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REPUBLIC OF SOUTH AFRICA

QUESTIONS AND REPLIES
OF THE
NATIONAL ASSEMBLY

SECOND SESSION — THIRD PARLIAMENT

QUESTION

For written reply:

Number of exchange control amnesty applications received

62. Mr I O DAVIDSON (DA) asked the Minister of Finance:

(a) How many exchange control amnesty applications had been received as at 29 February 2004, (b) how many of these applications have been (i) processed and (ii) refused to date and (c) what is the rand value of the total amount in respect of which amnesty applications have been received? N103E

The MINISTER OF FINANCE:

(a) The Amnesty Unit has received close to 43 000 applications to date.

(b) (i) More than 26 000 applications have been adjudicated by the end of January 2005.

(ii) Fewer than ten applications were identified for possible refusal.

(c) The total rand value of the assets disclosed in amnesty applications is estimated at R65 billion.

QUESTIONS

For written reply:

Robben Island Museum/NAC: audited accounts

49. Ms D KOHLER-BARNARD (DA) asked the Minister of Arts and Culture:

(1) Whether his department has received the audited accounts of (a) Robben Island Museum and (b) National Arts Council (NAC) in respect of the 2003-04 year; if so, on what date; if not, (i) why not (ii) what action does he intend taking against each respective body and (iii) when is it anticipated that these accounts will be received;

(2) whether any specified measures will be implemented to empower each of these bodies to meet its statutory obligations in this regard; if not, why not; if so, what measures? N87E

The MINISTER OF ARTS AND CULTURE:

(1) (a) Yes, on 3 February 2005 the department received a copy of the 2003-04 annual report which included the annual financial statements and audit report.

(b) No.

(i) The audit has been completed and the annual report is with the printers for proofs and thereafter printing.

(ii) The board of the National Arts Council has been dismissed and some of its members are contesting this in the High Court.

(iii) By the end of February 2005.

(2) Yes. In the case of Robben Island Museum, the office of the Auditor-General has been requested to conduct an interim audit in order to identify any problem areas and to implement the necessary corrective measures well in advance.

A new board for the National Arts Council will be appointed, the CFO has been reinstated and the financial reports of the institution are up to date.

The department is in the process of arranging for corporate governance training for the chairpersons, chief executive officers and chief financial officers of all the public entities under its control.

Makoya Moola campaign launched by SARB following introduction of upgraded banknotes

61. Mr I O DAVIDSON (DA) asked the Minister of Finance:

With reference to Makoya Moola campaign launched by the SA Reserve Bank following the introduction of upgraded banknotes, what is the (a) estimated total cost of the campaign to the (i) Reserve Bank and (ii) other organisations or partners such as banks and (b) cost of the (i) above-the-line, and (ii) below-the-line advertising and (iii) training campaigns? N102E

The MINISTER OF FINANCE:

(a) (i) The estimated budget for total cost of the campaign to the South African Reserve Bank is R19 431 571.

(ii) Only the banks and the other organisations concerned can give out this information.

(b) Cost to date of:

(i) Above-the-line advertising: R3 214 043,83;

(ii) Below-the-line advertising: R2 539 185,63; and

(iii) Training: R4 866 102,32.

QUESTIONS

For written reply:

Legal action instituted against NNR

11. Adv H SCHMIDT (DA) asked the Minister of Minerals and Energy:

Whether any (a) legal action, (b) notices to institute legal action or (c) measure and/or steps in terms of the Council for Conciliation, Mediation and Arbitration have been instituted against the National Nuclear Regulator (NNR) by previous employees; if so, (a) what were the names of such employees, (b) what legal grounds and/or reasons were provided for such steps and (c) what is the total pecuniary value of all claims, legal actions and notices instituted or to be instituted against the NNR? N37E

The MINISTER OF MINERALS AND ENERGY:

(a) From the date that the NNR was established (February 2000), legal action was taken by one previous employee.

(b) There are no other notices from previous employees to institute legal action.

(c) The same employee instituted measures against the NNR through the Council for Conciliation, Mediation and Arbitration, but the same employee decided to pursue legal action when agreement could not be reached at the conciliation stage.

(a) The name of the employee is Mr D Black.

(b) He claims automatic unfair dismissal or alternatively procedurally and substantively unfair dismissal.

(c) Although no pecuniary value can be given at this stage as the case is still pending, Mr Black seeks equitable compensation equivalent to 24 months' remuneration; alternatively twelve months' remuneration, with pension benefits restored to pre-dismissal state of legal costs.

Late submission of draft annual report/financial statements of Film and Publications Board

16. Mr M SWART (DA) asked the Minister of Home Affairs:

(1) Why the draft annual report and the financial statements of the Film and Publications Board that were submitted on 17 November 2004 to the Portfolio Committee for Home Affairs, were submitted late?

(2) When is it expected that such draft report and financial statements will be available in printed form and ready for distribution?

(3) Whether any steps have been or will be taken by the department to rectify the accounting deficiencies in the Auditor General qualified report, if not why not, if so (a) what steps and (b) when? N42E

The MINISTER OF HOME AFFAIRS:

(1) Both the report of the Auditor General and the report of the Audit Committee was received late, beyond the timeframes set by the Public Finance Management Act. As a result there was a delay in publishing and the tabling of the report.

(2) The department has now been received the report of the Audit Committee and we are now in a position to print the necessary copies for tabling in Parliament as required by law. The report will therefore be tabled by 31 March 2005.

(3) Yes.

(a) The Minister of Home Affairs has a new chief executive officer with

effect from 1 January 2005. The CEO is currently developing a new Turnaround Strategy for the FPB, which shall include establishing new and sound financial control mechanisms. As the term of office of the previous Audit Committee has expired, a new Audit Committee is in the process of being appointed, and a new organisational structure shall be set up to strengthen the management/leadership structures.

(b) The Minister will announce further steps to remedy and address the concerns of both the Auditor General and the Audit Committee by 31 March 2005.

Charges laid against members of municipality in Limpopo/Songozi community by the owner of a farm in Mkhado municipal area

22. Mr A H NEL (DA) asked the Minister for Safety and Security:

(1) Whether any charges have been laid against any members of the (a) municipality in Limpopo and (b) Songozi community by the owner of a farm (details furnished) in the Mkhado municipal area following the invasion of the farmer's land and damage to his property in late December 2004; if so, (i) what specified charges and (ii) what progress has been made with the investigation of these charges;

(2) whether any members of the SA Police Service were present on the said farm when these alleged offences took place; if so, (a) how many and (b) what action did these SAPS members take to prevent these alleged offences from being committed;

(3) whether these SAPS members confirmed that the municipal officials and community members (a) were in possession of a relevant court order and/or (b) had the permission of the owner of the farm to carry out the grading and other work on the farm prior to this work commencing; if not, why not; if so, what action did they take to confirm that the actions of the municipality were legal?

N49E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a) Yes.

(b) Yes.

(i) Malicious damage to property.

(ii) Investigation is still continuing.

(2) Yes.

(a) Ten SAPS members.

(b) No action was taken by SAPS members. They were present to monitor the situation in terms of the Regulation of Gathering Act, Act 205 of 1993. No incidents or complaints were reported.

(3) SAPS members did not confirm whether municipal officials and community members were in possession of —

(a) relevant court order; and

(b) permission of the owner of the farm to carry out grading and other work on the farm because the situation was not out of hand. Police were there to monitor the situation while the community was marching.

SAPS members transferred to other posts

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

(1) In light of the transfer of many SA Police Service members owing to the

implementation of Resolution 7 of 2002, how many (a) members in each province were transferred to other posts as a result of this process, (b) disputes were declared by members who were forced to transfer and (c) members took sick leave due to stress (i) during or (ii) directly after their transfer;

(2) whether any SAPS members resigned as a result of the transfers; if so, how many members (a) from each rank, respectively;

(3) whether any suicides occurred as a result of the transfers; is so, (a) how any and (b) in which provinces did suicides occur;

(4) whether the financial (a) costs and (b) losses incurred by transferred SAPS members and their families were paid by the State; if not, why not; if so, what are the applicable amounts paid in each case? N59E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a)

Eastern Cape	838
Western Cape	1 071
Northern Cape	311
KwaZulu-Natal	18
Mpumalanga	66
North West	264
Gauteng	2 173
Free State	204
Limpopo	133

(b) 301 disputes declared
73 withdrawals
228 disputes left

(c) (i) 238

(ii) 575

(2) Yes, 36 members

(a)

Senior Superintendent	three
Superintendent	three
Captain	seven
Inspector	22
Sergeant	one

(3) No suicides occurred which could directly be related to the Resolution 7-process.

(4) All transfer costs were paid by the State up to a maximum of R25 000 per employee. The R25 000 maximum is a provision in the collective agreement signed in the PSCBC. The department had no discretion to pay an amount higher than the R25 000 in instances where the transfer cost incurred were more than the maximum amount.

Reasons for bankruptcy of Oil Pollution Company of South Africa (OPCSA)

37. Mr A HARDING (ID) to asked the Minister of Minerals and Energy:

(1) (a) What led to the bankruptcy of the Oil Pollution Company of South Africa (OPCSA), a wholly state-owned company falling under her department and (b) what action will be taken by her department in this regard;

(2) whether there are any operational agreements between OPCSA and a certain company (name furnished); if so, what are the relevant details;

(3) whether the said company played any role in the bankruptcy of OPCSA company; if so, what are the relevant details;

(4) whether OPCSA and the said company will appear before the Portfolio Committee on Minerals and Energy to explain how this situation will be remedied; if not, why not; if so, when? N65E

The MINISTER OF MINERALS AND ENERGY:

(1) (a) and (b) OPCSA has never been declared bankrupt.

(2) Yes. The agreement makes provision

for OPCSA to provide preventative oil pollution of its cargo. These measures consist of putting an oil fence boom around the vessel for the full duration of its stay in the harbor, 24-hour patrol service and having all the pollution-control equipment on a "ready-to-use" basis.

(3) OPCSA is paid for this service.

(4) No.

Procurement of A400M military transport aircraft

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

(1) Whether the SA Army was consulted in respect of the procurement of the A400M military transport aircraft; if not, why not; if so, (a) what were the relevant details and (b) why was the Portfolio Committee on Defence not briefed on the intended acquisition;

(2) whether this deal complies with section 217 of the Constitution of the Republic of South Africa, Act 108 of 1996; if not, what is the position in this regard; if so, what were the relevant details? N80E

The MINISTER OF DEFENCE:

(1) The declaration of intent signed between South Africa and the European Aeronautical Defence Systems is primarily about the participation of the South African aerospace sector in the design, development, manufacture and long term maintenance of the airframe for the A400M military transport aircraft. There was accordingly no need for consultation with the SA Army.

In light of the reply in paragraph (1) above, no details are available regarding the consultation inquired about.

The Portfolio Committee on Defence has requested a briefing on the issue on Tuesday, 1 March 2005.

(2) In the event of South Africa taking delivery of any aircraft manufactured in terms of the declaration, it is not envisaged that section 217 of the Constitution would be applicable given that the aircraft would have been developed and manufactured with the participation of South Africa.

Foreign professionals exempted from registration

58. Mr C M LOWE (DA) asked the Minister for the Public Service and Administration:

(1) Whether foreign professionals who work for government departments are exempted from the requirement that they must be registered with the relevant South African professional body; if not, what are the relevant requirements with regard to such foreign professionals; if so, why;

(2) whether such foreign professionals require work permits to work for government departments; if not, why not; if so, (a) how many foreign professionals had (i) applied for and (ii) been granted work permits to work for government departments as at 31 December 2004 and (b) how many such permits were (i) applied for and (ii) granted in respect of each specified profession;

(3) whether any steps were taken to determine that no South African professionals were qualified, registered with the relevant professional body and seeking work prior to granting work permits to foreign professionals; if not, (a) why not and (b) what are the implications of this for unemployment amongst South Africans; if so, (i) what steps were taken and (ii) what were the findings regarding each profession where work permits were granted to foreign professionals to work for government departments? N99E

The MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION:

(1) Foreign professionals are treated on an equal footing as South African citizens provided they meet the requirement for registration with the relevant South African professional body. Any differences in or unique features of the structure and content of a foreign professional's qualification will be taken into account by the relevant professional body to ensure that the required level of competence and standards set for the profession in question are met.

(2) The question should be addressed to the Minister for Foreign Affairs as the issuing of work permits rests with her portfolio.

(3) Like any other employer in the South African economy, departments are subject to the measures and conditions contained in the Immigration Act, 2004 and the Immigration Regulations that are administered by the Department of Home Affairs. These measures inter alia require departments to ascertain and certify that no South African citizens are available for employment before a job offer can be made to a foreign professional. In addition to the current measures, the Department of the Public Service and Administration will in due course develop a practically focussed framework that will facilitate the employment of foreigners in the Public Service. This framework will endorse the requirement that positions in the Public Service are to be primarily filled by South African citizens.

Establishment of working group to review the regulatory burden for small businesses

63. Mr I O DAVIDSON (DA) asked the Minister of Finance:

(1) Whether with reference to his 2004 Budget Speech in which he announced that a working group would be established to review the regulatory burden for small businesses, such a working group has been established; if not, why not; if so, (a) when was it established and (b) who are the members of the group;

(2) whether the group has reached any findings; if not, when is it anticipated that such findings will be (a) reached, and (b) made available to Parliament; if so, what are the relevant details? N104E

The MINISTER OF FINANCE:

(1) (a) Yes. A working group was established to review the administrative aspects of small business interactions with SARS and thus the compliance burden on small businesses in this regard. The first meeting of the working group was held on 10 March 2004.

(b) The working group consists of members of SARS, the National Treasury, industry representatives (including SMME bodies), representatives of the accounting fraternity (including smaller accounting firms, and more specifically black accountants), academics from various universities, and representatives from other Government departments (including the Department of Trade and Industry).

(2) Together with the work done in the working group, SARS has held extensive workshops and consulted widely with various stakeholders, from Government and industry. Valuable inputs were received from all these stakeholders and SARS compiled a list of issues that ranged from those that related directly to tax administration and policy, to issues arising from other Government departments' regulatory practices. These issues have informed the tax proposals made with respect to small business in this year's Budget and will inform the structural changes that

are anticipated over the next three years.

Kommandolede in 2004 in hegtenis geneem

74. Mnr P J GROENEWALD (VF Plus) vra die Minister van Verdediging:

(1) Of enige kommandolede in 2004 in hegtenis geneem is; so ja, (a) wie die lede is, (b) in watter eenheid hulle is, (c) om watter redes hulle in hegtenis geneem is en (d) watter lede op die aanklagte skuldig bevind is;

(2) of hy 'n verklaring oor die aangeleentheid sal doen? N115A

(Translation of Afrikaans question follows):

[Commando members arrested in 2004

74. Mr P J GROENEWALD (FF Plus) asked the Minister of Defence:

(1) Whether any commando members were arrested in 2004; if so, (a) who were these members, (b) in which units do they serve, (c) what were the reasons for their arrest and (d) which members were found guilty on the charges;

(2) whether he will make a statement on the matter? N115E]

The MINISTER OF DEFENCE:

(1) Yes. Certain commando members were arrested during 2004. For detail concerning (a) who the members are, (b) the units they are attached to, (c) why they were arrested and (d) which members were found guilty of the charges, see the attached table.

Cognisance should be taken that the information presented does not indicate whether the members were arrested whilst on duty or acting in private capacities.

(2) No statement will be issued.

Sno	*Name of Unit*	*Number of Commando members arrested in 2004*	*Number & name of member arrested*	*Reason for arrest*	*Number, rank or name of member found guilty on charges*
1	Clanwilliam commando	1	87961595KV Rfn K. Driegaart	Drunkenness	Not guilty
	Ntabambini commando	1	98146863KV Rfn L. Marasi	Armed robbery	Awaiting trial
2	Lang Kloof commando	2	89077564KV Sgt F. Tarentaal	Drunken driving	89077564KV Sgt F. Tarentaal
			98274483KV Rfn M. April	Murder	98274483KV Rfn M. April
3	Amatola commando	1	10873859KV Rfn S.W. Twala	Murder	10873859KV Rfn S.W. Twala
	East London commando	2	10855583KV Cpl E. Fortuin	Theft (ammo)	10855583KV Cpl E. Fortuin
			10812923KV Rfn F. Plaatjies	Theft (ammo)	10812923KV Rfn F. Plaatjies
	Gately commando	1	98190630KV Rfn Z. Sonandi	Drunken driving	98190630KV Rfn Z. Sonandi
	Humansdorp commando	1	98162324KV Rfn P.C. Katoo	Drunk on duty and fired two shots in mess	98162324KV Rfn P.C. Katoo
	Port Elizabeth commando	1	85078939KV Co A. Kruger	Theft	Court case still in process
	Somerset East commando	1	10948065KV Rfn T. H. Nywebeni	Domestic violence	10948065KV Rfn T.H. Nywebeni

4	Midmar commando	1	93746261KV L/cpl S. Gama	Murder. The member has since evaded arrest	Yet to be arrested
	Umkomaas commando	1	10781425KV Rfn G.P. Pedlar	Pointing of private firearm	Acquitted 28/12/04
5	Umgeni Commando	3	10920619KV C/O P.C. Bambalele	Armed robbery	Charges withdrawn
			89737258KV Lcpl B.O. Shabalala	Armed robbery	Charges withdrawn
			96092549KV Rfn B.I. Khawula	Drink and drive	Charges withdrawn
6	Ermelo Commando	1	10810638KV Sgt J.P.C. Kasselman	Possession of more than 200 rounds per calibre as stipulated in the new Firearms Control Act. Possession of suspected stolen ammunition	All cases withdrawn
7	Northam commando	3	68322353KV Lt Col Dippenaar	Alleged criminal case of fraud	Case not yet finalised
			9100455KV Sgt S.W. Swart	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			10629616KV Lcpl M.M.B. Dippenaar	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
	Thabazimbi commando	8	71253496KV Maj E.P. Kleynhans	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			84435361KV Lt Van Graan	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			83239855KV WO1 J.D. Grobler	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			10590495KV Sgt J.J. Hudson	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			0825888KV Sgt E.J. Hudson	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			98150683KV Lcpl P.F.M. Daffue	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			98162092KV Lcpl A.M. Nel	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
			98232713KV Rfn E. van Staden	Alleged criminal case of fraud	To appear at Thabazimbi court on 18/02/05
	Pretoria East commando		98106321KV Rfn P. Sithole	Armed robbery	98106321KV Rfn P. Sithole
	Brits commando	6	73502791KV Lt Col B.J. Coetzee	Fraud	Case pending
			63196430KV Maj H. Barnard	Fraud	Case pending
			69361608KV Maj H.N. Englebrecht	Fraud	Case pending
			81206187KV Maj J. Joynt	Fraud	Case pending
			82244013Kv Capt S.J. Minnaar	Fraud	Case pending
			90494246KV Lt R.F. Coleman	Fraud	Case pending
			77299792KV WO1 T.P. Badenhorst	Fraud	Case pending
			77237950KV Sgt W. Coetzee	Fraud	Case pending

			10984953KV Sgt C.W. Nelson	Fraud	Case pending
			69463420Kv Sgt O. Veenstra	Fraud	Case pending
			98193204KV Lcpl EHD Nortje	Fraud	Case pending
			89487789KV Lcpl J.P.A. Reyneke	Fraud	Case pending
			98105877KV Rfn E. Bayard	Fraud	Case pending
			56151475KV Rfn A. du Plessis	Fraud	Case pending
			97235717KV Rfn W.M. Kgwatla	Fraud	Case pending
			98105851KV Rfn E.I. Marneweck	Fraud	Case pending
9	West Rand commando		93766293KV Lcpl I.B.K. Mokhobane	Theft of Samil 50	Case still under investigation
	Vaal commando	2	93741765KV Lcpl L.K. Tsoari	Driving military vehicle without licence and under influence of alcohol	Case under investigation
	Meyerton commando	3	93750651KV Rfn S.S. Nkomo	Under influence of alcohol	Case under investigation
			87766465KV Lcpl M.G. Moleko	Theft of diesel	Case under investigation
			93742831KV Rfn D.D. Maitse	Theft of diesel	Case under investigation
			93071801KV Rfn C.P. Modipe	Theft of diesel	Case under investigation
10	Goosen commando	1	75542993KV Lcpl F.T. Scholtz	Family violence	Not guilty
	Marico commando	2	82342007KV Rfn A. Lit	Murder	Court case pending
			86257458KV Rfn M.A. Snyman	Murder	Court case pending
	Rustenburg commando	2	98255383KV Pte R.P. Monageng	Bribery	Court case pending
			89957278KV Pte F.R. Monageng	Bribery	Court case pending
	Stellaland commando		98211790KV Cpl D.T. Jood	Suicide	Released
11	Barkly West commando	2	91102855KV Ssgt B. Bezuidenhout	Rape	91102855KV Ssgt B. Bezuidenhout
			86110293KV Rfn T.J. Marupelo	DUI	86110293KV Rfn T.J. Marupelo
	De Aar commando	1	98217607KV Rfn M.P. Jack	Loss of R4	98217607KV Rfn M.P. Jack
	Victoria West commando	1	89097281KV Rfn J. Malgas	Public drunkenness	89097281KV Rfn J. Malgas
12	Gordonia commando	2	85071322KV Sgt M.M.A. van Rooyen	Removal of military fuel	Member currently on trial
			10872372KV Cpl D. van Wyk	Removal of military fuel	Member currently on trial
	Springbok commando	1	98148703KV Rfn C.M. Cardinal	Under influence of liquor in uniform in public	98148703KV Rfn C.M. Cardinal (Paid a fine of R30)
	South West Karoo commando	2	10952247KV Lcpl J.J.M. Skiffers	Stock theft	10952247KV Lcpl JJM Skiffers

			91952317KV Rfn B.G. Meerka	Drunkenness	Awaiting trial
13	Insele commando	2	10851640KV Cpl T.N. Zulu	Theft	Not known (arrested by MPA)
			98215627KV Rfn M.L. Majenje	Theft	Not known (arrested by MPA)
14	Potchefstroom commando	2	81557670KV Rfn O.A. Kedikgotse	Theft of state property	Trial in process
			98285273KV Rfn M.A. Khene	Threaten members of the commando	Trial in process
15	White River commando	5	80531494KV Cpl J.N.M. du Rand 8186166KV Rfn S.M. Maphosa 98231061KV Rfn K.A. Mthombothi 98267552KV Rfn B.J.S. Msimango 98236318KV Rfn C.T. Mgwenya	Murder Members assisted the SAPS on request to escort them to find weapons that a suspect will indicate. On the site where the weapons were the accused got out of the SAPS vehicle and collapsed and dies. The commando members were arrested with SAPS members	Case not finalised
16	Bloemfontein commando	1	93759991KV Rfn K.V. Pulumo	Unlawfull possession of firearm and ammunition	93759991KV Rfn K.V. Pulumo
	Brandfort commando	2	84241258KV Cpl M.P. Engelbrecht	Fraud	Case pending
			93732113KV Rfn B.A. Chwi	Theft	Case withdrawn
	Wepener commando	1	91090100KV Cpl A.L. Stallenberg	Theft	Case under investigation
	Total	80			

Rassekwotas ingestel *re* toelating tot studiegeleenthede in SAMGD

75. Mnr P J GROENEWALD (VF Plus) vra die Minister van Verdediging:

(1) Of daar ten opsigte van toelating tot studiegeleenthede in die SA Militêre Gesondheidsdienste enige kwotas vir blankes, swartes, kleurlinge en Indiërs ingestel is, soos in nuusblaaie aan die einde van Januarie 2005 geadverteer is; so ja, wat die kwota vir elke bevolkingsgroep vir elke studieveld is;

(2) of hy 'n verklaring oor die aangeleentheid sal doen? N120A

(Translation of Afrikaans question follows):

[Racial quotas introduced *re* admission to training programme of SAMHS

75. Mr P J GROENEWALD (FF Plus) asked the Minister of Defence:

(1) Whether quotas for whites, blacks, coloureds and Indians have been introduced in respect of admission for study opportunities in the SA Military Health Services, as advised in newspapers at the end of January 2005; if so, what is the quota for every population group in respect of each field of study;

(2) whether he will make a statement on the matter? N120E]

The MINISTER OF DEFENCE:

(1) No.

(2) No.

Rassekwotas ingestel *re* toelating tot studiegeleenthede in SALM

76. Mnr P J GROENEWALD (VF Plus) vra die Minister van Verdediging:

(1) Of daar ten opsigte van toelating tot opleidingsgeleenthede in die SA Lugmag enige kwotas vir blankes, swartes, kleurlinge en Indiërs ingestel is, soos in nuusblaaie aan die einde van Januarie 2005 geadverteer is; so ja, wat die kwota vir elke bevolkingsgroep vir elke studieveld is;

(2) of hy 'n verklaring oor die aangeleentheid sal doen? N121A

(Translation of Afrikaans question follows.):

[Racial quotas introduced *re* admission to training programme of SAAF

76. Mr P J GROENEWALD (FF Plus) asked the Minister of Defence:

(1) Whether quotas have been introduced for whites, blacks, coloureds and Indians in respect of admission to training opportunities in the SA Air Force, as advertised in newspapers at the end of January 2005; if so, what is the quota for each population group in respect of each field of study;

(2) whether he will make a statement on the matter? N121E]

The MINISTER OF DEFENCE:

(1) No.

(2) No.

Rassekwotas ingestel *re* toelating tot studiegeleenthede in departement se Youth Foundation

81. Mnr P J GROENEWALD (VF Plus) vra die Minister van Verdediging:

(1) Of daar ten opsigte van toelating tot die opleidingsprogram in sy departement se Youth Foundation kwotas vir blankes, swartes, kleurlinge en Indiërs ingestel is, soos in nuusblaaie aan die einde van Januarie 2005 geadverteer is; so ja, wat die kwota vir elke bevolkingsgroep vir elke loopbaanopsie is;

(2) of hy 'n verklaring oor die aangeleentheid sal doen? N124A

(Translation of Afrikaans question follows):

[Racial quotas introduced *re* admission to training programme of department's Youth Foundation

81. Mr P J GROENEWALD (FF Plus) asked the Minister of Defence:

(1) Whether, quotas for whites, blacks, coloureds and Indians have been introduced in respect of admission to the training programme of his department's Youth Foundation, as advertised in newspapers at the end of January 2005; if so, what is the quota of each population group in respect of each career option;

(2) whether he will make a statement on the matter? N124E]

The MINISTER OF DEFENCE:

(1) The aim of the Department of Defence Youth Foundation Training Programme is to help address representation within the highly specialised occupations within the Department of Defence. Therefore, representivity within each highly specialised occupation group is reviewed annually to determine the

requirement. Recruitment is then done according to this requirement. The statistics for the 2005 academic year are as follows:

Service	*Occupational group*	*White*		*Black*		*Coloured*		*Asian*	
		M	F	M	F	M	F	M	F
SA Army	Infantry	0	0	1	1	1	1	1	1
	Support personnel	0	0	10	5	4	3	5	3
	Artillery	0	0	0	0	0	0	10	10
	Air defence artillery	0	0	5	5			5	4
	Armour	0	0	3	3	3	3	4	4
	Engineering	0	0	0	5	0	0	0	0
SA Air Force	Pilot/navigator	0	0	16	10		1		2
	Command and control	0	0	2	3	1	2	1	1
	Engineers	0	0	1	1	1	1	1	1
SA Navy	Combat officers	0	0	4	2	0	0	0	0
	Engineer	0	0	22	8	0	2	0	0
	Technical officers	0	0	13	4	0	0	0	0
SA Military Health Services	Medical doctors	0	0	8	4	0	0	0	0
Finance Division	State accountants	0	0	8	7	3	3	2	2

(2) No.

QUESTIONS

For written reply:

Reason for delay in payment to section 21 schools in Eastern Cape

3. Mrs C DUDLEY (ACDP) asked the Minister of Education:

(1) In light of the finding that many section 21 schools in the Eastern Cape have not yet received the subsidies due to them in April 2004, (a) what is the reason for the delay in payment, (b) when will these subsidies be paid, (c) when will the 2005 subsidies be paid and (d) what are the further relevant details;

(2) whether the schools in the Eastern Cape which are incorrectly classified as quintile 5 schools have been visited and re-assessed; if not, why not; if so, when will this error be rectified;

(3) whether any steps have been taken with regard to the re-evaluation of the Willow Park School in East London; if not, why not; if so (a) what steps and (b) what are the relevant details? N22E

The MINISTER OF EDUCATION:

(1) (a) The arrangement in the Eastern Cape Department of Education is that transfer payments are made in May of the school year after the process of loading the budget is completed in the previous month. Some delays in payment to section 21 schools are caused by schools not submitting financial statements in good time and some schools changing their banking details.

(b) Payments are in the process of being effected and this process will be completed by 15 March 2005.

(c) It is planned that the 2005 subsidy will be paid in May 2005.

(d) Schools delay in submitting financial statements, which are an important prerequisite for transfer payments to be paid. In order for transfer payments to be made to schools it is imperative that schools submit financial statements in time. In terms of the PFMA transfer payments can only be made after complying with the specified requirements

(2) The schools were not incorrectly classified but some are contesting their placement in quintile 5. The Eastern Cape Department of Education took a position to review the quintiles and schools were re-assessed and, new quintile allocation, with four levels per quintile, was adopted. This was done in the 2004-05 financial year.

(3) Willow Park was part of the re-evaluation that was done in 2004-05. Districts have been instructed to liaise with the affected schools and inform them of their new placement by 23 March 2005. Communication was dispatched by Head Office to schools, including Willow Park, informing them of the quintile arrangements.

Proposal for sale of excess land belonging to certain school

4. Mrs DUDLEY (ACDP) asked the Minister of Education:

(1) Whether, with reference to the response by the Eastern Cape department of education on 8 July 2004 to a request made by a certain primary school in East London (name furnished) in December 2003 for the

department to consider a proposal for the sale of excess land belonging to the school, an audit of the department's assets has been completed; if not, by when will it be completed;

(2) whether any policy has been formulated regarding the proceeds of assets disposed of; if not, (a) when will such policy be formulated and (b) what public participation will there be in formulating the policy; if so, (i) what public participation was there in formulating the policy and (ii) what are the further relevant details;

(3) whether the department has considered the request by the above-mentioned school; if not, what is the position in this regard; if so, what are the relevant details;

(4) whether the department has investigated or will investigate the protential impact of this proposal in terms of meeting the needs of the community; if not, why not; if so, what are the relevant details;

(5) whether the department has considered any other alternatives, such as building a secondary school on the surplus land, in order to address the growing needs of the community; if not; if so, what are the relevant details? N23E

The MINISTER OF EDUCATION:

(1) An audit of all the school buildings in the Eastern Cape was conducted in 2004, but this did not include the size of the school erven or the extent of vacant erven.

(2) Normal government policy would by followed in regard to the disposal of any assets, and this process would be managed by the Department of Public Works, which is the custodian of government property. However, the Eastern Cape government is considering the appointment of a private sector strategic property partner, to assist them in the management of all government assets in the province.

(3) The Eastern Cape department of education reports that it has considered the request of the school in question, but is not yet ready to make a decision in regard to any land disposals. The appointment of a strategic partner will expedite this process.

(4) Yes. The process will be managed through the strategic partner.

(5) No. The focus of the school building programme is on the delivery of suitable schools and classrooms in the rural areas of the province, and the budget is fully committed for these purposes.

Persons with official refugee status residing in SA

19. Mr M SWART (DA) asked the Minister of Home Affairs:

(1) (a) How many persons with official refugee status currently reside in South Africa, (b) what is the annual cost to taxpayers to house all these refugees and (c) how many of these refugees are citizens of (i) Angola and (ii) Mozambique;

(2) whether these refugees will be returned to their home countries considering the cessation of war in Angola and Mozambique; if not, why not; if so, when;

(3) how many persons applied for refugee status in the twelve months up to 30 September 2004;

(4) whether any applications for refugee status have been turned down; if not what is the position in this regard; if so, how many? N000E

The MINISTER OF HOME AFFAIRS:

(1) (a) 27 046 persons have been granted asylum in South Africa.

(b) Government does not budget directly for costs of maintaining refugees in South Africa. There are however indirect costs that are incurred as a result of the ability of refugees to access several social delivery benefits, including primary healthcare, water, sanitation and education for their children. For this reason it impossible to quantify the costs.

(c) (i) There are 13 722 Angolan refugees in South Africa.

(ii) There are 185 Mozambican asylum seekers in South Africa.

(2) Yes. They are likely to be returned to their home countries as circumstances in terms of which they have been recognised as refugees have ceased to exist. In terms of the 1969 OAU Convention Governing Aspects of Refugee Problems in Africa, refugees who freely decide to return to their homeland, as a result of such assurances or on their own initiative, shall be given all possible assistance by the country of asylum, the country of origin, voluntary agencies and inter-governmental organisations to facilitate their return. The Government is however not in a position to implement forced repatriations for those who are not willing to return home.

(3) In the twelve-month period up to 30 September 2004, approximately 22 743 persons applied for asylum.

(4) Yes. Not all applicants qualify for asylum in terms of the criteria as stipulated in section 3 of the Refugees Act, 1998 (Act No 130 of 1998). This include certain applicants who are economic immigrants and other categories that have been rejected. A total 3 961 applications have been rejected.

Subsidy per pupil paid to schools for children with special needs

26. Mrs H ZILLE (DA) asked the Minister of Education:

(1) What subsidy per pupil was being paid to schools for children with special needs as at the latest specified date for which information is available;

(2) whether this subsidy will be increased in the 2005-06 financial year; if not, why not; if so, what are the relevant details? N000E

The MINISTER OF EDUCATION:

(1) No subsidy is paid to Public Special Schools. Special Schools receive resource allocations, which include state paid employees, equipment and service items. The average national allocation per special school child in 2004-05 is R21 000.

(2) Yes, the allocation will increase. For 2005-06 the allocation per special school child will be R24 000.

(3) (a) No separate learner:educator ratios have been set for special schools, but the allocation of posts to these schools is done in terms of weightings that imply certain ratios. Each provincial department creates a pool of educator posts in accordance with its financial abilities and these posts are then distributed among all schools in accordance with their relative needs. The relative needs of schools are reflected by their weighted learner enrolments and the weightings attached to learners with special needs are used to determine the weighted enrolments of these schools. Therefore, although the weightings of learners with special needs are based on certain ratios, the eventual ratios

that will prevail in special schools will be more favourable than in public ordinary schools.

The weightings that currently apply are as follows:

Category of disability weighting of learners

- Mild to moderate intellectual disability 2
- Specifically learning disabled 3
- Severely mentally handicapped 3
- Epileptic 3.5
- Cerebral palsied 3.5
- Physically disabled 4
- Severe behaviour problems 4
- Hard of hearing 5
- Partially sighted 5
- Blind 5
- Deaf 5
- Autistic 6

(b) and (c) The weightings that currently apply and which are linked to categories of disability have been in place for the past ten years. Education White Paper 6 sets out a new policy with regard to post provisioning in respect of learners with special needs. According to the new policy, provision will be based on learners' levels of needs and not categories of disability. Support to these learners will also come from teams based in school districts. These new norms are still in the process of being developed and should come into effect in 2006.

QUESTIONS

For written reply:

Cancellation of final Top Ten section of *100 Greatest South Africans*

24. Ms M SMUTS (DA) asked the Minister of Communications:

(1) Whether a programme on an emeritus Archbishop (name furnished) was commissioned and produced for the final Top Ten section of the programme The 100 Greatest South Africans; if so, what are the relevant details;

(2) whether this programme was due to be screened by the SABC in the week that the SABC discontinued the series; if so, what were the costs associated with making the programme;

(3) whether the SABC intends to (a) archive, (b) screen, (c) destroy or (d) recycle the programme; if so, what are the relevant details? N51E

The MINISTER OF COMMUNICATIONS:

The CEO of the SABC has informed as follows:

(1) A programme was commissioned about Archbishop Emeritus Desmond Tutu and was due to be broadcast in the week that the whole project was withdrawn from the schedule, as this programme was part of the total of programmes of the project.

(2) As the entire project was costed as a total single amount, there is no specific amount which is attributable to the specific documentary. (In fact the entire project costs were covered by sponsorships.)

(3) The programmes are now in the SABC archives. However, as they were produced for a certain format, the finished products cannot be reused, but the raw production footage can be reused. No plan for such usage has been formulated at present, but as with all archive footage the future usage is dependant upon future broadcast initiatives.

SANParks to take over management of Qwaqwa National Park

23. Mr R JANKIELSOHN (DA) asked the Minister of Environmental Affairs and Tourism:

(1) In view of the fact that SANParks are to take over the management of Qwaqwa National Park, (a) when will the amalgamation take place, (b) when will the environmental impact assessment be completed in order to determine what type of activities may take place in the park and (c) on what date will tenders be advertised to allocate concessions for activities in the park;

(2) whether current concession holders will be able to operate until such time as new concessions have been allocated; if not, why not; if so, what are the relevant details;

(3) whether an assessment has been done to determine what economic effect the temporary cessation of all business and tourism activities in the park will have on the local community; if not, why not; if so, what are the relevant details? N58E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) It is envisaged that the amalgamation process, excluding the finalisation of land tenure issues, will be completed by 1 April 2005.

(b) Environmental impact assessments (EIA) for any developments or activities will only become

necessary if the Conservation Development Framework (CDF) and Strategic Management Plan (SMP) indicate that a specific activity or development is desirable and feasible for a given geographical area in the park.

(c) A date will only be determined once the CDF and SMP are in place.

(2) Yes, Basotho Cultural Village and Sethuthuthu Tours/GNU Safaris will continue to operate within the agreed framework.

(3) No. This has not been identified as a priority during the amalgamation process.

Blesbokspruit not complying with the specifications set for Ramsar sites

42. Mrs J A SEMPLE (DA) asked the Minister of Environmental Affairs and Tourism:

(a) Whether, with reference to his reply to Question 1000 on 3 December 2004, there are any concerns that the Blesbokspruit Wetlands near Marievale, Gauteng, is not complying with the specifications set for Ramsar sites; if not, what is the position in this regard; if so, what are the current threats to the site in terms of (i) pollution, (ii) development and (iii) poaching and (b) which authority is responsible for maintaining and overseeing this site? N76E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(a) No. The site still meets the criteria for which it was designated as a Ramsar site.

(i) Falls away.

(ii) Falls away.

(iii) Falls away.

(b) The Gauteng provincial department of agriculture, conservation, environment and land affairs.

SABC board members involved in buying programmes for broadcasting

55. Ms M SMUTS (DA) asked the Minister of Communications:

Whether any members of the SA Broadcasting Corporation Board have been or are involved in buying programmes for broadcasting by the corporation; if so, (a) which programmes have been bought, (b)(i) where and (ii) when were these programmes bought, (c) which board members were involved in buying these programmes and (d) how does the Board justify the performance by board members of a function that falls outside their scope and that should be performed by qualified staff of the corporation? N93E

The MINISTER OF COMMUNICATIONS:

The CEO of the SABC has informed me as follows:

The SABC can confirm that no member of the SABC Board of Directors was involved in buying programmes for broadcasting by the corporation.

Lifting of ban on 4 × 4 vehicles on certain KZN beaches

114. Mr M J ELLIS (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether, in light of recent research and information on the effect of the ban on 4 × 4 vehicles on beaches, especially in KwaZulu-Natal, he will consider lifting the ban in respect of certain areas of beach; if not, why not; if so, when will it be lifted;

(2) whether further research needs to be done; if not, why not; if so, (a) what will be the nature of the research, (b) who will undertake the research and (c) what deadlines will be set to complete the research? N159E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) No. There is no research that shows that the benefits of controlling vehicle use in the coastal zone is trumped. In fact, the adverse is true.

(2) My department has commissioned Anchor Environmental Consultants to study the socioeconomic impacts of vehicle use in the Greater St Lucia Wetland Park. The report is expected to be presented to me in March 2005.

QUESTIONS

For oral reply:

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Questions for oral reply:

DEPUTY PRESIDENT

Promotion of youth development

[1] *Mr N R MOKOTO (ANC) asked the Deputy President:

> In light of the problems being experienced by the youth of our country, what steps is the Government taking to promote youth development? N240E

Mr M J ELLIS: Mr Chairman, I'm sorry; it's just a matter of interest. Will that be the only guidance that you would have as to which members want asked a question or not because the system doesn't always appear to work.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): We'll keep an eye on it Mr Ellis but the Table is also here to monitor. They also have a screen, which is similar to this.

The DEPUTY PRESIDENT: [Applause.] Chair, government is well aware of many challenges facing young people. We have therefore devised a number of legislative interventions, policies and programmes directed at enhancing and ensuring the youth development. In the limited time available we cannot list all of them, so I will just highlight three of them.

Government has approved a new National Skills Development Strategy for the period 2005-10. The R21,9 billion will be allocated over five years to fund this strategy, which will include improved cooperation between Setas, on one hand, and the further training and education colleges and the institutions of higher education, on the other hand. This aims to ensure that young people are adequately equipped for the employment market. The National Youth Service aims to give young people skills that they can utilise in their future businesses or places of employment. It was launched on 28 August last year here in the Western Cape. A National Youth Service unit to provide the administrative and day-to-day support was established, and is hosted at the Umsobomvu Youth Fund in close conjunction with the National Youth Commission.

Since the launch more than 150 organisations and individuals have made contact with the National Youth Service unit regarding assistance to register, as accredited with the National Youth Services, as service providers. A new more accessible registration tool kit is being finalised. The National Youth Service manual to assist prospective partner organisations has also been finalised. The development of the

National Youth Service Curriculum Framework is underway. The 23 742 youths are currently active in accredited service programmes.

Government has also created the Umsobomvu Youth Fund, which, amongst others, has recently established a job opportunity seekers' database that the President promised in the state of the nation address in May last year. The database runs from the Umsobomvu Youth Portal. It has been completed and without even launching it, it has 5 000 registered youth some of whom have already been linked with opportunities. The youth portal offers information on bursaries, careers, employment, entrepreneurship, citizenship and health and well-being. There is also a hotline CV preparation tool. Government will continue to put the issue of youth development as one of its top priorities. We will continue developing new strategies, policies and programmes to ensure that new challenges in this regard are adequately addressed on an ongoing basis. Thank you. [Applause.]

Ms N R MOKOTO: Motlotlegi Modulasetulo, le Ntlo e feletse, motlotlegi Motlatsa-Mopresidente, jaaka re le baswa, ruri re amogela matsapa a Puso ya ANC e a tsayang go tlhabolola seemo sa baswa mo setshabeng. Fela ke rata go botsa potsotlaleletso go Motlatsa-Mopresidente ka gore, fa re bapisa ditlhaloso tse o sa tswang go di tlhagisa mabapi le maiteko a Puso go tlhabolola baswa kgatlhanong le dikgwetlokgolo jaaka phetelelo ya lehuma le botlhoki, tlhaelo ya tshedimosetso, tlhokego ya lefatshe le tlhaelo ya boitseanape kgotsa tsona di *skills* tseo di tsositseng sello le khurano ya meno mo basweng, bogolo thata baswa ba ba kwa metsemagaeng. Go ya ka Motlatsa-Moresidente, tsotlhe tse, a di ka kgona go rotloetsa baswa ba rona go tswelela go nna le tshepo kgotsa yona tsholofelo ya botshelo jo bo botoka mo Pusong e e eteletsweng pele ke mokgatlo wa ANC? Ke a leboga.

(Translation of Setswana speech follows):

[Ms N R MOKOTO: Hon Chairperson and the House at large, hon Deputy President, we as the youth appreciate the efforts made by the ANC-led government to improve our nation's youth. However, I would like asked the Deputy President the following follow-up question: When we look at the explanation he has just given regarding the government's efforts to improve the youth against the backdrop of major challenges like extensive poverty, lack of information, lack of land and the shortage of skills which has led to an outcry among our youth, especially the rural youth, does the Deputy President think that our youth can continue having faith or trust in the ANC-led government's ability to bring a better life to all? Thank you.]

The DEPUTY PRESIDENT: Sihlalo, okuyiqiniso ukuthi, njengoba sengishilo ukuthi uhulumeni unaziphi izinhlelo maqondana netsha yakithi, lokhu kuyaqala ngqa. Akukaze kuleli zwe, ngisho nakohulumeni abaningi asebake baba khona bedlula, kube khona izinhlelo ezibhekene nentsha ngqo. Lezi zinhlelo ziwaletha ngempela entsheni ngoba siyazi ukuthi intsha iyona abaholi bakusasa, futhi iyona, uma sithi sakha isizwe, okufanele sibhekane nayo ngqo. Lezi zinhlelo-ke zenzelwe khona ukuthi zihlangabezane nezidingo zentsha ukuze izwe lakithi lingabi nentsha ewuvanzi, kodwa kube intsha enezinto ezenzayo, efundayo nesifundile ifundiswe amakhono emisebenzi ethile ibuye isizwe futhi kulokho ngokuthi kube khona izikhungo lapho bezothola khona ulwazi lokuthi enze lokho afisa ukukwenza. Ngale kokuthi lezi zinhlelo ziletha amathemba, kodwa zenza ukuthi intsha izethuke isihlangabezana nalokho ebikudinga, ikwenza mathupha ingakuzwa ngendaba noma ingakuxoxi nje kodwa ikwenza ngoba ithole amakhono afanele. Kuyayihlomisa intsha lokhu kuyenze ukuthi ilibone ikusasa liqhakazile futhi ibe umthelela omuhle ekusaseni elizayo. Ngiyabonga. [Ihlombe.]

