.

*English:*

Outstanding transfer payments to ... [Inaudible.] ... traffic infringement agency, the set target in the producing of two million driving licence cards that reached a target of only

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768 000 completed. Annual provincial road's maintenance grant with a target that was set for the upgrading of 270 kilometre of roads, of which only ninety kilometres were done.

*Afrikaans:*

Die feit is dat baie mooi verslae aan die komitee voorgelê word maar dat die realiteit op voetsoolvlak heeltemaal die teenoorgestelde prentjie skets. Die SA National Roads Agency, Sanral [SA Nasionale Padagentskap], die Passenger Rail Agency of SA, Prasa [Passasierspooragentskap van SA] en die Airports Company SA, Acsa [Lughawemaatskappy van SA], wat baie groot onregmatige besteding in die vorige finansiële jaar ondergaan het, is van die probleme wat dringend opgelos sal moet word. Sanral het nogal so ewe trots aan die komitee gesê dat hulle die onregmatige besteding met 50% wil verminder. Die VF Plus het gesê dat daar mag geen onregmatige besteding wees nie.

*English:*

Although we are part of a Government of National Unity, we cannot turn a blind eye on the failures of the department and its entities. We have a responsibility to ask the necessary questions to the Minister via director-general and its entities to fulfil our oversight role as Members of Parliament

and to see to it that the taxpayer's money is spent in the responsible manner.

The committee has sent recommendations to the Minister, but the department must ensure that the committee received the necessary reports as captured in this report. This must be provided to the committee within a month after the adoption of this report. Corrective action to catch up on unmet targets should be time-limited and the department must ensure that the targets and key performance indicators, KPIs, and the bodies associated with the department for a new five-year strategic plan and for the annual performance plan for 2025/26 are formulated in such a way that they relate to actual performance delivery.

*Afrikaans:*

Die VF Plus ondersteun die verslag. Dankie, Voorsitter.

Mr T K S LETLAPE: Chairperson, Action SA would like to support the department to ensure that we have affordable, safe public transport. Because one of the major problems is that we have people that work for accommodation and transport and can improve their lives. The transport is not safe, and it is not affordable. It is particularly unsafe for women. When you look

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at our hubs, the taxi ranks and the taxis themselves, the harassment that women have to go through, we need to be able to make a difference on those issues.

The department must also be mindful of the carbon footprint. When you look around Johannesburg, there is a motorbike everywhere, cutting food everywhere. We are not talking about the degradation of the environment. We can easily produce rules for electric motorcycles because they are on short runs.

The other issue is about job creation. Transport nowadays is not just about people, it is also about food. But we are alarmed at the fact that we have a high youth unemployment rate and those opportunities that exist in transport are not being harnessed for our young people. We need to ensure that those that have been the backbone of transporting people from apartheid dwellings to places of employment which are the taxi owners, go into a proper subsidy. Where we do not promote fleet ownership, but we promote small businesses and individual properly subsidised drivers, who are trained properly in terms of customer protection, manners on the road and safety. So that the vehicles can be properly serviced.

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They are immense opportunities for creativity, and we ask the Department of Transport not to do things as we used to do. Business unusual use technology, empower the youth and make transport safe... [Time Expired.]

Mr S M GANA: You can come and speak for me. You know what I will say.

*Xitsonga:*

Mutshamaxitulu, ndza khensa swinene nkarhi lowu mi nga ndzi nyika wona.

*English:*

Does the report reflect the conversations that we had and the deliberations we had in the portfolio committee? Yes, it does. Thus, it deserves to be supported. However, in our support of the of the portfolio committee report, there are two issues that as Rise Mzansi we want to speak about, one, relating to the driver's licence. So, one of the things that is a concern to many South Africans is the time it takes from application of a driver's licence to when it is issued. The department claims that within eight days you get your driver's licence. But all of us in this room know that is not the case, and we

have had the experience of most of us getting a driver's licence and none of us got it within 8 days.

We have raised the issue around the licencing machine that in a manner in which the contract is awarded, it is a huge concern to all of us. The second and last issue that we have raised is that when Prasa went down, the department was there. And now, the President has given SAA and Transnet to the department. But Deputy Minister, the oversight urgency, we know it has not been strengthened. If there is an area of improvement for this department, it is its ability to oversee the entities that reports to them. We understand that this is the last. We understand that this is the last quarter of the last administration, but from the next quarter, it will be on you, Deputy Minister.

*Xitsonga:*

Ndza khensa, Mutshamaxitulu.

Mr N MADUNA: Chair, the ANC supports the report of the Portfolio Committee on Transport submitted to the National Assembly on the fourth quarter of 2023/24 and the first quarter of 2024/25. We know that the department was one of the departments that underspent, but in the fourth quarter of the

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2023/24 financial year, the financial performance of the department has steadily improved. The Ministry has spent about R78 billion, which is about 99,6% of its budget.

We also found that expenditure on goods and services and on the procurement of consultants and the delay in procuring tugboats was too low. Spending on transfers and subsidies was also low, due to late journal entries, as we read in the report. And we also appreciate the shortcomings in the Taxi Recapitalisation Programme and the delays at the Road and Transport Authority, RTA. In terms of filling vacancies, we understand that a number of vacancies were not filled on time. We believe that it is very important to fill vacancies to ensure that this has an impact on the programmes and that the department can achieve its key performance indicators, KPIs.

However, the underspending by the department was minimal and the reflection of improvement of the utilisation of budget as it was just 0,4%. It further shows in the 2024/25 that the department is improving as the budget for the financial year is R80,6 billion, and the department has already spent R17,8 billion, which is about 22% of its budget for this financial year in the first quarter. This indicates a slight shortfall in expenditure of around 0,7% compared to the projection.

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However, it gives hope and shows that the department will spend its entire budget.

Chair, the rail and road transport budget spent is in line with the department's projections. This reflects important infrastructure projects and programmes on the ground that will benefit our citizens. This will promote inclusive economic growth and transformation.

Furthermore, we believe that there has been great progress in the implementation of the railroad programme and that the achievements on the ground are remarkable. The major open railroad corridors have been opened and the modernisation programme is being implemented by Prasa using new train sets. These are locally manufactured train sets. This progress contributes to local economic development and job creation.

We appreciate that these rails are not the ones that were not suitable for rail use. We appreciate that the engineer who drew up the specifications for these rails is alleged to have lied about his qualifications. We see positive progress in the department, but we do not want the Department of Transport to behave like the supporters of a team in the South African league who, after winning just one game, say they can already

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be declared champions, and can no longer play in South Africa. It wants to play against the likes of Real Madrid or Manchester City.

We want the department to continue to make positive progress and ensure that it delivers on its objectives and spends its budget in full. Before I sit down, I would like to note that the ultimate goal of the national democratic revolution is to create a united, nonracist, nonsexist, democratic, and prosperous society. It is very important that we recognise that for our liberation movement, achieving these elements and goals will be the basis for moving towards a national democratic society. Therefore, transportation is crucial in emotionally advancing the national democratic revolution, promoting economic growth and social mobility. And ensuring public participation.

Chair, we are not playing games here, we are serious with our work here. It is very disappointing when some members come into this House and start greeting on behalf of some court delinquents and felons. Actually, I am not surprised that some hon members make some very disturbing comments around female hon members as they say, "Birds of the same feather flock together." Thank you.

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Question put.

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

The House Adjourned at 18:11.

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