(Translation of isiZulu speech follows):

[The DEPUTY PRESIDENT: Chairperson, I have already mentioned the government's programmes that are directed at the youth. For the first time in this country we have — even previous governments never had this — programmes directed at the youth. These programmes bring hope to the youth, because we all know that the youth are future leaders. If we are to build a nation, we must focus on them directly. These programmes are created to meet the youth's needs, so that we should not have unoccupied youth, but rather youth with purpose, youth who are studying, youth who are learned, and youth with specific skills who get support and information from existing institutions about the careers they can follow. Apart from bringing hope, these programmes give the youth the necessary information they longed for. They get practical skills. They do not just hear or talk about them, but go on to acquire these necessary skills. All that empowerment helps the youth realize a brighter future. Thank you. [Applause.]]

Mr C M LOWE: Deputy President, the biggest problem for our youth is that they need to feel that they have a future in South Africa. That's a future with access to skills development and a future with a job. Contrary to what the hon Minister of Finance think about the unemployment statistics forum — and Minister you might be interested to hear this — found that nearly two thirds of young people aged between 18 and 35 are unemployed; one third of high school graduates are jobless; and that one in five young people in South Africa, Mr Deputy President, don't believe that they will ever have a job. These are shocking statistics and they confirm why many young South Africans don't feel that they have a future here. It is no help to you Minister of Finance. Deputy President, clearly government is not doing enough to address the needs of young people and to promote youth development. China has managed to address this problem head on. They have said, "Jobs first, ideology second". Why can't your government, why can't the Minister of Finance and you, together, do something to help the youth and young people of this country? [Interjections.] Thank you.

The DEPUTY PRESIDENT: Chairperson, I really don't know how the hon member is viewing the situation. In my reply I said that since this last decade it is the first time that there is a programme in this country dedicated to the youth. It has never been there before. [Applause.] The party of the hon man has been in this Parliament all the time but never raised the issue before. Let alone being critical about what the government is doing now. What I'm saying is that we have a programme precisely because we know the problem that faces our youth. That's why we have a programme, which is working. No matter which side you approach the statistics, the fact of the matter is that nobody says there is no problem otherwise we would have no programme if there was no problem. [Applause.] We have a programme because we have a problem that we are dealing. It is not true that the youth has no hope. I don't know where this survey was done. Maybe somebody did the survey in the back yard of his own home. [Laughter.] The youth in this country has a hope that they have a future in this country and these programmes are, in fact, producing the youth that if you were to go and ask them, they would tell you that they are better than what they were yesterday. However, you cannot cover each and every person overnight on a problem that was created over centuries. What I think is important is that we have a programme in place, which is working and the one the youth is confident that it will work and they can see their future. That's the reality not politics. Thank you. [Applause.]

Mr L M GREEN: Chairperson, hon Deputy President we are very positive with signs of an improvement in our economic growth. We understand that there's four percent and possibly more. That will result in more of the young people getting jobs so that's a very

positive sign. Maybe you have alluded to this answer but let me just this follow up question. How many job opportunities do you think have been provided with the assistance of the National Youth Service? We are grateful for the input that they have delivered so far. And, what are the plans of the National Youth Service to assist to bring as many of our young people as possible back from London and other western countries where they've gone for job opportunities? What can they do to assist in bringing them back? Thank you.

The DEPUTY PRESIDENT: Chairperson, well, I don't have the statistics of the jobs that have been created. As a follow up question, I'm sure there is line functioning — a department that could give the statistics for certain, so I wouldn't be able to provide you with that hon member. However, with regards to the plans of the youth to bring back people from foreign countries, I don't have that plan. The youth hasn't shared that plan with me. The reality is that the development and the economic growth of this country is the answer to that big question. I don't think that could be the task of the youth to sit down and plan how to bring back our youth abroad. I think it is the manner in which this country plans and develop itself that we begin to address the question of the people who have left. I think you do know that many of the people who left earlier are actually coming back because they see that this country is giving the answer to fundamental issues. That is what is happening without necessarily through the youth. I think it is the responsibility of all of us to make South Africa a better country so that those who left can come back and I think that is in its process already. Thank you. [Applause.]

Prince N E ZULU: Mhlonishwa Sihlalo, mhlonishwa Phini likaMongameli, siyathokoza kakhulu Msholozi ngokuchaza indima uhulumeni aseyihambile ukulungiselela ulusha esikhathini esizayo. UMsholozi ugcine ngokuthi ulusha lunethemba ngekusasa lalo kodwa-ke ake siluveze olunye uhlangothi Msholozi lolusha oselubukeka luphelelwa yithemba, njengolusha nje oselukhuluma ulimi oluthi kungcono okungenani kwakhiwe umnyango wolusha nje kuphela, phecelezi 'Youth Ministry'. Lokho bakusho Msholozi ngenxa yokuphelelwa yithemba ngezinhlelo lezi ezikhona, ikakhulukazi lena emakhaya — uMsholozi kade esho khona manje ethi uma ziqalwa lezi zinto ziqaliswa mhlawumbe emadolobheni njengako-Cape Town njalo njalo. Lena nje kwelakithi Msholozi ogwaduleni akukho lutho oluke luqaliswe khona. Ulusha lwakhona luphelele yithemba ikakhulukazi ulusha olungenawo ngisho umatekuletsheni. Bengithi-ke mhlawumbe uMsholozi angaphawula nje ngendaba ye 'Youth Ministry' kanye nolusha olungenaye umatekuletsheni. Ngiyathokoza.

(Translation of isiZulu paragraph follows):

[Prince N E ZULU: Hon Chairperson, hon Deputy President, I want to thank the Deputy President for explaining the steps that have been taken by the government to cater for the future of the youth. The Deputy President concluded by saying that the youth has hope regarding its future. However, let us talk about another sector of the youth that looks like it is losing hope, such as the youth who now suggest that it would be much better if a youth Ministry were established. Deputy President, they say such things because they are losing hope regarding the existing programmes, especially in rural areas. A short while ago the Deputy President mentioned that when these projects are initiated they usually start in urban areas such as Cape Town, etc. No projects are ever initiated in my dry and barren area. The youth there have lost hope, particularly those who do not even have matric. I would appreciate it if the Deputy President could comment on the youth Ministry and the youth who do not have matric. I thank you.]

The DEPUTY PRESIDENT: Mphathisihlalo, lunga elihloniphekile, ngicabanga

ukuthi lezi zinhlelo azikhethi labo abanomatekuletsheni nabangenawo kuphela. Zibhekise kulo lonke nje ulusha. Kubalulekile ukuthi lufike lolu hlelo entsheni. Asisho ukuthi selufike kuwo wonke umuntu kodwa sithi luyaqhubeka. Yingakho nje ngithe empendulweni yami kwenziwa imizamo yokuthi intsha ikwazi ukuhlangabezana kanye nalezi zikhungo lapho kutholakala khona ulwazi lokuthi ifundiswe. Kusho ukuthi ngisho emakhaya kufanele lufike lapho lungakafiki khona. Ngingasho-ke ngithi lapho esengike ngahamba khona emakhaya — ngiphuma emakhaya mina — ngiye ngihlangane nentsha eye ithi inethemba futhi iyabona ukuthi kukhulu esikwenzayo nokuthi iyethemba futhi ukuthi kukhona okuzayo nalapha kuyo. Angikahlangani nentsha ethi akwenzeki lutho nje. Sengike ngezwa-ke ngenye intsha ngesinye isikhathi eye ibhikishe. Uthi uma usubhekisisa ubone ukuthi kukhona ipolitiki-ke kule ntsha. [Uhleko.] Yenza njena nje iqhuba uhlelo oluthile lombusazwe. Okunye-ke lokho. Kusho ukuthi singazitolika ngokuzitolika lezi zinto ngokuthi mhlawumbe uhlale nayiphi intsha, kodwa intsha nje engike ngihlangabezane nayo ezindaweni eziningi iyethemba futhi ihlale ithi siyofika nini ngakubo. Khona isikhalo sokuthi sentsha esemakhaya sokuthi azisondele lezi zinto sikhona ngiyasivuma, kodwa angikaze ngiyizwe ethi isilahlekelwe yithemba impela. Iye ithi azifike phela nangakubo ngoba bethembile ukuthi zisosebenza. Yilokho engiye ngikuzwe. Maqondana-ke nodaba lokuthi mhlawumbe kuvulwe umnyango obhekene nentsha ngqo, ngiyazi ukuthi bakhona abanalowo mbono. Ukuba nombono-ke phela akuyona into embi leyo. Yinto phela ehambisana nendlela yombuso wentando yeningi nokukhululeka kwabantu ukuthi babe nemibono ngaso sonke isikhathi, bese kubekwa-ke umbono kubonakale ukuthi abantu bayawuvuma na. Kusho ukuthi aboni uma besho njalo kodwa phela awubekwe phela lapho kufanele ubekwe khona bese uyaxoxwa, kubonakale ukuthi kuyavunyelwana yini, nokuthi yiziphi izizathu ezibangela abantu ukuthi bacabange ukuthi akube khona umnyango. Mhlawumbe abanye ababoni kanjalo. Nabo ake benikwe ithuba ukuze babeke umbono wabo phela. Sengike ngezwa kancane ukuthi bakhona abasho njalo. Nakhona ngiye ngizwe nje ukuthi sengathi kuqhutshwa-qhutshwa ezombangazwe. [Uhleko.] [Ihlombe.] [Kuphele isikhathi.]

(Translation of isiZulu paragraph follows):

[The DEPUTY PRESIDENT: Chairperson, hon members, I think these projects do not discriminate between those who have matriculated and those who have not. They are aimed at all youth. It is crucial that these projects should reach the youth. We are not saying that they have reached everyone, but progress is being made. That is why I replied by saying that efforts are being made to enable the youth to access these training centres. These projects need to reach even those rural areas where they have not yet started. I am from a rural area. In those rural areas I have visited I have come across members of the youth who say they have hope and are aware that there is quite a lot we are doing. They also say that they have hope and can see that something is being done for them. I have not yet come across members of the youth who say that absolutely nothing has been done. I have been told about sectors of the youth who sometimes engage in demonstrations. On closer inspection, one realises that that sector of the youth is politicised. [Laughter.] They do that in order to further a certain political agenda. That is something else. We can interpret these things in accordance with the type of youth that one has come across. But the youth I have met in most places have hope and keep asking when are we coming to their areas. I do accept that the rural youth complain that these projects should also come to them, but I have never heard from those who have lost all hope. They usually state that these projects should also reach them because they hope they will be useful.

That is what I usually hear. Regarding the setting up of a specific youth Ministry, I am aware that there are those who hold such a view; to have a view is not necessarily a bad thing. That is in accordance with democratic values and freedom that people have, so that they can always express their views. Once such views have been communicated, they have to be subjected to the test of whether the people accept them or not. There is nothing wrong with that, but they have to put forward those views in relevant forums so that they can be discussed and agreed upon, and so that reasons can be stated as to why people think there should be such a Ministry. Perhaps others do not have a similar view. They should also be given a chance to put their views across. I have heard that there are those who have such views. Even there it usually becomes clear that such views are in pursuance of politics. [Laughter.] [Applause.] [Time expired.]

Reconsideration of SA's relationship with Zimbabwe

[2] *The LEADER OF THE OFFICIAL OPPOSITION (Mr A J LEON) (DA) asked the Deputy President:

(1) Whether the Government has formally rebuked the Zimbabwean government for its failure to comply with the 90-day deadline for the deployment of a South African Development Community (SADC) team of legal experts in accordance with the SADC guidelines for free and fair elections; if not, why not; if so, (a) when did it do so and (b) what are the relevant details;

(2) whether, in its role as chair of the SADC organ on politics, defence and security, the Government will reconsider its diplomatic relationship with Zimbabwe, as was done by the African Union and the Economic Community of West African States (ECOWAS) in response to the unconstitutional rise to power of a certain person in Togo (name furnished), should Zimbabwe fail to comply with SADC election guidelines; if not, why not; if so, what steps will be taken in this regard? N242E

The DEPUTY PRESIDENT: Chairperson, no we have not rebuked the Zimbabwean government. The hon Leader of the Opposition does not appear to have read properly the *SADC Principles and Guidelines Governing Democratic Elections.*

There is no requirement in the SADC Guidelines for legal experts to be deployed in a country 90 days before elections. The Guidelines state that the relevant electoral institution of the country that is having an election must issue an invitation to SADC 90 days before the voting date and that the SADC Election Observer Mission should be deployed at least two weeks before the voting date. There is currently no basis for our government to entertain reconsidering its diplomatic relations with Zimbabwe.

As regards the situation in Togo, the decision of the African Union and Ecowas was based on consultations that have sought compliance with an existing African Union decision to discourage the unconstitutional assumption of power. No such situation exists in Zimbabwe.

Our approach now is focused on assisting Zimbabwe realise its own express commitment to the SADC Guidelines. It seems as if the hon Leon is attempting to pre-empt the elections and it would be more appropriate asking the questions after the elections, if necessary. [Applause.]

Mr D H M GIBSON: Chairperson, Archbishop Pius Ncube states that President Mbeki will be "booed" in the streets of Zimbabwe by ordinary people. He says the people of Zimbabwe have no respect for our President because of his quiet diplomacy. [Interjections.] Now the SADC Parliamentary Forum Observer Mission has not been

accredited and this follows on their failure to invite the SADC technical team 90 days before the election.

Will the hon Deputy President tell us whether South Africa has a bottom line concerning the Zimbabwean election? Are there any circumstances that will persuade the Mbeki government that the election is not free and fair? Or is the President determined to certify it free and fair, come what may? [Interjections.]

The DEPUTY PRESIDENT: Chairperson, I think I have answered the first part of the question already with regard to the SADC Guidelines. Of course the hon member has to do his duty and repeat the question. [Laughter.] [Applause.] Secondly, we are not in the business of condemning countries because it is not our business to run other countries. [Applause.]

Thirdly, on the question of the hon member whether the President of South Africa is preparing to declare the elections free and fair come what may, I do not know whether he is exposing his party's position that they are determined to declare the elections not free and fair, come what may? [Applause.] I think that question unfortunately exposes such an intention.

In line with the Zimbabwean commitment to conduct the coming elections free and fair, the Zimbabwean government has invited South Africa to come and observe the elections in five capacities: As part of SADC, as chair of the organ on politics, defence and security, as a neighbouring country of Zimbabwe, as the ANC and as part of the parliamentary forum. This Parliament has taken a decision about it.

This clearly is an intention of a country that is preparing to have free and fair elections that wants its neighbours and everybody else to come and observe. I do not know why we should be talking about the elections, that they are not free and fair when they have not happened. I do not know. I absolutely do not know. What we should be focusing on if we were a good neighbour, is: What do we do to assist the elections in Zimbabwe to be free and fair? That is what we should be focusing on. I do not think that it helps to do opposition politics in a wrong way and in a manner that is not constructive, that is not helping. It is therefore making the hon member to hear only what he wants to hear, and that is why he quoted the bishop. I think the opposition has a problem and it is a problem of blockage. [Applause.] [Time expired.]

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Order! Hon members I am informed that there is a technical problem with the air conditioning. I am sure that most of you will agree. It is accordingly necessary to shut down the computer system and I shall be asking members who want to raise supplementary questions to do so by raising their hands — not for this round yet. We have a full compliment of supplementary questioners. There is Dr Pheko — he will ask the next supplementary — followed by Mr Gore, followed by Mr Sithole. But for the next question we will take a show of hands. Thank you, Hon Pheko.

Dr S E M PHEKO: Mr Chairman, I am sorry, I think I shall be misunderstood because I wanted asked a question with regard to the first question. That was with regard to the youth but somehow I was skipped. Maybe there was a misunderstanding but I have no question on this occasion. Thank you.

The HOUSE CHAIRPERSON: We will take the next name on the list. Thank you, Dr Pheko. The next questioner is Mr Gore. Is Mr Gore having microphone problems?

Mr V C GORE: Thank you, Mr Chair. Hon Deputy President, the Independent Democrats believe that it is essential not to pre-empt the outcome of the election in Zimbabwe in March. However, there are a number of very worrying signs that the elections will not be free and fair and it is essential that all the necessary checks and

balances were in place in order to promote free and fair elections.

A concern for the ID is that there is almost a blind focus on the election day and little or nothing has been said or done about the postelection day. There is a very likely scenario in which the protagonists in the election, whether it is the MDC or the Zanu-PF, will contest the outcome of the elections.

Hon Deputy President, what specific strategies will or have been put in place by the African Union, by SADC and by the South African Government in order to overcome the potential stalemate after the elections, so as to avoid the elections where the socio-economic and political crisis deepens in Zimbabwe?

The DEPUTY PRESIDENT: I do not know really hon member. We have had a number of elections in SADC, Malawi, Mozambique and Namibia and they have all been very peaceful. There was a bit of complaint of the opposition in Mozambique and they withdrew because they did not have a case. I still have to see a country where there are no parties that complain after elections in one form or the other.

I really do not know why we think there is going to be such problems in Zimbabwe. [Interjections.] In Iraq just almost yesterday there were bomb attacks and people died. There was a high incidence of violence as the elections were going on and I never heard the noises that I am now hearing here. [Applause.] Why on Zimbabwe in particular? The hon member is telling me a fairy tale. We must now sit and plan the strategy on what will happen after the elections if there is a problem. We must actually spend resources because we have in our minds that, because this is Zimbabwe, there is going to be a crisis after elections. Why are we prejudging Zimbabwe? How do I answer a question that says: What are the strategies if the economy, etc? Really, angifuni ukuxoxa inganekwane, we sihlalo. [Chair, I do not want to tell a fairy tale.]

Mnu D J SITHOLE: Ngiyabonga Mgcini-sihlalo. Sekela Mongameli, ingxaki esinayo lapha ukuthi amalungu ePhalamende awafundi, awe-DA kakhulu. Lo mbhalo engiwuphethe uma ngabe ubewufundile umhlonishwa u-Leon ubengeke awubuze lo mbuzo awubuzayo ngoba iZimbabwe kusukela yathola inkululeko ayikaze nakanye ingayi okhethweni. Selokhu iZimbabwe yathola inkululeko ibiloku iya okhethweni njalo unyaka nonyaka uma kufika isikhathi sakhona. Ngakho-ke nemigomo ye-SADC abayilandeli kahle futhi abayifundanga ngendlela efanele uma ngabe beyifundile. Lokho kubonisa ukuthi abayifundanga ngoba konke abakushoyo kulo mbuzo akukho kule ncwadi esayinwe yizinhloko zamazwe e-SADC. Ngalokho-ke Sekela Mongameli, ngicela ukubuza ukuthi sizokwenzenjani uma siqhubeka siba namalunga eqembu eliphikisayo angafundi izinhlelo okuvunyelwane ngazo ku-SADC balokhu beklewula kule Ndlu lena. Ngifuna ukwazi-ke Mongameli ukuthi sizokwenzenjani ngalokho? [Uhleko.]

(Translation of isiZulu paragraph follows):

[Mr D J SITHOLE: Thank you, Chairperson. The problem we have, Deputy President, is that some hon members of Parliament don't read, especially the DA members. If the hon Leon had read this document, he would not have asked this question, because since Zimbabwe gained independence it has never failed — not even once — to hold an election. Since Zimbabwe gained independence it had elections each and every year when they were due. Therefore, they are not following the SADC guidelines properly. If they did read it, they did not read it in the correct manner. It is clear that they did not read it because all what they are saying in this question is not contained on the documents signed by the heads of SADC states. Deputy President, I wish asked: What should we do with opposition members who don't

read SADC protocols, but continue making noise in this House? I would like to know! What should we do, Deputy President? [Laughter].]

USEKELA MONGAMELI: Hhayi lungu elihloniphekile, angithi la ePhalamende abantu baye bahlale eceleni bathi: Kodwa sizobuza muphi umbuzo? Sizowubuza kanjani lo mbuzo? Kucacile ukuthi lapha ilungu elihloniphekile belizama indlela nje yokufaka umcimbi waseZimbabwe ngesu elithile lase lithi-ke asithathe leli dokodo eliphuma ku-SADC. Icacile. Uma kungenjalo, kusho ukuthi sibhekene nokuhlupheka phela. Kodwa-ke ngoba yithi, hhayi sinamahlombe abanzi siyobabeletha nje, sibancenge, sibatotobise sihambe nabo boze bafunde. [Uhleko.]

(Translation of isiZulu paragraph follows):

[DEPUTY PRESIDENT: Hon member, you know that there are people here in Parliament who would wonder: What are we going asked him? How are we going asked this question? Surely this hon member was attempting to find ways to bring up the Zimbabwe issue, and decided to use this docket from SADC. It is clear. If that is not the case, it means we have a lot to do. But being ourselves, having broad shoulders, we will carry them, coax them and take them along until they learn. [Laughter].]

Mr N T GODI: Before I ask my question, Comrade Deputy President, I must indicate that from the side of the PAC we believe that the position that the government has taken in relation to Zimbabwe is correct, courageous, principled and revolutionary. [Applause.] Now the problem I have is, and I am not sure how you are going to help me, what is it about Zimbabwe that seems to excite some people? We have had elections in Namibia, in Malawi and in Mozambique but the kind of excitement and anxiety that is being shown around here in relation to Zimbabwe was not there. I am not sure really if you can be in a position to assist me in terms of unlocking this pervasive . . . [Time Expired.]

The DEPUTY PRESIDENT: Hon member, there have been those elections in the region, there have been other elections somewhere as I quoted Iraq and there was no excitement. One day the hon members will actually tell us because I do not know. I would not want to speculate or tell what I think is a problem because I may be accused of saying a wrong thing even if I said is.

Yini le? Ngelinye ilanga bositshela impela ngoba izangoma azikho kupolitiki, kuye kukhulunywe amaqiniso. [Uhleko.] [What is this? One day they will really have to tell us because there are no fortune-tellers in politics: it's only the truth that is spoken. [Laughter.]]

Bursaries awarded by Jacob Zuma Education Trust

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

(1) (a) How many bursaries have been awarded by the Jacob Zuma Education Trust since 1 January 2000 and (b) what criteria are used to select beneficiaries;

(2) whether there is any link between the Jacob Zuma Education Trust and the KwaZulu-RDP Educational Trust; if not, what is the position in this regard; if so, what are the relevant details? N273E

The HOUSE CHAIRPERSON (Mr G Q M Doidge): I would like to make an announcement before the question has been responded to. I would like to bring to the attention that although this question is in fact, not in order, as it does not fall within the line function of the Deputy President, the Deputy President is prepared to answer it. However, supplementary questions will regrettably not be entertained for the reason mentioned. The hon Mr Mpontshane has been informed accordingly. You may respond to the question, Deputy President. [Interjections.]

Are you rising on a point of order, hon member?

Mr A M MPONTSHANE: Yes Sir. Thank you hon Chair. Whilst I accept your ruling, I just want to say that I was only notified, somehow, this afternoon that . . . [Interjections.]

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Order! Let's give the hon member an opportunity to be heard.

Mr A M MPONTSHANE: . . . that there will be no follow-up questions. This question has been on the two question papers for over a week, and I believed that it was in order. Now, my plea is that in future I must be informed timeously, so that I do not prep. . . [Interjections.]

Can I be protected, Sir?

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Order! Order! Can we have some order, please. Please continue hon member.

Mr A M MPONTSHANE: . . . so that I don't waste my time and energy in preparing for this question. Whilst I thank the President for agreeing to answer this question, my plea is to the Deputy President, if he could not entertain further private interaction with me on this very same question. [Laughter]. Not here in the chamber but through private correspondence on this question. Sir, please protect me. [Interjections.] I regard these members over there as democratic, but they are so intolerant when I am expressing my views.

The HOUSE CHAIRPERSON (Mr Q C M Doidge): Hon member, order! Order, Mr Mpontshane. Order hon members. Mr Mpontshane we take cognisance of your request, and we apologise if you were informed very late. The table has taken note of that and I am sure it will not happen again. Thank you.

The CHIEF WHIP OF THE OPPOSITION: Chairperson, may I address you on this? You talk about Mr Mpontshane being advised very late. We certainly weren't, and the rest of the House wasn't advised, and there are a number of people who are ready to ask follow-up questions. I want to submit to you Sir, that the advice that is being given is entirely wrong. The matter is not sub judice. The Deputy President is not an accused. He is not accused before the court at all. The fact that they mention his name everyday is a different matter, and nor is there any matter before the court dealing with Mr Jacob Zuma.

The HOUSE CHAIRPERSON: Order! Mr Gibson, your point of order is not valid. The matter here is that this is not a line function of the Deputy President. But the Deputy President has agreed to respond to the question. I think you could assist us by accepting that ruling, and we allow the Deputy President to continue to answer the question.

The CHIEF WHIP OF THE OPPOSITION: Sir, this trust was started with public money. Surely there must be some accountability for that.

The HOUSE CHAIRPERSON: Can we allow the Deputy President to answer? Thank you.

The CHIEF WHIP OF THE OPPOSITION: Will questions arising from his answer be acceptable?

The HOUSE CHAIRPERSON: No. The ruling from the Chair is that we are not going to accept any supplementary questions. We have given the ruling, and it has been accepted by the questioner. Can I now appeal to the Deputy President to respond to the question?

The DEPUTY PRESIDENT: Thank you Chair. [Interjections.] The Jacob Zuma Education Trust was established with provincial discretionary RDP funds that were allocated to each member of the KwaZulu-Natal Provincial Executive Council, to use for a delivery project at their discretion.

As then MEC for economic affairs, I decided to use my allocation as seed capital for an

education trust. The trust is now entirely funded through donations. I am the patron of the trust, in my personal capacity, and the former Premier of KwaZulu-Natal, Dr Frank Mdlalose, is the Chairperson.

The trust was formed initially as a KwaZulu-Natal RDP Education Trust, and focused on providing financial assistance to underprivileged rural children, especially orphans and those affected by violence in KwaZulu-Natal. We approached various people who represented business, government, institutions of higher learning, and the community to become trustees.

The name of the trust was later changed to that of the patron, as it was the view of the trustees that the term RDP gave an impression that the trust would only last for the period of the official Reconstruction and Development Programme that was run from the Presidency then. Looking back over the past seven years since the trust was established, it is gratifying to see the achievements that have been scored, despite limited resources at our disposal.

From 1997 until the end of 2004 the trust had assisted about 5 000 children with their primary and secondary schooling, and over 50 at tertiary level. [Applause]. The criteria were developed with the assistance of interested and affected stakeholders including Amakhosi, Izinduna, councillors, and rural women. This covered an area of four Amakhosi, and an additional two areas are being added.

Through the bursaries we target orphans, children in areas that were affected by violence and faction fighting, as well as children from homes facing abject poverty. A special selection committee evaluates all applications received and determines the beneficiaries for each year. With regard to the request by the hon member who have asked the question to interact with me privately, I am certainly ready to do so. Then we could engage and talk about whatever he would want to know, particularly because he may be interested that the trust operates in the province where he comes from. I absolutely have no difficulty to do so. Thank you. [Applause].

The CHIEF WHIP OF THE OPPOSITION: Chairperson, on a point of order: I listened very carefully to the hon Deputy President. I cannot understand why the Rules of the House were bent in this way. If the question is out of order, then it shouldn't have been responded to. I maintain that once it is responded to, then there should be follow-up questions. It is quite ludicrous to have this current situation. [Interjections.] The rules have been bent to satisfy the Deputy President. That's wrong.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Mr Chair, this is grossly out of order. You gave a ruling. I think we have a duty to abide by the rulings of presiding officers in this House. This is out of order and disrespectful. Thank you.

The HOUSE CHAIRPERSON: Hon members, order! Please take your seat, Mr Green. Order! The ruling has been given, and the ruling stands. The matter is closed. We move on to the next question.

Situation *re* preparations for elections in Burundi

[4] *Mr M R MOHLALOGA (ANC) asked the Deputy President:

(1) In light of recent reports that certain political players in Burundi have displayed the intention to depart from the Arusha agreement, particularly regarding constitutional amendments and the continued existence of the transitional government, what is the current situation regarding the preparations for elections in Burundi;

(2) whether all preparations are on track for a smooth transition to democratic rule in Burundi; if not, what is the position in this regard; if so, what are the relevant details;

(3) whether he will make a statement on the matter? N241E

The DEPUTY PRESIDENT: Chairperson, we are happy to report that all outstanding issues were resolved amicably and constructively and the process is on track and moving ahead, as was evidenced by the landmark referendum on the power sharing Constitution, held on Monday. As of earlier today, according to report, the Yes vote has scored just over 91% support. The successful holding of the referendum was a tremendous vote of confidence for the peace process and the big boost for Burundi, the Great Lakes region and indeed for Africa's quest for peace, stability and renewal.

Our information is that preparations for the elections are proceeding well and all logistical matters are being attended to by the electoral commission, the Burundi government and other stakeholders. Burundi political parties have been registered and are currently campaigning for elections. South Africa has provided Burundi with electoral material and will send an observer mission for the Legislative elections. These are all efforts aimed at assisting the Burundi to ensure the smooth transition to democracy.

The successful holding of a referendum was a remarkable statement by the Barundi that they are ready for peace, stability and democracy. The co-operation of all political parties in this regard is commendable and convinces us even more that lasting peace will be achieved in Burundi. We congratulate our Burundian sisters and brothers and wish them well as they prepare for the final hurdle in the transitional process the elections. The Burundi peace process was long, drawn out and taxing to all parties, but finally, victory for democracy and peace has arrived and is certain. Thank you, Chair.

Mr M R MOHLALOGA: Deputy President one would like to appreciate and congratulate South Africa on the good that is doing in Burundi, but most importantly in particular yourself in terms of the work that you did in terms of guiding South Africa in intervening and bringing our peace and democracy in Burundi. But Deputy President regardless of the progress that we made — and I think the response that you presented to us speaks to that particular progress — there continues to be a notion by some commentators and some of our colleagues in the House share this particular view that, not until every ammunition is dropped and not every body is part of the peace process, which is of course appreciable and is desirable there would not be peaceful free and fair election in Burundi.

My question is that having been seized directly yourself the issue of Burundi, unlike our beloved commentators, is there a sound bases for such a notion? Thank you.

The DEPUTY PRESIDENT: Thank you, Chair. Thank you hon member for the question. Well I would love to believe that such commentators are really people who dwell just to speak for the sake of speaking instead of encouraging people.

Right here in South Africa, when we had our elections in 1994, two weeks before the elections you still had problems here. No one said we cannot have elections. If I remember very well, people were saying about some who come from KwaZulu-Natal that there should be a declaration of state of emergency or KwaZulu-Natal should be out of the elections because there were problems. We reached and agreement which allowed everybody to move forward. Nobody said we cannot have elections and we had peaceful elections and established democracy.

Now if South Africans would pretend as if our first elections were the smooth up to the day I think would be making the mistake. They would not be remembering the very history that has happen few years ago. As I said earlier, in Iraq even on the day of the elections car bombs were exploding, many people were dying, where were this commentators? I do not think that we should have double standard in looking at things.

What we should be doing in the Continent and in Burundi in particular is that we should be encouraging our brothers and sisters we should actually say, we come from a conflict situation ourselves. We succeeded. Once we are allowed and given a chance to democracy to be born that is where we are that is what they should do. I do not think we should be saying things that discourage people, when we know that we are merely playing politics. Thank you.

Adv Z L MADASA: Deputy President I hope I will not be playing politics. According to Resolution 1375 of the Security Council which support the Abuja Agreement the international communities urged in that resolution to honour fully the pledges made by donors during the Paris Conference in December 2000.

My question is: Whether in your knowledge these pledges have been honoured because this is important to alleviate financial burden on South Africa and the AU itself? What I would like to know is that what steps are being taken if the pledges have not been honoured to do so?

The DEPUTY PRESIDENT: Thank you Chair. That is a very appropriate question. You were not playing politics at all. It is a very relevant and pertinent question. [Laughter.] The question of the pledges that was done by the donors came into some difficulties, partly because after the Arusha Agreement there were armed groups that were outside the centres. A process had to be started to negotiate with them to come to an agreement on the ceasefire. Unfortunately that process took longer than was envisaged. In fact that is particularly the reason why there has been the extension of the transitional government. It meant difficulties for the donors or those who have pledged to give money. Immediately they began to doubt whether the agreement would move smoothly to the end. We in fact had to come back to them to talk to them again when we said that everything has been done now. There has been some money give not yet enough but also helped was the coming in of the UN, as the force to oversee the process itself. That has opened up the possibility of the donors to be able to give the money in fact as we are talking about April elections partly the very money that has been used for the referendum come from them and the UN and therefore we have all the hope that given in particularly this landmark of the referendum they will now see that there is no turning back to violence in Burundi.

We are still urging them we have talked to them as we meet with them they have now agreed that the conditions are conducive for them to give the money. So I hope they will do so and I am sure that give their support as the international community that is going to happen. Thank you.

Mr W J SEREMANE: Thanks, Chairperson. Hon Deputy President, I am sure you will agree with it that only the best is good enough and further that there are linkages between specific and general issues. That be the case, I will venture to continue to say while the government's efforts in Burundi are praiseworthy, it is very troubling that it is only vocal on those areas that are far away from our authority as government. Therefore the question will always haunt this House and this country. Why is South Africa not as visible, audible and enthusiastic in Zimbabwe as it is in different countries? Because you may rattle and as much as you want, the question will haunt us all if we do not get it right. Thank you, Sir.

The DEPUTY PRESIDENT: Well, I do not know where the hon member lives because if he lives in Africa he will certainly agree with me that whatever action is taken in Africa South Africa is then very visible and audible. Whether you talk about Sudan, Ivory Coast, Congo, Burundi, Comoros, whether you talk about Madagascar South has been there.

When you came to Zimbabwe, South Africa has been there all the time. The problem with the hon member is that he has a particular

approach that he believes ought to be applied into Zimbabwe. Stand on top of the roofs, criticise Zimbabwe, now that is not what we think should be done in Zimbabwe. We have engaged the people of Zimbabwe the leaderships, the parties, the government everybody we have not taken sides in Zimbabwe.

We have talked to the governing party. We have talked to the opposition and we have done everything we could. In fact, we have been more active in Zimbabwe than many other parts of Africa. That is why I asked: Where does the hon member live? Maybe he lives in the country called DA — who knows. It is a country called DA. You should apply for a passport to go there; maybe they have a TV service and newspapers. [Laughter.] Thank you, Chair.

Ministers:

ECONOMICS

(Cluster 3)

Commission for Africa's drive to achieve millennium development goals

14. *Ms J L FUBBS (ANC) asked the Minister of Finance:

(a) What progress is being made in promoting the recommendations of the Commission for Africa's drive to achieve the millennium development goals and (b) how will the commission's recommendations on debt relief, development aid and market access advance African development? N205E

The MINISTER OF FINANCE: Thank you, Chairperson. The commission will publish its report on 11 March. I am sure hon members are aware of the fact that the commission was convened in May last year. It has had three meetings, and the report will be published. In November last year a consultation document was published. Thereafter, there were very extensive consultations on the African continent with policy-makers, with business, with NGOs, amongst the African diaspora, with the G7 and G8 countries and with multilateral organisations.

The broad thrust of the approach is that African initiatives including Nepad, the African Peer Review Mechanism and the African Union must be supported. With regards to the Millennium Developmental Goals, a number of positive steps are in place. I think it's important to recognise that most countries on the African continent now have democratically elected governments. Civil strifes are far fewer than what they were ten years ago. There has also been considerable improvement on macroeconomic performance. But notwithstanding that, on present performance it looks like the Millennium Developmental Goals, which are targeted to halve poverty by 2015, will only be realised a century later on the African continent.

Africa's human development needs are vast. The number of people living in absolute poverty on the continent has risen from 227 million in 1990 to more than 300 million in 2001, the only region in the world where more and more people are becoming progressively poorer. Most estimates suggest that meeting the financing needs of the Millennium Developmental Goals in Africa would require at least $25 billion annually.

In spite of this, the net flow of resources continues to be from poor countries towards the rich, not from the rich to the poor. In 2002 low-income countries received roughly $27 billion in aid, but paid out $39 billion in debt repayment to rich country creditors — a net outflow of some $12 billion. These figures do not include the net draining of resources in the form of dividend flows from private-sector firms operating in the country.

This then is the context for the Commission for Africa. It's about supporting African lend initiatives. It's about supporting the capacity of Africa to attain the Millennium Developmental Goals as well. Thank you.

Ms J L FUBBS: Thank you, Chairperson. Minister Manuel, thank you for that response. Also, one had the opportunity of studying your address to the Commission for Africa. I would just like asked two follow-ups here. Firstly, with regard to the point you made, it is quite clear that it is going to take another five decades maybe, or more, to achieve the Millennium Developmental Goals. Is this because of the lack of clarity, specificity and the conditionalities attached, or is it because of donor funding not being specifically geared?

With regard to debt relief, which is related to that point, I know that Gordon Brown, the Chancellor of the Exchequer in Britain, has made it very clear that we stop talking of debt relief. We must talk of writing off debt in order to level the playing field in Africa. You yourself alluded to this just now by noting the capital outflows in respect of interest on the debt.

So, could you perhaps, Minister, give us greater clarity on this position as to where we stand on the debt position, how best we can serve the development in our country and in Africa? Thank you, hon Chairperson. [Time expired.]

The MINISTER OF FINANCE: Chairperson, the problems in respect of the attainment of the MDGs are complex. Firstly, as I mentioned, there is too much of an outflow of capital. There is a net outflow from poor countries to rich countries. Secondly, because so many countries are still dependent on commodity exports, there are very rapid declines in terms of trade, rendering countries poorer notwithstanding the fact that farmers, for instance, may be working harder. There is also a series of environmental issues that impact, but if we add up all of this, then you need a big push to be able to deal with it.

In terms of change that has already been measured, let me mention the example of Benin where there has been debt relief, and we aren't even talking of full debt write-offs. Where there has been debt relief, 43% of the debt relief went to education where it financed the recruitment of teachers for empty posts in rural areas. Another 54% was spent on health, of which a fifth was used to recruit health staff for rural clinics, and the remainder was allocated to implementing HIV/Aids and antimalarial programmes, improving access to safe water and increasing immunisation.

So, very clearly, if you look at the MDGs, there are clear linkages between health care provision in general, with the focus on primary health care, and then issues like infant mortality and female morbidity. It is about getting the triggers right and about having a predictable flow of aid, which supports the prevention of outflows of very scarce resources to countries that will see us accelerating the delivery on the Millennium Developmental Goals. Thank you, Chair.

Mr I O DAVIDSON: Mr Chairman, first of all I must congratulate the Minister on being appointed as one of the commissioners for the Commission for Africa, which was formed primarily because there was a realisation in the United Nations that the millennium goals agreed upon with such enthusiasm in 2000 were not going to be met in Africa by the 2015 deadline, unless we came up with new ideas and acted on them.

I think the Minister will agree that if we have goals, we need to monitor them and, if we are going to monitor them, we need to have regular reports. Therefore, it is a little bit embarrassing for me asked the Minister why South Africa has not submitted its progress report on the United Nations Millennium Developmental Goals, given that the deadline was December 2004, and noting that little countries like Swaziland, Rwanda, Nigeria, Mozambique, Madagascar and Gambia have submitted them.

Equally embarrassing is, of course, the fact that the reason given, I think, is that Stats SA has not come up with the relevant details,

and that is a department that falls under the Minister's jurisdiction.

The MINISTER OF FINANCE: Chairperson, I thank the hon Davidson for the question. I hope that the source of his information is not his bench mate, because he'll be in big trouble then. The first point to make is that with most poor countries there is very clear link between the general requirements in respect of donor aid and debt write-offs, for which they have to then prepare Poverty Reduction Strategy Papers.

These PRSPs are complex processes and involve all of the country and tend to sap a lot of energy. There are clear linkages between future debt write-offs and the submission of PRSPs. At face value in South Africa — it's not because of Stats SA — our starting point is considerably different to that, because the PRSP countries have been at this since 1996, and it's the same format of reporting from PRSPs into MDGs.

The Department of Health and Stats SA are collecting the information. I can say without fear of contradiction that the two measures that probably need to be watched most closely in South Africa. The first is the provision of water and sanitation, and in support of that, there has been a big push in the last while. There are still areas that are in need of attention. Yesterday in the Division of Revenue Bill again, we spoke about the additional resources to end bucket sanitation in South Africa. Our ability to meet the goals is there. But that would be the one indicator that needs to be watched, and the other is infant mortality. Thank you.

Adv Z L MADASA: Hon Minister, debt relief aid and debt write-off are all good things. My question is: What are we doing in Africa to create a fund? In our case, we have the African Renaissance Fund. This is because I believe that countries have some money. This is also a question of priority, and this is also a question of African initiatives so that the international community partner with us on our own initiatives. So what I am asking is: What is being done on the continent, as meagre as resources are, to prioritise, to create these funds across the board proportional to the income of each country so that people can contribute to something in terms of which we show commitment to and the seriousness of these issues?

The MINISTER OF FINANCE: Thank you, Chair, and I would like to thank the hon Madasa for the question. On the fund, there are a number of different initiatives. One of those has been the call by President Mbeki for the establishment of a fund, not to provide free money, but certainly to facilitate investment. One of the realisations about the continent is that whilst there is some savings in the form of pension funds and so on, roughly 57% of African pension funds are invested in the rich world — large chunks in the United States and others in Europe.

Part of what we need to do is to ensure that we can create the capacity for that to be spent. And there is some experience that we have developed in South Africa with public-private partnerships and so on. There is the Isibaya Fund within the PIC and a number of other examples that we will take forward.

The second area of change is within the African Development Bank. Lending from the ADB has actually fallen, because project preparation and project facilitation are hard. One of the proposals arising within the context of the Commission for Africa is to have additional resources for project facilitation. It takes a very elementary approach.

For instance, there is too little of Africa's land that is under agriculture at the moment. Amongst the reasons for this is that the soil is depleted, or there is no infrastructure — there is no irrigation to get water in, there are no roads to get fertilisers in or produce out.

The way in which we then spend on infrastructure requires an approach different from what we've had previously. The other part of

infrastructure, which is dealt with in the report, is that the mode of infrastructure in South Africa tends to follow colonial patterns. You find the mineral, you dig a hole, you build the railway to the closest port, and you export everything to Europe or the United States.

What we need is intra-African trade. It means that the kinds of things that we cultivate and manufacture need to articulate with that which our neighbours are doing, so that we can trade with each other. But we need infrastructure and we need institutional support. We are only going to get that if the money is there and the approach is both in respect of the announcements by the President, and the approaches in the African Development Bank are clearly focused on supporting that.

The detail of the Commission for Africa report will also begin to spell out what the resources would buy in respect of improving the quality of life of people on a sustainable basis. Thank you.

Setas on track to meet learnership targets

33. *Mr C M LOWE (DA) asked the Minister of Labour:

(1) Whether the Sector Education and Training Authorities are on track to meet their learnership targets for the current financial year; if not, what is the position in this regard; if so, what factors did he take into consideration in reaching this conclusion;

(2) whether these targets are sufficient to address South Africa's skills deficit and substantially reduce the unemployment rate; if so, what factors did he take into consideration in reaching this conclusion; if not,

(3) whether any steps will be taken to meet the expectations raised amongst the unemployed and unskilled by the skills development legislation; if not, why not; if so, what steps;

(4) what percentage of persons who have started learnerships have successfully completed the full term of the learnership;

(5) whether this percentage meets the expectations of his department; if not, why not; if so, what steps will he take to raise this percentage? N225E

The MINISTER OF LABOUR: Chairperson, Setas are on track. They have already exceeded the target of 80 000 which was set for them for people below the age of 35 years old. A total of 85 375 learners had already been registered by the end of October last year, and we are now waiting for the data of the last six months to check how far we have exceeded that 85 000 count.

The targets may not necessarily be sufficient to address the levels of unemployment. They, however, represent the contribution of government to the overall HRD strategy of which the Department of Labour forms part. These numbers are within the constraints of the resources that we command. We have mobilised Setas to reprioritise this area of work and to focus more on the youth.

The National Skills Development Strategy for 2005-10 has been adjusted to assist designated groups, including new entrants, to participate in accredited work, integrated learning and work-based programmes to acquire critical skills to enter the labour market and be self-employed. The department is now in the process of commissioning a detailed tracer study in this regard, in order to establish the completion and placement rates. We did commission small-scale studies in the various sectors that indicated, for example, 71% completion and placement rates in the finance sector, and 48% in the tourism sector.

The detailed impact study will take place during the second quarter of 2005, after all Setas have submitted their last quarterly reports and 2004-05 annual reports. The

placement rates set in the first strategy is 60%, and we are not prepared to accept less than this.

The difficulty faced by stakeholders is also understood in that when people define placement, they only talk about getting a job in the industry. We have expanded the placement definition to include self-employment, placement in social development projects and participation in further learning. If this definition is used, we believe that the studies will indicate that we have achieved this target. Thank you, Chairperson.

Mr C M LOWE: Minister, good afternoon and thank you for a very comprehensive reply. Also, may I thank you for your efforts of late to try to knock some sense into the Setas, because they are starting to pay some dividends. But, Minister, I beg to differ with much of your answer. Setas at the moment are not on track to meet their learnership targets and the targets, such as they are, will simply not address the skills backlog. Now, why do I say that? I say this because you mentioned the figure of 84 000 learnerships we currently have in place. There is a question about how many of those people actually finish the learnership.

According to your own statistics of your department, 165 400 students have completed their studies, but that is simply a drop in the ocean when you compare it in a country with 8,4 million people unemployed and a 500 000 skills deficit. The key question is that there are no statistics available on how many of these people actually find jobs after they finish their training. In addition, Setas underspent by nearly R750 million last year. Only 10% of the levy paying SMMEs actually claim their grants.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Order, hon member! Your time has expired.

Mr C M LOWE: And, sir . . . thank you very much. What I would like asked you Minister is: How in the light on that can you actually confirm that they are on track? Surely . . . [Inaudible.] radical overhaul. Thank you.

The MINISTER OF LABOUR: I hope he is not chowing my time.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): No, but I was going to bring him to order, Minister, because he took the whole minute to make a statement and not ask a question. We'd like members to observe that.

The MINISTER OF LABOUR: Well, I believe that as we speak the DA is causing unemployment by not paying the salaries of their workers. This is what I saw in the press. I hope that the hon member will be very active in that regard to make sure that we skill those people, instead of not paying them their salaries.

We have done a national skills survey. This report will be made public as from tomorrow. It reads: "Enterprise rating of Setas: Large and medium enterprises express reasonable satisfaction with Seta services. However, there are still problems with regards to small and medium enterprises." It goes further to say, "The survey provides evidence that there is growing enterprise engagement with the new skills development architecture but there is clearly much more to be done."

There are wide sectoral variations across much of the data in this report. And it concludes by also indicating to us that these findings do not support arguments for the abandonment of the Seta system. In other words, the system is working. We are not denying the fact that we still have some teething problems around issues of governance of the Setas.

Mr V C GORE: Thank you, Mr Chair. Hon Minister, thank for your answer. The ID believes that one of the biggest problems facing this country is that of poverty. In order to address the pervasive spread of this socio-economic evil, it is essential that a massive skills transfer take place, not only to

the millions of South Africans who are leaving school every single year, but also to the individuals that were treated as second-rate citizens during the apartheid regime, owing to substandard Bantustan education and, in many cases, no education at all.

It is the view of the ID that the current academic educational system will not be able to cater for the shortfall and requirements of skills in this country. Therefore vocational training, such as the Sector Education Training Authorities, must go hand in hand with traditional academic training.

Would the Minister agree with this assertion; if not, why not, and if so, what steps are being taken in order to integrate vocational training systems such as the Seta system into traditional academic training systems in order to achieve and surpass the targets of his department. [Time expired.]

The MINISTER OF LABOUR: In fact, in the new targets that we are setting in the National Skills Development Strategy for 2005 to 2010, we want Setas to work together with institutions of higher learning, that includes further education and training colleges, because what we have found is that the further education and training colleges are not properly capacitated, be it human capacity or infrastructure or the equipment which they use that is as outdated as the apartheid system. We have to make sure that we get new equipment for the further education and training colleges.

We are also talking to the institutions of higher learning. My colleague the Minister of Education is on top of the issues in this regard, because education is the supply side and it must supply the skills that are needed by the economy. But we must make sure that those that are demand-led also inform the education system what the demands of the labour market are, hon member. Thank you very much for your question.

Mr N T GODI: Thank you, Chairperson. Comrade Minister had a number of supplementary questions prepared. Now fortunately we met with the DG yesterday, and I think he gave us a lot of information about the departmental programmes. However, he indicated to us that the Setas would be given their certificates together with their service-level agreements. Now what I want to check is whether these SLAs are agreed to prior with the Setas, or whether they are given to each Seta according to its capacity to deliver, or whether they are merely departmental directives, which the Setas have to meet. Thank you.

The MINISTER OF LABOUR: Hon member, the interesting thing about the Setas is that when things are bad, the Minister of Labour must answer; when everything is good, the Setas take the credit. Well, I accept that there will always be those problems — service-level agreements — because sometimes they deny that these service-level agreements are agreements between the Department of Labour and each Seta. These are performance agreements.

Many of the things we say we say because we judge them according to the performance agreement that they themselves have signed and agreed to. But when things are bad they say, "We are only implementing performance agreements and targets of the Department of Labour and government." They are part of the national skills authority businesspeople, employer organisations together with trade unions, community stakeholders and government — and agreements are made there. It is therefore not helping people to run away from those service-level agreements.

Yes, we will be giving them certificates tomorrow. We are awarding certificates to about 20 of the Setas. There are five Setas that we will unfortunately just give a lifespan of about six months or so to rectify some of the governance problems that they experience. I will say those things tomorrow when I am in the conference. *Sisikopu mfethu.* [That is a scope, my brother.]

Mr S A MSHUDULU: Thank you, Minister. Noting the progress made so far by your department with appreciation, Comrade Minister, it is commendable to us as the ANC that the Setas, on their own initiative and through your intervention, have exceeded targets, as is evidenced by an improvement in performance according to the Estimates of National Expenditure report on the Vote by the six underperforming Setas, with only one Seta underperforming as at the end of December 2004.

My question is: How best can this human resource development strategy be linked to the Growth and Development Summit resolutions in a manner that will offset the negative impact of a high level of inflow of unemployed people into the labour market?

Also, notwithstanding, the Umsobomvu Youth Portal confirmed by the Deputy President earlier, how best can a Seta be accessible to our Grade 12s for career guidance, especially in the light of all government departments having confirmed that they have bought into the learnership as part of their commitment? Thank you.

The MINISTER OF LABOUR: Chairperson, I know that I am teacher by profession and I taught for almost half of my life. But there are certain questions that will probably have to directed to the Minister of Education about career guidance. However, we allow every South African to visit our regional offices, so that people know what the demands are in the labour market, so that we stop our children from only focusing on biblical studies, not that I am against them studying the Bible but I believe that we have enough preachers already. What we want is people to move away from sin instead. And, I believe, we are doing that job.

Of course we cannot have a situation in which Setas function in a vacuum, away from the broader strategy of government, which is to implement Growth and Development Summit resolutions. That is one of our responsibilities. Therefore because Umsobomvu must unleash the potential of the youth, it is part of its responsibility to focus on young people.

The ANC has to be proud for one because 77% of the 18,2 million learners were employed on a full-time basis or part-time basis when we interviewed them. In terms of the baseline that we did 73% of those learners interviewed on learnerships with their employers were employed by those employers on completion. The smaller companies show the greatest absorptive capacity of those learners. Therefore the ANC really needs to applaud itself for coming up with such a programme of having learnerships and Setas in the country, because Setas are bodies of people's power. [Applaud.]

We need to sort out a few things within the governance of the Setas, and this ANC House sitting here must assist us to make sure that the people are representing people in the governance of the Seta and not representing their jackets. [Applause.]

Job losses in agriculture sector due to drought

21. *Mr M V NGEMA (IFP) asked the Minister for Agriculture and Land Affairs:

(1) Whether any people in the agriculture sector have lost their jobs as a result of the drought currently affecting the Western Cape; if not, what is the position in this regard; if so, (a) what are the relevant details and (b) what financial losses have resulted from the drought;

(2) whether any assistance will be given to people affected by the drought; if not, why not; if so, what are the relevant details? N212E

UNGQONGQOSHE WEZOLIMO NEZEMIHLABA: Sihlalo, ngiyethemba ilungu elihloniphekile ngeke liphatheke kabi ngokuthi ngiliphendula ngolimi lwasekhaya. [Ubuwelewele.] Ngibonga kakhulu-ke lungu elihloniphekile.

Maqondana nombuzo 'owubuzile othi bakhona yini abasebenzi asebediliziwe emsebenzini ngenxa yesomiso, ikakhulukazi lapha eNthonalalanga Kapa, impendulo ithi abekho esibaziyo. Mhlawumbe kungenzeka ukuthi bakhona kodwa abekho esibaziyo.

Ingxenye yesibili yombuzo ibuza ukuthi ingakanani imali elahlekile ngalesi simo sesomiso kwezolimo. Mhlawumbe kubalulekile ukuthi ngikhulume ngobungako bamanani esiwanikwe uhulumeni wase-Ntshonalanga Kapa maqondana nokuthi, uma sibheka kabanzi, njalo ngonyaka ezolimo zifaka umnotho obalelwa ku-22% no 24,8% kulesi sifundazwe. Kodwa siyazi-ke ukuthi isomiso asikho kuyo yonke indawo yaseNtshonalanga Kapa, sisezindaweni ezithile. Singeke sakwazi ukubalula ncamashi ukuthi ngabe angakanani amanani alokho okulahlekile.

Mhlawumbe futhi kubalulekile ukuthi ngiphendule umbuzo obungawubuzanga lungu elihloniphekile. Njengohulumeni, ekulekeleleni iNtshonalanga Kapa onyakeni wesabiwomali sika-2003-04, sakhipha imali eyizigidi ezingu-R15,8 yokwelekela maqondana nesomiso. Kulo nyaka ka-2004-05 yimali eyizigidi ezingu-R9 ezoza lapha eNtshonalanga Kapa ukwelekelela abalimi abathintwe yisomiso.

Kodwa-ke omunye umbuzo owubuzile owokuthi-ke abantu nje uma bethintekile, hhayi abalimi, siye senze njani ngabo. Ngaphansi kohlelo lokubhekana nezinhlekelele ezifana nesomiso nozamcolo njll, uMnyango wezokuThuthukiswa koMphakathi uye uxhase labo bantu abathintekile, okungaba abasebenzi basemapulazini noma imiphakathi ethintekayo eseduze ukuze ibe nakho ukwelekelelwa ngokusizwa ngokuthize ukuze phela ingalimali.

Inkinga okufuneka siyisho kodwa lungu elihloniphekile nayo eyinto ongayibuzanga ukuthi esikuzwayo kukhulunywa njengamanje ngabanye abalimi ukuthi njengoba uhulumeni esathatha isinqumo sokuthi amazinga amanani amaholo abasebenzi basemapulazini kufuneka abhekwe minyaka yonke ukuze athi ukukhuphuka kancane, abanye-ke sebekhala ngokuthi abazukwazi ukulikhuphula lelo nani ngenxa yesomiso, nokuthi futhi mhlawumbe kungahle kudingeke badilize abanye abasebenzi uma kudingeka banyuse amaholo. Thina asikholwa-ke ukuthi lokho kufanele kube yisizathu esisisebenzisayo sokuthi sithathe inhlekelele siyisebenzise kweminye imigomo esavumelana ngayo.

(Translation of isiZulu paragraphs follows):

[The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Chairperson, I hope the hon member would not feel uncomfortable if I answer him in my home language. [Interjections.] Thank you very much hon member.

With regard to the question you asked, whether or not there are any employees who have been retrenched because of drought disaster especially in the Western Cape, the answer is, to our knowledge, there is none.

The second part of the question, questions the amount of money that has been wasted in the agriculture industry. Perhaps it is important that I share with you the exact statistic presented to us by the Government of the Western Cape, was that the Department of Agriculture and Land Affairs makes economic contribution of 22% and 24,8% in that province every year. However, the drought disaster is not drought disaster is not all over the Western Cape, but in certain arears. We are not able to give the exact figures of the loss.

Perhaps I should also give an answer for a question that you did not ask hon member. As the Government, we contributed R15,8 million from 2003-04 budget to assist the Western Cape with regard to drought disaster.

This year we shall, from 2004-05 budget, contribute R9 million to assist those farmers who were affected by drought in the Western Cape.

Another question you asked was, what do we do if ordinary people, other than farmers, are affected. In terms of the Disaster-Relief Programme in addressing disaster problems like drought, floods etc, the Department of Social Welfare assist the people so affected, who may be farm workers or local communities. Another problem that we should talk about although you did not ask me hon member, is that the concern we heard was that since the government passed a regulation that minimum wages should be reviewed every year in order put increment, therefore others are complaining that they are unable to increase the wages because of the drought disaster and that sometimes the circumstances would force them to retrench certain employees in order to put increment to others.

We do not believe that we should use drought as an excuse not to honour the obligations that agreed upon.]

Mnu M V NGEMA: Ngiyabonga kakhulu mhlonishwa uNggongqoshe. Ngithemba ukuthi umhlonishwa naye akazukudinwa uma ngithi: Ngiyabonga ntombi yangesakhaya.

Umbuzo wami ugxile kakhulu enkingeni edalwa yisomiso. Indawo yaseNtshonalanga Kapa bengiyisebenzisa nje ukuze ngithole ukuthi isimo simi kanjani. Isomiso-ke sikhungethe lonke izwe. Bengithi-ke umhlonishwa uNggongqoshe angesikhanyisele yini ngokuthi umnyango unazo yini izinhlelo ezilungiselela zibe zithuthukisa imiphakathi yabalimi, ikakhulukazi labo balimi abampofu basemakhaya abangekwazi ukuba namadamu abazakhela wona ngesingabo?

Umhlonishwa uNgqongqoshe ukhulume ngezikhukhula. Izikhukhula zisuke zisilethela wona amanzi lawa esiwadingayo. Ngakho-ke ngibuza ukuthi sinalo yini uhlelo esilekelela ngalo abalimi ukuze kuthi kulokhu kufika kwezikhukhula kube khona esizosizakala ngakho ngesikhathi sezihambile, kuthi futhi uma sekufika isomiso kodwa ngenxa yamadamu esiwakhile basizakale? [Kwaphela isikhathi.]

(Translation of isiZulu paragraphs follows):

[Mr M V NGEMA: Thank you, hon Minister. I hope the hon Minister would not feel uncomfortable if I say : Thank you lady from my locality.

My question is focussed on the problems caused by drought. I was using Western Cape as an instrument to measure the degree of drought.

The drought disaster is a national problem. Therefore I want the Minster to clarify for us whether there are any development programmes in place to help the farmers community, especially those who are in rural arrears, poor, and can not build dams on their own.

The hon Minister spoke about floods. Floods help by providing us with water that we need. It was on those basis that I asked if we have any programmes in place so that we will be safe when those floods come.

Even after the floods have subsided we need to have dams that will help us.] [Time expired.]]

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Chairperson and hon members, I am happy that hon Ngema has indeed explained that though the issue might have referred to a situation that is occurring in the Western Cape, but the broader question is about what mitigating programmes do we have to assist farmers and farming communities when they are affected by disasters such as droughts; and what flood relief is provided, particularly for small-scale farmers.

I think it is important for us to indicate that the issue of climatic change has been a matter of concern for all of us. Within government, working together with the Department of Environmental Affairs and the Agricultural Research Council, ARC, we have been consistently giving out weather

reports and analysing them to enable farmers to know what to expect during any farming season. That's some of the critical information for planning that farmers do require.

But, obviously, even if you have that information and even if you can make necessary planning there is a point at which there may be unforeseen circumstances where what you might have anticipated actually does not happen or happens to a larger extent than what you had planned for. So we do take into consideration, as government, that in those circumstances we need to be able to have relief to mitigate the pressures that may be faced at a particular time. An example of that is to look at the issue of debt consolidation where there may be challenges of not being able to repay during that season the loans that people have made, particularly within state institutions.

Secondly, we encourage people to plan for risk by ensuring that they take risk insurance in that regard. Thirdly, in terms of research, we actually look at information that will assist people to look at possibilities of diversification where there may be persistent drought or floods which point to the fact that it may not be good to continue to plunder the commodity that they plant during that period.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Order! Hon Minister, you time is just about to expire. Can you finish your point.?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Chair, I will finish my point. Thank you very much for your mercy.

What we also do is that where particularly small-scale farmers get affected during that period of the drought or flood, we engage them in public works programmes that either look at rehabilitation of the soil and construction of roads that go to their farms where these may be affected so that as we give them little income, through public works programmes they can be able to construct the infrastructure that will help them in future, after the disaster. Thank you.

Mr L M GREEN: Thank you, Chairperson. Hon Minister, with reference to assistance for people affected by the drought especially farmers in the Namakwaland region, here I am thinking of places such as Bitterfontein, Vanrhynsdorp, Springbok and the West Coast area, could you tell us whether it is your intention to declare some of these areas disaster areas? If so, would there possibly be funding to assist them during these very difficult times?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much hon member for the question you have raised. Maybe it's important for me to indicate the procedures that are followed before an area is declared a disaster area. First and foremost, what happens is that where there is a disaster of any kind, your local disaster committee at the provincial level, working with the relevant municipality in that area, do an analysis of the extent of the problem. If they can be able to release resources to assist, they actually do so. But where they fail, they appeal through the Minister of Social Development asked for the declaration of the disaster by asking the President. Once that has been done, the national disaster committee, working with the province — obviously, then looks at what is possible in terms of resources that can be requested from the Treasury towards assistance on that form of disaster.

Maybe it's important for me to remind hon members that if they look at the Budget that was announced by the Minister on 23 February, an amount of R100 million has actually been set aside for this financial year to assist those provinces that have been affected either by the floods or drought. If those areas have been covered in the request from the Northern Cape, surely, in my view, they will be assisted.

Mr D M DLALI: Chairperson, Comrade Minister, we would like to congratulate you for the role that the department has played in the co-ordination of the drought relief countrywide. But we would like to see more co-operation between all spheres of government in this regard from national, provincial and local government. Could you then, Comrade Minister, inform us about the role that has been played by the other spheres of government in this regard, including the integrated approach?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, hon Dlali. As I have said, in terms of the approaches that we follow, we do have a disaster management policy which indeed is applicable to the provincial as well as the local government levels. Almost all municipalities or districts have disaster management committees that actually come into effect when there is any disaster co-ordinated at that local level.

At the provincial level, the MEC responsible for local government is the one who chairs the committee and works with the MECs who would have been identified by the executive to actually be responsible for this matter. At national level, we have Minister Mufamadi who is the convener of an interministerial committee that deals with disaster management. So there is co-ordination in terms of how disaster management is being handled in the country. Obviously, the levels of capacity may differ from one area to the other. That doesn't mean there is no framework or mechanism to deal with that issue.

Beyond government, when there is a disaster those committees work with the local structures that are in the area and some of those who may be the affected communities and other local leaders in that community in terms of what needs to be done to respond to the disaster.

Mr A H NEL: Voorsitter, ek gaan in Afrikaans praat. Die DA verwelkom die droogtehulp wat die regering aan die landbougemeenskap aangebied het. Die geld wat deur die provinsiale departement hanteer word, word in die meeste gevalle reg aangewend en daar word van monitering gebruik gemaak om misbruik te voorkom. Die geld wat egter deur die Departement van Maatskaplike Ontwikkeling gebruik word, dra veel te wense oor. Die riglyne is duidelik: Slegs plaaswerkers en mense wat by landbouprojekte gemoeid is en hul werk verloor het, kan aanspraak maak op hierdie geld. In Limpopo word grondeienaars nog nie gehelp nie, maar hulle arbeiders kry reeds koopbewyse. Ek het 'n voorbeeld daarvan hierso. Die arbeiders kan ingaan dorp toe en dit inruil vir R900. By ander plekke weet ek dat staatsamptenare en onderwysers hierdie R900 gekry het van die Departement van Maatskaplike Ontwikkeling af. En dit is 'n mos 'n totale verkeerde ding. Dit is mos 'n wanaanwending van staatsgeld. Ek wil graag by u hoor en ek wil graag by u kollega hoor — en by al die ander kollegas in die Kabinet — of dit die korrekte manier is om hierdie geld aan te wend. Ons is definitief nie daarteen dat mense wat swaarkry onder die droogte uitgehelp word nie — wie dit ookal is en van waar hy ookal kom. Die riglyne moet gevolg word wat u self daargestel het.

(Translation of Afrikaans paragraph follows):

[Mr A H NEL: I am going to speak Afrikaans. The DA welcomes the drought relief that the Government offered to the agricultural community. The money that is managed by the provincial department is used correctly in most instances and monitoring is used to prevent misuse. The money that is used by the Department of Social Development, however, leaves much to be desired. The guidelines are clear: Only farm workers and people who are involved in agricultural projects and who have lost their jobs can lay claim to this money. While landowners in Limpopo have not received any aid yet, their workers are already receiving buying vouch-

ers. I can give you an example of this. Workers can go into town and trade the voucher for R900. In other instances I know of civil servants and teachers who received this R900 from the Department of Social Development. And surely this is completely wrong. This is misappropriation of state money. I would like to hear from you and I would like to hear from your colleague — and from all the other colleagues in the Cabinet — is this the correct way to make use of this money? We are definitely not against people who are suffering because of the drought being helped — whoever they may be and wherever they are. The guidelines that you yourself have established must be followed.]

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, hon member. I do appreciate the level of support in terms of the intervention of the government in this area — as was just explained by hon Nel, on behalf of the DA.

Hon Nel, regarding the example that you just made, when we work at a community level with regard to support in terms of relief that is required, mechanisms are agreed upon. In most instances, what happens is people will say: "Rather than giving cash advances, give us a voucher which we can use to buy either fodder from those who have it or food, if it is for humanitarian relief."

I think there is no dispute that those mechanisms get put in place and they do work. But I think the question you are raising is: What if there is corruption? Surely, as you have heard from the Minister of Social Development — and I am sure you have seen him during these few past weeks on your TV — all of us are in agreement that we need to intervene speedily. It also means our communities must be able to act as whistleblowers so that we can act appropriately. None of us would like to see poor people or those who are affected being robbed by corrupt officials, or even by corrupt suppliers who may be colluding in such instances.

I would like to actually appeal to hon Nel that he must give the information that he has to the Minister of Social Development so that they can act on it. Thank you very much.

CSIR/NACI/NRF/NSTF: important thinktank in development/promotion of science and technology in SA

10. *Mr E N N NGOBO (ANC) asked the Minister of Science and Technology:

Whether, in light of the fact that entities such as the Council for Scientific and Industrial Research (CSIR), the National Advisory Council on Innovation (NACI), the National Research Foundation (NRF) and the National Science and Technology Forum (NSTF) constitute an important thinktank in the development and promotion of science and technology in South Africa and the Southern African region, his department has a strategy or any plans to bring these entities together on a technological fact-finding mission in order to usher in a new approach to the development of human talent and capital in technology, both locally and in the region, in line with global bodies such as Global Research Alliance (GRA) and World Association of Industrial and Technological Research Organisations (WAITRO) which seek to promote science and technology worldwide; if not, why not; if so, (a) when and (b) what are the further relevant details? N199E

The MINISTER OF SCIENCE AND TECHNOLOGY: Hon Chair, I have initiated a process to review all initiatives relating to high-level science and technology human talent and knowledge production in South Africa, also taking into account regional challenges. This is being done with a view to addressing a more effective co-ordination of our efforts and the identification of areas where there are opportunities for enhanced science and technology contribution to our objectives of providing a better quality of

life for our people and economic growth for the nation.

This is a consultative process involving the stakeholders you have identified in the question, and others such as COHOT or the committee of heads of organisations in science and technology, as well as the Academy of Science of SA, for example.

The officials of the department are working with their counterparts in other departments and in the science councils to prepare the necessary background reviews, a full description of current activities, a gap analysis and responsive actions and plans to address the issues that you have raised, hon member.

I may add that the development of human talent is a major thrust of the National Research and Development Strategy. The policy and implementation imperative for this task is continuously under review.

The DST, DTI, the Department of Education and representatives from COHOT have been asked by the Minister of Science and Technology to integrate and propose intensification measures in the domain of human talent and knowledge production. The implementation workshop is planned for the second quarter of this year. All the above stakeholders and others will fully participate in this event and the subsequent actions.

This process was initiated in discussions with COHOT and a range of other role-players in the last quarter of last year. I must indicate that the focus in this exercise, amongst other things, will be on how we bring more women and more black people into the science and technology and engineering area where they are grossly underrepresented. Thank you, Chair.

Mr E N N NGCOBO: Thank you, Chair. Does the hon Minister not deem it a decision in the correct direction to host a far-reaching brainstorming national workshop on science and technology sooner rather than later in order to identify and nurture any idling talent, more especially from within the historically disadvantaged South Africans? They have over the period suffered marginalisation, even if they are technically competent, at the hands of the science community of South Africa which still, unfortunately, remains predominantly white, owing to the legacy and brutality of apartheid? If so, what are the relevant details? If not; why not?

The MINISTER OF SCIENCE AND TECHNOLOGY: Well, hon member, as I've said, there is a consultative process underway at the moment. That consultative process involves heads of science councils, representatives of higher education institutions and the Department of Science and Technology. The consultations have reached a stage where we are able to prepare for the consultative conference that you have described, which will look into all issues and all relevant questions relating to the crisis of high skills, of the knowledge production, of science competence and technology learning in our country. And so that process is ongoing and very soon that consultative conference that you spoke about will be held, I hope, before a period of six months has expired from now. Thank you very much.

Mr S J MASANGO: Thank you very much, Chair. The Minister was a Deputy Minister of Education for five years in the past, and has now been Minister in charge of Science and Technology for ten months. Our country is still rated 32nd in the world, outperformed even by countries such as Botswana and Zimbabwe.

Although he has answered part of this question, but let me repeat the question, and ask a second one. The first question that I want asked is: "What action plan does the Minister have to turn the situation in science and technology around in this country? Particularly, what are the time-frames?

Secondly, when can the country expect to achieve measurable performance indicators of progress indicating that all learners have

access to the curriculum in science, mathematics and technology? Thank you.

The MINISTER OF SCIENCE AND TECHNOLOGY: Well, Chairperson, firstly I wasn't Deputy Minister of Education for five years; I was Deputy Minister for three years or so.

Nevertheless, the production of science, engineering and technology workers is a task that faces a multitude of stakeholders in the country, namely higher education institutions, the school system, the Ministry of Education, etc., and this is a matter that we are seized with all the time.

We do accept that a few surveys that have been done have put our country in the last place, even behind countries whose per capita spending on a child's education is less than ours. We know that there are various factors that, I believe, the Minister of Education and others might be able to talk about, relating to poverty, language, etc., that are a barrier to the achievements of our learners in these subjects.

Regarding the programme that I was talking about earlier on, at least as far as higher education is concerned, the production of skills at that level is well underway and we believe that in due course we'll be able to reap the results or the fruits of our endeavours in that particular direction. Thank you very much.

Report on arms deal

1. *Mrs P DE LILLE (ID) asked the Minister of Finance:

(a) Which draft version of the Joint Investigation Report on the Strategic Defence Procurement Packages included the conclusion that the contractual position of the Government was sound, (b) why was this conclusion not included in previous versions of the joint report and (c) why was this conclusion included in later versions, as well as in the final version of the joint report? N5E

The MINISTER OF FINANCE: Thank you Chairperson, the Joint Investigation Report on the Strategic Defence Procurement Packages was directly submitted to this house by the Public Protector, the Auditor-General and the National Director of Public Prosecutions on 14 November 2001. The independence of these institutions is statutorily protected, and I am not in a position to answer for their report, or explain the reasoning behind their findings, on their behalf.

As indicated in the joint report, a process of consultation was undertaken during the preparation of the report, during which the various separate findings of the three agencies were examined, comment was received from departments and others involved and an agreed joint report was prepared. The Joint Report also indicates that prior to the preparation of this agreed joint report, the draft report was submitted to the President and the Ministers of Finance, Defence, Public Enterprises and Trade and Industry for comment in adherence to the provisions of section 4(6) of the Auditor-General Act of 1995. This draft report, dated September 2001, contained three separate reports of the Public Protector, the Auditor-General and the Directorate of Special Operations of the NPA.

The final draft report of the joint investigation team, which contained a consolidated report and the joint findings and recommendations of the team, included in its key findings the conclusion that "there are no grounds to suggest that the Government's contracting position is flawed". This statement is also included unchanged, in the final published report. I am mindful that in the process of compiling a joint final report, the three agencies were obliged to examine each other's findings and seek a collective view, as is normal in any forensic or internal process to bring separate investigative reports together to develop a holistic picture. It is therefore not surprising that changes were made in the process to the original separately

compiled drafts. It is also not surprising that the agencies refrained from reaching definitive conclusions on the status of government's contracting position until they were in a position to consider the separate reports jointly, and any comments received. The conclusion that the government's contracting position was sound could only be reached after joint consideration of the separate reports. Thank you very much.

Mr V C GORE: Thank you, hon Chair. Hon Minister on behalf of Patricia De Lille I would like to put apologies for not being here asked the question.

We thank the Minister for this answer however, we are extremely concerned about the fact that we have a number of versions, draft versions of the final report in the joint investigation on the Strategic Defence Procurement Packages. We take note of the fact that you have mentioned why there has been a presentative Parliament on the process that was followed.

What is extremely disturbing to the IDs is that we are aware of the fact that about the first draft of the report, only three copies were made. For my information this three copies went to the Auditor-General, President Thabo Mbeki and to the Speaker of the National Assembly.

Would the Minister be able to confirm this information and whether by giving a report to the Speaker of the National Assembly, and not allowing a report to be tabled before Parliament on the date that the Minister has indicated, so that all the Members could scrutinise this report equally and fairly that this was improper and perhaps incorrect.

The MINISTER OF FINANCE: Chairperson, not in a position to confirm or refute what the hon Gore is saying; I don't know what the sources of information is about reports. This is of course a matter that has appeared before the courts. Sorry, the hon Lee must talk when he is spoken to. But I can tell this House what the Auditor-General's Act says. It requires of the Auditor-General, and I am not sure what the requirements would be in respect of the Public Protector or DSO of the NPA, but the Auditor-General's Act requires at section 4(2), that at least seven days before the publication of a report, that it be given to the affected persons, the affected Minister, affected DG and an instance. And I think that since the mandate to the three Agencies came from the Speaker, the Speaker would have had a vested interest in this.

I want to draw the attention of the hon Gore to the fact that this is not an unusual practice. What would happen in an audit forensic or regularity audit in the private sector, is that the auditors would come in and take random samples and ask a series of questions that iterate with the CFO and would then prepare a report for the board. Before preparing their final report, that would be a management letter, about that management letter they would entertain discussion as well. So, it's not a unique practice that is being followed here. In fact, if the Auditor-General did not comply with the Act by withholding a report in that form from the affected individuals, he could probably be called before the Audit Commission for acting in violation of the letter and spirit of the Act which gives him the powers that he has. Thank you.

Ms H ZILLE: Thank you Chair. Minister, arising out of your reply and bearing in mind that your own department's affordability study on the arms deal, raised concerns about the long term burden this deal will place on the tax payers. Can you give this House the categorical assurance that all relevant information was taken into account and the best interest of all the people of South Africa given priority before the final decision was taken to purchase the armaments that was ultimately investigated by the joint investigation team?

The MINISTER OF FINANCE: Chairperson, I stand be guided by you whether this is

truly a follow up. The question under supplementary deal with the Joint Investigative Report commissioned by this Parliament. The question from the hon Zille has nothing to do with the Joint Investigative Report and I stand to be advised by you on this matter, sir.

The CHAIRPERSON: The question will not be responded to hon Minister, the Member is entitled to table that under a separate question.

Business interrupted in accordance with Rule 113(2) of the Rules of the National Assembly.

Budget allocation for community development workers

41. *Rev K R J MESHOE (ACDP) asked the Minister of Finance:

(1) Whether there is a budget allocation for community development workers; if not, why not; if so, what amount has been allocated;

(2) whether the budget will be divided proportionally between the provinces; if not, what is the position in this regard; if so, what criteria will be used for such allocations;

(3) whether the financial accounting will be done by provincial or local government? N233E

The MINISTER OF FINANCE:

Yes, it will be funded through provincial budgets as agreed to between national government and provinces. Provinces may in turn support municipalities to fund CDWs in terms of bilateral agreements between the province and each relevant municipality. Intergovernmental forums such as the President's Co-ordinating Council has taken CDWs into account as a priority. President Mbeki, in his state of the nation address to Parliament on 11 February 2005, has made a commitment that CDWs will be deployed in each municipality by March 2006. The actual amounts budgeted for will only be available after all nine provinces table their budgets by next week.

Provinces will be receiving funds for this purpose through the equitable share allocations. The honourable member should therefore wait until provincial budgets are tabled, which will indicate to what extent community development workers are funded.

This equitable share allocation is divided in terms of an objective formula between provinces, as the hon member may read in part 4 of Annexure E of each Budget Review.

Each provincial department and municipality is accountable for all its finances to its legislature or council, and has to submit its financial statements to the Auditor-General for audit, and then table the financial statements and audit report in the legislature or council within six or seven months after the end of the financial year, in accordance with the Public Finance Management Act and Municipal Finance Management Act.

Launch of new phase of NSDS to increase emphasis on developing scarce skills amongst previously disadvantaged

17. *Mr T G ANTHONY (ANC) asked the Minister of Labour:

Whether the new phase of the National Skills Development Strategy (NSDS) to be launched during February 2005 will further increase the emphasis on developing skills amongst the previously disadvantaged in those sectors where the skills are in short supply, namely the information and energy sectors; if not, what other measures are envisaged to ensure greater distribution of scare skills amongst women and black people? N208E

The MINISTER OF LABOUR:

The first main objective of our adjusted National Skills Development Strategy 2005-10, is prioritising and communicating critical skills for sustainable growth, develop-

ment and equity. The strategy has further two success indicators that we will use to measure how well we are doing in this regard:

(1) Skills development supports national and sectoral growth, development and equity priorities; and

(2) Information on critical skills is widely available to learners. Impact of information dissemination researched, measured and communicated in terms of rising entry, completion and placement of learners.

The adjusted strategy addresses the need for sectors and national actors to expend time and resources in the identification of priority critical skills. The strategy emphasises the need for Setas to turn to government departments to confirm and sign-off on critical skills lists to ensure that skills needed for the delivery of critical programmes are incorporated into the sector's plans.

Setas as implementation agencies will use their discretionary funds to identify critical skills in their sector such as IT, energy, agriculture etc, using guidelines prepared by the Department of Labour and NSA. These inputs from Setas will be consolidated into a national guide on occupational or employment trends, periodically updated as agreed. Relevant stakeholders will ensure that information is utilised and reported back to Department of Labour on agreed timeframes. We also plan to use the National Skills Fund to fund the distribution of the guide to institutions that target the poor and the training of career-guidance counsellors in the use of this information.

Crisis in textile industry following influx of cheap imports from China

24. *Dr E NKEM-ABONTA (DA) asked the Minister of Trade and Industry:

(1) Whether the task team set up by his department to address the crisis in the textile industry following an influx of cheap imports from China, which led to the retrenchment of 30 000 workers in this sector, has achieved its objectives; if not, (a) why not and (b) what tasks remain uncompleted; if so, what are the relevant details;

(2) whether he arranged a meeting with leading role-players in the industry (names furnished) to discuss the crisis; if not, (a) why not and (b) why did his department fail to acknowledge letters written to him by leaders in the industry requesting such meetings;

(3) whether, in view of the fact that Chinese wages are approximately five times lower than South African wages and that the Chinese currency is undervalued, and in view of the fact that the World Trade Organisation makes allowances for countries to protect themselves from China, his department holds the view that unrestricted trade with China is fair on the South African textile industry; if not, what steps does he intend taking to protect producers and employees in the textile industry; if so, what are the relevant details? N216E

The MINISTER OF TRADE AND INDUSTRY:

The clothing, textiles and footwear task team was established as an initiative of my colleague, the previous Minister of Trade and Industry, Minister Alec Erwin. The purpose of the task team has been to consult as social partners, which include industry, labour and government on the crisis in the sector. Recently this task team has started to meet more regularly with a view to overcoming the challenges that these sectors face.

As government we believe that the serious challenges facing the sector are deeper, more complex and go much further back than is suggested by the hon Dr E Nkem-Abonta.

The fact that the industry is experiencing difficulties from not only Chinese imports, but imports from the whole world, is symptomatic of deeper underlying factors such as lack of investment, lack of initiatives to improve competitiveness, lack of strategic repositioning in view of global developments (e g emergence of China), as well as elements of abuse of the government assistance scheme designed to support these sectors (that is the Duty Certificate Credit Scheme [DCCS]).

The clothing and textile industry task team was set up to deal with a very complex problem, and it will not help to over-simplify the cause of industry's crisis as that of the strength of a single trading partner. We should look at the actions that we could have taken, that we agreed to in previous sector summits, and for which time has all but run out, creating a sense of crisis.

The industry could always avail itself of measures for short-term relief, subject to following the required legal procedures. However, the participation of both labour and industry in the task team is an acknowledgement that what is required are long-term solutions that would reposition the sector and enable it to contribute to employment and economic growth.

The task team has had several meetings to develop proposals, but has yet to furnish these to the Minister of Trade and Industry. The Minister of Trade and Industry will engage with the industry as a whole and is reluctant to meet with individual companies who seek to act outside of the agreed structure. Concerns that parties have could be channeled through this task team.

China's dominance in the clothing and textiles sector has been increasing for many years and is unlikely to abate. It is for this reason that over the last decade we have encouraged our domestic industry to undergo a restructuring process, so that it is able to realise its potential, and become a competitive global player. However, this would require innovative solutions, greater levels of investment, improved skills levels, and co-operation between government, labour and industry.

To support these restructuring efforts, the Government has extended some measure of exemption for the industry with the delay of tariff liberalisation for this sector and in providing it with support measures such as the DCCS.

Unfortunately the space which we created, was not fully taken advantage of, and our domestic industry failed to prepare for the growing dominance of China, which was a known to be a reality over ten years ago.

Short-term relief measures, such as safeguards, are available and nothing prevents industry from applying for these measures. The Government is open to consider such support, but we will not be true to the problems facing the sector if we thought they would remove all challenges.

As Minister of Trade and Industry I am committed to support this sector, the success of which will contribute towards economic growth and employment. I look forward to the speedy conclusion of the work of the task team.

11 000 housing units delivered in Bophelong: lack of road infrastructure

18. *Mrs D M MOROBI (ANC) asked the Minister of Transport:

(1) Whether his attention has been drawn to the fact that there is no road infrastructure in Bophelong Extension in the Sedibeng municipality where the Gauteng provincial department has delivered 11 000 housing units; if so,

(2) what role can his department play to ensure that the relevant spheres of government integrate transport needs into the delivery by each sphere of Government? N209E

The MINISTER OF TRANSPORT:

(1) My department is aware of this and similar cases of road infrastructure shortages that result from misaligned service delivery interventions in our communities. This challenge has been identified and is also evident in, for instance, schools and road infrastructure, clinics and road infrastructure and social services and road infrastructure. With regard to roads and housing, this matter was incidentally discussed yesterday at the Road Coordinating Body meeting in Pretoria.

(2) My department is currently embarking on a number of processes to ensure that in all spheres of government, transport planning is aligned with broader spatial development and land use planning; that transport services are an integral part of the basket of services that are delivered to our communities; and that road interventions are informed by local needs. For example, we are currently:

- Finalising the Strategic Framework for Roads, which will become the blueprint for roads development planning and provision in South Africa. The strategic framework for instance, redefines the classification of our road network; wants to eliminate all unclassified roads; calls for a focus on municipal roads; and promotes access roads development. This is all developed within the government policy context of roads being the backbone of economic activity, a stimulant of local economic development and arteries for mobility and access to opportunities.

- Bringing all roads authorities and other stakeholders together to integrate planning, coordinate road infrastructure interventions, share best practices and discuss road service delivery challenges through the recently established Roads Coordinating Body.

- Assisting municipalities to enhance and complete their integrated transport plans (ITPs), which form part of the integrated development plans (IDPs). This process integrates all transport planning within a broader development context of municipalities, which will ensure the development of adequately resourced and sustainable settlements.

Learners from disadvantaged communities benefiting from project of promoting science & technology

38. *Mr B J MNYANDU (DA) asked the Minister of Science and Technology:

(1) How many learners from disadvantaged communities benefited from the project of promoting science and technology in 2003;

(2) whether the above figure includes learners receiving tuition under trees; if not, why not; if so, what are the relevant details;

(3) how many of these learners passed Grade 12 in the higher grade;

(4) how does he intend expanding this project in collaboration with the Minister of Education in order to tackle the national problem in regard to science and technology? N230E

The MINISTER OF SCIENCE AND TECHNOLOGY:

About 490 000 of the 700 000 learners who directly and indirectly benefited from the programmes supported by the Department of Science and Technology are from historically disadvantaged communities.

The Department of Science and Technology does not evaluate the facilities and resources available to learners in schools. It is, therefore, not possible to comment on this question.

While it is not the core mandate of the Department of Science and Technology to track impact of interventions on pass rates, the department is currently developing a tracking system to keep the database of learners who participate in the DST's programmes. The development and use of such a system is part of the collaboration signed by the Departments of Science and Technology, and of Education. At this point it is not possible to determine who of these learners passed Grade 12 at higher grade.

Following the approval by Cabinet to "strengthen the co-operation between the two Departments" in January 2004, the two departments signed a collaboration agreement on 6 July 2004. The collaboration plan contains the following activities to be led by the two departments:

- Upgrading of knowledge and skills of mathematics and science educators;
- Enhancing learner participation and performance;
- Identifying and nurturing talent and potential;
- Placing and supporting learners in higher education and key strategic economic sectors; and
- Supporting curriculum delivery.

New and additional human resources will be required to implement supplementary tuition programmes, establish a network of science centres and nurture identified youth with talent and potential. I hope that additional funds announced by the Minister of Education to support teachers of mathematics and science will go a long way towards achieving some of the objectives of the programme to promote science, engineering and technology. The DST is looking forward to strengthening its co-operation with the Department of Education in the consolidated, deepened and widened National Strategy for Mathematics, Science and Technology Education.

Steps to widen access to finance for microenterprises

22. *Prof E S CHANG (IFP) asked the Minister of Trade and Industry:

Whether his department has taken or intends taking any steps to widen access to finance for microenterprises; if not, why not; if so, what are the relevant details? N213E

The MINISTER OF TRADE AND INDUSTRY:

1.1 The Department of Trade and Industry (the DTI) recognises the impediments to economic development by the lack of access to finance for micro enterprises and informal sector enterprises, which are primarily located in the second economy. The DTI has consequently taken steps to improve access to finance for micro enterprises and is working with a broad range of organisations to provide this support. The DTI has over the past few months put measures in place to establish a new Micro Finance Apex fund, which will improve access to finance for micro and informal enterprises, as well as providing access to finance to the poor for productive uses.

This Apex Fund is not the first dti support measure to improve access to finance for micro and informal enterprises. Khula Enterprise Finance, an agency of the DTI, has since its establishment provided wholesale finance to those micro lenders offering loan for productive uses. Khula supports approximately 20 microfinance institutions (MFIs), who in turn have 67 609 active clients (from them about 90% are women beneficiaries). The total investment in this area is approximately R170 million.

1.2 The Apex Fund will be launched by April in line with the President's announcement in the state of the nation

address. All the critical steps have been taken to establish the Apex Fund. The registration is being finalised by National Treasury. A budget of R100 million has been allocated to the Apex Fund for 2005 and 2006. The new board and CEO of the Apex Fund will be appointed by the end of April 2005. A pilot programme is currently being planned and work is being done to develop systems for successful implementation of microfinance lending. It is envisaged that loans of up to R10 000 will be provided through the Apex Fund intermediaries; these intermediaries will also receive support in the form of institutional development and capacity building.

The finance provided by Khula to microenterprises and the soon to be launched Apex Fund should be seen in the context of the other agencies and initiatives that support access to finance for micro entrepreneurs such as the Land Bank, the Micro Agricultural Finance Scheme, Mafisa, the Co-operatives Bank Bill, the Dedicated Banks Bill, and the Co-operatives Bill. There is also a great deal of work being done by local governments, private sector companies, and nongovernmental organisations to support microenterprises and access to finance for microenterprises.

However, access to finance alone will not create viable and growing enterprises, it is therefore critical that non-financial or business development support is provided. The recently launched Small Enterprise Development Agency (Seda) will be working closely with the Apex Fund and Khula to ensure alignment of financial and nonfinancial support.

Aids vaccine initiative programme: successes in getting closer to producing candidate vaccines for TB/malaria

11. *Mr K M KHUMALO (ANC) asked the Minister of Science and Technology:

Whether the South African Aids vaccine initiative programme sponsored by his department has had other successes in getting closer to producing candidate vaccines for tuberculoses and malaria, in addition to an HIV and Aids vaccine; if not, what is the projected timescale for producing these vaccines; if so, what are the relevant details? N200E

The MINISTER OF SCIENCE AND TECHNOLOGY:

No. SAAVI is a dedicated programme working on the development of HIV and Aids vaccines. It is sponsored by the Department of Science and Technology, the Department of Health, Eskom and a number of other partners, including some donor agencies.

I can report that the programme has progressed to the initial manufacture of two HIV and Aids candidate vaccines, one for subtype A and another for subtype C. The C-subtype accounts for over 90% of infections in the Southern African region. These candidate vaccines have now entered a regulatory process in preparation for human clinical trials. Human clinical trials for the subtype C candidate vaccine are planned to start in the third quarter of this year, and the other is planned for 2006.

The efficacy and timing of the introduction of these vaccines cannot be predicted.

South African medical researchers are working on treatments for tuberculosis and malaria, including vaccines. Questions in this regard can be directed to my colleague, the hon Minister of Health, who is responsible for the Medical Research Council, which is the primary funder and performer of medical research in South Africa.

Reasons for decision by PIC to purchase/warehouse Telkom shares from certain company

4. *Mr V C GORE (ID) asked the Minister of Finance:

(1) (a) What are the reasons for the decision by the Public Investment

Commission (PIC) to purchase and warehouse Telkom shares from a certain company (name furnished) and (b) what criteria were used in making such decision;

(2) whether the beneficiaries of the PIC were consulted with regard to this deal; if not, why not; if so, (a) when and where did this consultation take place and (b) what was the outcome of such consultation;

(3) whether any measures have been put in place to safeguard the investment of the beneficiaries in regard to this particular deal; if not, why not; if so, what measures? N14E

The MINISTER OF FINANCE:

(1) (a) The decision to buy the shares by the PIC were motivated by the inherent value which was in the shares because they were bought at a substantial discount to market price and this presented a very attractive value proposition for the PIC.

(b) The decision was purely motivated by financial gain for the PIC. The commercial rationale was overwhelming.

(2) The PIC has a mandate from the GEPF to invest its funds and the mandate stipulates how these are to be invested. The PIC acted according to this mandate. PIC's internal approval processes were followed in that the Public Investment Commissioners (the board) approved the decision.

(3) Yes. The PIC has internal risk mitigation mechanisms to safeguard its investments. The downside risk on the Telkom shares was hedged through other financial instruments.

ITAC receiving representations from SA agricultural organisations: tariff protection to protect SA grain products from cheap/dumped products

7. *Mr K D S DURR (ACDP) asked the Minister of Trade and Industry:

(1) Whether the International Trade Administration Commission (ITAC) received any representations from South African agricultural organisations, including Grain South Africa, with a view to gaining tariff protection to protect South African grain products from cheap and/or dumped products; if so, (a) when and (b) what was the nature of the representations;

(2) whether the representations were considered by the ITAC; if not, why not; if so, (a) when and (b) what were the conclusions;

(3) whether the Commission intends considering such representations in future; if not, why not; if so, when? N192E

The MINISTER OF TRADE AND INDUSTRY:

The International Trade Administration Commission of South Africa (ITAC) invited Grain SA to present their concerns and hold discussions over the outdated tariff formulae for the grain and related industries. The representations were made on 9 February 2005. The representations centred on a possible revised tariff system for the grain industry. During the discussions, both ITAC and Grain SA have expressed their commitment, in a collaborative effort, to finding a solution to the problem of formulating an acceptable tariff system for the grain and related downstream industries. Grain SA will lodge a formal application for the revision of the tariff structure.

It was decided on 9 February 2005 that a notice be published in the government ga-

zette to the effect that an investigation is to be launched for the revision of the import duty structure applicable to the grain and related downstream sectors. All interested parties will be invited to comment on this investigation of finding an appropriate tariff regime for the grain and related industries.

Yes, the commission, as a matter of course and following prudent and thorough investigation, duly considers all representations for tariff amendments.

Improvement in Compensation Commission's handling of claims

15. *Mr M J G MZONDEKI (ANC) asked the Minister of Labour:

> Whether any improvement has been shown in the Compensation Commission's handling of claims; if not, what mechanisms are in place to improve the situation; if so, what are the relevant details? N206E

The MINISTER OF LABOUR:

The handling of claims by the Compensation Commissioner has shown some improvement especially on the old claims. Several initiatives were implemented to accelerate the processing of claims. Dedicated staff of the fund is attending to the long outstanding claims. This is done during normal working hours as well as during overtime.

The fund also employed 170 contract workers to assist in the processing of claims whilst an improved staff establishment is being investigated. A new claims system was implemented in December 2004, which will enable the Fund to decentralise more functions to the provincial offices of the department. It is foreseen that clients will in future be fully served at local offices of the Department of Labour.

The process of decentralisation was taken one step further with the establishment of beneficiary services units in the provinces that will deal with occupational injuries and diseases specifically.

These units are looking after the interests of the long-term needs of pensioners and employees who are permanently disabled by injuries.

Unreported claims are also dealt with at provincial level to enforce compliance by defaulting employers.

During the current financial year the Compensation Fund has paid out R1 812 m. in benefits for claims instituted against the fund. This amount comprises the following:

Payments in respect of absence from work, permanent disablement and death benefits	32,876 payments	R526 m.
Payments to pensioners	22 833 pensioners	R347 m.
Payments in respect of medical treatment	581 505 payments	R939 m.

The above figures excludes the processing of claims form the public sectors and payments made by the fund on behalf of the Department of Labour in respect of the medical treatment of public servants injured on duty.

An investigation into the operations of the Compensation Fund will in due course be undertaken by an independent service provider.

Steps to stop attacks on tourists in Cape Town area

28. *Mrs J A SEMPLE (DA) asked the Minister of Environmental Affairs and Tourism:

> Whether, with reference to recent attacks on tourists, including rape and muggings, in the Cape Town area he has taken any preventative measures in this regard, if not; why not; if so, (a) what measures, (b) (i) with whom and (ii) on what dates has he had consultations and (c) what was the outcome of the consultations? N220E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

Yes, As part of our ongoing work on tourism, my department has established the National Tourism Safety Forum in partnership with SA Police Services, provinces, the Department of Foreign Affairs, the Department of Justice, Business Against Crime. Provinces including the Western Cape, have also established provincial tourism safety and security structures, whose purpose is to deal with amongst others, preventative measures. The department also hosted a Tourism Safety workshop in early February 2005 to address needs and challenges facing the tourism industry.

I have ongoing interactions with my Cabinet and provincial colleagues about broader tourism safety and security issues.

Level of output/outcomes *re* National Research & Development Foundation's capacity-building programme

9. *Ms F MAHOMED (ANC) asked the Minister of Science and Technology:

Whether, in line with the National Development Strategy, his department accepts as satisfactory the level of output and outcomes regarding the National Research and Development Foundation's capacity-building programme in producing the country's SET human capital and other university-based interventions; if not, what corrective measures are in place; if so, what are the relevant details? N196E

The MINISTER OF SCIENCE AND TECHNOLOGY:

No. The National Research Foundation is making good progress within the existing budget constraints, but serious and fundamental challenges remain. This is evidenced by the low retention of young black and female researchers in science councils and in teaching and research positions at universities and universities of technology. There is a strong body of evidence that teaching loads are in come cases compromising the research careers of aspirant academics, and the lack of explicit incentives and rewards, including salary levels and career progression, inhibits the production of a new, more representative generation of researchers.

The following corrective measures are being taken:

Increases in the value and number of bursaries for post-graduate research.

Increases in the value and number of post-doctoral fellowships (including a prestigious Innovation Post-Doctoral Programme to be run by the NRF on behalf of DST).

A Professional Development Programme at Science Councils for young researchers.

Partnership with the Department of Education in respect of the deployment of the discretionary components of research and development funding in the Education Vote.

I will announce actions in my Budget Speech which are intended to further address this matter.

Formulation of policy *re* desirability of settling people on commercial farms as part of Land Reform Programme

5. *Mr S B FARROW (DA) asked the Minister for Agriculture and Land Affairs:

(1) Whether her departments have formulated a policy with regard to the desirability of settling people on commercial farms as part of the Land Reform Programme; if not, what guidelines are the departments using in making decisions in this regard; if so, (a) what is the policy and (b) how is the implementation of the policy monitored;

(2) whether the settlement of communities who have made land claims takes precedence over the establishment of viable emerging farmers; if not, what are the priorities of the departments in this regard; if so,

what factors were taken into consideration in reaching this decision;

(3) (a) what factors were taken into consideration by her departments prior to the approval of the settlement of over 400 people on the commercial farmland in Kei Road/Yellow Woods in terms of the land reform initiative and (b) what is the estimated loss of commercial agricultural output as a result of the decision? N32E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) Yes. The Departments of Land Affairs and Agriculture use the Land Redistribution for Agricultural Development Programme to settle new black farmers on commercial agricultural land. The Department of Land Affairs also provides grants or funds to purchase land for residential purposes, as requested by municipalities and/or Departments of Housing (provincial and national). The need for residential land and the land to meet it are identified by municipalities and/or departments of housing as part of the IDP processes of municipalities.

(a) Due to the need to provide land for residential/housing purposes as reflected by the mushrooming of informal settlements as well as a result of the natural growth of the population both in urban and rural areas, agricultural land needs to be rezoned for settlement of people. The Department of Agriculture has a policy that guides such rezoning.

(b) Departments or spheres of government who need to change the use of agricultural land to residential/housing purposes approach the Department of Agriculture for their consent on such rezoning.

(2) The priority of the Commission on Restitution of Land Rights is to restore the rights in land to the victims of past racial land dispossession. In terms of law, the Commission on Restitution of Land Rights is obliged to settle all land claims lodged in accordance with the law, whether the land concerned is being used for agricultural, residential or commercial business purposes. As part of the process, various options of settlement of the claims are examined with a view to decide on the best option appropriate for the land concerned. This may result in settling the claimants as farmers if a farm was claimed.

(3) (a) A detailed zone plan was conducted by the Amatole District Municipality to identify the settlement requirements in and around the Kei Road area. Specific settlement needs were identified and considered in terms of the availability of land in the area. The Department of Land Affairs entered into an agreement with the Amatole District Municipality to provide finance towards planning and purchase of land as identified by the municipality. Therefore, the project referred to by the hon member was primarily designed and implemented by the Amatole District Municipality.

(b) Falls away since the project was designed and implemented by the Amatole District Municipality as explained in (3)(a) above.

Corrective steps to address financial situation at UIF

12. *Ms O R KASIENYANE (ANC) asked the Minister of Labour:

Whether any corrective steps, besides the forensic audit into the financial status of the Unemployment Insurance Fund (UIF), will be taken to address the situation at the

UIF; if not, why not; if so, (a) what steps and (b) when can the public expect the first report on these measures? N203E

The MINISTER OF LABOUR:

(a) The following measures have been taken to correct the situation at the UIF:

The chief financial officer and four executive managers who are responsible for financial management of the fund have been employed.

The post of the Executive Manager: Risk Management has been created and it will be filled by the end of this financial year.

The management of the fund, the audit committee, the board and its sub committees have developed an audit matrix with the intention of monitoring the progress of the UIF in addressing the audit queries and implementing the recommendations of the Office Of The Auditor General. More than half of the recommendations have been implemented by the UIF. The internal audit function is reviewing the work that the fund has done and will give an independent opinion by the end of April 2005.

The UIF has started a project of integrating their financial systems with the business systems.

The service delivery system (Siyaya) has been developed and it will go live during the next financial year. The system has adequate controls that will contribute towards the proper financial management of the UIF.

The UIF is accelerating the pace of training their staff and is recruiting people with the skill that they require.

The UIF is currently implementing policies and procedures to ensure proper internal controls.

(b) The Office of the Auditor-General will issue an independent audit opinion on the financial affairs of the UIF at the end August 2005. The report will indicate whether there is an improvement on the financial management of the fund in the current financial year.

Removal of paragraph from report on arms deal

2. *Mrs P de LILLE (ID) asked the Minister of Trade and Industry:

(1) With reference to the final Joint Investigation Report on the Strategic Defence Procurement Packages, (a) why and by whom was a specific paragraph (details furnished) removed from earlier draft versions of this document, (b)(i) what criteria were used to decide that inserting the conclusion that a certain company (name furnished) was given preference in that the goalposts were moved midway through the negotiation process by including a non-costed option and changing the 50/50 rule regarding NIP/DIPs, was neither unlawful nor irregular and (ii) why and by whom was the decision taken and (c) why and by whom was section 11.5.11.4, relating to subcontractors and contained in draft versions of the report, excluded from the final version;

(2) whether he will make a statement on the matter? N7E

The MINISTER OF TRADE AND INDUSTRY:

The DTI only deals with the offset investment programmes arising from the Strategic Defence Procurement Packages. A report on progress in the implementation of these programmes is submitted annually to Parliament and the information is readily available from the department. The Joint Investigation report was compiled by the Auditor-General and the answer can best be provided by that office.

Support for IMF using gold reserves to write off debts of fund's poorest borrowers

42. *Mr S N SWART (ACDP) asked the Minister of Finance:

Whether the National Treasury will support proposals for using International Monetary Fund gold reserves to write off debts of the fund's poorest borrowers; if not, why not; if so, what effect will the sale of such gold reserves have on the local gold-mining industry? N234E

The MINISTER OF FINANCE:

The National Treasury supports the use of IMF gold sales to finance debt relief for poor countries.

The IMF has an obligation to ensure that its gold transactions do not disrupt the gold market. The sale of IMF gold, when done in a managed manner that is transparent, clearly communicated to the market, and ideally along the Central Bank Gold Agreement, will mean that the market can price in the IMF gold sales and thus cause no disruptions to the market price of gold.

The IMF's policy on gold is governed by the following principles:

As an undervalued asset held by the IMF, gold provides fundamental strength to its balance sheet. Any mobilisation of IMF gold should avoid weakening its overall financial position.

The IMF should continue to hold a relatively large amount of gold among its assets, not only for prudential reasons, but also to meet unforeseen contingencies.

The IMF has a systemic responsibility to avoid causing disruptions to the functioning of the gold market.

Profits from any gold sales should be used whenever feasible to create an investment fund, of which only the income should be used.

In the past, gold sales announcements, detailing scheduled sales and volumes, have in fact removed uncertainty in the gold market and caused the market price of gold to rise.

In this regard it should be noted that the major central banks agreed in 1999 to sell 2000 tons of gold to the market in a transparent way with the result that the market priced this information into the gold price; hence the impact on the market was minimised. This agreement was renewed in 2004 and it was agreed that 2 500 tons of gold will be sold over the next five years, and again the market has priced this fact into the calculation of the future price of gold.

If the IMF decides to sell some of its gold it could negotiate with the major central banks to include the sale of IMF gold to pay for the debt of poor countries in this framework, in order to minimise the price effect of the sale of additional gold in the market.

The IMF gold sales should therefore not depress the gold market and as a result the transaction should not adversely affect the local gold-mining industry.

Background information:

Gold Sales by the IMF

The IMF staff are working on proposals to be considered in the board, however, the issue has not yet been brought to the agenda.

The possible sale of IMF gold will only be sold to cover low-income country debt owed to the IMF.

This debt is currently "roughly valued" at about $15 billion, which means if any gold were to be sold, it would have to cover about this amount. The $15 billion worth of gold to be sold to cover IMF debt would not cover the debt of low-income countries owed to the World Bank, AfDB or other bilateral creditors.

The impact of the gold on the mining industry will depend on the time frame proposed to sell the gold, which we do not

know, and also the tonnage of gold to be sold in today's value to cover the $15 billion worth of debt to the IMF. We do not expect this to be a once-off transaction to cover the whole commitment.

The IMF has an obligation to ensure that its gold transactions do not disrupt the gold market. The sale of IMF gold, when done in a managed manner that is transparent, clearly communicated to the market — and ideally along the Central Bank Gold Agreement — will mean that the market can price in the IMF gold sales and thus cause no disruptions to the market price of gold.

In the past, gold sales announcements, detailing scheduled sales and volumes, have in fact removed uncertainty in the gold market and caused the market price of gold to rise.

The IMF gold sales should not depress the gold market and therefore the transaction should not adversely affect the local gold-mining industry.

A note on Central Bank Gold Agreement and a fact sheet containing information from the IMF's Finance Department on the sale of gold are enclosed as Annexure I and Annexure II respectively.

Annexure I:

The Central Bank Gold Agreement (CBGA) and Gold Price

The Central Bank Gold Agreement came into being to address volatility and uncertainty in the gold market induced by sporadic and unpredictable central banks' gold sales. Financial markets do not like uncertainty. Prior to the CBGA, there was no way of knowing when a central bank could suddenly announce the sale of significant stocks of gold. Central banks were leasing increasing amounts of gold to financial institutions — (in particular to gold dealers involved in *producer hedging*) — such as gold dealers, banks and hedge funds in return for an income.

• *A note on producer hedging:*

While the sale price of gold in the market fluctuates significantly — in certain instances by as much as 30% or more in a year the costs of mining and producing gold are much less viable. Gold producers derive profits from the difference between this eventual sale price and the costs of mining.

However, this profit is uncertain and very volatile. In order to reduce this uncertainty gold producers with proven reserves in the ground sell a portion of these reserves forward (enter into long-term contracts for selling future gold at a fixed price mutually agreed with gold dealers). This is called producer hedging.

Central banks hold stocks of reserve assets, mostly liquid foreign currencies such as dollars, yen or euro. They however also hold gold which constitutes a significant part of their total reserve holdings. Current total foreign exchange reserve holdings of central banks stand at about $2,500 billion of which gold accounts for about $400 billion at current market price.

Most foreign currency holdings are not held as cash but are instead invested in safe liquid securities such as government bonds. It should be noted that holding gold does not generate any income. There is thus an opportunity cost to holding reserves of gold.

In order to try and to earn some income on their holdings of gold, some central banks started leasing their gold reserves to financial institutions such as gold dealers, banks and hedge funds in return for an income.

The gold dealers who buy forward gold from producers are exposed to possible losses if the gold price falls in the future. So, in order to hedge their position, they lease gold from central banks and sell it in the spot market.

Hence, leasing of gold increases current supply and makes it easier to "short sell"

gold. This can help depress the current gold price. Producer hedging — selling gold forward to lock in prices for future gold production also helps keep future gold prices low.

While no one was of the view that central banks could sell large amounts of their gold holdings, there were real concerns that gold leasing could increase exponentially and depress gold prices.

It was in this context that all major central banks that had been significant sellers of gold signed the first Central Bank Gold Agreement (CBGA) on 26 September 1999 declaring that the agreement was "In the interest of clarifying their intentions with respect to their gold holdings . . ." which essentially meant they wanted to reduce uncertainty surrounding gold sales and leasing by central banks.

The CBGA did not limit gold sales instead it aggregated the gold sales that were planned by the signatories and disclosed the number to the market, thereby reducing uncertainty. However, what the CBGA did limit the further leasing of gold to financial market players, signatories agreed ". . . not to expand their gold leasing and their use of gold futures and options . . .". This meant freezing gold leasing, futures and options at levels prevailing in 1999. The growth in gold leasing was depressing gold prices and there was also concern that leased gold could be used for speculative purposes.

The CBGA helped alleviate market concerns of an exponential growth in gold leasing and the gold price rose instantly. It is indeed interesting to note that the gold price rose while the CBGA announced that the signatories would sell 65 million ounces of gold over the five-year period (13 million ounces every year).

The rise in gold price can be attributed to two things: first, the increased certainty environment with respect to gold sales and second, a limit on further leasing of gold.

The CBGA renewal on 8 March 2004 did not have much impact on the market despite its provision for expansion of gold sales to approximately 80 million ounces over five year or approximately 16 million ounces every year. The agreement maintains a freeze on gold leasing, futures and options.

The price of gold did not fall as a result of a planned increase in gold sales. This shows that the gold market can absorb sales of significant amounts of gold as long as they are carried in an open and transparent manner with the planned sale timetable released into the public domain. This helps curb speculation and uncertainty in the market.

Annexure II:

- *Information from the IMF's Finance Department on the Sale of Gold*

According the IMF's Finance Department, three ways exist that are consistent with the Articles to sell IMF's gold, and at the same time minimise the impact of the market price of gold. These are:

(i) Sell the gold within the framework agreed to by major central banks

The major central banks agreed in 1999 to sell 2 000 tons of gold to the market in a transparent way with the result that the market priced this information into the gold price; hence the impact on the market was minimised. This agreement was renewed in 2004 and it was agreed that 2 500 tons of gold will be sold over the next five years, and again the market has priced this fact into the calculation of the future price of gold. The fund said that it could negotiate with the major central banks to include the sale of IMF gold to pay for the debt of poor countries in this framework, in order to minimise the price effect of the sale of additional gold in the market.

(ii) "Revaluation" of IMF gold: Off-market transactions in gold (1999-2000).

In December 1999, the executive board

authorised off-market transactions in gold of up to 14 million ounces to help finance IMF participation in the Heavily Indebted Poor Countries (HIPC) Initiative. Between December 1999 and April 2000, separate but closely linked transactions involving a total of 12,9 million ounces of gold were carried out between the IMF and two members (Brazil and Mexico) that had financial obligations falling due to the IMF. In the first step, the IMF sold gold to the member at the prevailing market price and the profits were placed in a special account invested for the benefit of the HIPC Initiative. In the second step, the IMF immediately accepted back, at the same market price, the same amount of gold from the member in settlement of that member's financial obligations. The net effect of these transactions was to leave the balance of the IMF's holdings of physical gold unchanged.

(iii) Sell gold back to original contributors at original price

The IMF could sell back (exchange) gold to the original contributors of the gold at the original price, and then allow the members to pay their subscription fees to the IMF in SDRs[1]. These countries could than sell the gold at market prices and contribute to the financing of the debt relief of poor countries. This route is obviously not desirable, since it could have a negative impact on the market.

• Gold in the IMF

Gold played a central role in the international monetary system until the collapse of the Bretton Woods system of fixed exchange rates in 1973. Since then, the role of gold has been gradually reduced. However, it is still an important asset in the reserve holdings of a number of countries, and the IMF remains one of the largest official holders of gold in the world.

The IMF's gold holdings

The IMF holds 103,4 million ounces (3 217 metric tons) of gold at designated depositories. The IMF's total gold holdings are valued on its balance sheet at SDR 5,9 billion (about $8,5 billion) on the basis of historical cost. As of August 31, 2004, the IMF's holdings amounted to $42,2 billion (at then current market prices).

The IMF acquired virtually all its gold holdings through four main types of transactions under the original Articles of Agreement. First, the original Articles prescribed that 25% of initial quota subscriptions and subsequent quota increases were to be paid in gold. This represented the largest source of the IMF's gold. Second, all payment of charges (ie, interest on members' use of IMF credit) were normally made in gold. Third, a member wishing to purchase the currency of another member could acquire it by selling gold to the IMF. The major use of this provision was sales of gold to the IMF by South Africa in 1970-71. And finally, members could use gold to repay the IMF for credit previously extended.

• The IMF's policy on gold today

The Second Amendment to the Articles of Agreement in April 1978 eliminated the use of gold as the common denominator of the post-World War II exchange rate system and as the basis of the value of the Special Drawing Right (SDR). It also abolished the official price of gold and abrogated the obligatory use of gold in transactions between the IMF and its members. It furthermore required that the IMF, when dealing in gold, avoid managing its price or establishing a fixed price.

The Articles of Agreement now limit the use of gold in the IMF's operations and transactions. The IMF may sell gold outright on the

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1. In 1945 members paid for their shares in the IMF in gold — the gold will now be given back to members at the original price — which they would now be able to sell at the market price — using the proceeds from the difference in value to finance debt relief.

basis of prevailing market prices, and may accept gold in the discharge of a member's obligations at an agreed price, based on market prices at the time of acceptance. These transactions in gold require an 85% majority of total voting power. The IMF does not have the authority to engage in any other gold transactions-such as loans, leases, swaps, or use of gold as collateral—nor does it have the authority to buy gold.

- The IMF's policy on gold is governed by the following principles:

As an undervalued asset held by the IMF, gold provides fundamental strength to its balance sheet. Any mobilisation of IMF gold should avoid weakening its overall financial position.

The IMF should continue to hold a relatively large amount of gold among its assets, not only for prudential reasons, but also to meet unforeseen contingencies. The IMF has a systemic responsibility to avoid causing disruptions to the functioning of the gold market. Profits from any gold sales should be used whenever feasible to create an investment fund, of which only the income should be used.

How and when the IMF used gold

Outflows of gold from the IMF's holdings occurred under the original Articles of Agreement through sales of gold for currency, and via payments of remuneration and interest. Since the Second Amendment of the Articles of Agreement, outflows of gold can only occur through outright sales. Key gold transactions included:

Sales for replenishment (1957-70). The IMF sold gold on several occasions during this period to replenish its holdings of currencies.

South African gold (1970-71). The IMF sold gold to members in amounts roughly corresponding to those purchased in these years from South Africa.

Investment in U.S. government securities (1956-72). In order to generate income to offset operational deficits, some IMF gold was sold to the United States and the proceeds invested in U.S. government securities. Subsequently, a significant build-up of IMF reserves prompted the IMF to reacquire this gold from the U.S. government.

Auctions and "restitution" sales (1976-80). The IMF sold approximately one third (50 million ounces) of its then-existing gold holdings following an agreement by its members to reduce the role of gold in the international monetary system. Half of this amount was sold in restitution to members at the then-official price of SDR 35 per ounce; the other half was auctioned to the market to finance the Trust Fund, which supported concessional lending by the IMF to low-income countries.

Off-market transactions in gold (1999-2000). In December 1999, the executive board authorised off-market transactions in gold of up to 14 million ounces to help finance IMF participation in the HIPC Initiative. Between December 1999 and April 2000, separate but closely linked transactions involving a total of 12,9 million ounces of gold were carried out between the IMF and two members (Brazil and Mexico) that had financial obligations falling due to the IMF. In the first step, the IMF sold gold to the member at the prevailing market price and the profits were placed in a special account invested for the benefit of the HIPC Initiative. In the second step, the IMF immediately accepted back, at the same market price, the same amount of gold from the member in settlement of that member's financial obligations. The net effect of these transactions was to leave the balance of the IMF's holdings of physical gold unchanged.

IMF gold is currently valued at SDR 35 (approximately US$50). IMF gold could only be revalued if a central bank is willing to purchase a portion IMF gold at market prices.

- *Fourth Amendment of the Articles of Agreement.*

A proposal for a special one-time allocation of SDRs was approved by the IMF's Board of Governors in September 1997 through the proposed Fourth Amendment of the Articles of Agreement. This allocation would double cumulative SDR allocations to SDR 42,8 billion. Its intent is to enable all members of the IMF to participate in the SDR system on an equitable basis and correct for the fact that countries that joined the Fund subsequent to 1981 — more than one fifth of the current IMF membership — have never received an SDR allocation. The Fourth Amendment will become effective when three fifths of the IMF membership (111 members) with 85% of the total voting power accept it. As of end-September, 2004, 131 members with 77,3% of total voting power had accepted the proposed amendment. Approval by the United States, with 17,1% of total votes, would put the amendment into effect.

- *The Central Bank Gold Agreement (CBGA) and gold price*

The Central Bank Gold Agreement came into being to address volatility and uncertainty in the gold market induced by sporadic and unpredictable central banks' gold sales. Financial markets do not like uncertainty. Prior to the CBGA, there was no way of knowing when a central bank could suddenly announce the sale of significant stocks of gold. Central banks were leasing increasing amounts of gold to financial institutions — (in particular to gold dealers involved in *producer hedging)* — such as gold dealers, banks and hedge funds in return for an income.

- *A note on producer hedging:*

While the sale price of gold in the market fluctuates significantly — sometimes by as much as 30% or more in a year — the costs of mining and production gold are much less variable. Gold producers derive profits from the difference between this eventual sale price and the costs of mining.

However, this profit is uncertain and very volatile. In order to reduce this uncertainty gold producers with proven reserves in the ground sell a portion of these reserves forward — enter into long-term contracts for selling future gold at a fixed price mutually agreed with gold dealers. This is called producer hedging.

Central banks hold stocks of reserve assets, mostly liquid foreign currencies such as dollars, yen or euro. Gold too constitutes a significant part of the total reserve holdings. Current total foreign exchange reserve holdings of central banks stand at about $2 500 billion of which gold accounts for about $400 billion at current market price.

Most foreign currency holdings are not held as cash but are instead invested in safe liquid securities such as government bonds. Depending on the interest rate between 1-6%. Meanwhile, holding gold does not generate any income. There is thus an opportunity cost to holding reserves of gold.

In order to try and earn some income on their holdings of gold, some central banks started leasing their gold reserves to financial institutions such as gold dealers, banks and hedge funds in return for an income that has been around a meager 0,5-1,5% per annum.

The gold dealers who buy forward gold from producers are exposed to possible losses if gold price falls in the future. So, in order to hedge their position, they lease gold from central banks and sell it in the spot market.

Hence, leasing of gold increases current supply and makes it easier to "short sell" gold. This can help depress current gold price. Producer hedging — selling gold forward to lock in prices for future gold production also helps keep future gold prices low.

While no one was of the view that central banks could sell large amounts of their gold

holdings, there were real concerns that gold leasing could increase exponentially and depress gold prices.

It was in this context that all major central banks[2] that had been significant sellers of gold signed the first Central Bank Gold Agreement (CBGA) on 26 September 1999 declaring that the agreement was "in the interest of clarifying their intentions with respect to their gold holdings", which essentially meant they wanted to reduce uncertainty surrounding gold sales and leasing by central banks.

The CBGA did not limit gold sales. Instead it aggregated the gold sales that were planned by the signatories and disclosed the number to the market, thereby reducing uncertainty. However, what the CBGA did limit was the further leasing of gold to financial market players, signatories agreed ". . . not to expand their gold leasings and their use of gold futures and options. . .". This meant freezing gold leasing, futures and options at levels prevailing in 1999. The growth in gold leasing was depressing gold prices and there was also concern that leased gold could be used for speculative purposes.

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The price of gold did not fall as a result of a planned increase in planed gold sales and this shows that the gold market can absorb sales of significant amounts of gold as long as they are carried in an open and transparent manner with the planned sale timetable released into the public domain. This helps curb speculation and uncertainty in the market.

Certain motorcycles/motor vehicles exempted from displaying number plates

13. *Mr G D SCHNEEMANN (ANC) asked the Minister of Transport:

> Whether any motorcycles and/or motor vehicles are exempt from displaying number plates; if so, what are the relevant details? N204E

The MINISTER OF TRANSPORT:

No, in terms of Regulation 35 of the National Road Traffic Regulations under the National Road Traffic Act, 1996 (Act No 93 of 1996), the owner of every vehicle shall cause number plates to be affixed on the vehicle from the date of licensing of that vehicle, whether or not it is operated on a public road; provided that the number plate is removed from the vehicle for the purposes of repairs to such motor vehicle or number plate, and while such vehicle is not operated on a public road. The regulation further provides that in case of motorcycles, a number plate shall be affixed to the back of such motorcycle.

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2. The European Central Bank and the central banks of Austria, Belgium, Finland, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, Switzerland, and England.

Statements by Land Affairs Chief Registrar of Deeds that land ownership in SA will be categorised on basis of race

25. *Mr A H NEL (DA) asked the Minister for Agriculture and Land Affairs:

(1) Whether statements by the Land Affairs Chief Registrar of Deeds (name furnished) on or about 9 February 2005, that land ownership in South Africa will be categorised on the basis of race, is the official policy of the Department of Land Affairs; if not, what is the policy of this department in respect of the racial classification of land ownership; if so, (a) when was this policy advertised for public comment and (b) how does she intend to ensure that this policy does not lead to the sort of problems created by the apartheid policy of the former government;

(2) whether Cabinet has approved the policy of the racial classification of land owners; if not, with whom has she discussed this policy; if so, on what date was it approved;

(3) (a) what mechanism will be used to determine the race of land owners and (b) when is it anticipated that the Registrar of Deeds will begin recording the race of land owners? N217E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) In terms of regulation 18 of the Deeds Registries Act, provision is made for the identification of persons, provision will therefore be made through regulation to allow for such details to be recorded, so as to measure the impact of the land reform programmes.

(a) and (b) Fall away.

(2) Falls away.

(3) (a) and (b) Fall away.

Steps to raise awareness of improved working conditions among farm workers

16. *Mr L D MADUMA (ANC) asked the Minister of Labour:

(1) What steps have been taken by his department to raise awareness of improved working conditions among farm workers;

(2) whether those steps have proved to be successful; if not, what is the position in this regard; if so, what are the relevant details? N207E

The MINISTER OF LABOUR:

The Sectoral Determination for Farm Workers has been in place since December 2002. The next wage increase is due on 1 March 2005. Since its inception, my department has employed various measures to raise awareness about minimum wages and conditions of employment for workers in the sector. A multifaceted approach was used.

By this we mean we used the media in alls its forms to ensure that all affected parties were reached. My staff spent considerable time in all provinces holding workshops and question and answer sessions. Furthermore, in line with the principles of engagement my department worked with all stakeholders in the sector, in other words both the farmers their organisations and the workers and their organisations to ensure the messages were correctly conveyed. Prior to inspecting the inspectorate was involved in an awareness raising campaign. I also participated in many of these activities as well as accompanying inspectors on their visits with some of my officials. This was to assist in both advocacy and inspecting that the conditions were being complied with. My Imbizo Programme subsequent to the implementation of the sectoral determination focused on farm workers. I have also made impromptu visits to certain areas such as Utrecht to speak to workers and employers. Labour

tenants in that particular area experience high levels of exploitation.

Arising out of the sectoral determination the farmers raised certain concerns. As a result I established an Agricultural Sector Task Team. The task team was to consider various concerns in the sector and attempt to reach consensus. This they were able to do in many respects. They forwarded a report to me, as a result of which I have commissioned a review of certain provisions in the sectoral determination including demarcation, deductions, payment in kind and labour tenancy. In fact my officials are presently busy with hearings on this. Workers as well as employers are being consulted. This process will be completed by April 2005. Again the media as well as Organised Agriculture and Labour have been approached to assist with raising awareness. My Officials have investigated applications for variations from some of the conditions. In instances where it has been necessary, after consultation with the workers we have agreed to vary the conditions. The implementation of the sectoral determination was successful and high levels of awareness exist. It was established during the blitz inspections that compliance levels with minimum wages are satisfactory. Areas of noncompliance are around UIF, COIDA and adhering to administrative provisions in the Sectoral Determination such as issuing of pay slips and written particulars of employment. Health and Safety matters are also a concern. Undertakings were secured to rectify noncompliance and in some instances compliance orders were issued.

Successful application to Cites for an increase in leopard tags based on incorrect information

37. *Mr G R MORGAN (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether, in light of comments made by the Director-General of his department in a certain newspaper (details furnished) that the successful application to Cites for an increase in leopard tags was based on incorrect information, he or his department intends taking any steps to ensure that this is not repeated in future; if not, why not; if so, what steps;

(2) whether there is any information or documentation indicating that previous applications to Cites were based on incorrect information; if not, how did he reach this conclusion; if so, what are the relevant details;

(3) whether there are sufficient scientific research competencies at the national level to scrutinise provincial contributions to Cites applications; if not, how will this be rectified; if so, what are the relevant details? N229E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

The Director-General's comments were misinterpreted. The application was not based on incorrect information as information used was from various scientific sources. A population and habitat viability assessment (PHVA) will be done before the additional quota is allocated in order to confirm figures. The government processes will always be followed as major proposals and recommendations are endorsed through the technical structures in the sector.

No. Competent officials compiled all proposals submitted to Cites and all information contained in proposals is scientifically referenced as mentioned above. This ensures that all information can be verified.

Yes. The department's officials responsible for the scientific authority functions of Cites do have the necessary competencies and knowledge relating to the requirements of Cites to evaluate the format and content of proposals. If specific expertise is required, a proposal will be referred to recognised experts.

Nedlac's role in legislative process

19. *Mr M J G MZONDEKI (ANC) asked the Minister of Labour:

(1) Whether Nedlac plays any role in the legislative process; if not, why not; if so, what are the relevant details;

(2) whether all constituencies within Nedlac have the capacity to participate effectively in Nedlac's business; if not, why not; if so, what are the relevant details? N210E

The MINISTER OF LABOUR:

(1) The hon member will remember that the Nedlac Act, (Act No 35 of 1994), states clearly in section 5(1)(b), (c) and (d) that "Nedlac shall consider all proposed labour legislation relating to market policy before it is introduced in Parliament". Following the ratification of a Nedlac agreement, Nedlac submits a report to me and the appropriate Minister for tabling in Parliament or for implementation.

Through the Nedlac Act, several pieces of legislation were enacted, amongst others the Unemployment Insurance Bill (2003), Skills Development Amendment Bill (2000), Unemployment Insurance Contributions Bill (2000), International Migration White Paper (2000), Insolvency Act Regulation (2000), Code of Good Practice on HIV/Aids in the workplace (2000), amendments to Labour Laws (2001), etcetera.

(2) Yes, all the constituencies within Nedlac have the capacity to participate effectively in Nedlac's business. Within this environment of formal, informal meetings and engagements that serve to strengthen relationships and understanding between constituencies, Nedlac enables representatives of all the social partners to play a role in developing effective and sustainable public policies that support and promote economic growth. As a result, all constituencies participate in the management committee, executive council, four chambers and various task teams.

Number of containers were while in holding areas prior to customs clearance

3. *Mr V C GORE (ID) asked the Minister for Public Enterprises:

(a) How many 6 m equivalent containers were stolen while in holding areas prior to customs clearance at each specified major port in each of the past five years, (b) to which companies or organisations did these containers belong, (c) what is the total replacement value of such stolen containers and (d) what measures have been put in place to reduce the theft of these containers? N13E

The MINISTER FOR PUBLIC ENTERPRISES:

(a) No 6 m-equivalent containers were stolen while in the holding areas prior to customs clearance at any of the major ports controlled/operated by South African Port Operations (SAPO) in the past five years.

(b) and (c) Not applicable.

(d) Security at each terminal is managed by a SAPO Port Facility Security Officer, which is guided by a comprehensive security plan. Since the implementation of the International Ships and Port Security (ISPS) code in July 2004 access control has been increased to prevent the theft of containers. All terminals are ISPS compliant and certified by the Department of Transport.

Department testing/assessing quality of all grain imports/exports

8. *Mr K D S DURR (ACDP) asked the Minister for Agriculture and Land Affairs:

Whether the Department of Agriculture tests and assesses the quality of all grain (a) imports and (b) exports; if not, why

not; if so, what procedure is followed in each case? N193E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

Yes. The details relating to procedures followed in dealing with this matter will be furnished to the hon member.

Steps to assist disabled persons to acquire skills needed for participation in economy

20. *Mr L D MADUMA (ANC) asked the Minister of Labour:

(1) Whether, in light of the fact that obtaining education and skills remains a challenge for disabled persons, his department has taken or intends taking any steps to assist disabled persons to acquire skills needed for participation in the economy; if not, why not; if so, what steps;

(2) whether all state buildings are accessible for disabled people; if so, what are the relevant details; if not,

(3) whether he or his department is liaising with the Department of Public Works regarding the improvement of state buildings so that they do not pose constraints to disabled persons; if not, why not; if so, what are the relevant details? N211E

The MINISTER OF LABOUR:

(1) The Department of Labour was guided by the NSDS target of the first strategy ie 85% women, 54% black and 4% people with disability in dealing with the plight of disabled people. The Department of Labour, continues to fund sheltered employment factories for people with disabilities, it has funded various learners through special bursaries for people with disabilities under the National Skills Fund and in some instances, provided learners with assistive-working devices and subsidised employer costs to ensure that these learners access employment.

(2) I have also launched Technical Assistance Guidelines, which aims at assisting employers to implement practical measures ensuring that people with disabilities are not discriminated against during the recruitment process. It also provides guidelines on ensuring that office accommodation is not of a discriminatory nature. The guidelines also state that workers with disabilities should not be assigned a job with less favourable conditions because of their disabilities. Rates of pay or any form of compensation must be the same as that of able-bodied colleagues. The guidelines require that all employers ensure their company or organisation's training programmes offer dear and well-defined career paths for all workers, including those with disabilities.

A strong point of the guidelines is that it provides practical examples of scenarios with possible solutions, to outline the special needs of workers with disabilities during training, and examples of how to ensure that workers with disabilities are not discriminated against.

Accurate recording of UIF contributions for domestic workers

32. *Mr C M LOWE (DA) asked the Minister of Labour:

(1) Whether the Unemployment Insurance Fund has a working system in place to (a) accurately record the monthly and/or annual payments of UIF contributions on behalf of domestic workers and (b) allow for the timeous issue of receipts for each contribution paid; if so, what factors were taken into consideration in giving this assurance; if not,

(2) whether any steps have been or will

be taken to ensure that such a system is introduced; if not, why not; if so, what steps;

(3) whether (a) current contributions are accurately recorded and receipted and (b) domestic workers will be able to make claims against the fund in the future; if so, what factors were taken into consideration in giving this assurance; if not,

(4) whether he or his department intends taking any action to ensure that domestic workers' rights are protected; if not, why not; if so, what action? N224E

The MINISTER OF LABOUR:

(1) (a) The UIF has a Revenue Collection Management System that validates contributions from employers, including the domestic employers.

(b) The fund is enhancing its financial systems to be able to issue receipts to contributors.

(2) There is a system in place to accurately record monthly and/or annual payments of UIF contributions.

(3) (a) Every employer is allocated a reference number, which is registered into the RCMS system. The employer must correctly state his UIF reference number when he pays contributions. The RCMS will then allocate that contribution to the employers account.

(b) The following factors are taken into account in giving the assurance:

- If the domestic employers comply with the following, then the claims are approved:
- The domestic employer has registered the employee
- The domestic employer has declared, and
- The domestic employer has paid the contributions to the UIF correctly.

The regional payment system (Linc) is updated daily with the receipts history. Claims are then approved according to the receipts history reflected on the Linc system.

(4) One of the significant changes introduced by the Unemployment Insurance Act 63 of 2001, as well as the Unemployment Insurance Contributions Act 4 of 2002 is the inclusion of domestic workers with effect from 1 April 2003. Presently domestic workers enjoy coverage within all benefits that are provided by the UIF, ie unemployment, maternity, illness, dependants and adoption benefits.

Rights in relation to conditions of employment and minimum wages are contained in the Sectoral Determination no 7: Domestic Worker Sector.

Since the publication of the law, my department has consistently ensured that the stakeholders in the sector are informed of their rights and obligations. This is done in a number of ways such as media campaigns and blitz inspections.

Domestic workers and their employers are for instance reminded about the wage increases prior to the increment date through a comprehensive media campaign.

Inspectors of my department are responsible for the enforcement of the sectoral determination. Annual blitz inspections are done to assess the compliance levels within the sector. Such inspections were conducted in August 2003 and 2004. More than 1 000 inspections were conducted annually. It

was established that the majority of employers comply with the minimum wages. Areas of non-compliance relate to administrative obligations such as providing pay slips and written particulars of employment or contracts. Undertakings were secured and compliance orders issued to enforce the law.

The sector can expect the following to happen soon:

- The wage rates must be reviewed this year and this process will commence soon. The reason for the review is that the Sectoral Determination for domestic workers determines wages for a period of three years. The last increase was due on 1 November 2004, which means that new rates need to be set for the next period commencing on 1 November 2005. In doing so domestic workers will be ensured of fixed wage increments for the next period of application.

The next blitz inspections are scheduled for the week of 14-18 March 2005. During this session inspectors will not only assess compliance levels, but also obtain inputs from workers and employers on the new wage-levels to be determined for the next period.

Progress *re* transformation at Marine & Coastal Management

43. *Mr M I MOSS (ANC) asked the Minister of Environmental Affairs and Tourism:

Whether progress has been made in respect of transformation at the Marine and Coastal Management Branch of his department, particularly in respect of senior and other management levels; if not, (a) why not and (b) what plans are in place to expedite transformation; if so, what are the relevant details? N235E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

Yes. Vacancies at senior and management level will be filled shortly and transformation and equity targets will be met and exceeded. In addition to the filling of management vacancies, there is a comprehensive programme for the training of junior marine scientists. The recently recruited 42 fishery control officers for the new vessels are 80% from HDI backgrounds. The captain-in-training for the Sarah Baartman is female — the first female to captain a vessel in this class in South Africa.

VSPs offered to SAA's management personnel

30. *Dr P J RABIE (DA) asked the Minister for Public Enterprises:

Whether, in light of the impact of the hedging losses on the total net loss of SA Airways over the past two years, the voluntary packages offered to approximately 600 of SAA's management personnel has been costed; if not, what is the position in this regard; if so, what are the relevant details? N222E

The MINISTER FOR PUBLIC ENTERPRISES:

SAA has made a provision of more than R100 million to deal with the voluntary severance packages. SAA has realised that there are too many layers of management with ratio of approximately 18 employees to one manager. The benchmarks from other airlines are higher (above 20).

In order to achieve the initiatives of Bambanani with the reduction in costs, SAA had to start downsizing the management structure to ensure that there is lean and efficient management.

Strategies to encourage new entrants to tourism industry in SA

44. *Mr J D ARENDSE (ANC) asked the Minister of Environmental Affairs and Tourism:

Whether, in light of the tourism industry's contribution to job creation and the economic development of the country, his department has any strategies to encourage new entrants to the tourism industry in South Africa, particularly from previously disadvantaged communities; if not, why not; if so, what are the relevant details?

N236E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

Yes. In order to encourage new entrants into the tourism industry in South Africa, the Department of Environmental Affairs and Tourism in partnership with the Tourism Grading Council of South Africa, has trained 62 men and women coming from the historically marginalised groups as accommodation assessors. A further 100 will be trained in new categories that have been identified for grading in 2005-06. In the tourist guide sector, the department is offering training in foreign languages (Chinese, French, German and Spanish) to the historically disadvantaged. This year training will be provided to tourist guides in Chinese (20) and French (256). It also prioritises affirmative procurement practices aimed at increasing benefits for previously disadvantaged groups. This financial year the Tourism Branch procured goods and services amounting to R1,3 million, 59,2% spent on BEE and 40,8% spent on Non-BEE.

The department has also facilitated access to grants from a range of funding and support instruments available at the Department of Trade and Industry. It also developed and tourism SMMEs information handbook, as well as a BEE Scorecard for the tourism industry. A programme of business skills training is currently being finalised. Based on the success of Tourism Enterprise Programme (TEP), the department requested TEP to develop a training programme for tourism SMMEs to address their needs that were identified during Indaba 2003. The department (R11,3 million) and DBSA (R4,5 million) funded the programme. Two training programmes are offered ie Tourism Awareness and Business Skills training. On Tourism-Awareness training 486 SMMEs were trained in four provinces. On business skills training 38 SMMEs were trained in Soweto. Fifty three workshops were conducted throughout the country and 200 SMMEs were trained in total on business skills training. Fifty trainers were also trained nationally. The department also conducted exhibition training and marketing support. Two hundred and forty six SMMEs were trained on this programme.

Our funding and support handbook which is available on our website *www.deat.gov.za* provides information in one document which can be used by tourism entrepreneurs and others to locate sources of funding and support for tourism endeavours. This reduces the cost and efforts especially for SMMEs and poorer sections of our society.

The Broad-Based BEE Scorecard has seven factors through which transformation will be engendered. Many more black South Africans and women will own part of the tourism industry and participate in managing tourism enterprises. Increased numbers of black people will be trained and employed. Furthermore, procurement of goods and services from black suppliers will be increased, whilst efforts will be invested in growing black enterprises. Lastly, corporate social responsibility undertakings will target black communities in tourism related activities and there will be marketing efforts aimed at bringing more black people into the industry as consumers and changing the nature of the industry to encompass black peoples' needs.

The scorecard has targets for each of the factors above that need to be achieved by 2014.

Breakdown of container X-ray scanning equipment at Durban harbour

6. *Mr S B FARROW (DA) asked the Minister of Transport:

(1) Whether he has been informed of the breakdown of the container X-ray scanning equipment at Durban harbour; if so, (a) how long has this scanner been out of operation, (b) how many containers arrived at the harbour during the period that the scanner was not operative and (c) how many containers had to be inspected manually as a result of the breakdown;

(2) whether this breakdown breached the International Code for Security of Ships and Ports facilities (ISPS Code) and the Container Security Initiative (CSI), both of which require an active scanner; if not, what is the position in this regard; if so, what are the relevant details;

(3) whether any measures have been put in place to avoid further breakdown; if not, why not; if so, what measures? N33E

The MINISTER OF TRANSPORT:

(1) No, I was not informed of the breakdown of the container X-ray scanning equipment at the Port of Durban. However, my department has furnished the following information regarding the breakdown of the scanner:

(a) The scanner was out of operation for a period of approximately two months, ie from 18 September-24 November 2004.

(b) A total of 332 081 containers arrived at the harbour during the said period.

(c) 1 558 containers were inspected manually and 652 Container Security Initiative (CSI) containers were inspected manually. It should, however, be reiterated that not all containers are scanned. Only those containers profiled by a law enforcement agency are scanned. During the period that the scanner was out of operation, the South African Police Services reported they had made 37 detections of illegal items, compared with 25 detections over the same period the previous year.

(2) The International Code for Security of Ships and Ports facilities (ISPS Code) and the CSI were not breached as the containers were inspected manually. Not all South African ports have scanners, since there is recognition that the acquisition of such scanners could be extremely costly. In addition, the ISPS Code does not specifically require scanners at every port, but measures that can ensure the continuous monitoring of the inflow of cargo. This would include the presence of persons that can conduct manual screening.

(3) Yes, a maintenance contract is in existence. However, the incident in question was an unforeseen circumstance, ie the breakdown was as a result of an accident.

The South African Revenue Services (SARS) (customs and excise) of the United States of America have reached an agreement with Customs South Africa to forward a mobile scanner unit to the Port of Durban. This unit will serve as a back-up unit should problems arise with the existing unit.

Decision on future use of Youngsfield Military Base

31. *Mr J SELFE (DA) asked the Minister of Public Works:

Whether she or her department has taken a decision on the future use of the Youngsfield Military Base; if not, (a) why not and (b) when is it expected that the decision will be taken; if so, what decision? N223E

The MINISTER FOR PUBLIC WORKS:

(1) No.

(a) The property in question is reserved and/or utilised by the SA National Defence Force (SANDF) and therefore the Department of Public Works will be guided by the SANDF before any decision can be taken.

(b) A decision can only be taken when the SANDF decides on their long-term plan of Youngsfield Military base.

Responsibility for error *re* road manually built by community in Stinkwater, Gauteng

34. *Mr J P I BLANCHÉ (DA) asked the Minister of Public Works:

With reference to the road manually built by the community in Stinkwater, Gauteng, (a) who will be held responsible for the estimated R320 000 loss incurred by the error made in building a one-direction road instead of a dual-direction road, as required for use by at least 30 buses per day, (b) how many similar problems have already occurred and (c) what was the total loss of such errors to the expanded public works programme? N226E

The MINISTER FOR PUBLIC WORKS:

The project was not implemented under the Expanded Public Works Programme and the road was constructed before the EPWP was launched. More details can be obtained from the Tshwane municipality.

39. *Dr S M VAN DYK (DA) — Public Enterprises. [Withdrawn]

Social services forming part of equitable share formula

27. *Mr M WATERS (DA) asked the Minister of Finance:

Whether any social services form part of the equitable share formula; if not, (a) why not and (b) when will they form part of the equitable share formula; if so, which services? N219E

The MINISTER OF FINANCE:

(a) and (b) The question is rather vague as it is not clear what the member means by social services, and whether such definition is limited to school education, health and welfare services. I would also like to refer the member to Parts 4 and 5 of Annexure E of the Budget Review, which provides detailed information on the provincial and local government equitable share formulae. If the member were to read the 2005 Budget Review, you will learn that the provincial equitable share formula includes components for school education and health. Though it does not contain a welfare component anymore, the equitable share allocation also funds welfare services in provinces. In contrast, social grants are now to be funded from a conditional grant rather than from the equitable share allocation.

The hon member will appreciate that given the division of responsibilities between the three spheres of government, and the fact that the final decisions on actual allocations are made by provincial governments, the actual allocations for school education, health or welfare services must be determined by considering each provincial budget.

If the hon member has another definition of social services, I would invite him to read Annexure E of the Budget Review or provide more detail to his question.

Report on extent/severity of canned lion hunting in SA

36. *Mr G R MORGAN (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether the report by his department on the extent and severity of canned lion hunting in South Africa has been completed; if not, why not; if so, what were the findings of the report;

(2) whether, in light of the fact that the Cooke report was first published in 1997, his department is now in a position to prohibit canned hunting; if not, why not; if so, how did he reach this conclusion;

(3) whether the prevalence of canned hunting in South Africa has damaged the (a) tourism and (b) professional hunting industry; if not, how was this established; if so, what action does he intend taking to rectify the damage? N228E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

No. The department has not completed the report. Questionnaires were sent out to the various provinces and the due date for the information to reach the department is 28 February 2005. The department will use the information obtained through the questionnaire to compile a report.

Yes. The National Environmental Management: Biodiversity Act (Act 10 of 2004) affords the Minister the authority to prohibit canned hunting through regulations in terms of section 97 of the Act. Regulations in this regard, which defines canned hunting, were published on 28 January 2005 for public participation. In the draft regulations the practice of canned hunting, as defined in the regulations, is prohibited.

(a) No. According to statistics the number of foreign tourists arriving in South Africa increased from 4 976 349 in 1997 to 6 504 890 in 2004.

(b) No. The professional hunting industry expanded considerably since 1997. The Professional Hunting Industry of South Africa (PHASA) had 650 registered professional hunters in 1996 and this number increased to 1 500 in 2004. In 1997, 1 809 clients hunted in South Africa accompanied by professional hunters and in 2003 a total of 7 500 clients hunted in South Africa. PHASA indicated that several international organisations do not condone the practice of canned hunting and will only hunt in countries that do not allow canned hunting.

Action to expedite land reform

23. *Dr E NKEM-ABONTA (DA) asked the Minister for Agriculture and Land Affairs:

Whether, in light of the fact that the slow pace of land reform and the uncertainty regarding land subject to claims are hampering black economic empowerment in the fruit production industry and creating problems for the tea production industry, she is taking any action to expedite land reform and the settlement of land claims; if not, why not; if so, (a) what action, (b) when and (c) what impact is this action expected to have on expediting the land reform and land claims process? N215E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

The view that the pace of land reform is slow is debatable. It is my view that over the past ten years we have made significant strides in addressing the injustices of land dispossessions of the past. We have delivered more than 3,5 million hectares to the people and we are determined to achieve the 30% target in the period up to 2015. The problems of the tea estate does not arise from land reform, this matter is however being addressed jointly with the Department of Trade and Industry. It is therefore untrue that black economic empowerment (BEE) in the agricultural sector is hampered by land claims.

(a), (b) and (c) Fall away.

Support for certain suggestions by officials *re* solution to slow pace of land reform

26. *Mr A H NEL (DA) asked the Minister for Agriculture and Land Affairs:

(1) Whether she endorses the suggestions made by senior officials of the

Department of Land Affairs to the Portfolio Committee on Agriculture and Land Affairs in February 2005 to the effect that (a) a land tax, (b) restrictions on land ownership and funding and (c) expropriation should be considered as a solution to the slow pace of land reform and land restitution; if so, what factors did she take into consideration in reaching this conclusion; if not,

(2) whether she intends repudiating these officials; if not, why not; if so, when;

(3) whether a lack of funds from the National Treasury has had any effect on slowing down the pace of land reform and land restitution; if not, what total amount does the department have available for land reform and land restitution in the current and next financial year; if so, what action has she taken to secure additional funding from the National Treasury to meet the costs? N218E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) The responses from the senior officials of the Department of Land Affairs to the Portfolio Committee on Agriculture and Land Affairs in February 2005 were based on a question from members of the Committee regarding the issue of whether the department has looked at any other mechanisms that can be used to accelerate the pace of delivery of land in terms of the Government's Land Reform programme.

Already, there are property rates implemented by municipalities in terms of their by-laws. Parliament recently promulgated the Property Rates Act which amongst other things allows for tax on land.

Concerning what the hon member refers to as "restrictions on land ownership", the officials mentioned restrictions in terms of farm sizes as a possible mechanism to release land into the public domain for land reform purposes. This was also raised in the context of what is mentioned in the first paragraph above.

In terms of section 25(2)(a) of the Constitution, it is clear that expropriation of land in the public interest is a constitutional imperative. The input by the officials of the department was not misplaced.

(2) In the light of my answer to question 1 above, there is no need to repudiate any official in relation to the responses made to the question raised.

(3) However, this must not be seen in isolation from other factors that influence the pace of land reform delivery. The factors such as the protracted negotiations with land owners over land and the land prices that continue to increase at a rate faster than the frequency of revision of budgets in terms of the MTEF must also be taken into account.

The total budget allocated for land reform and land restitution in the current and next financial year is as follows:

	2004-05	*2005-06*
Land reform: Current	R164,8 million	R205,4 million
Capital	R345,3 million	R563,7 million
Land restitution: Current	R154 million	R217 million
Capital	R980 million	R2 489 billion

The department and I continue to engage the National Treasury on issues relating to budget allocations as part of the MTEF processes.

Financial role in establishment of PAP

35. *Mr J P I BLANCHÉ (DA) asked the Minister of Public Works:

Whether her department is playing any financial role in the establishment of the Pan-African Parliament; if so, (a) what amount has been budgeted for the planning stage and (b) what are the further relevant details? N227E

The MINISTER FOR PUBLIC WORKS:

No. The Department of Foreign Affairs is responsible for budgeting for the Pan-African Parliament.

Ter tafellegging van staatsdepartemente se jaarverslae

40. *Dr S M VAN DYK (DA) vra die Minister van Finansies:

(1) Of net 25 van die 36 staatsdepartemente hul jaarverslae vir die boekjaar 2003-04 teen 30 September 2004 in die Parlement ter tafel gelê het ingevolge die tydraamwerk vervat in die Wet op Openbare Finansiële Bestuur, Wet 1 van 1999; so ja,

(2) of net drie van die elf staatsdepartemente wat nie hul jaarverslae betyds ter tafel gelê het nie ingevolge wetgewing skriftelike verduidelikings vir die laat indiening voorgelê het; so nie, wat die posisie in dié verband is; so ja, wat die tersaaklike besonderhede is;

(3) of hyself en die betrokke Ministers van die agt oorblywende staatsdepartemente ook geen skriftelike verduideliking aan die Parlement voorgelê het oor waarom die finansiële state nie teen einde Oktober, soos die Wet vereis, ingedien is nie; so nie, wat die posisie in dié verband is; so ja, wat die tersaaklike besonderhede is;

(4) of (a) 34 van die 160 openbare entiteite waarvan die Ouditeur-generaal kennis dra en (b) 50% van die grondwetlike instellings ook nie hul jaarverslae en finansiële state teen 30 September 2004 aan die Parlement voorgelê het nie; so ja, wat die tersaaklike besonderhede is;

(5) of hyself en die betrokke Ministers geen skriftelike verduideliking ter tafel gelê het oor waarom dié jaarverslae en finansiële state nie ingedien is nie; so ja, waarom nie? N232A

(Translation of Afrikaans question follows):

[State departments tabling financial statements

40. *Dr S M VAN DYK (DA) asked the Minister of Finance:

(1) Whether only 25 of the 36 state departments tabled their financial statements for the 2003-04 financial year in Parliament by 30 September 2004 in terms of the time-frames contained in the Public Finance Management Act, Act 1 of 1999; if so,

(2) whether only three of the eleven state departments who did not table their financial statements on time submitted written explanations for late submission in terms of the legislation; if not, what is the position in this regard; if so, what are the relevant details;

(3) whether he himself and the Ministers of the eight remaining state departments also did not submit written explanations to Parliament on why the financial statements were not submitted by the end of October 2004, as required by the Act; if not, what is the position in this regard; if so, what are the relevant details;

(4) whether (a) 34 of the 160 public entities known to the Auditor General and (b) 50% of the constitutional

institutions also did not submit their annual reports and financial statements to Parliament by 30 September 2004; if so, what are the relevant details;

(5) whether he and the Ministers concerned also did not table written explanations on why these annual reports and financial statements were not submitted; if so, why not?

N232E]

The MINISTER OF FINANCE:

Twenty-five of the 34 departments tabled their 2003-04 financial statements in Parliament by the required date of 30 September 2004. The National Intelligence Agency and the South African Secret Services tabled their annual reports and financial statements timeously to the Joint Standing Committee on Intelligence and not to Parliament.[1]

There were nine departments that did not meet the tabling deadline.[2] Of these, three departments tabled written explanations for late tabling, as required by section 65(2) of the PFMA. The relevant details may be solicited from the executive authorities of the following departments:

Foreign Affairs;

Health; and

Social Development.

The National Treasury, SARS and Statistics South Africa, which reside under the Ministry of Finance, tabled their annual reports and financial statements in Parliament by 28 September 2004, and the Minister of Finance was thus not required to provide a written explanation.

The hon member is directed to the executive authorities of the remaining six departments to determine further details.

(a) The Public Finance Management Act currently list 186 public entities of which 22 were not required to table their annual reports and financial statements by 30 September 2004 since their financial year ends are not consistent with that of government (ie 31 March). In this regard, 41 of the 164 public entities who are required to table their annual reports and financial statements by 30 September did not meet the tabling requirements.

(b) Three of the nine constitutional institutions did not submit their annual reports and financial statements timeously which translates to 33% of such institutions not meeting the tabling deadline. Further information may be solicited from the relevant executive authorities.

The Ministry of Finance submitted explanations for the late tabling of the Public Investment Commissioners' annual report as required by section 65(2) of the PFMA[3] and the late tabling of the GEPF annual report, with written explanation to Parliament. Further information on the explanations by other executive authorities may be solicited from those Ministers.

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1. There are 34 departments. The number by the hon member may include the two other departmental programmes, ie NIA and SASS, which respectively are included in the budget votes of the South African Police Services and the National Treasury. These two programmes do not submit to Parliament.
2. The figure of 11 by the hon member may be including the two departmental programmes referred to above.
3. The Annual Financial Statements and Annual Report of the Government Employees' Pension Fund (GEPF) is inextricably linked to those of the PIC. The delay in the finalisation and tabling of the AFS and Annual Report of the PIC, changes to the accounting policy, the implementation of a new investment accounting system as well as improvements to the annual report delayed the finalisation of the GEPF's report. A copy of the written explanation for the PIC's late tabling is submitted herewith for ease of reference.

Background:

The hon member is reminded that the Constitution of the Republic of South Africa, Act 108 of 1996 provides in section 55(2) that the National Assembly must maintain oversight of the national executive authority, and ensure the executive organs in the national sphere of government are accountable to it. Section 92(2) and (3) also provide for responsibility and accountability by members of Cabinet to Parliament for the exercise of their powers. In this respect, Parliament must exercise its own mechanisms for oversight. A research paper forwarded to Parliament in January 2005, was commissioned by the National Treasury to stimulate discussion on the use of the annual report as a key oversight by parliament and provincial legislatures and is a part of the process for developing such oversight mechanisms.

The Public Finance Management Act, 1 of 1999, in section 65 requires the executive authority to table the financial statements, annual report and audit report on the financial statements in the National Assembly, and to provide a written explanation to the legislature in the event of failing to comply with the tabling requirements timeously.

The Minister of Finance, in accordance with the above, is required to provide written reasons for noncompliance with the tabling requirements in respect of departments and public entities for which he is responsible, and in terms of section 8(5), for failing to table consolidated financial statements within the required time-frames. The Minister of Finance is not required to answer for the noncompliance by other executive authorities.

Accounting officers are required to submit reports with reasons on inabilities to comply with reporting responsibilities to the relevant treasuries. These are required for the exigencies of the consolidation by the relevant treasuries, and not for the purposes of devolving accountability from the relevant executive authority.

The executive authorities are thus accountable to Parliament and not the Minister of Finance, and in this respect, the hon member should be able to interrogate the existing parliamentary mechanisms to solicit the answers he seeks. The Auditor-General may issue a special report (section 65(2)(b)) on the delays in respect of the tabling of this information, and the hon member is directed to these for similar answers in future.

Supplement to part 2 of the question:

The relevant details may be solicited from the executive authorities of the following departments:

Foreign Affairs;

Health; and

Social Development.

Supplement to part 3 of the question:

The following six departments, however, did not table written explanations for late tabling, as required by section 65(2) of the PFMA:

Arts and Culture

Communication

Home Affairs

Trade and Industry

Justice and Constitutional Development

Transport.

Hofuitspraak oor beoogde korrelbedkernreaktor by Koeberg: langtermyn finansiële gevolge vir Eskom

29. *Dr P J RABIE (DA) vra die Minister vir Openbare Ondernemings:

(1) Of die hofuitspraak in Januarie 2005 oor die beoogde korrelbedkernreaktor by Koeberg enige langter-

myn finansiële gevolge vir Eskom tot gevolg het; so nie, wat die posisie in dié verband is; so ja, watter gevolge;

(2) of Eskom reeds die koste beraam het van verdere omgewingsimpak-studies; so nie, waarom nie; so ja, wat die tersaaklike besonderhede is? N221A

(Translation of Afrikaans question follows.)

[Court ruling *re* envisaged pebble bed nuclear reactor at Koeberg: long-term financial consequences for Eskom

29. *Dr P J RABIE (DA) asked the Minister for Public Enterprises:

(1) Whether the court ruling in January 2005 regarding the envisaged pebble bed nuclear reactor at Koeberg will have any long-term financial consequences for Eskom; if not, what is the position in this regard; if so, what consequences;

(2) whether Eskom has estimated the cost of further environmental impact studies; if not, why not; if so, what are the relevant details? N221E]

The MINISTER FOR PUBLIC ENTERPRISES:

(1) The ruling relates to the process of the Environmental Impact Assessment and not to any design or technical issues contained in the Record of Decision for the proposed project.

The ruling means that interested and affected parties are afforded further opportunity to provide written comment on the final environmental impact report before the Director-General of the Department of Environmental Affairs and Tourism (DEAT) issues a new record of decision. It is clear from the ruling that the process undertaken to date was "thorough and fair" and that the ruling does "not express any opinion as to the merits or demerits of the proposed PBMR, in particular, not of nuclear power in general." Therefore, although the ruling does result in a delay in obtaining the necessary authorisation to commence with the proposed construction, it does not at this stage have any long-term financial consequences for Eskom. However, the delay might have an impact on PBMR (Pty) Ltd in procuring long leadplant components.

It is noted that the ruling is made against the Director-General of the DEAT. However, relating to the courts ruling for some additional activities to take place as part of the environmental impact assessment, provision has been made for within Eskom.

(2) The actual amount will be dependent on the outcome of the procurement process to secure the work required to be undertaken to meet the courts ruling.

For written reply:

RTMC shareholders' meetings since appointment of CEO

9. Mr S B FARROW (DA) asked the Minister of Transport:

(1) Whether the Road Traffic Management Corporation (RTMC) has held any shareholders' meetings since the appointment of the Chief Executive Officer; if not, why not; if so, (a) (i) on what date and (ii) where was each meeting held and (b) how many people attended each meeting;

(2) whether the RTMC is in full compliance with the requirements of all legislation governing its operations; if not, what is the position in this regard; if so, what legislation was taken into account in formulating this reply;

(3) what (a) is the current staff complement of the RTMC and (b) are the monthly overheads of this body, including remuneration;

(4) whether a business plan has been finalised and implemented; if not, why not; if so, (a) what targets were set by this business plan and (b) when was it implemented;

(5) whether these targets have been met; if not, why not; if so, what are the relevant details? N34E

The MINISTER OF TRANSPORT:

(1) Yes, the Road Traffic Management Corporation (RTMC) held shareholders' meetings since the appointment of the chief executive officer. My department has furnished the following information in respect of these meetings:

(a) (i) The Shareholders' Committee held three meetings, ie on 18 November 2002, 9 February 2003 and 30 January 2004.

(ii) 11 November 2002 — At the Department of Transport's office in Pretoria.

9 February 2003 — At the Sheraton Hotel, Pretoria.

30 January 2004 — At the Johannesburg International Airport.

(b) 22 people attended the 2002 meeting, thirteen people attended the 2003 meeting and twelve people attended the 2004 meeting.

(2) The Road Traffic Management Corporation (RTMC) complied with some of the legislation governing its operations, such as the Public Finance Management Act, 1999 (Act No 1 of 1999) (PFMA), Treasury Regulations, section 188 of the Constitution of South Africa Act, 1996, read with sections 3 and 5 of the Auditor-General Act, 1995. The Office of the Auditor-General audited the RTMC books. In terms of the principal Act, nothing has been implemented to make the RTMC operational.

(3) (a) The RTMC has not yet emloyed any other person besides the chief executive officer. Two people were seconded to assist the CEO with administrative issues.

(b) The operating expense for the financial year ended March 2003, were R711 993, including salaries.

(4) A business plan in terms of the PFMA has not been prepared. The interim business plan that was prepared was solely based on setting up the structures and preparing for the functional RTMC. The interim business plan includes issues such as strategic management, corporate administration and development of financial models for the ten functional areas.

(a) and (b) Fall away.

(5) The targets as indicated in the interim business plan were not met. As the legislation requires, there should be consensus among the members of the Shareholders' Committee. Consensus was not reached due to the implications of transferring the functions to the RTMC. The shareholders' committee felt that in respect of functions such as vehicle registration and licensing a thorough investigation needs to be performed so as not to disrupt the services, as well as to investigate the impact of revenue streams in provinces.

QUESTIONS

For written reply:

Public Investment Commissioners bying final 15,1% share in Telkom previously held by Thintana

25. Ms M SMUTS (DA) asked the Minster of Finance:

(1) Whether the Public Investment Commissioners bought the final 15,1% share in Telkom previously held by Thintana in order to ensure that the proposed acquisition of this share by a certain consortium (name furnished) complied with all relevant legal and financial requirements; if not, what is the position in this regard; if so,

(2) whether the (a) structure, (b) shareholding and (c) broad-based empowerment potential were matters of concern; if not, why not; if so, (i) what was the proposed structure, (ii) who were the shareholders and (iii) what were the broad-based empowerment aspects of the said consortium? N52E

The MINISTER OF FINANCE:

(1) The Public Investment Commissioners acquired the 15,1% share in Telkom previously held by Thintana to ensure that the proposed acquisition by the Elephant Consortium complied with certain internal and financial requirements of the PIC.

(2) The structure, shareholding and broad based empowerment potential were not matters of concern to the PIC. This is because there appeared to be no reason to believe that the structure, shareholding and broad based empowerment potential were in conflict with the laws of the Republic of South Africa.

Facilities for disabled learners in schools

67. Ms H WEBER (DA) asked the Minister of Education:

(1) Whether schools will in future have facilities for disabled learners; if not, why not; if so, what are the relevant details;

(2) whether schools to be built will have facilities for the disabled stipulated in the tender documents as a rule and not as an exception; if not, why not; if so, what are the relevant details;

(3) whether any arrangements are being made for the transportation of disabled learners to and from school; if not, why not; if so, what are the relevant details? N108E

The MINISTER OF EDUCATION:

(1) All public buildings are required to make provision for access to the disabled person. All new schools therefore incorporate access for disabled learners as a requirement. It should be noted that at times due to various constraints such as access or land typography, different systems such as ramps and lifts would be considered.

(2) In relation to access to classrooms and ablution blocks, this is a planning requirement for all new schools and existing schools are currently being fitted with ramps.

(3) As part of the roll-out of White Paper 6, 30 ordinary primary schools in the presidential nodal areas are currently being converted into full-service schools, which will be fully accessible to all learners with special needs.

(4) In the medium to long term all schools will be made accessible to learners with disabilities.

(5) Yes. Transport is available to learners who attend special schools, in accordance with the transport policy of the relevant provincial department of education. Provinces have arrangements in place to subsidise learner transport in these schools.

Number of prefabricated classrooms in use in schools

68. Ms H ZILLE (DA) asked the Minister of Education:

(1) (a) How many prefabricated classrooms are in use in schools, (b) what was the estimated shortage of classrooms in each province as at 31 January 2005, (c) what is the estimated cost of providing these classrooms and (d) what amount has been budgeted in respect of each province for the building of classrooms in the latest financial year for which information is available;

(2) whether her department has issued any guidelines governing the suspension of teaching due to extreme weather conditions; if not, why not; if so, what guidelines? N109E

The MINISTER OF EDUCATION:

(1) (a) There are 576 schools with prefabricated classrooms.

(b) The total estimated shortage of classrooms Nationally as on the 15 February 2005 stands at 31 254. Limpopo requiring 8 150, is followed by Eastern Cape (8 953) and KwaZulu-Natal (7 180). These are the provinces with the most need. The other provinces have also indicated a need for classrooms, and their indication is as follows, Free State (237), Gauteng (454), Mpumalanga (3 053), Northern Cape (492), North West (750) and Western Cape (1 976).

(c) The total cost to address these needs would be R5,5 billion, based on a national average of R175 000 per classroom. The national average cost of a classroom is based on various provincial costs per classroom that range from R100 000 to R200 000. The variations in classroom unit cost between provinces are due to soil typology, location and size of a classroom. There are no norms and standards yet for classroom size and this is one of the priorities of my department for 2005.

(d) All provincial education departments have budgets to address the provision of classroom needs. Provincial departments have also planned and budgeted within the MTEF cycle to address these needs, however with the current allocation and needs of the province, a backlog of 12 333 classrooms as at 15 February 2005 was unfunded within the current MTEF. Provincial budgets for the MTEF 2005-06 indicate the following budget allocation for infrastructure:

Eastern Cape (R427 mil)

Free State (R17 mil)

Gauteng (R31 mil)

KwaZulu-Natal (R983 mil)

Limpopo (R1,234 billion)

Mpumalanga (R200 mil)

Northern Cape (R30 mil)

North West (R41 mil); and

Western Cape (R260 mil).

(2) In terms of the SA Schools Act (section 16(4)) the head of the provincial education department may close a public school temporarily in the case of an emergency if he/she believes on rea-

sonable grounds that the lives of learners and staff are endangered or that there is real danger of bodily injury to them or of damage to property.

Number of South Africans paying direct tax in 2003-04

91. Dr P J RABIE (DA) asked the Minister of Finance:

(a) How many South Africans paid direct tax in the 2003-04 financial year, (b) what is the estimated number of South Africans who qualify for direct taxation but do not pay tax because of the tax gap and (c) what is the estimated amount lost by the fiscus in the past financial year owing to the tax gap? N136E

The MINISTER OF FINANCE:

(a) The table below indicates the number of taxpayers registered and the actual collections per each of the direct tax types during two financial years:

Direct Tax	*Notes*	*Taxpayers registered and tax collected*			
		2003-04		2002-03	
		Number	R Bn	Number	R Bn
Taxes on income and profits					
Income tax					
• Individuals		4 280 129	99,220	3 885 090	94,924
• Companies		1 283 155	61,712	1 221 422	56,327
Secondary tax on companies		1 283 155	6,133	1 221 422	6,326
Tax on retirement funds	*	19 000	4,898	*19 000	6,990
Taxes on payroll and workforce					
Skills development levy	**	274 764	3,896	252 589	3,352
Taxes on property					
Donations tax		N/A	0,017	N/A	0,018
Estate duty		N/A	0,417	N/A	0,433
Total			176,293		168,370

Notes

* This is an estimate of the number of entities registered for Tax on Retirement Funds.

** The number reflected here represents the number of employers registered for the payment of employees' tax. A number of these entities are not registered for SDL as they are exempt from the payment thereof.

(b) The March 2004 Labour Force Survey (LFS) indicates that there were approximately 16,6 million economically active persons in South Africa, of which 12 million were employed and 4,6 million unemployed. Of the 12 million, 7,8 million were employed in the formal sector with the balance employed in commercial agriculture, subsistence or small scale agriculture, the informal sector or as domestic workers. The majority of this non formal group will not be liable for income tax as they would be earning less than the tax threshold.

At the end of January 2005 there were 4,6 million individuals registered for income tax, which is an increase of approximately 0,7 million (18%) since 1 April 2003. Some of the contributors to the increase in the register were the compliance campaigns

launched by SARS, the tax amnesty and the growth in employment. The disparity between the cases on register and the 12,0 million is indicative of the number of individuals employed who are earning less than the SITE threshold and those that are not registered for income tax. The number of individuals that qualify for direct taxation but does not pay has reduced, however, the number cannot be quantified.

(b) Although the tax gap as indicated in (b) above has reduced, the amount lost from those not registered cannot be quantified.

Amount budgeted by Eskom to increase capacity to generate electricity from gas turbines

127. Mr K J MINNIE (DA) asked the Minister of Public Enterprises:

(1) What amount was budgeted by Eskom in the 2004-05 financial year to increase the organisation's capacity to generate electricity from gas turbines;

(2) whether any areas are envisaged for the building of gas turbine plants; if not, why not; if so, what are the relevant details? N173E

The MINISTER OF PUBLIC ENTERPRISES:

(1) The planned expenditure for this project up to March 2005 is R5,4 million.

(2) Two separate sites are envisaged. They are Atlantis and Mossel Bay.

QUESTIONS

For written reply:

Legislation limiting propagation/sale of plants not indigenous to SA

70. Mr M J ELLIS (DA) asked the Minister for Agriculture and Land Affairs:

(1) Whether the Department of Agriculture intends introducing legislation limiting the propagation and sale of plants that are not indigenous to South Africa; if so, (a) when is it anticipated that such legislation will be introduced in Parliament, (b) in respect of what plants will limitations be introduced and (c) what factors will be taken into consideration in drawing up the legislation;

(2) whether stakeholders will be consulted prior to the introduction of such legislation; if not, why not; if so, what are the relevant details? N110E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) Currently, there are no plans within the Department of Agriculture to introduce legislation limiting the propagating and sale of plants that are not indigenous to South Africa. The current legislation addresses this effectively.

(2) Falls away.

QUESTIONS

For written reply:

Amount claimed from Commission for Occupational Injuries and Diseases by pharmacists/hospitals/doctors

52. Mr R COETZEE (DA) asked the Minister of Labour:

(1) (a) What was the total amount claimed from the Commission for Occupational Injuries and Diseases by (i) pharmacists, (ii) hospitals and (iii) doctors and (b) what amount did the commission pay out to each of these groups in the three most recent financial years for which information is available;

(2) whether any claims for payment by suppliers have been outstanding for a period of longer than (a) six months and (b) twelve months; if so, what amount is owed to each supplier in each case?

N90E

The MINISTER OF LABOUR:

(1) The total paid to suppliers by the Compensation Fund is as follows:

• Pharmacists

Financial year	*Number of records paid*	*Monetary value of payments*
2002/3-2003/3	74 401	19 020 065
2003/4-2004/3	57 944	15 050 156
2004/4-2005/3	49 583	13 840 514
Total	181 928	R 47 910 735

• Hospitals

Financial year	*Number of records paid*	*Monetary value of payments*
2002/3-2003/3	172 854	650 487 908
2003/4-2004/3	115 222	469 648 130
2004/4-2005/3	117 917	543 486 802
Total	405 993	R 1 663 622 840

• Doctors

Financial year	*Number of records paid*	*Monetary value of payments*
2002/3-2003/3	693 128	504 816 220
2003/4-2004/3	469 878	318 311 912
2004/4-2005/3	380 266	284 919 885
Total	1 543 272	R1 108 048 017

The total paid for the last three years to the three groups as mentioned is R2,8 billion

(2) Outstanding claims to suppliers amount to:

Accounts outstanding for all service providers	*Number of records outstanding*	*Monetary value of outstanding claims*
0-6 months after receipt	112 144	173 878 123
6-12 months after receipt	115 289	163 204 195
12-18 months after receipt	57 955	73 989 084
Total	285 388	R 411 071 402

The total outstanding is for all medical service providers in the fund's data base and some of the reasons why accounts are outstanding are:

- Noncompliance of employers to report occupational injuries and diseases within the statutory prescribed period of seven days:
- Noncompliance of service providers to submit supporting medical reports to enable the Compensation Fund to consider liability under the Compensation for Occupational Injuries and Diseases Act of 1993, as amended.
- Unnecessary long investigations by staff of the Compensation Fund caused by insufficient information/ reports submitted by employers and/or service providers and

- Backlogs within the Office of the Compensation Commissioner as a result of a changeover to new systems and staff shortage.

It is envisaged that the restructuring innovations underway will improve the situation.

Departments/private companies recruiting professionals abroad: exemption from employment equity legislation

59. Mr C M LOWE (DA) asked the Minister of Labour:

(1) Whether, with reference to his reply to Question 1023 on 3 December 2004, (a) government departments and (b) private companies which recruit professionals abroad in order to compensate for the (i) shortage of skilled professionals in South Africa and (ii) high cost of local professionals are exempted from employment equity legislation; if not, (aa) why not and (bb) what steps need to be taken by such departments and private companies to ensure that their foreign professionals meet employment equity requirements; if so, what are the relevant details;

(2) whether any provision has been made for exemption from employment equity requirements for posts where skills are scarce; if not, (a) why not and (b) what are the implications of this for economic growth in South Africa; if so, what are the relevant details? N100E

The MINISTER OF LABOUR:

(1) Government departments and private companies (who are designated employers) are not exempt from the Employment Equity Act. The purpose of the EEA is to rectify injustice in workplaces in the past and to ensure that we have a workforce broadly representative of our people. Hence employers are bound by that principle. Foreign nationals are required to have the appropriate work permits and are considered as part of an employer's workforce profile for the purposes of the EEA. Hence employers would be advised to consider this when recruiting from abroad.

(2) No provision has been made to exempt employers in the case of scarce skills. The act already allows for employers to furnish explanations to my department, when reporting, for nonachievement of targets. Furthermore, the Act does not impose quotas, so employers when agreeing their employment equity plans would have already considered these aspects (ie such as scarce skills) prior to committing to it. When the employer is being inspected all reasonable explanations are considered by the inspectorate for the nonachievement of targets. Since the Act provides for parameters and a discretionary process by the inspectors, it considers all the possible concerns in relation to economic growth at the planning stage, hence the impact of the Act on economic growth is minimal.

Approval for SA Languages Bill

142. Mrs D VAN DER WALT (DA) asked the Minister of Arts and Culture:

Whether the revised final draft of the South African Languages Bill, dated 4 April 2003, has been approved; if not, (a) why not, (b) when will it be finalised; if so, what are the relevant details? N188E

The MINISTER OF ARTS AND CULTURE:

The South African Languages Bill is still under discussion within the executive. Cabinet has requested that the Ministries of Arts and Culture and for Justice and Constitutional Development explore a number of options for the implementation of the provi-

sion of the language policy and the imperatives of the Constitution.

As soon as the process of consultation has been completed the two Ministries will resubmit the matter to the Cabinet for decision.

Cost for supporting candidacy of a certain person for presidency of IUCN in Bangkok

172. Mr G R MORGAN (DA) asked the Minister of Environmental Affairs and Tourism:

(1) What (a) was the total cost to his department for supporting the candidacy of a certain person (name furnished) for presidency of the IUCN in Bangkok in November 2004 and (b) were the component contributions to this total of the (i) (aa) plane tickets, (bb) hotel accommodation and (cc) domestic transport for officials in his department, (ii) exhibition stand at the congress, (iii) cost of all supporting literature and brochures, (iv) cocktail parties and dinners and (v) free gifts for congress delegates;

(2) what are the (a) names and (b) designations of all the officials in his department who attended the conference in Bangkok;

(3) whether his department paid for any trips for the said person to canvass support for his election after he vacated his position as Minister, but prior to the conference in Bangkok; if so, what are the relevant details;

(4) whether the election of the said person as president of the IUCN will bring any direct benefit to his department; if not, how is the financial support of the candidacy justified; if so, what benefits? N263E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) South Africa participated as a member state of the IUCN and all officials who attended contributed towards the outcomes of the congress. The total estimated cost in supporting the candidacy of Mr Valli Moosa for the Presidency of IUCN amounts to R117 616,92.

(b) (i) (aa) R12 465

(bb) R5 276

(cc) R0

(ii) R0 — The exhibition stand was a departmental stand reflecting South Africa's protected areas system.

(iii) R54 149

(iv) R8 076,92

(v) R37 650.

(2) (a) and (b)

Dr C Oliver — Director-General

Ms P Yako — Chief Operating Officer

Mr D J van Schalkwyk — Chief Director: Transfrontier Conservation and Protected Areas

Mr J P Louw — Chief Director: Communications

Mr L Matsila — Director: Office of the Deputy Minister

Mr E Mokganedi — Director: Transfrontier Conservation Areas

Ms C Malope — Assistant Director: Office of the Director-General

Ms N Runeyi — Assistant Director: Office of the Director-General

(3) Yes. The department paid for a return flight between London and The Hague to meet with the Dutch royal family and top representatives of NGOs in the Netherlands. The department also paid for four domestic return flights between

Cape Town and Johannesburg for Mr Moosa to attend:

(i) The national media launch of the campaign on the *Morning Live* breakfast show on SABC 2.

(ii) The South African biannual regional heads meeting of NGOs affiliated to IUCN.

(iii) To attend a meeting with three ambassadors in Pretoria.

(iv) As guest speaker at an international conference hosted by the National Botanical Institute in Cape Town.

(4) Yes. South Africa is a member of the IUCN, which is the only NGO that has observer status of the United Nation. The Presidency is a key position for South Africa and the region as it will be the platform for championing conservation issues in the global domain including the outcomes of the 5th World Parks Congress which was hosted in South Africa.

Leerders in Strand/Somerset-Wes wat staatsgefinansierde busvervoer gebruik

182. Mnr F BEUKMAN (NNP) vra die Minister van Onderwys:

Of enige leerders in die landdrosdistrikte Strand en Somerset-Wes tans van busvervoer na en van die skool gebruik maak wat deur die Staat gefinansier word; so ja, wat die tersaaklike besonderhede is? N274A

(English translation follows):

[Learners from Strand/Somerset West magisterial district using state-funded transport to and from school

182. Mr F BEUKMAN (NNP) asked the Minister of Education:

Whether any learners from the Strand and Somerset West magisterial district are currently using state-funded transport to and from school; if so what are the details? N274E]

The MINISTER OF EDUCATION:

Yes, currently learners from the magisterial districts of Strand and Somerset West are using state-funded transport.

Approximately 1 227 learners are being transported for distances ranging from 29 km to 42 km. Currently six service providers have contracts with the Western Cape education department. A feasibility study is being conducted to review the effectiveness of the existing transport system within the Western Cape province.

Strand/Somerset-Wes leerders: medium van onderrig

183. Mnr F BEUKMAN (NNP) vra die Minister van Onderwys:

Watter getal leerders op primêre en sekondêre vlak in die landdrosdistrikte Strand en Somerset-Wes ontvang onderrig in onderskeidelik Afrikaans, Engels en Xhosa as primêre onderrigmedium? N275A

(English translation follows):

[Strand/Somerset West learners: medium of instruction

183. Mr F BEUKMAN (NNP) asked the Minister of Education:

How many learners at primary and secondary level are being taught in Afrikaans, English and Xhosa, respectively, as their primary medium of instruction in the Strand and Somerset West magisterial districts? N275E]

Number of learners according to medium of instruction
(Strand and Somerset West combined)

Grade	*Afrikaans*	*English*	*isiXhosa*
Grade 1	1 725	566	931
Grade 2	1 576	542	885
Grade 3	1 595	568	702
Grade 4	1 595	1 250	

Grade	*Afrikaans*	*English*	*isiXhosa*
Grade 5	1 462	1 082	
Grade 6	1 892	1 116	
Grade 7	2 078	1 047	
Grade 8	1 766	1 170	
Grade 9	1 620	1 334	
Grade 10	1 456	1 192	
Grade 11	936	1 006	
Grade 12	697	709	
Total	18 398	11 582	2 518

Note:

Data source: WCED, 2004 Annual Survey for schools, public ordinary schools, magisterial districts: Strand and Somerset West.

Grade 1 to grade 7 represents a primary school.

Grade 8 to grade 12 represents a secondary school.

Research into relationship between cage diving/shark attacks on humans

198. Mrs J A SEMPLE (DA) asked the Minister of Environmental Affairs and Tourism:

> Whether his department has conducted any research into the relationship between cage diving and shark attacks on humans; if not, why not; if so, (a) who conducted the research, (b) when was it conducted and (c) what were the findings of the research? N295E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) The department is conducting scientific studies on the possible relationship between cage diving and shark attacks on humans. The Universities of Pretoria and Cape Town, the South African Museum and the Natal Sharks Board are participating in these studies.

(2) The study commenced in 2004 and is ongoing.

(3) It is too early to provide any findings.

Measures to ensure that EIAs are done on GMOs

223. Mr K D S DURR (ACDP) asked the Minister of Environmental Affairs and Tourism:

> In light of the fact that the Environmental Impact Assessment Regulations are under review and in light of the repeal of section 24 of the National Environmental Management Amendment Act, Act 56 of 2002, which means that there is no longer any provision for environmental impact assessments (EIAs) on genetically modified organisms (GMOs) except under section 78 of the National Management: Biodiversity Act, Act 10 of 2004, what measures will he take to ensure that EIAs are done on GMOs with the necessary public participation? N282E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

Section 24 of the National Environmental Management Amendment Act, Act 56 of 2002 (NEMA), has not been repealed, but it has been amended. The new section 24 still provides for the conducting of environmental impact assessments (EIAs). The difference is that EIAs are now only conducted for listed activities as published in terms of section 24D of NEMA. Section 24 itself, whether in its previous or current version, did not and does not specifically refer to EIAs for genetically modified organisms (GMOs).

In the 14 January 2005 version of the draft EIA regulations in terms of NEMA, the release of GMOs is listed in regulation 22(22), but only in those instances where a risk assessment or an environmental assessment is required in terms of the GMO Act, Act 15 of 1997, or the National Environmental Management: Biodiversity Act, Act 10 of 2004 (NEMBA). To explain this further, should the Council of GMOs require a risk assessment or an environmental assessment for the release of GMOs in terms of section 5(a) of the GMO Act, or should the Minister

require an environmental assessment in terms of section 78 of NEMBA, the proposal will be treated as if it were a listed activity in terms of the draft EIA regulations, or as contemplated in chapter 5 of NEMA. The regulations prescribe the necessary public participation requirements for screening, which will be required for such proposals.

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PEACE AND SECURITY
(Cluster 1)

Threat to independence of judiciary

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

> With reference to the recent public debate on the matter and allegations that the independence of the judiciary is under threat, what is the Government's position in this regard?
>
> N331E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, my reply to the member is that, indeed, as member of cabinet responsible for justice and constitutional development, it is my constitutional responsibility to promote and protect the Constitution, including the doctrine of separation of powers.

An impression should not be created that there are some forces or interests outside of our own who are more responsible or more concerned with the preservation of our hard-won freedoms, rights and responsibilities that are enshrined in the Constitution and laws of the land.

Ms F I CHOHAN-KHOTA: Chairperson, the leader of the opposition has, in this House, recently stated that the judiciary is under increasing pressure from the ANC. Also in his recent address at the New York University Law School last year, he stated:

> The ANC wants to control the judiciary.

He says that this is part of the ANC's national democratic revolution, which is he says is cultured in the ideology of race and a strategy of political control, fundamentally opposed to the nonracial and democratic tenants of the Constitution.

Now, Minister, I trust you agree that these are fairly seriously skiving comments, which the hon leader of the opposition made at a foreign venue which no doubt left the New York audience with a fairly negative impression, not only about our government, but also our state.

I wonder, in light of this, whether you would like to comment on his comments.

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, it is important to underline the historic fact that the ruling political party, the ANC, was the principal force behind the drafting and adoption of the Constitution that has entrenched the democratic constitutional principle and doctrine of separation of powers, and safeguarded the independence of the judiciary.

Members will be aware that until the advent of the new dispensation the magistracy was not part of an independent judiciary. It was part of the civil service. In fact, it is, thanks to the leadership and far-sightedness of the late first Minister of Justice in the democratic dispensation, Comrade Omar, that the magistracy is today properly part of the judiciary.

It is unfortunate that a member of this House could misinform, and in the process tarnish the image of our country, by telling an untruth. It is untrue that the judiciary is under threat. But, of course, it is in the interest of the DA to continuously create a perception that it leads in the area of human rights.

But the truth is, and hon Sheila Camerer can bear the truth of what I am saying that many of the progressive positions we stood for, the DA and other parties actually opposed! That is factual. We cannot today be a threat to what we ourselves have stood for and many of our people have died for.

Let me conclude by saying that the President, stop howling, at the judicial symposium in 2003, said the following about the separation of powers: [Interjection.]

Mr M J ELLIS: Chairperson, you have indicated to the Minister that her time is running out and I am sure it has finally run out. I sincerely hope that you will allow our members as much opportunity you have given to the Minister.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Her time has not run out but I was indicating to the Minister that the clock is ticking.

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, that is bad tactics. He is sabotaging a very important colloquium here. The President at the judiciary symposium in 2003 said the following:

> The separation of powers is a centrally important part of our system of government, as is the independence of the judiciary.

But what is very important and what we should actually be discussing as thinkers and persons committed to transformation and the reconstruction of our country, is that what would be role of the judiciary . . . [Time expired.]

Mrs S M CAMERER: Chairperson, I must say that I was reassured by the Minister's initial response to the question, but there is no doubt that recent perceived attacks by the ANC on the independence of the judiciary have given cause for concern. For example, the much criticised statement by the ANC on the 8th of January, alleging a need to transform the collective mindset of the judiciary because it was not in tune with the masses.

Secondly, very important, the statement by the newly appointed adviser to the Minister on transformation of the judiciary, Prof Shadrack Gutto, that the judiciary should be subject to review like any other branch of government. The Chief Justice has immediately pointed out that this will be unconstitutional as it is inconsistent with the principle of the separation of powers and the independence of the judiciary.

These are very strong words from a man who is normally so reticent. So, what I would like to ask the Minister is: Does she and her deputy agree with the Chief Justice on his position or with their new adviser?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, when the accusation was first made that there is a threat to the judiciary, the Chief Justice himself stood up to say that there isn't any such threat and that he did not read that in the statement.

I was still trying to explain something about the challenge. I really think that we should learn to think ahead and the DA must not always be left behind if they are to be relevant to the transformation and reconstruction of our country.

I am saying this precisely because the important question is, what is the role of the different organs of state such as Parliament and the judiciary currently? This is a developmental state and, indeed, the Constitution, and that is why many of you hon member, were against it because we wanted one that enables positive action by the state to transform it and to bringing about the well-being of our people. That is the reality of the situation. That is really the key question.

The Chief Justice is very much aware of the commitment of the state to the independence of the judiciary. We are in engagement with the heads of court all the time and there has been no formal statement that says that they are under threat and they feel under threat. There is no such threat. It is perceived or it is mischief. Definitely, the leader of the opposition Mr Tony Leon was mischievous. [Time expired.]

Mr S N SWART: Chairperson, we in the ACDP thank the Minister that the independence of the judiciary is not under threat. As it has been pointed out, much of the debate surrounding this issue arose as a result of the media statement on 8 January, and in particular the phrase:

> To transform the collective mindset of the judiciary

As well as the phrase:

> That the judiciary do not see themselves as being part of the masses accountable to them.

Section 165 of the Constitution, as you pointed out, states that the courts are independent and subject only to the Constitution and the law, which they might apply without fear, favour or prejudice.

Would you agree, hon Minister, that this constitutional provision makes no mention of the judiciary being accountable to the masses, and if so, how do you interpret the statement? I thank you.

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, the Constitution is a product of the people's struggle in this country. In fact, the preamble clearly indicates that we should not forget the historic context of the particular Constitution. If you look at the preamble of the Constitution you will realise that it does say so.

Indeed, it calls on us to even honour and respect those who died for our freedom. It makes a commitment to developing a nonracial, nonsexist and democratic country. The Constitution of this country belongs to the people of South Africa and it is of their will. The process towards constitutionalism in this country was one that engaged everybody and submissions were received by the Constitutional Assembly. It is a Constitution that truly belongs to the people of this country and we cannot be ahistoric.

Thus, in the context of our own history, the mindset of racism and sexism is one that ought to change. The question is whether this mindset has chosen sectors or whether because we are all South Africans, we realise that we are all challenged in this regard.

So, I can only say to you that what that means is that it is very much in alignment with the constitutional directives that we should build a nonracial and nonsexist and democratic country. This was an affirmation.

That statement is taken out of context in the debate in the country. It is deliberate and mischievous. The truth of the matter is that January 8th statement, in fact, lauded the judiciary for the progress that it has made largely and acknowledged its importance.

Members must be very careful not to be led by mischievous thinking. The country needs people who are prepared to make the turnaround that is necessary to bring about a better life for our people.

SA Army consulted *re* procurement of military transport aircraft

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

(1) Whether the SA Army was consulted in respect of the procurement of the A400M military transport aircraft; if not, why not; if so, how does this deal comply with section 217 of the Constitution;

(2) whether other more cost-effective options were explored, such as purchasing less expensive and sophisticated aircraft such as the C-130J or the Boeing C-17; if not, why not; if so, what are the relevant details;

(3) why was the Portfolio Committee on Defence not briefed on the intended acquisition? N338E

The MINISTER OF DEFENCE: Chairperson, first of all I think I should say that this question was, in fact, initially answered on 23 February in the House. But nevertheless, I think I would like to address it one more time, and I hope it would be for the last time.

With regard to that, it is important for members of the House to take count of the fact that South Africa has done things with regard to the A400M. We were invited as a country by the Europeans to take a stake in the company producing the A400M. I took the matter to Cabinet to say that the invitation to take a stake in the A400M is there, but linked to it is the fact that the SA National Defence Force has very serious air transport needs which must be met.

Therefore, if South Africa took a stake in the A400M, first of all, that would have the advantage that parts of this A400M would be produced in South Africa. That of course has got spin-offs of sorts, in terms of jobs and all of that. But the most important thing is that when we therefore have to acquire for the SA National Defence Force needs, we would have to seriously consider the acquisition of the A400M as a first option. It makes business sense. I would not consider that our nation could take a stake in one entity and then go and purchase elsewhere. My own view would be to consider that, and that being the position, we are in the process now.

We have indicated that we are taking the stake in the A400M, and we are busy effecting that. In the very near future, we will start the process of negotiating procurement, and that is a different process. There seems to have been an assumption or a misunderstanding that we had a tender process, or we buy parts to the tender process, and started acquiring. We are now proceeding to that phase.

So, there is no question of transgressing section 2(17) of the Constitution. We cannot afford that. I quit definitely, and I know that is the position of my party. We are not prepared to create an atmosphere that will be like the previous one, which is continued to be dragged all over and questioning the acquisition of the National Defence Force equipment. So, that issue will be addressed.

The second part of this question is whether we sized up existing air transport aircraft that is available on the market. Let me just say with regard to that, the SA Air Force verified the suitability of the C130J, the Boeing C17 and the Antonov. Each of these aircrafts were found by the SA Air Force to be deficient, regarding aspects like abilities to fulfil the required tactical lift missions relating to unprepared airfields, limitations in volumetric and payload capabilities, old generation of engines, as well as associated high operating cost of continuing support. These have been disqualified.

I add only one element — the A400M. It's a new generation air transport aircraft. Once it takes off, it's got a lifespan of at least 50 to 60 years ahead. Therefore, we will be acquiring the aircraft that will place the National Defence Force and the air force in a place for that period of time. We will not be dealing with the equipment that will slightly to be out of the market. These other things we are talking about are really at the end of their lifespan and so on. There is no point buying something that will not be available tomorrow.

The Portfolio Committee on Defence had requested a briefing on the issue on Tuesday, 1 March 2005, but that has since been postponed. And of course, we will be available to provide this briefing as soon as we can renegotiate new dates. I thank you, Sir.

Moulana M R SAYEDALI-SHAH: Thank you Chairperson, I would like to ask the hon Minister why this deal was negotiated by the Department of Transport, and not his department, because the nature of the aircraft is such that is primarily going to be used by the

SA army in peace keeping etc. These are the grounds for the purchase. So, why was it negotiated by the Department of Transport? Did it need the approval of the IPCC, which is the Industrial Participation Control Committee? And he speaks about the merits and demerits of the A400M in comparison with the other aircrafts.

I have had a look at the specification of the 400M, and compared that with the Antonov. It seems as though I can't give you the details now, but I have them with me, that the Antonov is a plane, which is already in operation. It is being used. It is being manufactured, while the A400M is the plane yet to be. We will see its flights somewhere in 2008. By the time we get it by 2011 . . . [Inaudible.] Its cheaper, you can buy two or three Antonov for the price of one A400M. [Interjections.] [Time expired.]

The MINISTER OF DEFENCE: Chairperson, it's a very well established principle that quite often sometimes buying cheap is buying dear. I have just said to you now that these aircrafts you are talking about, most of them have been around in circulation for long. One of these will be out of circulation in the very near future. You must consider the future. How long term is your investment, because you can't be going back there again now and again.

With regard to the question of the Department of Transport, I remind the House again that even when we dealt with the initial strategic package, it was never a one-department issue. A number of departments were put together, to work together and to process the packages and so on. That is what benefits the country best.

Here too, is being a number of us, I did say we need a number of departments to look at these and see how we can pull the resources of the nation together as the executive, and then manage this process in the manner that best profits this country. There is nothing wrong with two departments of government, and even more. The reason we have clusters of departments is because we don't want every department operating as an isolated entity — an empire unto its own. Government must operate as a corporate solid. Thank you.

Mr L M GREEN: Thank you. Chairperson. Thank you, Minister for your answer. You indicated that the SANDF has a stake in the purchasing of the A400M military transport. Can you tell the House how big the stake is in relation to the amount of money that was spent on this purchase? And how many people will actually benefit by this spin-off? Thank you.

The MINISTER OF DEFENCE: Chairperson, I thought I started by saying that we are about to proceed to study the process of purchase. So, there is no purchase that has been done yet. Let's put that issue aside. With regard to the question of the size of the stake, its approximately 5% of the company. I can't give you further very precise detail just now, but that is what the position is. Thank you.

Dr A N LUTHULI: Thanks, Chairperson. Yes, indeed, when you purchase equipment of such huge amounts it is the question of saying this one is cheaper, let's only look at that. You also look at the question of sustainability and its capability. Now my question to the Minister is: Can you once more assure the House that why now the government is ready for the purchase, and that the Minister will indeed brief the House accordingly?

The MINISTER OF DEFENCE: Chairperson, as I already said to the House, it has been an extremely unpleasant situation that our nation has had the agony of questioning the previous acquisition. For me it's been an important lesson. I know that with my colleagues we are determined that never again will we expose government to questioning in the manner that it has been questioned previously. So, I am quite determined that when the right time comes, we will stick strictly not only to section 17, but

to every one of the prescribed procedures. Thank you, Sir.

Mnr P J GROENEWALD: Voorsitter, as ek so na die agb Minister luister, dan sê hy geen ander vliegtuie is geskik vir die taak waarvoor die A400M geskik is nie. Daar is eintlik net een geskikte vliegtuig volgens hom. Dan weet ek nie hoekom word daar verdere tenderprosedures gevolg nie.

Maar my eintlike vraag aan die agb Minister is: Stem hy saam dat die hoofrede waarvoor hierdie vliegtuie aangekoop word vredesoperasies in Afrika is? Is dit dan nie net billik dat die Afrika-Unie 'n bydrae lewer tot die koste, veral as ons kyk na die druk waaronder die verdedigingsbegroting tans verkeer, en is hy van sy kant af bereid om met die Afrika-Unie te praat oor 'n bydrae vir die aankoop van hierdie vliegtuie?

(Translation of Afrikaans paragraphs follows):

[Mr P J GROENEWALD: Chairperson, as I listen to the Minister, he is saying that no other planes are suitable for the task to which the A400M is suited. There is actually only one suitable plane according to him. Then I don't know why further tender procedures have to be followed.

My actual question to the Minister is: Does he agree that the main purpose for the purchase of these planes is peacekeeping missions in Africa? Wouldn't it be fair for the African Union to contribute towards the costs, especially in the light of the current pressure upon the Defence budget, and would he himself be prepared to talk to the African Union regarding a contribution towards the purchase of these planes?]

Die MINISTER VAN VERDEDIGING: Voorsitter, mnr Groenewald sal heeltemal aanvaar dat Suid-Afrika se verantwoordelikheid nie net 'n kwessie van vredesoperasies is nie. U het gesien wat in verband met Mosambiek gebeur het. Daar is die kwessie van die probleme wat in Dar es Salaam, Kenia, Tanzanië en so meer ontstaan het. En dit is heeltemal duidelik dat Suid-Afrika se verantwoordelikheid wat rampe betref, wat vredesoperasies betref, en so meer, dit nodig maak dat ons hierdie vliegtuie bekom.

Ek aanvaar dat die groot taak wat Suid-Afrika het, die een van vredesoperasies is. Dit is die vernaamste rede. Maar daar is allerhande kleiner redes ook, en ek dink Suid-Afrika moet aanvaar dat die toekoms van ons vasteland nie vorentoe geneem kan word sonder dat Suid-Afrika aanvaar dat hy die grootste rol sal moet aanvaar en moet speel nie. Met verloop van tyd en beter ontwikkelingsomstandighede in verskillende ander lande van Afrika sal 'n paar van die Afrika-lande ook saam met ons hierdie werk kan aanpak, maar op die oomblik het baie van hierdie lande geen kapasiteit om dit te doen nie, en ek aanvaar dit heeltemal.

As 'n mens kyk hoeveel geld Suid-Afrika, die Afrika-Unie en so meer vandag gebruik om vliegtuie te huur, is dit heeltemal onaanvaarbaar dat ons soveel geld sommer aan private mense gee. As ons dit kan vermy, moet ons dit doen. Ons kan selfs hierdie vliegtuie aan sekere ander lande uithuur. So ek stem heeltemal saam, maar hoe meer ek sien hoe die vasteland ontwikkel, hoe meer besef ek Suid-Afrika moet maar aanvaar dat daar geen ander land is wat hierdie leidende rol kan speel wat Suid-Afrika speel nie.

(Translation of Afrikaans paragraphs follows):

[The MINISTER OF DEFENCE: Chairperson, Mr Groenewald will surely accept the fact that South Africa's responsibility is not just a question of peacekeeping missions. You have seen what happened with regard to Mozambique. Then there is the case of the problems that have arisen in Dar es Salaam, Tanzania, Kenya and so forth. And it is absolutely clear that South Africa's responsibility with regard to disasters, peacekeeping missions and so forth, makes the acquisition of these planes necessary.

I accept that South Africa's big task is one of peacekeeping missions. That is the most important reason. But there are also all sorts of minor reasons and I think South Africa must accept that the future of our continent will not be served without South Africa accepting the fact that it will have to bear the greatest responsibility and play the biggest role. As time goes and under better developmental circumstances in various other countries in Africa, a few African countries will jointly be able to engage in this task, but at the moment many of these countries do not have the capacity to do this, which I accept wholeheartedly.

If one looks at the amount of money currently spent by South Africa, the African Union and others on the hiring of planes, it is totally unacceptable that we hand over so much money to private persons. If we can avoid this, we should do so. We can even hire out these planes to certain other countries. Therefore I agree wholeheartedly, but the more I see how the continent is developing, the more I realise that South Africa must accept that no other country can fulfil the leadership role of South Africa.]

Arrests made *re* attack on certain person's house

*2. Mr V B NDLOVU (IFP) asked the Minister for Safety and Security:

(1) Whether any arrests have been made in connection with the attack on the house of a certain person (name furnished) on 13 July 2004 during which the said person's bodyguard was injured; if so, what are the relevant details;

(2) whether the suspect has appeared in court; if not, why not; if so, what are the relevant details;

(3) whether a motive for the attack has been established; if not, why not; if so,

(4) whether the attack was politically motivated; if not; what is the position in this regard; if so, what are the relevant details? N68E

The MINISTER FOR SAFETY AND SECURITY: Chairperson . . . Ulalele-ke baba. [Please listen attentively, hon member.]

The bodyguard of the mayor saw people at the gate which leads into the mayor's property. When he approached them, they fired a shot and he was wounded. He, of course, fired back and the people fled. We have not arrested anybody. Investigations are continuing. Therefore we don't know what the motive for the attack would have been and we don't know whether the attack was politically motivated or not. Siyabonga. [Thank you.]

Mnu V B NDLOVU: Ngiyathokoza, Sihlalo. Ngiyabonga mhlonishwa Ngqongqoshe ukuthi uphendule ngalolo hlobo. Mhlawumbe umhlonishwa angangisiza asho ukuthi, uma ecabanga, ngokubona kwakhe bazokwazi yini ukuzibamba lezi zigebengu noma cha ngoba . . . [Ubuwelewele.] Hayi bo! Akukhona esibayeni lapha bo! Ungabanaki laba abagulayo, mhlonishwa.

Indaba enkulu isekutheni uma kukhona abantu abahlaselayo, lokhu angikuqondisile kulokhu kuphela kodwa sengisho nje ukuthi uma kukhona abantu abahlaselayo bese kuba nenkinga yokuthi izigebengu azibanjwa, kuzoba nomphumela omubi wokuthi kube sengathi abantu bahlaselwa budedengu nje noma laba bantu abahlasela abanye abantu banesandla esithe xaxa sokuhlasela. Ngakho-ke ekuqiniseni isandla, mhlonishwa Ngqongqoshe, kungenzeke yini ukuthi izigebengu zibanjwe uma zihlaselile, ikakhulukazi uma sekuphele izinyangana ezithile kwenzekile lokho? Phela laba bafana abakwaziyo ukulalela uma umhlabathi ukhuluma, abangayifaki iyunifomu, kufanele ngabe bayezwa nasematshwaleni uma kuxoxwa ukuthi kwahamba kwagcinaphi, kwenzekani. Bengithi-ke angizwe lokho kumhlonishwa uNgqongqoshe.

(Translation of isiZulu paragraphs follows):

[Mr V B NDLOVU: Thank you. Chairperson. Thank you hon Minister for answering in this manner. May be the honourable can assist by telling from his own perspective where there they will be able to arrest the criminals or not because . . .[Noise.] Stop this! We are not in the kraal here! Do not worry about those are crazy, Minister.

My main concern is the people who attack others. I do not mean attacking only but if they are people whom attacking others and have a problem of not arresting criminals, which will have a wrong impact as if people who attack others have more powers of doing so. Therefore in making the law tough, hon Minister, is it not possible to arrest the criminals after attacking others, mainly after certain months that has been done? The private detectives should be able to hear as to how far that is gone and what's happening when people talk in places of beer. I wanted to hear that hon Minister.]

The MINISTER FOR SAFETY AND SECURITY: Chairperson, members of the SA Police Service investigate all crimes that happen in South Africa and we put the best human resources from our detective services at that investigation that we have to investigate. We are certain that all the people we are investigating are going to be arrested sooner or later. It does not matter what they may have done. Even these other people you referred to will, at some point, be arrested. Crime does not pay and criminals must be arrested so that they pay for the crimes that they commit. This is going to be equalled, with respect to those who attacked and fired that shot at that bodyguard. Incidentally, at the time of this attack the mayor was not at home.

Mr R JANKIELSOHN: Chairperson, it is clear from the increasing incidents of crimes against politicians and other prominent people in KwaZulu-Natal that there could be resurgence of political violence in the province in the run-up to the local government elections.

The individual mentioned in the question had a bodyguard who was injured during this attack and most other senior politicians also have bodyguards — including yourself, Minister. My concern is for the thousands of people in the province who could become unintended victims of political violence through their affiliation to a political party or by merely residing in certain geographical areas. They do not have bodyguards.

Hon Minister, what steps are being taken by government to ensure that we do not have a resurgence of political violence, which could inhibit the political rights of individuals and affect the freeness and fairness of the elections in the province?

The MINISTER FOR SAFETY AND SECURITY: Chairperson, I want to reiterate what I said to Prince Mangosuthu Buthelezi who made an observation which is similar to what has been made by the hon member. I said that we are not going to allow for the resurgence of any violence anywhere in the country, be it ordinary criminal violence or political violence. It is not going to happen.

When it happened in this country, it should be remembered, it was when our security services were under the control of the apartheid state. Now that we are in charge of those forces, those forces' responsibility and mandate are to ensure that they secure our democracy.

Between us and the Ministry of Defence, therefore the police and SA National Defence Force, we will do exactly what we did last year in regard to the general election. We will create the necessary atmosphere for these elections to be conducted in a fashion that will be peaceful and stable. I want to assure members that nobody is going to revisit violence on our people in this country, be it in KwaZulu-Natal or Western Cape. We are not going to allow for that resurgence. [Applause.]

Mr M S BOOI: Hon Minister, just to continue with allaying our fears, so there is no substance in the allegation that government is . . . in the violence that is beginning to resurge in KwaZulu-Natal.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Did the Minister get the question? There was a problem with the microphone.

The MINISTER OF SAFETY AND SECURITY: Chairperson, there was a problem with the microphone.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Can you repeat the question, hon member.

Mr M S BOOI: Chairperson, what I was asking was whether the Minister could continue to allay the fears of the public regarding allegations that are being made randomly that government is taking sides in the resurgence of violence in KwaZulu-Natal.

The MINISTER OF SAFETY AND SECURITY: Chairperson, in response to this additional question, let me just lift up something that I have heard some politician refer to because it has been in the media. I have been quoted in the media as saying that there is low-intensity political warfare in KwaZulu-Natal. I never said that. Not at any stage did I say there is low-intensity warfare in KwaZulu-Natal. I know what those terms mean and I want to repeat therefore that if there is a resurgence of violence there or anywhere else, we are going to move in and stamp it out.

Child prostitution: SAPS steps to prevent girls from being picked up by truck drivers

*14. Mr S MAHOTE (ANC) asked the Minister for Safety and Security:

(1) Whether, with reference to recent media attention to child prostitution, the SA Police Service has taken or intends taking any steps to ensure that no girl is picked up by unscrupulous truck drivers; if not, why not; if so, (a) what steps and (b) when were they introduced;

(2) whether his department has requested information or is in possession of information on similar criminal acts; if so, what are the relevant details? N330E

The MINISTER FOR SAFETY AND SECURITY: Chairperson, there are several crime prevention initiatives in the different provinces to prevent the sexual exploitation of children. A multidisciplinary approach is followed whereby other role-players, including, among others social workers, are involved.

Cases of sexual exploitation of children reported to the SA Police Service are mainly investigated by members of the family violence, child protection and sexual offences units. Specialised individuals at local detective services deal with these matters in areas which are not currently serviced by the family violence, child protection and sexual exploitation units of the SA Police Service.

The policing of offences of a sexual exploitative nature against children are dealt with in terms of South African legislation, for example the Sexual Offences Act of 1957 and the Child Care Act of 1983, and these cover crimes which involve rape, indecent assault, kidnapping, abduction and statutory offences. We have followed up all allegations carried in the media from time-to-time as well as in the course of normal police work. Thank you very much.

Mr S MAHOTE: Thank you, hon Minister, for the elaborate response. My follow-up question is: What success did the police achieve in fighting sexual exploitation of children? Is the Minister satisfied with the progress in this regard?

The MINISTER OF SAFETY AND SECURITY: I am happy at the successes that the SA Police Services have been scoring with respect of this particular type of crime. I am

sure the hon members must have seen media reports recently that relate to the matter. You will also remember that there was a particular cartel that we broke up on the East Rand. This had to do with the sexual exploitation of children. And, we will continuously use our detectives to survey some of the places where this sexual exploitation of children is happening. But I do wish to indicate also that we have been getting a lot of co-operation from members of the community who bring information to us, which has resulted in the successful investigation of some of these crimes. Thank you.

Mr M WATERS: Thank you, Chair. Hon Minister, the problem of child sex workers selling themselves for extra money is a tip of the iceberg when one considers the number of children and women who are trafficked in our country as sex slaves — and you have alluded to that — and even taken across our borders for this particular purpose.

South Africa currently has no legislation outlawing human trafficking. The Sexual Offences Bill, which dealt with these matters have been brought back to Parliament and appears to have been forgotten by the government. And now that the former ANC Mayor of Beaufort West, Truman Prince, has been exposed trying to pick up child sex workers, the ANC is suddenly concerned about this particular matter.

Will the Minister inform this House when will the government act to protect the victims of sexual abuse and human trafficking, and not just the ANC members who get caught up in scandals? I thank you.

The MINISTER OF SAFETY AND SECURITY: You know you have referred to only one case. And cases relating to the sexual exploitation of children are many. I have already given an answer here that indicates the investigations that we do and the many people we have arrested with respect to this. You seem to think that the only case that relates to sexual exploitation is the one that relates to this particular instance you have referred to.

I don't know why we would want, at times, to treat these very serious matters in such a casual and shabby way as it seems to be done by members in this House. These are serious matters, and I think we ought to be responsible when we raise matters as serious as this. Thank you.

Mnu V B NDLOVU: Mhlonishwa ngiyathokoza ngempendulo. Ngibona sengathi lapha eMnyangweni wezokuPhepha nokuVikela incane imali ebekelwe amaphoyisa ukuthi enze kahle umsebenzi wawo wophenyo uma kuqondene nalezi zinto esikhuluma ngazo — izingane, abesifazane kanye nakho konke okunye. Mhlawumbe umhlonishwa angake asize andise iziteshi zamaphoyisa ukuze lama cala anjengalana aphenyisiswe kahle futhi kube khona nesimo esizovumelana nokuthi izingane ziphenywe kahle. Ngicela ukuzwa ukuthi umhlonishwa angaba nesandla esiqave kangakanani kulokhu engikucabangayo nalokho engikushoyo njengomhlonishwa ophethe umnyango. Ngiyathokoza.

(Translation of isiZulu paragraph follows):

[Mr V B NDLOVU: Honourable Minister, thank you for the answer. I believe in this Department of Safety and Security the budget allocated to us is much less for the police to perform the search properly regarding what we have been talking about, children; women etc. May be the hon Minister can assist in increasing the number of police stations so that such cases could be dealt with properly and the environment be conducive in questioning children. I would like to hear from the hon Minister as to how far could he deal with suggestion as the Minister in charge of the department. Thank you.]

UMPHATHISWA WEZOKHUSELO NOKHUSELEKO: Ndiqinisekile ukuba uya kukhumbula, lungu elibekekileyo, ukuba la macandelo amapolisa aphanda la matyala

siwongezile. Ngoku sinama-62 amacandelo ajongene nobundlobongela basekhaya, ukhuselo lwabantwana nezenzo zolwaphulo-mthetho ezinxulumene nesondo.

(Translation of isiXhosa paragraph follows):

[THE MINISTER OF SAFETY AND SECURITY: I am sure, hon member, you will recall that we have increased the police units investigating these cases. We now have 62 units investigating domestic violence, as well as child and sex-related cases.]

When I reported about this the first time, there were a few of them that were established. We now have 62. If you look at the Annual Report 2003-04, there is a whole section there that deals with these units and the work that they have done. For instance, in 2003 they brought to court 2 377 cases. Last year — and I am talking about people who are children under the age of 18 — we were able therefore to get people who were arrested, convicted and sentenced to a total of 11 896 years. We are talking therefore about quite a number of people who are at the correctional services facilities as we speak — 213 of them with respect to this particular matter.

I must say therefore that at the time we completed this report at the end of the financial year last year, there were only 42 cases which were still pending at court. But, every case that relates to children is brought to trial quite speedily and given the sentences I have referred to — which to us indicate the seriousness with which we take these matters.

But we have what, I believe, is adequate financial support to deal with these matters. At the level of these individual members of the Police Service you are aware that we have raised their salaries, understanding the kind of work they are doing — to provide safety and security for our people.

Mr L M GREEN: Chairperson, hon Minister thank you for your answer. My question is: To what extent is the drug trafficking linked to sexual exploitation of children? We know, and we perceive that there is a close link. Could you also tell us whether you and your department are co-operating with the Minister of Social Services to ensure that it is not just addressed from your department, but the social impact of this exploitation of children and that drug trafficking is actually that you are also looking at that side in order to address the problem? Thank you, Chair.

The MINISTER OF SAFETY AND SECURITY: Yes, there is evidence of a connection between drug trafficking and the sexual exploitation of children. Of course, it is not just children. It is just that we are dealing with children here. This applies also to older people. There is a relationship between the various government departments to deal with some of these things, but particularly so with the Department of Social Services and my department.

We believe that there is a breakthrough, and whereas there would be many reports that deal with these matters, there have been quite a number of significant breakthroughs in our investigation and arrest of perpetrators of this particular type of crime. Thank you.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Thank you hon Minister. We now move on to Question 1 which is being asked by the hon P de Lille to the Minister of Defence. I am informed that Mr Gore will be standing in for Ms De Lille.

Version of joint report on arms deal given to former Minister of Defence

*1. Mrs P DE LILLE (ID) asked the Minister of Defence:

(1) Whether a former Minister of Defence (name furnished) was given any draft or final versions of the Joint Report on the Strategic Defence Pro-

curement Package; if not, what is the position in this regard; if so, (a) which versions and (b) when;

(2) whether the former Minister made any comments on these versions; if so, what comments;

(3) whether any alterations, additions or deletions were made to any versions of the joint report as a result of these comments; if so, what are the relevant details;

(4) whether he will make a statement on the matter? N8E

The MINISTER OF DEFENCE: Mr Chairperson, the answer to the first part of the question, whether we had give any drafts report of the strategic defence package to any former Minister, the answer to that is, no. Consequently, all of the other questions that follow are also, no. Thank you, Sir.

Chair, if I may place on record that the hon De Lille is not in the House. I do not see her.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Yes, we did inform the House, Minister, that Mr Gore would be taking the follow-up.

Mr V C GORE: Thank you hon Minister for your answer. Hon Minister, I find your answer a little bit perplexing, particularly with regard to the hon Minister of Finance's response last week in this House, on 2 March. He said that the draft reports of the strategic arms deal had been given to various departments including the Minister of Defence. Perhaps the hon Minister would like to explain the difference in the answers between yourself and the Minister of Finance. Thank you very much.

The MINISTER OF DEFENCE: I think there is an absolute misunderstanding. Your question, Sir, is whether a former Minister of Defence was given any draft of this. At the time when the investigation started, I had become the Minister of Defence. When the agencies started the investigation, I was the Minister of Defence responsible. I am saying that no former Minister of Defence was given a copy of the drafts. We as Ministers that were serving at that time, dealt with this investigation. Therefore all of the other subsequent questions are null and void. I do not know what the difficulty is.

Mr E W TRENT: Mr Minister, it is common knowledge that the draft GIT report was changed substantially at the behest of the executive, and if you don't believe me I will produce the documents to prove it, because there it is to be seen on the draft copy. In the conclusions that were reached in the draft report that was standardised, this ensured that the embarrassing revelations regarding irregularities in the acquisitions process, and individual cabinet ministers involved in the irregularities did not appear in the final report.

Mr Minister you've just told us that you were there when the GIT report was being discussed, as a Minister. As an object of person, accepting that this is common knowledge that there were changes made, would you agree that the net result of this interference is that Parliament and the public were actually misled?

The MINISTER OF DEFENCE: Chairperson, I do not agree that Parliament and this nation were misled. There is no foundation for making an assertion like that. The report was of more than one agency. I would assume, and I accept that as the report is being drafted, precisely because of that fact, there necessarily must be a number of drafts. To say that, to grant status of any draft, the status that is similar or equal to the status of the report that is submitted at the end, I think is a terrible misjudgement.

If we were to right a report together, of this session this afternoon, we might agree who is going to do the draft, you or I. It can be accepted that when the sum comes up tomorrow, and you present me with your draft, or I present you with my draft, surely there must be some amendments there be-

cause there are going to be words and versions and what not that you may not agree with.

It cannot then be said that we have set out to mislead anybody. I am actually quite surprised that I have not heard of it anywhere, I have never seen it before that a draft can be regarded as a document that is binding to the drafters. Even judges draft reports, amend them and finally produce what they say is a final draft of their judgement. But you can't hold them to the original draft that once you have written that word you may never remove it there, and so on.

Mr M J ELLIS: [Inaudible interjection.]

Mr E W TRENT: Chair, I have heard this argument before, hon Minister. But you see, firstly, this is not a draft, it says; the report of the public phase of the investigation, copy number 9. It is also common knowledge that there were meetings held between the Auditor-General and President Mbeki and others. That report was held up there. If you want us to give you the information that allows the proof of that fact to be subpoena, people who can prove that that fact took place, then we will do that. We are prepared to do that.

What we are saying is; yes you can change a report. Of course, you can, because you talk to the people who made inputs. However, when substantive changes are made and material facts are omitted, Mr Minister I challenge you to go and get these documents and look at this draft report, as you call it, and compare it with the report that was actually tabled in front of Scopa. You will see that there are substantive matters that have been erased and other matters have been included.

In fact, I can read some of the staff to you but I think my time is running out. In one point here it says . . . [Time expired.]

The MINISTER OF DEFENCE: Let me make this first statement: I think there is limitation to the extent that I can answer on behalf of the agencies. What amendments they made to the drafts that they did, and for what reasons. In the end, the best people to answer for that report are the agencies that drafted it. In the end when all is said and done, that is the position. So there is limitation to the extent that I can do that.

You may now call the word "substantive"; you say this is a substantive amendment. Well, I might think it is not a substantive amendment. The agencies may think this is not a substantive amendment. If they have made the amendments they did as agencies, please, I called them as the drafters who must ultimately take responsibility for the report, to say this is what our judgement led us to.

Unless, of course, in the very first place we don't have confidence in those institutions. But I must also object, and sharply so, and distance myself entirely to the suggestion that because the President and the Ministers did have interaction with the agencies, therefore we told them what findings to make, or what to change. There is no foundation for that. It is absolutely unfounded. Thank you.

Mr V C GORE: Thank you hon Chair. Hon Minister, I like your analogy to that of the judge drafting a final report. I am just wondering whether it is common practice within the judiciary, when doing a final report, whether the judge consults with the accused as well in drawing up his final report, following from your analogy. However hon Minister, I would like to just get on to your earlier answer to my question.

Perhaps I can rephrase the hon Ms De Lille's question, whether the current Minister of Defence was given any draft for final versions of the Joint Report in the Strategic Defence Procurement package. If not what is the position in this regard? If so, which versions, and when? And whether any current Ministers made any comments on these versions of the draft report. If so, what comments? And whether any alterations, additions, or deletions were made to any

versions of the joint report as a result of these comments. If so, what are the relevant details?

The MINISTER OF DEFENCE: Honestly, Chairperson, I do not want to pretend to be a genius. Perhaps, even if I was a genius, all I can tell you is that there are exchanges that we as Ministers had with them. I can't tell you specifically what I, myself or this other Minister or that, I would have to get a tape, if it exists, of the discussion. I can't do that.

Let me tell you something, I don't know how old you are. You may never have been arrested. If you have been arrested, if you have ever been arrested, and have appeared in the supreme courts of our country as some of us, and certainly, I have, on many occasions. You will know that judges amend judgements even sitting on the bench. It has happened to many others and me. I am not talking something that is a marvel. Many people who know about the law know that it happens.

Sometimes they do that as a result of the exchanges between themselves and senior counsel before them. It happens there.

Appeal by DPP against certain sentence

*19. Rev K R J MESHOE (ACDP) asked the Minister for Justice and Constitutional Development:

(1) Whether, in light of the sentence recently handed down in the Johannesburg High Court in the case of a certain person found guilty of premeditated murder (name and details furnished), the Director of Public Prosecutions intends appealing against the sentence; if not, why not; if so, what are the relevant details;

(2) whether her department keeps statistics on the number of women who escaped punishment for the murder of their husbands or partners after being in abusive relationships; if not, what is the position in this regard; if so, what are the statistics for the past five years? N335E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, the reply to the first question is that the Director of Public Prosecutions of Johannesburg has studied all the relevant facts in this case and has decided not to appeal against the sentence. There is no prospect of success on appeal due to the exceptional compelling mitigating factors present in the matter.

And the answer to the second question is that sentencing the matter was the result of the exceptional facts and no statistics are specifically kept of sentences that are being perceived as escaping punishment. Actually, I do not even know what the concept, escaping punishment, means.

Rev K R J MESHOE: Chairperson and Minister, the ACDP has great sympathy for women who are in abusive domestic relationships. We believe that all those who are in such relationships should either move out or report such abuses to the police. We also believe that all premeditated murders must be punished to send out a clear message that taking the law into one's own hands will not be tolerated. That is why we find it unacceptable that a person who planned to commit murder and tried to conceal it was sentenced to 300 seconds in detention. Beside the fact that such a sentence does not have any deterrent effect, it trivialises in our opinion the crime of murder.

So, understanding that the appeal is not going to be made, I want to know whether the Minister would reconsider sentencing legislation concerning those who commit premeditated murder of abusive spouses so that in the eyes of the public justice will be seen to be done because many in the public are saying, justice is not done in this case [Time expired.]

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chair-

person, we will have no such consideration. I think in that particular case the judgement clearly indicates what are the factors that persuaded the judge to come to the decision that he came to. Clearly, in the judge's mind the abuse was of such a nature that it did allow for her to take the exceptional decision that she did take in this particular case.

Mrs S M CAMERER: Chairperson, according to the number of women who were on death row the time on moratorium on the death penalty came into being you can probably count the number of women found guilty in that way on the fingers on one hand in the last ten years but whatever the merits of the Engelbrecht case it highlights the enormous problem in our country and that is the pervasive incidents of abuse and violence against women in all its forms, sexual or otherwise, in spite of government's very laudable days of activism against it every year.

The first ten years of democracy has seen no less than nearly 500 000 rapes. There is an increasing clamour from civil society to finalise the new sexual offences legislation which introduces important legal reforms in this field, which has been languishing, incomplete for over a year, why the delay Minister, and when will this piece of legislation that is so necessary to combat the evils of sexual violence against women come back to Parliament?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, I am in agreement with the hon member that we have to move with speed and have this legislation promulgated. The legislation will be before Parliament and I am assured of the fact that we will pass the law this year.

Mr M STEPHENS: Chairperson, I wonder if the hon Minister will agree that sentencing should always be the sole preserve of the presiding officer. Secondly, that the whole judicial process should be independent of political involvement in interference. Thirdly, that the Minister should not in anyway involve herself with the prosecution and the appeal of particular main cases.

Lastly, that consequently, the premise of this question shows a remarkable lack of understanding of what an independent judicial process is all about. I thank you.

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: I think that is a comment directed at the hon member who asked the question.

Mr J H JEFFERY: Chairperson, maybe just to start with the comment as well, it seems a little odd or it appears as if reverent Meshoe wants the Minister to interfere with courts and the prosecutorial discretion.

But having said that, I think that the decision of the court and the way the courts have acted is very positive in starting to take into account the condition that women in abusive relationships are experiencing and the fact that the conventional requirements of the defence of the self-defence may not be applicable in such circumstances where a woman may be unable to leave the relationship because she may be threatened with death or may be unable to take any other action.

I think those are positive developments and I would like to have the Ministers comments on that on whether she agrees?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Chairperson, many of those that work in this area that deal with issues relating to violence against women will attest to the invisibility of the abuse of women in many societies. I think that this is an indicator of a certain level of consciousness in our country and probably an indication that we do have progressive minds on the bench.

I do hope though that we do find as a people mechanisms that will enable us to deal effectively with the scourge of violence against women.

Implementation of seven-day per week plan

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

Whether, in light of the fact that overtime remuneration has become unsustainable and that a seven-day/week plan is being implemented; his department intends making any further recommendations on how this plan will be implemented in order to ensure efficient service delivery; if not, what is the position in this regard; if so, what recommendations? N356E

The MINISTER OF CORRECTIONAL SERVICES: Thank you, Chairperson. The department plans to gradually convert to a seven-day, four-shift day establishment because the five-day week and the weekend establishment have proved to be unsustainable for us.

This will result in the following shifts: We will have two-day shifts and two-night shifts as opposed to the current one-day shift and two-night shifts. Our security personnel will work seven hours per day instead of the current eight hours per day. We are going to employ an additional 9 000 persons interested in a career in the security service of the department. The persons will be recruited to operate the additional second-day shift.

Iya kuba ngabantu abaqala kwiminyaka engama-20 ukuya kwengama-35. Ethubeni sakuyinyusa iye kufikelela kuma-40.

Iindawo esele sikhuphe kuzo izibhenge sokugaya abantu kuseNcome, eXesi, eQonce naseBhofolo. Ezo ziindawo esibe neengxaki kuzo zabantu ekufuneka beqeshwe ezitolongweni. Ngolo hlobo asifakeli apho kukho abasanqunyanyisiweyo okanye abagxothiwe koko songeza inani ukuze le shifti yethu yeentsuku ezisixhenxe isebenze kakuhle.

(Translation of isiXhosa paragraphs follows):

[The first phase is going to include people from the ages 20-35 years. In due course people at the age of 40 would also be included.

Recruitment has started with the following areas: Ncome, Middeldrift, King William's Town and Fort Beaufort. Those are places wherein we were finding it difficult to recruit. By doing that we would not just be adding numbers replacing those that would have been suspended or dismissed but that the new recruits would enable us to implement the seven-days shift.]

There will be more increased periods of unlocked time for inmates or prisoners resulting in increased time for presenting development programmes and for prisoners to receive visits from families and friends. The Department of Correctional Services views the family as the best placed institution of correction. We will also have sufficient time to implement the system of three meals as required by section 8(5) of the Correctional Services Act, Act 111 of 1998.

As a department we recognise that the migration to the seven-day week establishment will have some challenges that the department has to address. These are that our members will suffer a reduction in their income because of reduced overtime.

Utata wabo ke uNgconde ubathanda kakhulu oojele bakhe. [Ngconde loves prison warders as if he were their parent.]

To meet this challenge the department has undertaken to upgrade the salaries of members so that they are on par with those of officials in the security cluster.

Siseza kucela phaya kumabi-zimali. [We are going to make a request to the Treasury Department.]

In line with the new strategic direction of the department and to effect the implementation of the White Paper which has been approved and accepted by our Cabinet, correctional centres that have been identified as centres of excellence will be used as pilot centres for the implementation of this White Paper and

to make sure that the programmes where the inmates will work and do a lot of other programmes will be implemented effectively.

Lastly, Chairperson, in order to lessen the impact of the introduction of the seven-day week establishment on my members, the department has undertaken to phase in this implementation over a three-year period.

Asizi kuvela siyigxumeke nje. Siza kubalungiselela ukwenzela ukuba emva kweminyaka emithathu bazive ukuba ngokwenene utata uNgconde uyabalungiselela. Ndithethela ukuba bandive kuba ndiyazi ukuba baphulaphule kwezi ndawo bakuzo. [Kwahlekwa.]

(Translation of isiXhosa paragraph follows):

[Of course we are not going to implement the process without proper planning. We are going to follow due process and implement it in three phases. I mention this purposefully so that they can hear me because I know that they are listening wherever they are. [Laughter.]]

Mr N B FIHLA: Hon Minister, I think you have explained and expanded on this critical issue to us. I think you have the whole support of the Portfolio Committee on Correctional Services on that and with your determination in it I hope that you proceed with it. I hope that you will be dealing with all the challenges with which you will be faced.

However, I wonder what effect this new proposed structure and change in overtime and employment of more people will have on security on security.

The MINISTER OF CORRECTIONAL SERVICES: Thank you very much, hon member and I would also like to thank the support of the committee. There are a number of challenges that face the Department of Correctional Services and I think that we will be able to deal with them through the support that we hope we would get from all members.

Hon Mike, don't make noise or I'll lock you up. [Laughter.] I would like to leave you in one of my jails for about a week. You'll come out crying. [Applause.]

This new establishment will have a very good effect on security. The new recruits we will be taking in at the end of February in the two colleges, Zonderwater and Kroonstad, will undergo training that would enable them to go straight into the correctional centres. This will free other members so that they could be able to run the programmes to make sure that agriculture, the "chickenry", piggery, the kitchen and everything else as well as education are done properly within correctional centres. I do know that the White Paper is very strong on issues of rehabilitation and correction and I also do know that hon Selfe has produced a document that is in line with what we are saying within the White Paper. These are some of the challenges that we would be looking at within correctional services.

Mr J SELFE: Thank you, Mr Chairperson. We support the implementation of the seven-day week for the reasons that the hon Minister has outlined but the question that I would like to know is what the hon Minister is doing to ensure that prisons that are currently properly staffed after hours and over weekends . . .

. . . And I ask the question apropos preliminary report by the Department of Correctional Services into an incident in Pollsmoor Prison that occurred during October last year in which it was found that over the weekend of 23 and 24 October 2004 there was no night staff at all in the A, B1 and B2-sections of that prison. The question is that there is going to be a period of phasing in as the hon Minister has outlined but does this occur at other prisons and are there monitoring mechanisms in place to ensure that adequate staff are available at the moment to ensure

the security of prisoners in our correctional facilities?

The MINISTER OF CORRECTIONAL SERVICES: Thank you very much, hon member. The security of both the prisoners and the members is paramount and so is that of the public, particularly where some of our facilities are in areas where there is a lot of communities. We will look at that. The White paper is very strong on that. We have had discussions with unions about the issue of staffing over weekends and last week came to an agreement on what could be done to put more levels of security within those areas. I am not sure about the report you are talking about that says that there was no staff at that prisons. I would like to look at it.

However, we have area commissioners one of whose tasks is to monitor all the issues you have mentioned. The Minister together with the Deputy Minister is trying to make sure that we get reports of everything that happens at all the centres not only on weekends, but also during the week.

Mrs S A SEATON: Chairperson, I have been answered in respect of the one question. I have one other question I wish to pose to the hon Minister and we also commend him on the implementation of this new programme. But, the phasing in does raise some concern with regard to these meals.

Minister, you said prisoners will be fed correctly according to the stipulated times. At what stage will they be receiving their meals at the right times because at the moment there are people receiving dinners at two o'clock in the afternoon and that is unacceptable? If it's going to be phased in over a three-year period, are people going to have to wait three years before they get their meals at proper times?

The MINISTER OF CORRECTIONAL SERVICES: Well, hon Seaton, it's a very good question but I'm tempted to be a little bit cheeky on it. [Laughter.] I won't be because hon Skosana is my friend. Sir, I'll just keep quiet and not ask the question I have in my mind.

This will be done as we are phasing it in now. There are centres of excellence already that are operating on the three-meal system. In the Act it is provided that inmates are fed four hourly, which means that we will have more time for them to be outside so that by five o'clock we can be able to lock them in. It will not be an issue of giving them dinner at two o'clock and then lock them in at five o'clock. We have paced in quite well so that five o'clock is lock-up time for every prison around the country.

Mr V B NDLOVU: Ngiyabonga, Sihlalo. Mhlonishwa bengicela ukubuza ukuthi, kulolu hlelo lokuthi kusetshenzwe amahora angama-24 izinsuku ezi-7, ngabe umhlonishwa wavumelana yini nezinyunyana — umhlonishwa wavumelana nezinyunyana ngakho akukho yini manje ukuthi bayophinde bagxobe itoyitoyi ngoba umhlonishwa bengamuzwanga kahle? Isivumelwano sikhona mhlonishwa. Umuntu ogxoba itoyitoyi uzongena ezikhindini yini noma cha?

(Translation of isiZulu paragraph follows):

[Mr V B NDLOVU: Thank you, Chairperson. I would like to know, regarding the arrangement to work 24 hours and seven days a week, whether an agreement was reached between the unions and the hon Minister? Are they not going on strike because they did not understand the hon Minister? Is there any agreement in place? Will those who embarked on a strike be punished?]

The MINISTER OF CORRECTIONAL SERVICES: Hon Ndlovu, correctional services is an essential service department, which means that some of the illegal industrial actions are not allowed within correctional services. I would like to repeat that. Correctional services is an essential services department. There will be times, of course,

when unions do not agree with some things. I have no problems with that absolutely. You must remember that unions have their rights too. However, we will make sure that through the joint technical committee that the Minister has put together which will look at issues of disagreement between the unions and the Department of Correctional Services that time and again we meet and discuss them and make sure that whatever disagreement we have does not impact on the correctional facilities, the feeding and the security of the communities and that of my members within the correctional centres.

I, therefore, can never guarantee that there will never be problems and complaints. I am pleading with my staff members that belong to unions that whatever difference or disagreement we have is resolved in a manner that says that correctional services is an essential services department.

Strategy on transformation of judiciary submitted to Cabinet

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

(1) Whether, with reference to her reply to Question 109 for oral reply on 3 November 2004 affirming that there is an urgent need to provide a policy framework to guide the transformation of the judiciary, the strategy on transformation of the judiciary has been submitted to Cabinet; if not, why not; if so, what are the relevant details;

(2) whether she will make a statement on the matter? N347E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: The reply is yes, the development of a concert paper on the transformation of the judiciary is on course, and we hope to submit the framework document this year, end of April, to Cabinet. The transformation process needs to be understood in its broad context, which means that we are not only talking about representivity here but we are also talking about creating a justice system that indeed brings access to justice closer to our people.

Mrs S M CAMERER: Thank you, Minister. You will admit that there is a lot of confusion about what transformation of the judiciary actually means. Because the constitutional imperative is for the Judiciary Service Commission to consider the need for the judiciary to reflect broadly the racial and gender composition of South Africa when judicial officers are appointed — I am quoting from the Constitution.

The Freedom Charter, which the ANC is busy resuscitating stated broadly: The courts shall be representative of all the people.

Now there is this government strategy or policy framework to guide transformation of the judiciary, which, judging by the latest statement of the ANC and its advisors and in the absence of any details, seems to focus, even as the Minister described it in the House today, more narrowly on racially exclusive transformation. So, the question is: Why has the ANC-government moved so far away from the broad approach of both the Constitution and the Freedom Charter? Secondly, how and where will the strategy of policy framework document be submitted or applied?

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: My Deputy says that I must inform you it is secretly in a room. Probably, that's the answer you are looking for.

Hon member, I actually think we are just deliberately fudging issues here. I've said it when I responded to the question earlier on and touched on the very essence of transformation. I don't know whether you want me to repeat. And I did say even at that time, I reminded you that how so many of you during negotiations were indeed opposed even to those positions. And, by the way, it is

a very important anniversary for this country — the celebration of the Freedom Charter — and we will continue reiterating that the good we brought to this nation and country and what led many to lay their lives was precisely the commitment that many of us made and those that have passed on to a just society to the Freedom Charter. And when it suits you, you quote the Freedom Charter and say that South Africa belongs to all who live in it. You must be thankful that indeed in the vanguard of transformation of this country, it is a responsible organisation like the ANC. But to be direct, by the way, on the issue of transformation it is in all its facets. What you don't want to hear is the whole commitment that we have made of building a nonracial and nonsexist society and of truly transforming our country and normalising it. We agree that we will then set the standards of life of governance according to the values that we enshrined in the Constitution.

So, I have no clue why to you the issue of demographics of racial and gender representivity are not substantive issues. It may well be an indication that we still see things so differently. How do I then learn to convince you? However we can appeal to society, we can appeal to our people in the whole country and our people have indeed indicated in all sorts of surveys that they have confidence in the manner in which we are moving. To be direct, yes, the issue is of substance. But having said that, my predecessors worked on what they called Vision 2000. [Time expired.]

Ms N M MAHLAWE: Chairperson, it is not a question but a comment, and the Minister may respond if she likes. She is not forced to do so. It is amazing that the hon member, Mrs Sheila Camerer is now posing as a champion of transformation when she understands clearly the changes that have been and are brought about by the Department of Justice in terms of the judiciary. I say this because during the apartheid era she was a Deputy Minister of Justice. She understands clearly that in that era judiciary was not independent. Elsewhere in the legal books, it is stated that its humble powers — that is the judiciary — of review were systematically undermined by the ruling National Party. [Time expired.] [Applause.]

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Yes, I indeed do want to comment and continue to say that there has been a vision for transformation to which, by the way, the majority on the Bench are committed to. The majority of our judges in this country are mindful of the need to transform — to build a democratic, nonracial and nonsexist society. They are committed to bringing quality justice to the people of this country. We are in the process of restructuring the court system such that it is responsive to the needs of our people. We have a programme called, "Re Aga Boswa" (we are rebuilding) which also is part of the transformation of the judiciary.

We are also working at modernising our courts. That is also an element of transformation of the judiciary. But, the judges themselves are engaging with issues of transformation. They are talking amongst themselves about what it is that they can do in this country to contribute towards bringing justice and constitutionalism closer to our people. So, I have no clue why in fact there should be controversy. What I am doing is what I have to do as part of the executing authority in this country, and that is to create policy. I therefore have a responsibility to consolidate the policies that we have and to have a clear vision of where we are going as justice, very much in accordance with national goals. So, there is nothing mysterious about this whole matter and indeed I will be moving forward. The report, by the way, from the judges will come to me, I think in April, and I will be able to look at what their comments are with regard to the issue of racism and I will then take the matter forward. But transformation is part of our agenda. It is core to how we

bring about a better life for the people of this country.

Mrs S M CAMERER: Thank you very much, Chair. I just want to say how pleased I am that the Chief Justice's committee of judges that is looking at racism is also going to feed into the process for the strategy document that the Minister has just indicated. And, that gives rise to my question, Minister, because you have appointed as your advisor on transformation of the judiciary, Prof Shadrack Gutto who have made some rather outrageous statements about the necessity for the Bench to be subject to review and that the racism continues to fester in spite of the efforts of the Judicial Service Commission, which I think is very unfair comment because the commission — of which I am a member — has been committed to transformation.

The Chief Justice has been extremely critical of the comments of Mr Gutto, and I raised the issue earlier: Do you support the chief Justice comment that such comment Mr Gutto has made, utterly unconstitutional and undermines the separation of powers and the independence of the Bench or do you support the comments of your advisor Prof Gutto? I think it's a very important question which you didn't answer the first time I posed it. [Time expired.] Thank you.

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: It is your subjective view, hon member, that Prof Gutto commented inappropriately. Prof Gutto is an expert and he was commenting in his other capacity in the paper. He is a socio-legal expert and I am not going to apologise for having asked him to assist me. He is one of the people who would be better able to provide me with ideas about a framework.

Having said that, and I am very sorry that we had to drag his name to the House, I think it's very unfortunate and I hope it is not in form partly by prejudice. I thought there were very unkind comments on his professionalism in the papers, but be that as it may the direct answer to some of your questions are as follows — and I don't want to be held to that. I said I will receive the report on racism from the judges and consider the content of the report. So, I have not taken a decision that that is going to be part of the strategy document and it may well be that it does inform our work. But, I have not taken any decision about what needs to be done with the report because, obviously it is a matter that will have to be referred to the executive as a whole.

I think that we have to know the challenges that we face in building a nation, in building a country and institutions is that we have to revisit and continuously review policies. If we don't do so we won't move forward. So, the question of whether the JSC has distinguished itself — I don't know whether there has been any such attack from the executive of the JSC — but I do know that members of the JSC from time to time have indicated the need to even improve its capacities in order to meet its own mandates or even to improve and refine its mandates. So, these are continuous discussions about transformation and about growth. [Time expired.]

Value of ratification of SADC Mutual Defence Pact

*7. Dr G W KOORNHOF (ANC) asked the Minister of Defence:

> What individual and collective value will be added to safety and stability in (a) South Africa and (b) the SADC region when Parliament ratifies the SADC Mutual Defence Pact, with specific reference to the respective national defence forces? N314E

The MINISTER OF DEFENCE: My apologies Chairperson. The SADC's Mutual Defence Pact provides member state with the mechanism to address challenges collectively to their security, whether emanating from within the community or from outside of the community. The provisions of the SADC's Mutual Defence Pact, in particular

articles 3, 4, 6 and 7 guarantee safety and stability of member states from external aggression, internal destabilisation and the collective responses to such security challenges if they were to arise. As such, the pact bolsters South Africa's policy and the approach of pursuing collective action and responses towards national and regional security. In ensuring collective responses to insecurity, the pact provides for the burden to be shared and risks be reduced among member states' armed forces.

The member states' armed forces, in the absence of the SADC's Mutual Defence Pact, were functioning to address security threats that emanated from across their borders. The SADC's Mutual Defence Pact provides member states with guarantees of collective security and noninterference so that their armed forces can be directed to providing a service in support of their people. The pact also encourages cooperation of member states rather than competition among them. I think it will become clear, first and foremost, that the theatres of conflict that are all over the region and, which are essentially now becoming the burden of the responsibility for South Africa, will, as a result of this SADC's Mutual Defence Pact, subside. Although the principle of noninterference in member states was, for a long time, very stringently held clung to by African states, today what this SADC's Mutual Defence Pact does is that it empowers the community where it becomes clear that instability in a given member might affect the stability of the others. It makes it possible for the intervention to happen even before such explosions.

The benefits for South Africa, therefore, are immense. We become a region that is attractive to investors. The countries of our region are becoming more attractive to investors. The question of development programmes being implemented is higher. Even the developed North feels more confident today that it can invest in the region of Southern Africa without the fear of loosing such investments because of the assured stability and security in the region. Thank you.

Dr G W KOORNHOF: Mr Chairperson, since this question appeared in the order paper, this pact was adopted by this Parliament. Article 4 of the SADC's Mutual Defence Pact deals with military preparedness of state parties. This means that we shall, individually and collectively as countries within SADC, maintain and develop self-defence capabilities to maintain peace, stability and security. The ANC believes that during the last ten years, we have achieved the successful establishment of a single, integrated national defence force, which is in the process of being well equipped and with good and motivated soldiers to fulfil our constitutional duties and to play an important role in SADC, the region and on the continent.

At the same time we acknowledge that poverty remains a biggest threat to peace and security in our continent. In this regard, our armed forces can play an important role in the protection and development of human life. Mr Chairperson, this is a statement and I will not put the question to the Minister.

The CHAIRPERSON OF COMMITTEES: I don't know if you want to comment Minister or take the next follow up. Order! You pressed a "to talk" button, Mr Sayedali.

Moulana M R SAYEDALI-SHAH: I was asking the Minister if he wishes to respond to the comment.

The MINISTER OF DEFENCE: Let me just say one thing with regard to this SADC's Mutual Defence Pact, there has been immense concern that South Africa is singlehandedly dealing with problems in the region. One of the advantages of this is that indeed it strengthens our drive to the setting up of the SADC brigade. Members of the House will realise in the coming period — because we just finished the meeting of the Defence Ministers of the region today — that the setting up of the brigade means that

there'll be units of various countries of our region so that instead of the burden of stabilisation being carried by South African National Defence Force single-handedly, we will be able, as a result of this, to share this burden. This ratification of SADC's Mutual Defence Pact by our parliaments goes a long way towards encouraging and enabling the countries to participate without hindrance in this regard.

Mr V B NDLOVU: Chairperson, Minister, thank you very much for the answer. I just want to know Mr Minister, we have this pact which we support whole-heartedly. Now, let's say one member state is outside of this pact and then it attacks a member state that is inside this pact. What will happen then? Will this pact assist the member state that has been attached by the member state that is outside the pact?

Ukuze bakwazi ukuvikeleka, kuyokwenzeka kanjani? Ngishilo ekuqaleni mhlonishwa ngathi ungabanaki abagulayo kodwa unake nje mina engikhuluma nawe. [Uhleko.] [For them to be protected, what should be done? I said earlier on the hon that don't give attention to these sick people, just attend to me. [Laughter.]]

The MINISTER OF DEFENCE: Well, the pact makes provision to tackle aggression from three sources. First of all, if in a particular country there was a threat of instability that can affect the region, the pact makes provision for intervention. If there were to be two members who are threatening to go to war with each other, it makes it possible for the intervention in this regard. Most important is where any of the member states may have a clash with the country that is outside the community. Again, the community is constrained to look at the situation. We must be upfront about it. Members of the community are expected to behave as prescribed in the protocol founding SADC, which means member state of our community may not provoke aggression or take such action as may lead to instability or aggression by others even outside the community. So in a situation in which a member state of the community was engaged in tensions with a nonmember, the community would move into that situation to establish who or what is a source of the problem.

This pact does not entitle members of the community to provoke aggression with the automatic expectation that we would just go there and defend them. The community has to satisfy itself through the SADC organ, which is, on a daily basis, watching the security situation, that the provocative action was not that of the member state and, therefore, even then it does not mean automatic taking up arms. We have to examine whether there are other political and diplomatic means of resolving the issue. [Time expired.]

Moulana M R SAYEDALI-SHAH: Chairperson, I think the motivation behind the SADC's Mutual Defence Pact is quite rational and logical. However, it is clear that all SADC member states will benefit and reap the fruits of this pact. Our concern would be if the South African taxpayer alone should in any way be burdened because other member states do not contribute. I'd like to ask the Minister whether he is confident that the SANDF can fulfil its obligation in accordance with the SADC's Mutual Defence Pact given the fact that there are numerous challenges that his department face in terms of human resources, funding, lack of training, combat readiness — they are numerous. Would he be confident that they have the capacity to fulfil their role? Thank you.

The MINISTER OF DEFENCE: Chair, I'm very ashamed to answer this question. Let me say that, first of all, we are optimistic that the growing atmosphere in the region of Southern Africa and in the continent as well, reveals that increasing numbers of the countries of the region of our continent are very serious about meeting their continental obligations. So I think we will see an improve-

ment in terms of the contributions towards the work of the region.

With regard to the SA National Defence Force, the debate that we have been having in this House on the advisability or otherwise of the acquisition of the strategic defence package, which cast a lot of doubt about whether we have acted correctly in the interest of the country. I think it's been very unfortunate. However, we do have an obligation to do something. I also think the parliament and the nation must recognise and accept that we must improve without sacrificing or rendering secondary other commitments the nation is faced with. Something needs to be done to make sure that we equip the national defence force somewhat better than what we are at the present time. I say this advisedly because I'm part of Cabinet. When the decisions are taken as to how much resources must go there and so on, I am part of those decisions and I am bound by that. I always feel that we really cannot delay some of the delivery programmes, which our people have waited for for so long. Nevertheless there is indeed need to deal with the issue in this way.

I think that as we put together the SADC brigade and bring the other nation of the region in, our country will be able, when it has partners, to get the burden to be lighter. So this protocol, such as the SADC's Mutual Defence Pact, is critical also because it will lighten the burden on our country. Thank you.

The CHAIRPERSON OF COMMITTEES: Before I take the next question, I would like to remind hon members that the guidelines on questions require of us to take supplementaries, and in that minute allowing the member to make or to express an opinion but to ask a question. So I'd just like to remind members that when you do take a supplementary that in fact you keep to what the guidelines say.

Allocation of additional resources to detective services/forensic laboratories/ child protection units

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

> Whether, in view of the shortage of resources within the investigative units of the SA Police Service, additional personnel and other resources have been allocated to the (a) detective services, (b) forensic laboratories and (c) child protection units; if not, why not, if so, what are the relevant details? N345E

The MINISTER FOR SAFETY AND SECURITY: Thank you Chairperson. We allocated 770 new posts to the detective services and child protection units. Apart from the vehicles that were sent by the Provincial Commissioners to their various stations, the Head Office also allocated 192 vehicles to the various police stations. At the forensic science laboratories, we allocated 33 new posts, and the integrated ballistics information system was also upgraded to the tune of R20 million. Thank you.

Mr R JANKIELSOHN: Thank you Chairperson. It is clear from the statistics and the Minister's reply that the detective services, forensic laboratories and child protection units have substantial shortage of resources. The Minister himself stated in a reply to parliamentary questions that the average case per detective is 100 dockets, and that there are 4 396 personnel vacancies, and the shortage of 1 500 computers and 1 200 vehicles.

Similar shortages exist in the forensic laboratories and the child protection units. These obviously hamper the ability of these units to investigate crimes effectively. With this knowledge Chairperson, the Minister stated on television, that certain police officials "convey the lie" that they have the shortage of resources. You repeated this on the radio Minister. Minister, will you apologise to the

police for calling them liars in the press, when you yourself acknowledged that there is a shortage of resources within the police services? Thank you Chairperson.

The MINISTER FOR SAFETY AND SECURITY: Well, I am not going to tell lies at any point. A police official who is lazy is lazy, and I will say so. A police officer who tells lies, who will say there are no vehicles when there are vehicles, I will say they are telling lies, and I want to repeat that. Anybody who will argue that these resources are not available when they are available, will be telling lies, and I will say so all the time. [Applause.]

Mr M WATERS: The hon Minister, of the 15 000 rapes against children . . .

Mr W J SEREMANE: Mr Chairperson, on a point of order, a ruling has been made in this House about parliamentary and unparliamentary interjections. Now if you go to the west extreme end, they perjure and denigrate somebody's surname, Jankielsohn as Jakkals, I think it is quite out of order. Thank you Chairperson. We could use that, there are many names that we can perjure that side, but it is unparliamentary.

The CHAIRPERSON OF COMMITTEES: Thank you hon member. I will appeal to members to refrain from doing that. It was not all that audible from where I was sitting, but I did get a sense that something had been said. I must appeal to members, it is not in keeping with the decorum that we wish to have in the House.

Mr M WATERS: Thank you Chairperson. Hon Minister, the 15 000 rapes against children are reported every year, and in many instances only DNA evidence is crucial to the successful conviction of the perpetrator. In your reply to my parliamentary question, you stated that there was a backlog of thousands of crime kits at the forensic laboratories in Pretoria and in Cape Town. Added to this, there is a chronic shortage of forensic scientists. I think you mentioned there are over 200 vacancies for forensic scientists at these same laboratories. Can the Minister inform this House, whether the forensic scientists have been declared a scare skill within the public service, and when will all the posts be filled? Thank you.

The MINISTER FOR SAFETY AND SECURITY: Yes, the forensic science laboratories are indeed declared scare skills, and we are allocating additional posts with respect to the forensic science laboratories, because we require people to work there. I do not really understand what you want me to say, except to confirm that they are scare skills. We are providing additional resources, because there is understaffing there.

Mr F T MASERUMULE: Thanks. Straight from this level Comrade Minister, when was the integrated ballistic information system installed at the ballistic unit, and how has it improved the work of the unit? Thank you.

The MINISTER FOR SAFETY AND SECURITY: That system was installed in 1997, and to date, they have linked 2 000 cases to crime. Now 2 000 cases are not 2 000 people, it is more than 2 000 people. Let me indicate for instance, what happens during the financial year 2003-04, 7 512 bullets were placed in that system, including 51 730 cartridges, as well as 45 986 firearms for identification. You can appreciate therefore the amount of work they do, particularly because at the ballistic unit itself, there are a hundred weapons that are placed before them on a daily basis. This is the work that they were able to do, as I say we were able to link at least 2 000 cases with respect to the work that they do. Thank you.

Mr V C GORE: Thank you hon Chairperson. Hon Minister, the safety of all South Africans and the reduction of the country's crime rate are very important priorities, and not only government should adhere to, but all South African citizens. The Independent Democrats is very pleased with the announcement that R3,9 billion will be increased with the SA Police Service

expenditure estimates for 2005-06. Consequently, the Independent Democrats would like to know how this increase will help the SAPS in dealing with shortages and other challenges that it faces, particularly around detective services, forensic science laboratories and child protection units. I thank you.

The MINISTER FOR SAFETY AND SECURITY: I have already indicated Chairperson, that we are going to be employing more people, and there are more vehicles and other resources that we are going to make available to them to ensure that they continue to do the good work that is being done particularly in that section. Thank you.

The CHAIRPERSON OF COMMITTEES: Hon members that concludes question time. The time left is not adequate for us to take the next question, so that will have to stand over. The replies will be printed in the *Hansard*, but we will move to the second order of the day. I now ask the Secretary to read the second order.

Business interrupted in accordance with Rule 113(2) of the Rules of the National Assembly.

Arrests made *re* murder of certain person

*3. Mr V B NDLOVU (IFP) asked the Minister for Safety and Security:

(1) Whether any arrests have been made in connection with the murder of a certain person (name furnished) who was shot and killed in front of his house in KwaNongoma towards the end of 2004; if not, why not; if so, what are the relevant details;

(2) whether the suspect has appeared in court; if not, why not; if so, what are the relevant details;

(3) whether a motive for the murder has been established; if not, why not; if so,

(4) whether the murder was politically motivated; if not; what is the position in this regard; if so, what are the relevant details? N70E

The MINISTER FOR SAFETY AND SECURITY:

(1) No arrests have been made. Suspects could not be positively identified by the witnesses.

(2) No, the suspects are unknown.

(3) The motive for the murder is unknown as no suspect/s have been arrested.

(4) It is not known whether the attack was politically motivated.

Role/challenges/successes achieved by SAPS at RSA/Namibia/ Botswana border

*13. Mr O E MORANENG (ANC) asked the Minister for Safety and Security:

In light of the fact that members of the SA National Defence Force have been replaced since September 2004 with members of the SA Police Service to perform border control duties, what (a) challenges are facing the SAPS in this new role and (b) successes have been achieved at the RSA/Namibia/Botswana border in the past six months? N329E

The MINISTER FOR SAFETY AND SECURITY:

(a) The exit-entry strategy in respect of replacing the SANDF personnel deployed on the RSA borders with members of the SAPS commenced on 12 September 2004 in the Northern Cape, followed by Limpopo and the North West province.

The exit-entry strategy will be implemented in a phased manner and will be completed on 31 March 2009.

Since the SAPS deployments concentrate on the combating of trans-national crime, which is a typical police function, no specific challenges are currently being experienced. The SAPS

has initiated task-directed programmes and acquired some equipment such as vehicles in order to achieve these objectives.

(b) Due to the fact that borderline operations by SAPS commenced on 12 September 2004, statistics related to crimes will be released as part of the 2004-05 annual report of the National Commissioner.

Positions for HRC commissioners to be filled

*4. Mr V C GORE (ID) asked the Minister for Justice and Constitutional Development:

(1) How many positions for commissioners on the Human Rights Commission need to be filled in terms of the relevant legislation;

(2) whether all these positions are filled; if not, why not;

(3) whether any commissioners have been seconded to other organisations; if so, (a) why and (b) to which organisations? N96E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(1) Section 115(1) of the Constitution of the Republic of South Africa, 1993 (Act 200 of 1993) (Interim Constitution), provided for a Human Rights Commission, which shall consist of a Chairperson and ten members. The Human Rights Commission Act, 1994 (Act 54 of 1994), provides further that not less than five members of the commission should be appointed on a full-time basis. At present there are five full-time commissioners and one part-time commissioner.

(2) There are thus five vacancies on the Commission. This matter is currently being addressed by the Human Rights Commission and the executive.

(3) No commissioners have been seconded. Commissioner Charlotte McLain-Nhlapo was offered a one year contract with the World Bank to deal with issues of equality and transformation. Following consultations with the Presidency and the Department of Justice and Constitutional Development, Commissioner McLain-Nhlapo has been granted long leave or one year on an unpaid basis to take up the position. Commissioner McLain-Nhlapo will return to the commission on 1 January 2006. In order to supplement the loss of her services for the said period the commission has requested that part-time Commissioner (Prof K Govender) on a contractual basis, assist and be available on a *de facto* full-time basis as a commissioner.

Sluiting van kommando-eenhede in 2005

*5. Mnr P J GROENEWALD (VF Plus) vra die Minister van Verdediging:

(1) Of enige kommando-eenhede in 2005 gesluit gaan word; so ja, (a) watter eenhede en (b) op watter datum hulle gesluit moet word;

(2) of hy 'n verklaring oor die aangeleentheid sal doen? N116A

(Translation of Afrikaans questions follows):

[Closure of commando units in 2005

*5. Mr P J GROENEWALD (FF Plus) asked the Minister of Defence:

(1) Whether any commando units will be closed in 2005; if so, (a) which units and (b) on what date should they be closed;

(2) whether he will make a statement on the matter? N116E]

The MINISTER OF DEFENCE:

(1) Yes.

The SA Army will close down 17 commando units in 2005 (financial year 2004-05). The Commando units to be closed are:

(a) (i) Tygerberg Commando (Ntabambini).

(ii) Piketberg Commando.

(iii) Cradock Commando.

(iv) Umgeni Commando.

(v) Long Tom Commando.

(vi) Nelspruit Commando.

(vii) Northam Commando.

(viii) Giyani Commando.

(ix) Krugersdorp Commando.

(x) Meyerton Commando.

(xi) Randburg Commando.

(xii) Mafikeng Commando.

(xiii) Mankwe Commando.

(xiv) Oranje Commando.

(xv) Bloem City Commando.

(xvi) Edenburg Commando.

(xvii) Atlas Commando.

(b) The commando units will be closed by 31 March 2005.

. . . The SA Army is planning to close down a further 55 commando units during the financial year 2005-06 with the final closing date of 31 March 2006. The names of the units and specific closing dates will only be announced after the SANDF and the SAPS Task Team confirmed that the various provincial implementation plans are in place.

(2) No.

Response received on White Paper being tested in centres of excellence

*36. Ms M W MAKGATE (ANC) asked the Minister of Correctional Services:

(a) What response has been received on the White Paper currently being tested in centres of excellence, (b) what are the anticipated implications of its implementation, (c) what performance indicators have been drawn up in this regard and (d)(i) how many centres of excellence are there and (ii) where is each situated?

N354E

The MINISTER OF CORRECTIONAL SERVICES:

(a) and (b) The content of the White Paper on Corrections will be tested after the launch of the centres of excellence on 1 April 2005. In order to spearhead the process of the centres of excellence, two steering committees were appointed. The National Steering Committee coordinates the roll-out process and the Regional Steering Committee oversees implementation and monitoring within the regions.

The centres of excellence (CoE) have been perceived to test in different correctional centres the practical options for implementing the White Paper approach to rehabilitation in the context of a safe, secure and humane institution. Furthermore, it focuses on assessing resources and managerial implications of change, development of intervention tools and promotion and maintenance of partnerships with external stakeholders towards enhancing societal responsibility. It is furthermore envisaged that it will uplift and maintain standards of service delivery.

(c) The clear performance indicators in terms of the centres of excellence are as follows:

— Availability of an integrated offender management system

— Development of a comprehensive offender assessment

— Provision of needs-based rehabilitation programmes and services

— Capacitate staff to be committed and integrity-driven

— Excellent human resourcing, maintenance and development

— Establish partnership with the community.

(d) (i) A total of 36 centres of excellence have been identified nationally and (ii) these are found in the following regions:

Regions	*Selected sites*
Western Cape	Malmesbury Goodwood Dwarsrivier Drakenstein Youth Pollsmoor Female Voorberg Medium B
Eastern Cape	Cradock Idutywa Stutterheim East London Medium C Creckwood Umtata Maximum Queenstown
KwaZulu-Natal	Kokstad Ebongweni Maximum Durban Westville Youth Section Durban Westville Women Section Pietemaritzburg Ekuseni Youth Centre Empangeni Community Corrections
Free State and Northern Cape	Groenpunt Goedemoed Douglas Correctional Centre Sasolburg Correctional Centre Kroonstad Medium C Kurumane Correctional Centre
Mpumalanga, Limpopo and North West	Middelburg Female Ermelo Rustenburg Youth Centre Makhado Adult Male Section Klerksdorp Adult Male Section Modimolle Youth Centre
Gauteng	Bavianspoort Emthonjeni Leeukop Youth Section Johannesburg Youth Section Johannesburg Women Section Pretoria Central

Threat posed by international terrorism to SADC region

*31. Adv P S SWART (DA) asked the Minister for Intelligence:

Whether international terrorism poses a credible threat to the SADC region; if not, why not; if so, what is the nature of this threat? N349E

The MINISTER FOR INTELLIGENCE:

International terrorism is a global phenomenon and no country can claim to be immune from its threats and dangers. Whilst most SADC states have not experienced any direct terrorist operations linked to the international nature of the phenomenon, the US embassy in Tanzania was the target of an attack in 1998, as was the US embassy in Kenya, resulting in hundreds of local civilian casualties.

Given the current global situation which has seen international terrorism spreading, it clearly follows that the threat exists to the institutions of many foreign countries within the SADC region. Consequently, the intelligence and security organs of the SADC region are alert to possible threats and are involved in a high level of co-operation. South Africa has been leading by example with regard to collaboration both within the region and further afield. Our announcement in October 2004 of the creation of a National Intelligence Agency Counter-terrorism

centre is an indication of the vital importance with which we view international co-operation with regional and foreign services in the successful execution of our counter-terrorism mandate.

Several states in the SADC region have become aware, owing to this counter-terrorist collaboration, of individuals with international terrorist connections, attempting to use their territories as safe havens or trnasit routes. There have been some indications of fund-raising and recruitment. Successful actions by the authorities have resulted in the disruption of such activity and experiences are being shared by the services concerned.

It is of course hoped that such successes will prevail, but we do not expect the threat to disappear in the foreseeable future.

Complicity on the part of certain sheriffs in dubious practices pertaining to sales in execution

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

> Whether, in light of allegations of complicity on the part of certain sheriffs in dubious practices pertaining to sales in execution, her department has taken or intends taking any steps to address such practices specifically and to transform the sheriffs' profession generally; if not, why not; if so, what steps? N332E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

Yes. The current practices regarding sales in execution of property, and in particular, immovable property, is a matter of great concern to Government. Some of these practices were also addressed in the constitutional matter of *Jaftha v Schoeman and Others; Van Rooyen v Stoltz and Others* 2005 (1) BCLR 78 (CC), where the scope and ambit of the right of access to adequate housing was discussed in the context of an appeal by judgement debtors whose houses had been attached pursuant to warrants of execution following a failure to find sufficient attachable movables to satisfy judgement debts of relatively small amounts. The Constitutional Court held, *inter alia*, that the process of execution against immovable property, in circumstances where it could occur, from beginning to end, without oversight by the courts, is unconstitutional. My department is in the process of preparing draft legislation which is intended to give effect to the judgement of the Constitutional Court and to prohibit the disposal of immovable property of indigent persons in certain circumstances, eg sales in execution in respect of low cost housing and related matters.

Since the inception of democracy, sheriffs have assumed a very important role as a vital interface between the justice system (especially in civil matters) and the public, and have come a long way since the days that they were feared and loathed by the majority of our people. Although we have made some strides in transforming the sheriffs' profession into a respected profession that is beginning to reflect the South African society, still much needs to be done as we have inherited a profession that was almost exclusively male and white.

Training of sheriffs continues to play a vital role if we are to succeed with the transformation process. For the first time ever, the qualifications for the sheriffs' profession are to be formally accredited and recognised following the establishment of the standard generating body. The training of sheriffs has ensured that their appointment will eventually be subject to benchmarks of prescribed standards and qualifications. In fact, the President of the International Associations of Sheriffs and Judicial Officers (UIHJ) has most recently emphasised the important role that they envisage the South African sheriffs' profession to play regarding the training of sheriffs in the SADC region.

My department has already engaged with the South Africa Board for Sheriffs with the view to review certain aspects of the laws governing the sheriffs' profession. This will

include amendments to both the Sheriffs Act and the Regulations made under the Act, and will be aimed at accelerating representativeness within that profession, as well as greater accountability and enhanced professionalism, through, *inter lia*—

(i) revising the procedure for the appointment of sheriffs;

(ii) appointing more than one sheriff in particular areas;

(iii) tightening aspects pertaining to professional conduct of sheriffs, including disciplinary matters; and

(iv) formal training courses for sheriffs.

The above matters were extensively discussed at a workshop with the board, chaired by the Deputy Minister, Adv J H de Lange, which took place on 25 February 2005. The draft provisions referred to are in the process of being developed and will in due course be submitted to Parliament.

*12. Mr E W TRENT (DA) — Defence. [Question standing over.]

Integration of strategic defence procurement packages in SA Navy/SA Air Force

*8. Dr G W KOORNHOF (ANC) asked the Minister of Defence:

(1) What progress is being made with the integration of the strategic defence procurement packages in the (a) SA Navy and (b) SA Air Force;

(2) whether integration programmes within these two services are on track in respect of (a) human resource capacity, (b) budget estimates and (c) time-frames; if not, why not; if so, what are the relevant details?
N315E

The MINISTER OF DEFENCE:

(1) (a) The acquisition process and the integration of the four Meko 200 SAN Patrol Corvettes into the SA Navy is on schedule even though the project schedule, the combat suite installation and integration which is taking place in Simon's Town, remains tight. The following is a brief summary of the current status of the vessels:

(i) SAS *Amatola* has completed her combat suite integration and is conducting phase two of her sea acceptance trials.

(ii) SAS *Isandlwana* has completed her combat suite installation and harbour acceptance trials. The vessel is currently conducting phase one of the sea acceptance trials.

(b) The installation and setting to work of the combat suite on board SAS *Spioenkop* and SAS *Mendi* are proceeding as planned.

On completion of the sea trials and operational evaluation of the combat suite, the planned handing over of the vessels to the SA Navy is scheduled as follows:

(a) SAS *Amatola* on 11 October 2005.

(b) SAS *Isandlwana* on 17 February 2006.

(c) SAS *Spioenkop* on 6 June 2006.

(d) SAS *Mendi* on 10 August 2006.

Note: The vessels will only be declared fully operational with the arrival of the Lynx helicopters scheduled for early 2007.

Type 209-submarines

The production schedule for the acquisition of the three Type 209-submarines has had to be revised due to delays experienced with the harbour acceptance trials of S101. The revised milestones are being met by all parties,

resulting in the integration of the vessels into the SA Navy being back on track. The following is a brief summary of forthcoming activities:

(a) S101 will be commissioned and handed over to the SA Navy on 22 September 2005. On completion of the work-up, safety inspection and sea qualification the vessel will sail from Germany to arrive in Simon's Town in early January 2006.

(b) S102 will be launched on 4 May 2005 and is scheduled to arrive in Simon's Town in September 2006.

(c) S103 is scheduled to arrive in Simon's Town in September 2007.

Human resource capacity

The SA Navy is currently understaffed by approximately 40%. The SA Navy can only afford approximately 6 500 people. Within the current financial allocation this equates to 60% of the total budget allocated to SA Navy.

The SA Navy has however been proactive in concentrating most of its activities in Simon's Town and therefore minimising the effect of geographically dispersed support structures. It is further in the process of disposing of certain obsolete vessels, which will create greater flexibility in terms of structured posts becoming available to be discounted.

Notwithstanding the above restrictions, the following comments are offered:

All four patrol Corvettes have been staffed to specification within the limitations of the post structure.

Human resources in the correct numbers, and trained to the stipulated specification, have been identified in order to undertake the acceptance and delivery of the first Type 209-submarine.

The SA Navy Equity Plan has specifically targeted the attainment of representivity within the Strategic Defence Package environment, and a number of initiatives have been structured to meet these requirements. Such initiatives include the use of overseas learning opportunities (India), the institution of accelerated development programmes to foster representivity in command positions and the transformation of the training infrastructure to meet the requirements associated with the Strategic Defence Packages.

In order to ensure human resource sustainability, a human resource plan has been structured in order to meet the staffing requirements across the Medium Term Expenditure Framework.

Budget estimates and time-frames

The Strategic Defence Packages mark a change in equipment and technology, which may be described, not as evolutionary, but rather a quantum leap for the SA Navy. These vessels bring with them the technology of the 21st century with all the concomitant ramifications in terms of integration and further employment in the fleet. Thus, not only is the technology new to the SA Navy, but the operation, and the structuring and training of the crews, all demand paradigmatic shifts.

The above is compounded by the reduction in internal capacity, which is inherent in the migration from the strike-craft era to that of the patrol Corvettes, and that of the Daphne-class submarines to the Type 209-submarines (supporting the old fleet vs the new fleet).

Logistic support of the vessels brings with it a number of yet unquantified variables. These include for example clarification regarding maintenance philosophy, specifically with regards to

the patrol Corvettes, and a clear delineation of in sourcing versus outsourcing.

An additional serious, unforeseen and unavoidable constraint is being posed by the sub-specification functionality of the naval dockyard electricity supply system. This has resulted in an unplanned extended use of the generators on board the patrol Corvettes, which in turn impacts significantly on fuel consumption.

The initial life-cycle costing calculations were done on a specific operational profile, which is now deemed to be unrealistic. These costing figures are currently being recalculated.

Current indications are that the SA Navy has an annual shortfall of approximately R53m in the operating budget. This risk can be overcome by placing operational units at the lower levels of readiness but still satisfying the short-term force employment requirements, thus reducing expenditure. The following assumptions, not part of the R53m shortfall, must be taken into account:

The new vessels have been delivered fully compliant according to the original user- requirement specification. However, certain specifications were diluted in order to meet financial limitations.

Full logistic support in terms of spares are included as part of the projects. However, with regards to the patrol Corvettes, limited spares are being delivered into depots. Once again financial limitations make the selection of spares problematic.

In order to manage the impact of restricted funds in supporting the old and new fleet until the 2007-08 financial year, when it is envisaged that only the new fleet will have to be supported, the following risk reduction interventions have been taken:

The SA Navy has managed to motivate the allocation of an additional R63m, spread over the next three years, to assist with the qualification and acceptance into service of the patrol Corvettes. This meets about 50% of the requirement.

The SA Navy has applied for the funds to be realised from the disposal sale of the SAS Outeniqua (R50m), to be allocated to its operating budget.

The SA Navy has managed to motivate for the allocation of R85m, over the next three years, to assist in the upgrading and establishment of especially training infrastructure.

(b) Three aircraft systems form part of the strategic defence package for the SA Air Force ie the A109, the Hawk Lift and Gripen aircraft systems. The Air Force is responsive to the demands associated with the acquisition of the new aircraft systems and preparations in this regard are well in hand. Detailed integration plans have been developed to address all the elements associated with the phasing out of old aircraft systems and phasing in of the new. Progress with these programmes can be reported as follows:

(i) *A109*. The A109 will replace the Alouette III helicopter. The project has already been delayed by two years. The main reason for this is related to certification issues yet to be completed by the manufacturer. Delivery of the first aircraft is now scheduled for the second half of 2005.

(ii) *Hawk Lift*. The Hawk Lift aircraft system will replace the Impala trainer aircraft system. The delivery of the Hawk Lift aircraft is scheduled to take place during the

last quarter of 2005. The delivery schedule of the aircraft fleet has been so planned that the integration will continue in 2006. A formal programme has been instituted as part of the integration plan to prepare and position Air Force members to operate the Hawk Lift system. The placement of personnel has commenced accordingly.

(iii) *Gripen*. This aircraft system is still in its project phase with delivery to commence in the last quarter of 2008. The integration of the fleet into the Air Force will follow a process similar to that used for the Hawk Lift in accordance with a detailed integration plan for the Gripen aircraft system.

(2) *A109*

(a) *Human resources capacity*. There is sufficient capacity to ensure that the integration can proceed effectively. There are, however, general shortages with respect to aircrew and technical personnel, which affects all the helicopter units. The training of personnel has been seriously disrupted by the late delivery of the aircraft.

(b) *Budget estimates*. The allocated budget to support the A109 during the 2005-06 financial year is adequate. It is too early to quantify the impact of the integration on future years, as actual costs are not yet available. Aircraft payments have been delayed and will resume with the delivery of the aircraft.

(c) *Time-frames*. The ongoing delays in delivery are having a major impact on the phasing out of the Alouette III fleet and associated planning activities. The project has already been delayed by two years. The main reason for this is related to certification and qualification issues.

Hawk Lift

(a) *Human resources capacity*. The selection, training and positioning of personnel has been part and parcel of the Hawk Lift system integration process, and thus has been comprehensively scheduled in order to ensure that adequate human resource capacity is available at the time of acceptance of the system. There have been no deviations in the implementation of these plans either in terms of schedule or human resource capacity.

(b) *Budget estimates*. The estimation and adjustment of the required operational budget is continuously revised for the Hawk Lift aircraft system. The project team has kept the Air Force advised of all future budgetary requirements. Current budget estimates have been accommodated in the Air Force budget.

(c) *Time-frames*. The integration programmes for both the Hawk Lift and the Gripen are being executed according to planned time-frames. The integration into the Air Force of the Hawk Lift aircraft is scheduled to take place during the last quarter of 2005. The delivery schedule of the aircraft fleet has been so planned that the integration will continue in 2006.

Gripen

(a) *Human resources capacity*. Integration planning for the Gripen in terms of human resources capacity is yet to commence.

(b) *Budget estimates*. Integration

planning for the Gripen in terms of budget estimates is yet to commence.

(c) *Timeframes*. The Gripen aircraft system is still in its project phase with delivery to commence in the last quarter of 2008. The project is on track.

UN-backed report on Darfur: referral of suspected perpetrators of atrocities to International Criminal Court

*13. Mr S N SWART (ACDP) asked the Minister of Foreign Affairs:

Whether, in view of South Africa's support for the Rome Statute establishing the International Criminal Court, South Africa will support the request by New Zealand, Canada and Australia to the United Nations Security Council that suspected perpetrators of atrocities in the Darfur region of Sudan be referred to the International Criminal Court following the release on 31 January 2005 of a United Nations-backed report on Darfur; if not, why not; if so, what are the relevant details? N333E

The MINISTER OF FOREIGN AFFAIRS:

Yes, we support the Rome Statute. This matter will be discussed by the AU collectively. South Africa will be guided by the outcome of the AU position.

Establishment of crime intelligence as separate division in SAPS budget vote

*9. Dr S HUANG (ANC) asked the Minister for Safety and Security:

Whether, in light of the fact that crime intelligence is the fastest growing programme in the Safety and Security budget, crime intelligence has been established as a separate division in the SA Police Service budget vote as from 2004; if so, what has been achieved since that date? N319E

The MINISTER FOR SAFETY AND SECURITY:

Crime intelligence is one of the divisions of the SAPS. A comprehensive report has been forwarded to the Joint Standing Committee on Intelligence and the Inspector-General for Intelligence with regard to the successes of crime intelligence. Please note that the reporting and oversight of Intelligence with regard to the SA Police Service is done through these two institutions, namely the Joint Standing Committee on Intelligence and the Inspector-General for Intelligence.

Applications received for renewal of firearm licences

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

How many (a) applications were received for renewal of firearm licences in terms of the Firearms Control Act, 2000 (Act 60 of 2000) during the period 1 January 2005 up to the latest specified date for which information is available and (b) of these applications have been processed? N344E

The MINISTER FOR SAFETY AND SECURITY:

(a) A total number of 245 applications for renewal of firearm licences were received in terms of the Firearms Control Act, 2000 (Act 60 of 2000) during the period 1 January 2005 to 18 February 2005.

(b) All of these applications received for the renewal of firearm licences have been processed by the SAPS.

Female correctional officials employed by department

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

(1) How many (a) female correctional officials are there in the employ of

his department and (b) of these officials are in senior management positions;

(2) whether his department has implemented the equity plan drawn up in 2001 and achieved the targets contained in the plan; if so, what are the relevant details; if not,

(3) whether the achievement of these targets is being regularly monitored; if not, why not; if so, how? N355E

The MINISTER OF CORRECTIONAL SERVICES:

(1) (a) Breakdown of the number of female correctional officials employed in the department:

	African	*White*	*Coloured*	*Indian*	*Total*
Number of correctional services officials	1 196	4 951	1 095	130	7 372

(b) Number of female officials in senior management positions:

	African	*White*	*Coloured*	*Indian*	*Total*
Number of female SMS members	29	2	1	1	33

(2) All appointments within the department, including those at senior management service level, are affected according to the numeric targets as contained in our equity plan.

(3) Yes, the employment equity targets of the department were developed according to guidelines of the Employment Equity Act, 1998 (Act 55 of 1998) that require that the demographics of provinces where the department operates should be taken into account. The Department of Correctional Services is a national competence and annually reports to the Department of Labour as a national department.

Eastern Cape MEC for Safety and Liaison Services convicted of offences in New Brighton magistrate's court

*21. Mr E W TRENT (DA) asked the Minister for Justice and Constitutional Development:

(1) Whether the MEC for Safety and Liaison Services in the Eastern Cape (name furnished) was convicted of any offences in the New Brighton magistrate's court in or about April 2004; if so, what sentence was handed down in respect of each specified conviction;

(2) whether the said person entered into plea-bargain arrangements in respect of any of the charges; if so, (a) in respect of what specified charges and (b) what was the plea-bargain arrangement in each case;

(3) whether any charges against the said person were withdrawn; if so, what factors were taken into consideration in withdrawing the charges;

(4) whether the position held by the said person was taken into consideration by the prosecuting authority in determining what charges he would face or what plea-bargain arrangements were reached; if not, what factors were taken into consideration in giving this response; if so, why? N339E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(1) The case against the MEC referred to by the hon member did not go on trial; consequently there was no conviction or sentence handed down by the New Brighton Magistrate's Court.

(2) No plea-bargain arrangement in respect of any of the charges was entered into with the said person.

(3) Charges were withdrawn after the main witness in the case filed a withdrawal

statement in respect of three of the charges and further consultation with the witness revealed that he (the witness) was no longer willing to proceed with his complaint. The Director of Public Prosecutions in Grahamstown duly considered the matter and set an admission of guilt for the remaining charge, which was of a minor nature. The MEC paid the admission of guilt.

(4) The position of the accused was not taken into consideration in determining the charges, the withdrawal of some of the charges and the setting of the admission of guilt.

Redes vir inhegtenisneming van personeel van Oorlogsmuseum in Johannesburg

*6. Mnr P J GROENEWALD (VF Plus) vra die Minister van Verdediging:

(1) Of sy departement enige ondersoek gedoen het na die redes vir die inhegtenisneming van personeel van die Oorlogsmuseum in Johannesburg; so nie, waarom nie; so ja, (a) wat die redes vir die inhegtenisneming was en (b) watter skikking bereik is;

(2) of daar teen enige lede van die militêre polisie opgetree gaan word; so nie, waarom nie; so ja, wat die tersaaklike besonderhede is;

(3) of hy 'n verklaring oor die aangeleentheid sal doen? N117A

(Translation of Afrikaans question follows):

[Reasons for arrest of staff of War Museum in Johannesburg

*6. Mr P J GROENEWALD (FF Plus) asked the Minister of Defence:

(1) Whether his department has undertaken any investigation into the reasons for staff of the War Museum in Johannesburg being arrested; if not, why not; if so, (a) what were the reasons for the arrest and (b) what settlement was reached;

(2) whether action will be taken against any members of the military police; if not, why not; if so, what are the relevant details;

(3) whether he will make a statement on the matter? N117E]

The MINISTER OF DEFENCE:

(1) No. It was not necessary to investigate the reasons for the arrest of the personnel of the War Museum in Johannesburg, as there was no breach of law conducted by the military police. If later it is established that a breach of law took place, the necessary action will be taken against the relevant members.

(a) The reason for the arrest was for the possession of suspected stolen military property (armament). The possession of this property is considered a very serious matter and therefore also a schedule 1 offence of the Criminal Procedure Act (Act 51 of 1977) (as amended). The content of the case and arrest cannot be discussed due to the fact that the case is pending in court and must still be considered as sub judice.

(b) No settlement was reached.

(2) No. there is no reason to believe that that these members' actions were incorrect. The facts available do not require any action against the said members.

(3) No.

Money spent on refurbishment/ construction of certain house owned by department in George

*23. Mr M SWART (DA) asked the Minister of Correctional Services:

(1) Whether his department has spent

any money on refurbishment or construction of the house known as House No 1 on the property of his department in George which was previously occupied by the Commissioner of his department in George; if so, (a) what amount and (b) what are the details of the refurbishment or construction work done;

(2) whether this house is currently vacant; if so, what are the relevant details regarding the vacating of this house by the previous occupant;

(3) whether he intends to reside in this house at any time during the run-up to and during the local government elections; if not, what will be done with the house; if so, (a) why and (b) what rental amount will be charged in respect of this period? N341E

The MINISTER OF CORRECTIONAL SERVICES:

(1) The house of the Area Commissioner in George was due for refurbishment during the 2004-05 financial year on the own resources programme. When work commenced at the house, the Area Commissioner was moved to the house of the head of centre, which was vacant at that time.

(a) The cost for the refurbishment amounted to R21 115,80.

(b) Work to the house included the following:

- Replacement of broken tiles in the kitchen and refurbishment of the bathroom
- Painting of the house
- Replacement of garage door
- Erecting of vibracrete walls

(2) The house is currently vacant, because the refurbishment was not completed due to unavailability of materials. The Area Commissioner will move back into the house as soon as all the work has been completed.

(3) It must be re-emphasised to the hon member that the house is allocated to the Area Commissioner and that if an invitation is received from him to visit him and stay at his place I will consider and respond to that invitation when I receive it. It puzzles me why I should be housed in George and in this particular house during the run-up to and during the local government elections.

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

Presidential Review Commission to investigate/report on complete overhaul of criminal justice system

*18. Mr S N SWART (ACDP) asked the Minister for Justice and Constitutional Development:

Whether a Presidential Review Commission will be set up to investigate and report on a complete overhaul of the criminal justice system in view of the fact that the courts and prisons are not coping with the flood of the awaiting-trial and convicted prisoners; if not, why not; if so, when is it expected that the President will appoint such a commission? N334E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

Yes, the matter, including the terms of reference, will serve before Cabintet soon.

Policy of department that peaceful criticism of Government/policies constitutes treason

*34. Mr L B LABUSCHAGNE (DA) asked the Minister for Justice and Constitutional Development:

Whether it is the policy of her department that peaceful criticism of the Government and its policies constitutes treason; if so, what factors were taken into account in reaching this conclusion? N352E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

As the hon member is aware, no policy could constitute treason. In terms of our common law treason is a criminal offence, defined as follows:

> "High treason consists in any overt act unlawfully committed by a person owing allegiance to a state with intent to overthrow, impair, violate, threaten or endanger the existence, independence or security of the State or to overthrow or coerce the Government of the State or change the constitutional structure of the State." (Jonathan Burchell and John Milton Principles of Law Third Edition (2005) Juta.)

Exit mechanism policy for SANDF personnel

*10. Moulana M R SAYEDALI-SHAH (DA) — Defence. [Question standing over.]

Eastern Cape MEC investigated for certain crimes

*22. Mr S B FARROW (DA) asked the Minister for Safety and Security:

(1) Whether the Eastern Cape MEC for Safety and Liaison Services (name furnished) was investigated for allegedly (a) discharging a firearm in a residential area, (b) assaulting a police officer, (c) being drunk and disorderly in a public street and (d) performing any other related illegal actions; if so, what are the relevant details;

(2) whether each specified allegation was fully investigated; if not, why not; if so, what was the outcome in respect of each allegation? N340E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a) Yes.

(b) Yes.

(c) No.

(d) No.

(2) Allegations were fully investigated. The charge regarding discharging a firearm in a residential area was withdrawn and a R200 admission of guilt fine was paid on 10 February 2005 in relation to assaulting a police officer.

Steps to protect rights of SA citizens in Zimbabwe

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

> Whether, in light of the failure to sign the Bilateral Investment Promotion and Protection Agreement (Bippa) between South Africa and Zimbabwe and the Zimbabwean government's stated intention to fast-track the expropriation of 15 South African-owned farms, the South African Government will take any steps to protect the rights of South African citizens in Zimbabwe; if not, why not; if so, what steps? N342E

The MINISTER OF FOREIGN AFFAIRS:

Yes, the South African Government will as always take steps to protect the rights of South African citizens in Zimbabwe. The South African Embassy in Harare has communicated the concerns of the South African farmers to the Zimbabwean government on a regular basis and mostly in reaction to the concerns of individual farmers. The Embassy in Harare is currently in the process of pursuing the matter of the 15 South African farmers whose farms have apparently been identified for fast-track expropriation.

Furthermore, the South African Government is not only pursuing the individual complaints of South African farmers in Zimbabwe, but has also been in touch with the Zimbabwean government to address the

situation of the South African farmers in Zimbabwe as a collective.

In the meantime convenient dates are being sought for the signing of the BIPPA.

Committee appointed to inquire into liquidations industry

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

(1) Whether, with reference to her reply to Question 985 on 7 December 2004, the committee appointed by her to inquire into the liquidations industry has submitted its final report; if not, why not; if so, what are the relevant details;

(2) whether she will make a statement on the matter? N346E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT: Yes, the report will be submitted to Cabinet for consideration in due course.

Support for call for two African seats with veto powers on the UN Security Council

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

Whether the Government supports the call for two African seats with veto powers on the United Nations Security Council; if so, (a) how does the Government intend ensuring that South Africa is afforded one of the seats and (b) what criteria will be used to determine who will be Africa's two candidates for the Security Council? N351E

The MINISTER OF FOREIGN AFFAIRS:

The Executive Council has been meeting in Ethiopia, 7-8 March 2005 to work out the African position. The Minister will be flying back today from that meeting. SA will go along with the Africa position. We shall get the full report from her.

NIA interpretation of definition of political intelligence

*32. Adv P S SWART (DA) asked the Minister for Intelligence:

(1) With reference to the definition of political intelligence as defined in the National Intelligence Agency's 2002-03 annual report, (a) how broadly does the NIA interpret this definition and (b) how would this interpretation apply to the current unrest in the Free State municipalities;

(2) whether he will make a statement on the matter? N350E

The MINISTER FOR INTELLIGENCE:

(1) The NIA 2002-03 Report makes the following reference to Political Intelligence:

The objective of NIA's focus on political dynamics is to monitor developments in this sphere from the perspective of maintaining South Africa's domestic stability and security. Typical issues that might attract intelligence attention include political intolerance, inter or intra party conflict of a violent or disruptive nature, or opposition to democratisation. Any instability resulting from transformation in government structures and parastatals, or from social transformation in general, would also attract NIA's attention.

(a) NIA interprets this focus as being in line with its legal mandate and within the framework of the Constitution.

(b) The current unrest in certain Free State municipalities has received attention from NIA, from the perspective of ensuring that public safety is not threatened, and providing government with an assessment of the root causes of violence where this has taken place. NIA's

mandate does not extend into addressing factionalism within political parties or rivalries between them. Where criminal conduct has been identified, the information has been relayed to the police for further investigation and prosecution, since this lies outside the scope of the NIA's legal mandate.

(2) The Minister will not be making a statement on the matter.

Police stations in North Rand police district without bulletproof vests

*11. Mr M WATERS (DA) asked the Minister for Safety and Security:

(1) Whether any police stations in the North Rand police district did not have any bulletproof vests as at 31 January 2005; if so, (a) which police stations, (b) what was the reason for the lack of bulletproof vests, (c) for how long was the police station without bulletproof vests and (d) who is responsible for this situation;

(2) whether any action has been taken in this regard; if not, why not; if so, what action? N325E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a) All stations in this area were in possession of bulletproof vests as at 31 January 2005.

Summary of bulletproof vests in the North Rand Police District is as follows:

Station	*Station inventory*	*SAP 108 members' equipment sheet*	*Total*	*Needs*
Area North Rand	36	60	96	4
Actonville	3	36	39	18
Benoni	30	111	141	116
Crystal Park	8	20	28	15
Daveyton	7	81	88	62
Etwatwa	18	10	28	41
Edenvale	0	150	150	—
Ivory Park	5	14	19	105
Kempton Park	1	76	77	141
Midrand	34	73	107	33
Norkem Park	109	10	119	—
Olifantsfontein	11	18	29	18
Putfontein	2	28	30	9
Rabie Ridge	10	8	18	80
Sebenza	11	22	33	2
Tembisa	185	135	320	98
Total	470	852	1 322	742

(b) Not applicable.

(c) Not applicable.

(d) Senior Superintendent H C Havenga is responsible for the logistical needs of the area.

(2) The Area North Rand is currently awaiting delivery of 530 bullet proof vests to replenish stock at stations and to provide them with sufficient bulletproof vests.

New police station be built to replace existing Boksburg North station

*30. Mr J P I BLANCHÉ (DA) asked the Minister for Safety and Security:

(1) (a) When and (b) where will a new police station be built to replace the existing Boksburg North station;

(2) whether certain East Rand police stations are experiencing (a) a shortage of photocopy paper and (b) problems with (i) replacing tyres on police vehicles and (ii) the supply of flashlight batteries to police officers; if not, what is the position in this regard; if so, what are the relevant details? N348E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a) Initial discussions regarding the new police station have been finalised. The relevant recommendations have been submitted to the Department of Public Works who will take charge of the building project. When they finalise their plans, Public Works will revert to us.

(b) The site that has been identified is known as portion 21 of the farm Klipfontein, situated on Trichardt Road, Boksburg North.

(2) (a) No shortage of photocopy paper is being experienced at East Rand police stations. There have been, of course, instances of delay in the delivery of the paper, but not to an extent that would have crippled operations.

(b) (i) and (ii) Needs of stations are addressed on a daily basis by the area budget and resource committee. Batteries and tyres are approved daily on receipt of applications. Tyres are collected from the supplier on the day of approval of application. The supply of tyres is treated as a priority for stations/units.

Military aircraft used to transport body of certain person

*35. Mr G R MORGAN (DA) asked the Minister of Defence:

(1) Whether a military aircraft was used to transport the body of a certain person (name furnished) to the Eastern Cape for burial in January 2005; if so, (a) under what circumstances is this service provided to private citizens and (b) what was the total cost to the taxpayer of providing this service;

(2) whether any South African citizen can apply to the Government for assistance with the transport of the body of a family member; if not, why not; if so, what are the relevant details? N353E

The MINISTER OF DEFENCE:

(1) (a) This service is not provided to private citizens. A request to transport Mr Mandela to the Eastern Cape was received from his office. This is consistent with the Cabinet memorandum regarding VIP air transport, which entitles Mr Mandela to State air transport. The casket was to have accompanied this flight on 12 January 2005. The body of the deceased could not be transported to the Eastern Cape as planned due to the non-availability of serviceable morgue facilities in Umtata at the time. A military aircraft on a routine force preparation flight entailing navigation to remote airfields was utilised to accommodate both the training requirement and for transportation of the casket on 13 January 2005.

(b) No direct cost to the taxpayer was incurred in providing this service

since a pre-planned training flight was utilised for this purpose.

(2) Government assistance for transportation of the body of a family member is available on request of South African citizens only in instances where the deceased was a member of the SANDF on active duty at the time of death. There are exceptional instances in addition where the SANDF provides assistance in disaster relief operations to evacuate civilian casualties by air from afflicted areas to assembly centres. The transportation of the body of a family member of South African citizens in general can otherwise be provided by commercial enterprises where duplication by Government would represent undue competition. The former President is however entitled to VIP air transport.

For written reply:

Proposed amendments to rules governing parliamentary villages to protect residents from crimes by other residents

43. Ms D KOHLER-BARNARD (DA) asked the Minister of Public Works:

(1) With reference to her reply to Question 1057 on 2 December 2004, what amendments are proposed to the parliamentary villages, rules, conditions and general information to protect residents from crimes by other residents;

(2) whether any steps have been taken or will be taken to ensure that the legal tenant whose dependant was arrested for committing crimes in Acacia Park takes the necessary action to ensure that the dependants commit no further crimes, if not, why not; if so (a) what steps and (b) how many of the crimes committed in Acacia Park have been attributed to the said dependant;

(3) whether any rules or conditions exist that prohibits legal dependants of the parliamentary villages from leaving minor children unattended overnight while they are away from Cape Town, if not, why not; if so, what are the relevant details and (b) how are the rules or conditions enforced?

N78E

The MINISTER OF PUBLIC WORKS:

(1) The Parliamentary Villages Management Board met on 10 November 2004 to discuss the possible amendment of the Parliamentary Villages Management Board Act (Act 98 of 1996) and the amendment of the Parliamentary Villages Rules, Conditions and General Information. However, a resolution was taken that the said amendments be discussed at committee levels before it is referred to the board. Residents' committee meetings have already been scheduled to discuss the possible amendments.

(2) Yes.

(a) Steps have been taken by the department to propose the possible amendments of the rules and the Parliamentary Villages Management Act to address crime committed by the dependants of tenants in the villages, the amendments to be discussed at committee levels before it is referred to the board.

(b) One crime was committed.

(3) No.

(a) This will be part of the framework to be discussed in these board meetings and residents' committee meetings on how to deal with minor children left unattended in Cape Town by the tenants.

(b) The department in consultation with the various residents' com-

mittees in the villages will monitor the enforcement of these rules in consultation with the Parliamentary Villages Management Board.

Total annual cost to SANParks of settled land claims in the Kruger National Park

88. Mr. G R MORGAN (DA) asked the Minister for Agriculture and Land Affairs:

(1) (a) What is the total annual cost to SANParks of settled land claims in the Kruger National Park (KNP), (b) how is this cost made up and (c) what is the (i) name, (ii) location and (iii) size of each settled land claim;

(2) whether the settled land claims are seen as a success; if not, why not; if so, what factors were taken into consideration in reaching this conclusion;

(3) what percentage of land in the KNP is under pending land claims?

N132E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) (a) We do not know the annual costs of settled land claims to SANParks as only they would be able to supply such information.

(b) Falls away.

(c) (i) Of the 15 community land claims lodged on the Kruger National Park land, only the Makuleke land claim has been settled thus far.

(ii) Situated in the Pafuri area of the Limpopo Province.

(iii) 25 000 hectares.

(2) We believe that this settlement has been successful. The settlement of Makuleke land claim is based on a framework that seeks to balance the interest of restoring the land rights lost by the claimants and that of the state pertaining to conservation and biodiversity. We have interacted with the Department of Environment and Tourism, the SANParks as well as the claimant's community on the framework that guides the settlement of all land claims in protected heritage areas and we are happy that there is general consensus on the manner in which to resolve these claims.

(3) All the claims in the Kruger National Park are in the research phase and therefore the extent of the land has not been determined as yet.

Investigation into language competencies of academic staff/students at SA tertiary institutions

107. Mrs D VAN DER WALT (DA) asked the Minister of Education:

(1) Whether her department has investigated the language competencies of academic staff and students at South African tertiary institutions if not, why not; if so, (a) what proportion of (i) tenured lecturers and (ii) students speak each of South Africa's official languages as a (aa) first, (bb) second and (cc) third language at each specified institution.

(2) whether such data could form the basis for a language policy for tertiary institutions that would encourage the development of all South Africa's official languages by increasing capacity to provide tutorship and ultimately tuition in languages other than English where such languages predominate and where there is demand; if not, why not; if so, what are the relevant details?

N152E

The MINISTER OF EDUCATION:

No comprehensive survey has been undertaken as yet by the department to investigate the language competencies of academic staff and students. However, the database from

the department's Higher Education Management Information System (Hemis) has information on home languages of students studying at our institutions. In 2003 there were 91 360 students who speak Afrikaans and 164 704 English speakers (2 453 Africans). The breakdown of African language speakers were:

isiNdebele	8 268
isiXhosa	83 180
isiZulu	80 435
Sesotho	40 498
Sesotho sa Lebowa	39 500
Setswana	50 184
Siswati	8 578
Tshivenda	18 134
Xitshonga	17 447
Other language	29 477
Unknown	86 005

The Hemis does not have information on the languages of academic staff.

The language policy for higher education was promulgated in November 2002. The policy acknowledges the current position of English and Afrikaans as dominant languages of teaching and learning, and also states that, for practical and other considerations, it is necessary to continue using these languages until other South African languages have been developed to a level where they may be used for the same purpose.

According to policy, institutions determine their own language policies. However, such policies should take into consideration the student profile and language needs of such students. Most importantly, institutions must ensure that the language of instruction, particularly in historically Afrikaans institutions, is not a barrier to access and success.

In September 2003, a ministerial committee was established to advise on the development of indigenous African languages for use in higher education institutions. That Committee is finalising the report and will be presenting it to the Ministry in early March. I am sure the report will help us think through the issues raised by the hon member.

Tekort aan klaskamers vir primêre/sekondêre leerders in Strand/Somerset-Wes

118. Mnr F BEUKMAN (NNP) vra die Minister van Onderwys:

Of daar tans 'n tekort aan klaskamers vir primêre en sekondêre leerders in die landdrosdistrikte Strand en Somerset-Wes is; so ja, wat die tersaaklike besonderhede is? N163A

(Translation of Afrikaans question follows):

[Shortage of classrooms for primary/secondary learners in Strand/ Somerset West

118. Mr F BEUKMAN (NNP) asked the Minister of Education:

Whether there is currently a shortage of classrooms for primary and secondary learners in the magisterial districts of Strand and Somerset West; if so, what are the relevant details? N163E]

The MINISTER OF EDUCATION:

There are sufficient classrooms to accommodate learners in the indicated magisterial districts. However, the ability of parents to choose certain schools and not others within the magisterial district due to both actual reasons and perceptions about the quality of education provided by the preferred schools create pressure to provide more spaces in these schools.

Other factors that influence the choice of schools by parents and learners include the medium of teaching and learning, fees charged by schools and the distance to

schools and availability or nonavailability of transport. The development of new formal housing development is also placing additional pressure on the current existing schools' infrastructure.

The specific areas within these magisterial districts affected by classroom shortages are the Sir Lowry's Pass, Lwandle and Nomzamo areas. Lwandle and Nomzamo are new settlement areas and therefore measures to provide spaces need to be put in place. A secondary school is currently being built at Nomzamo and the construction of a primary school is in the provincial plan for 2005-06. As an interim solution, a mobile primary school is being erected to avoid platooning.

Some Sir Lowry's Pass learners are currently being transported to schools in Somerset West as a measure to address the classroom shortage. I would like to point out that the provision of learning spaces should not only be viewed as that of classrooms only, but includes the provision of scholar transport and school hostels and my department will do whatever is possible to ensure that we open the doors of learning and culture.

QUESTIONS

For written reply:

Tertiary qualifications of certain key officials

12. Dr S M VAN DYK (DA) asked the Minister of Public Works:

(1) Whether the Chief Financial Officer, the Chief Director: Financial Services and the Director of Budgeting of her department have a recognised and specifically financial tertiary qualification; if not, what considerations were decisive in the appointment of these officials; if so, (a) what degree and/or diploma have each of the aforementioned officials obtained and (b)(i) when and (ii) from which tertiary institution was it obtained;

(2) (a) (i) how many officials are employed in the internal auditing component of her department, and (ii) how many Finance staff members are employed in all various sections of her department, expressed as a percentage of the total staff component and (b) (i) what percentage of all the aforementioned staff members have received training in the application of the Public Finance Management Act, Act 1 of 1999, from the accredited tertiary institutions, and (ii) what percentage of these members form part of Senior Management from the rank of director and above;

(3) whether the head of the Internal Auditing component has recognised formal and specifically accounting and auditing qualifications; if so, (a) what qualifications and (b) from which tertiary institution were they obtained;

(4) whether all the posts in the Internal Auditing component are filled; if not, (a) why not, (b) what is the percentage of vacant posts (c) what percentage of all Finance posts in all the sections of her department are vacant and (d) what steps her department envisages in this regard;

(5) whether the Chief Financial Officer, the Accountant, the Internal Auditor and the Director of Budgeting have already received training in the application of the Public Finance and Management Act (Act 1 of 1999); from accredited tertiary institutions? if not, on the basis of what criteria are the performance agreements of those officials assessed, if so, what training certificate from which institution was received in each case?

N226E

The MINISTER OF PUBLIC WORKS:

(1) Yes.

The Chief Financial Officer holds the following degrees:

- a B.Comm degree from the University of Transkei — 1985
- an Honours degree in Accounting from UNISA — 1989
- and Master of Business Administration from the Millpark Business School — 2003
- The incumbent served and completed articles of clerkship with KPMG during the period January 1986 — December 1988.

Chief Director: Financial Services

- Bachelor of Science — Business Administration (Concentration: Accountancy), 1990
- California State University, Sacramento, California, USA

- Master of Business Administration — Finance (Concentration: Corporate Finance), 1991
- Golden Gate University, San Francisco, California, USA.

Director: Budgeting

B.Com degree from University of the North (Qwaqwa Branch). Obtained in 1991.

(2) (a) (i) 19

(ii) 3,22% (149 officials)

(b) (i) Finance 113 (76%)

Auditing 18 (95%)

(ii) Finance 12 (8%)

Auditing 2 (10%)

(3) Yes.

Qualifications/Institution

- Accredited Quality Assurance Assessor: Internal Auditing Institute of Internal Auditors (IIA), Florida, USA.
- Certified Internal Auditor (CIA): Institute of Internal Auditors (IIA), Florida, USA
- Certified Fraud Examiner (ACFE): Association of Certified Fraud Examiners, Texas, USA
- Certificate in advanced Computer Audits & Networks Audits: Georgetown University, Washington.DC, USA
- Honours B.Compt University of Transkei, South Africa.
- B.Comm Accounting; University of Transkei, South Africa
- Auditing Articles KPMG, South Africa.

(4) No.

(a) Posts have become vacant due to resignations and promotions.

(b) 12,5% (three posts are vacant).

(c) 14%.

(d) A recruitment plan has been put in place for all vacant posts in the department.

(5) Yes.

- *Chief Finance Officer*: University of Pretoria in 2002.
- *Chief Internal Auditor*: Institute of Internal Auditors (IIA) SA 2002 and Institute of International Research (5th Annual Public Sector Auditing Symposium 2002.
- *Chief Director*: Financial Services: University of Pretoria in 2002.
- *Director*: Budgeting: Attended "Advanced Financial Management" training offered by Proactive College through University of Pretoria. This also covered implementation of PFMA.

Cost of implementing ID card system introduced at parliamentary villages

53. Mr S OPPERMANN (DA) asked the Minister of Public Works:

(1) What was the cost implementing of the ID card system introduced at all three parliamentary villages in 2004;

(2) whether any persons gave instructions that the ID card system should not be enforced, if not, why is it no longer being enforced; if so, (a) is the name of the person who gave the instruction and (b)(i) when and (ii) why was such instruction given;

(3) whether her department has taken or intends taking any action to improve security at the three parliamentary villages; if not, why not; if so, what action?

N91E

THE MINISTER OF PUBLIC WORKS:

(1) R79 800.

(2) No official from the national Department of Public Works gave instruction not to implement the ID card system. The department is in the process of verifying names of residents, and issuing ID cards.

(3) The department has taken, and is in the process of taking further, action to improve security installations and equipment at parliamentary villages.

Queries regarding physical security should be addressed to the Minister for Safety and Security.

Physical security at parliamentary villages is the responsibility of SAPS Protection and Security Services.

Security installations and equipment installed/upgraded:

(a) Intrusion alarms, monitored at a central SAPS centre, installed in all residences at the three parliamentary villages.

(b) Total perimeter fencing at Acacia Park replaced.

(c) Broken cement wall partitions at Acacia Park repaired/replaced.

(d) Razor wire replaced round total perimeter at Acacia Park.

(e) A CCTV system installed at the main entrance to Acacia Park.

(f) The department is busy with a project for the installation of residential burglar bars and burglar gates at the parks.

Cost of running/maintaining parliamentary villages

54. Mr S OPPERMANN (DA) asked the Minister of Public Works:

(1) (a) What was the cost of (i) running and (ii) maintaining the three parliamentary villages in the (aa) 2002-03, (bb) 2003-04 and (cc) 2004-05 financial years (b) what amounts were spent on (i) salaries, (ii) repairs, (iii) implementing security systems and (iv) burglar bars in each of the financial years;

(2) (a) how many staff members are employed at each parliamentary village (b) what are the (i) names, (ii) qualifications, (iii) annual packages and (iv) job descriptions of each such employee;

(3) whether any private contractors are used at any of the three parliamentary villages; if so, (i) what are their names, (ii) responsibilities and (iii) what is the value of their contract?

N92E

THE MINISTER OF PUBLIC WORKS:

(1) (a) Acacia Park: *running and maintaining costs*

(aa) 2002-03 financial year
R470 225,75

(bb) 2003-04 financial year
R5 210 246

(cc) 2004-05 financial year
R6 191 559

Pelican Park: *running and maintaining costs*

(aa) 2002-03 financial year
R2 580 981,59

(bb) 2003-04 financial year
R2 073 120

(cc) 2004-05 financial year
R2 407 323

Laboria Park: *running and maintaining costs*

(aa) 2002-03 financial year
R581 274,15

(bb) 2003-04 financial year
R2 157 270

(cc) 2004-05 financial year
R604 357

(b) (i) The Department of Public Works does not pay salaries for the employees of the contractor; the owner of the company pays salaries for his employees.

2002-03 financial year =
R3 632 481,49

2003-04 financial year =
R9 440 636

2004-05 financial year =
R9 203 239

(ii) Costs for implementing security systems:

- Upgrading of perimeter fence at Pelican Park =
R155 235
- Upgrading of perimeter fence and security lights at Acacia Park = R3 950 662
- Replacement of broken cement wall partitions at Pelican Park = R206 980
- Installation of an intruder alarm system = R130 000
- Implementation of the ID system = R79 800
- Total: R4 522 677.

(iii) Installation of burglar bars and burglar gates = R3 000 000

(2) (a) Four staff members.

(b) (i) (ii) (iii)

Name of staff member	*Qualifications*	*Annual package*
Mr R Sidumo	Grade 11	R112 647
Mrs Kotsie	(BA Degree)	R89 805
Ms P Moni	(National Diploma)	R59 406
Ms S van Niekerk	Grade 10	R72 819

(iv) *Job descriptions:*

Provide accommodation and administrative support to Members of Parliament and Sessional officials staying at the parliamentary villages and to maintain such accommodation.

(3) (i) W S P Sidibene (main contractor) and 96 subcontractors.

(ii) Mechanical maintenance
Building fabric
Electrical services and distribution
Household appliances (repairs only to PWD fridges and stoves)
Waste management
Electrical auxiliary standby power
Horticultural external and grounds maintenance, swimming pools, tennis courts, soccer fields, etc.
Landscaping maintenance, internal roads, driveways, walkways and services

(iii) Value of the contract is R82 259 236,50 (VAT inclusive) over a period of two years, and an additional R14 000 000 by Parliament.

It should be noted that the contract covers all prestige accommodation maintenance in all three parliamentary villages, parliamentary precinct and the ministerial houses.

Identification of GMOs

150. Mr K D S DURR (ACDP) asked the Minister of Agriculture and Land Affairs:

Whether she intends putting an identification system in place in respect of genetically modified organisms to ensure that the obligations in terms of the Biosafety

Protocol, as well as the constitutional requirements of the right to a healthy environment are met; if not, what is the position in this regard; if so, what are the relevant details? N194E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

Yes, the Department of Agriculture is taking the required measures in accordance with Article 18 of the protocol to ensure that documentation accompanying genetically modified organisms that are subject to transboundary movement, allow identification of the living modified organisms present in the consignment. These measures vary from inspections, DNA testing of samples taken from the consignment, to affidavits submitted by potential importers and exporters.

Provisions with regard to identification, and in particular documentation requirements for consignments of living modified organisms that are destined for contained use, environmental release or use as food, feed or processing, are stipulated in Article 18 of the protocol. The respective requirements have been incorporated into the different export permits. The information required may include the following —

- identification of the LMO (common name, scientific name and transformation events)
- relevant traits/characteristics of the LMO
- volumes of the LMO to be transferred
- requirements for safe handling, storage, transport and use
- contact point for further information
- contact details of the exporter
- contact details of the importer
- a declaration that the transboundary movement is in accordance with the protocol's requirements
- For export destined for use as food, feed or processing: A note of caution stating: LMOs in this consignment is intended for use as food, feed and processing and not intended for the intentional introduction into the environment
- For exports destined for contained use: Not intended for intentional introduction into the environment
- If available, the transformation event code or unique identifier code.

Afhandeling van grondeise in Strand/Somerset-Wes

184. Mnr F BEUKMAN (NNP) vra die Minister vir Landbou en Grondsake:

Of daar voldoende vordering is met die afhandeling van grondeise in die landdrosdistrikte Strand en Somerset-Wes; so ja, wat die tersaaklike besonderhede in elke geval is? N276A

(Translation of Afrikaans question follows):

[Finalisation of land claims in Strand/Somerset West

184. Mr F BEUKMAN (NNP) asked the Minister for Agriculture and Land Affairs:

Whether adequate progress is being made with regard to the finalisation of land claims in the Strand and Somerset West magisterial district; if so, what are the relevant details in each case? N276E]

THE MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

All urban land claims lodged in the Strand and Somerset West magisterial districts, have been validated and verified. The urban claims are in the options assessment phase where claimants are requested to make a decision on either financial compensation or land restoration. Two claimants have already opted for land restoration and the commission is negotiating with the Department of Public Works for the release of alternative state land. Three rural claims have been lodged in these areas and these claims are in the detailed research phase. It is the hope of

the commission to settle the three rural claims before the end of the next financial year.

Planned outcomes of department's National Climatic Change Response Strategy

179. Mr M J ELLIS (DA) asked the Minister of Environmental Affairs and Tourism:

(1) (a) What are the planned outcomes of his department's National Climatic Change Response Strategy for the 2005-06 financial year, (b) what amount has been spent by his department on the establishment of the National Climatic Change Response Strategy and (c) how is this amount made up;

(2) whether there is a central managing body that co-ordinates South Africa's National Climatic Change Response Strategy across all relevant government departments; if not, why not; if so, what are the relevant details;

(3) whether there are any initiatives to educate the public about climate change-related topics; if not, why not; if so, what are the relevant details;

(4) whether he or his department has provided any briefings to Cabinet on the National Climatic Change Response Strategy since 1 January 2003; if not, why not; if so, what are the relevant details? N280E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) The Climate Change Response Strategy which was launched in October 2004 outlines the framework of how South Africa should respond to climate change. For the 2005-06 financial year, the department is going to conduct intensive sector specific consultation with the view of developing sector adaptation plans and mitigation plans.

(2) The department co-ordinate climate change issues in the country. Due to the cross-cutting nature of climate change, the department has two formal committees where other government departments are represented. These are:

(a) the Government Committee on Climate Change, GCCC;

(b) the National Committee on Climate Change, NCCC (where all impacted and affected parties are represented).

These committees (GCCC and NCCC) act as bodies that co-ordinate climate change issues, including the implementation of the Climate Change Response Strategy, across all relevant government departments.

(3) The strategy makes provision for public awareness issues. As a department, we have however, engaged primary schools on issues of climate change. A booklet for Grades 5 and 6 learners has been developed and teachers have been trained on how to use this booklet (2002-03). It has also been made available for schools and on the DEAT website.

The department, together with USAID has run climate change schools competitions since 2002. These competitions were also targeted at primary schools, Grades 5 and 6. The objective of these competitions was to raise awareness on climate change mitigation and adaptation. Pupils were required to develop projects that covered one of the following projects themes:

- People and climate change — identify human activities that affect climate change, and suggest alternative activities that won't affect the environment.

- Industry and climate change — explain how industry produces greenhouse gases, and how these affect the climate.
- Creative ways to save energy to reduce climate change- develop new ways to save energy in homes, business and factories.
- Overall consequences for climate change — study the effects of global warming on health, food supply, biodiversity and the many animal species on Earth.

Furthermore, DEAT continuously raise awareness on climate change issues during specific days, eg Environment Day and World Meteorological Day.

(4) Yes, Cabinet approved the strategy in September 2004.

Requirements *re* Act 60 of 2000 that hunters entering/leaving SA have to comply with

199. Mrs J A SEMPLE (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether he or his department has had any discussions with the Minister for Safety and Security regarding the requirements in terms of the Firearms Control Act (Act 60 of 2000) that hunters entering and leaving South Africa have to comply with; if not, why not; if so,

(2) whether it is anticipated that these requirements will have an effect on the hunting industry in South Africa; if not, why not; if so, what are the relevant details? N294E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

No, the Minister nor his department has had any discussions with the Minister for Safety and Security in this regard. However, officials in our department are regularly in contact with the Firearms Call Centre of the Department of Safety and Security regarding the requirements for hunters entering and leaving South Africa.

Listing of perlemoen under Appendix III of Cites

274. Mrs J A SEMPLE (DA) asked the Minister of Environmental Affairs and Tourism:

Whether South Africa has listed perlemoen under Appendix III of the Convention on International Trade in Endangered Species (Cites); if not, why not; if so, (a) when was the listing done; (b) from when will it take effect and (c) how will it be monitored? N407E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

No. South Africa has submitted a request to Cites to post its intention to have abalone listed on Appendix III on the Cites website. Our intention is to have abalone listed at the next Cites Conference of Parties meeting in 2007. In the interim, discussions have been taking place between South Africa's enforcement agencies, which include Marine and Coastal Management's monitoring and surveillance team, and enforcement agencies in China and Hong Kong to establish effective monitoring systems.

QUESTIONS

For written reply:

Re-opening of parking bays closed due to construction work

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

(1) Whether, with reference to her reply to Question 572 on 29 September 2004, the parking bays closed until the end of November 2004 owing to construction work have now been re-opened, if not, (a) why not and (b) when is it anticipated that they will be available for parking; if so, (i) what are the names of the persons to whom each specified bay has been allocated and (ii) who took the decision regarding these allocations;

(2) whether all members of Parliament have now been allocated parking bays within the parliamentary complex; if not, why not; if so, what are relevant details? N82E

The MINISTER OF PUBLIC WORKS:

(1) With reference to the reply on Question 572 the parking bays closed until the end of November 2004 owing to construction work which has not yet been completed:

(a) Due to additional construction work that had to be carried out and could only be done after the builders' December holidays.

(b) It is anticipated that the parking bays will be available by 1 March 2005.

(i) Please note that four bays are completed and the rest are still under construction. The names of the persons to whom each specified bay has been allocated are as follows:

(a) The Deputy Minister of Home Affairs, Mr M Gigaba was moved from minus 2 basement level parking bay number 11 to minus 1 basement level, parking bay number 49.

(b) The Deputy Minister of Provincial and Local Government, Ms N Hangana was moved from minus 2 basement level, parking bay number 60 to minus 1 basement level, parking bay number 50.

(c) The Minister of Health, Ms M Tshabalala-Msimang has been moved from parking bay 45A to minus 1 basement level parking bay number 47 due to the pillar which is in the way and making it awkward to turn into the bay.

(d) The Deputy Minister of Correctional Services, Ms C Gillwald has been moved from minus 1 parking bay number 42 to minus 1 parking bay number 48 on a temporary basis until the construction work in her parking bay area is completed.

The abovementioned vacant parking bays were re-allocated as follows:

(a) Parking bay number 11 on minus 2 basement level was added to the existing parking bays

utilised by Deputy Directors-General on first come first serve basis.

(b) Parking bay number 60 on minus 2 basement level has been re-allocated to the National Secretary (Director-General level), Mr M Rasegatla of the Department for Safety and Security.

(c) Parking bay 45A is vacant due to the pillar in the way that is making it awkward to turn into the bay.

(ii) As custodian of the State Property Portfolio the Department of Public Works, Client Relations Manager, who is responsible for office accommodation, makes the decision regarding parking allocations for 120 Plein Street.

(2) It is the responsibility of the Manager of Institutional Support Division in Parliament to allocate parking to the Parliamentarians which is the Stalplein parking area.

Arms deal: meeting of total initial offset commitment by certain company

72. Mr E W TRENT (DA) asked the Minister of Trade and Industry:

(1) (a) What was the total initial offset commitment of a certain company (name furnished) in terms of the defence procurement package and (b) when is it anticipated that this total commitment will have been met;

(2) whether any undertaking by the said company to build a steel mill at Coega IDZ has been met; if not, (a) why have they failed to meet their undertaking and (b) what action is his department taking as a result of this failure; if so, what are the relevant details;

(3) whether the said company has made investments as part of the offset agreements connected to the defence procurement package; if not, why not; if so, what are the relevant details with regard to each specified investment in terms of (a) financial commitment and (b) direct and indirect jobs created? N113E

The MINISTER OF TRADE AND INDUSTRY:

It is assumed that the company in question is the German Submarine Consortium, whose offset is the responsibility of Ferrostaal.

(1) The total offset commitment is €2 452 360 454, which is to be offset in the form of investments and sales.

Signatories to the Strategic Defence Programme are obliged to meet their contractual obligations within seven years.

(2) (a) The steel mill was not built because conditions at the time proved the investment to be not viable economically.

(b) It was agreed that the planned integrated steel mill be replaced with various downstream stainless steel beneficiation projects as well as projects in other industries.

(3) (a) Ferrostaal have made various investments in a wide range of industries, including investing in:

- A training centre in Atlantis;
- A recycling plant of plastic bottles;

- A turbine blade facility in Gauteng; and
- A joint venture to partake in engineering type projects worldwide.

(b) The financial commitments thus far exceed 200 million euros and an estimated 200 direct jobs have been created. Large labour employment projects are currently under discussion, which will contribute to further job creation. A detailed breakdown of commitments and investments made can be found in the annual report of the National Industrial Participation Programme published late last year.

Kwalifikasies van sekere sleutel-amptenare

112. Dr S M VAN DYK (DA) vra die Minister van Buitelandse Sake:

(1) Of die Hoof- Finansiële Beampte, die Hoofdirekteur: Finansiële Dienste en die Direkteur van Begroting van haar departement oor 'n erkende en spesifiek finansieel tersiêre kwalifikasie beskik; so nie, watter oorwegings deurslaggewend was met die aanstelling van dié amptenare; so ja, (a) watter graad en/of diploma elke vermelde amptenaar behaal het en (b)(i) wanneer en (ii) by watter tersiêre instelling dit verwerf is;

(2) (a)(i) hoeveel amptenare in die interne ouditkomponent van haar departement werksaam is en (ii) hoeveel finansiële personeellede in al die verskillende afdelings van haar departement, uitgedruk as persentasie van die totale personeelsterkte, werksaam is en (b)(i) watter persentasie van al bogenoemde lede opleiding by geakkrediteerde tersiêre instellings ontvang het in die toepassing van die Wet op Openbare Finansiële Bestuur, Wet 1 van 1999 en (ii) watter persentasie van dié lede deel uitmaak van die senior bestuur vanaf die rang van direkteur en hoër;

(3) of die hoof van die interne ouditkomponent oor erkende formele en spesifiek rekeningkundige en ouditkundige kwalifikasies beskik; so ja, (a) watter kwalifikasies en (b) by watter tersiêre instansie dit verwerf is;

(4) of alle poste in die interne ouditkomponent gevul is; so nie, (a) waarom nie, (b) wat die persentasie vakante poste is, (c) watter persentasie van alle finansiële poste in al die afdelings van haar departement vakant is en (d) watter stappe haar departement in dié verband beoog;

(5) of die hoof- finansiële beampte, die rekenmeester, die interne ouditeur en die Direkteur van Begroting reeds opleiding in die toepassing van die Wet op Openbare Finansiële Bestuur (Wet 1 van 1999) by geakkrediteerde tersiêre instellings ontvang het; so nie, op grond van watter maatstawwe die prestasie-ooreenkomste van dié amptenare gemeet word; so ja, watter opleidingsertifikaat by watter instelling in elke geval ontvang is?

N157A

(Translation of Afrikaans question follows):

[Qualifications of certain key staff

112. Dr S M VAN DYK (DA) asked the Minister of Foreign Affairs:

(1) Whether the Chief Financial Officer, the Chief Director: Financial Services and the Director of Budgeting of her department have a recognised and specifically financial tertiary qualification; if not, what considerations were decisive in the appointment of these officials; if so, (a) what degree and/or diploma each of the

aforementioned officials obtained and (b)(i) when and (ii) from which tertiary institution it was obtained;

(2) (a)(i) how many officials are employed in the internal auditing component of her department and (ii) how many finance staff members are employed in all the various sections of her department, expressed as a percentage of the total staff complement and (b)(i) what percentage of all the aforementioned staff members have received training in the application of the Public Finance Management Act (Act 1 of 1999) from accredited tertiary institutions and (ii) what percentage of these members form part of senior management from the rank of director and above;

(3) whether the head of the internal auditing component has recognised formal and specifically accounting and auditing qualifications; if so, (a) what qualifications and (b) from which tertiary institution were they obtained;

(4) whether all the posts in the internal auditing component are filled; if not, (a) why not, (b) what is the percentage of vacant posts, (c) what percentage of all finance posts in all the sections of her department are vacant and (d) what steps her department envisages in this regard;

(5) whether the chief financial officer, the accountant, the internal auditor and the Director of Budgeting have already received training in the application of the Public Finance Management Act (Act 1 of 1999) from accredited tertiary institutions; if not, on the basis of what criteria are the performance agreements of these officials assessed; if so, what training certificate from which institution was received in each case? N157E]

The MINISTER OF FOREIGN AFFAIRS:

(1) The Department of Foreign Affairs' financial managers have the following qualifications:

(a) *Chief Financial Officer*

BComm Accounting (University of Transkei) — 1996

Diploma in Management and Administration (University of Transkei) — 1991.

Chief Director: Financial Services

BComm (University of Transkei — 1986

BCompt Honours (University of South Africa) — 1990

Certificate in Theory of Accounting (University of South Africa) — 2000

CA (SA) — 2005.

Director: Budgeting

BComm (University of Transkei) — 1991.

(2) (a) (i) Twelve staff members are employed in the internal audit component, which is 0,92% of the total staff complement at Head Office.

(ii) 79 staff members employed in various finance sections, which is 6% of the total staff capacity at Head Office.

(b) (i) One (1) staff member, ie 1,1% of all the aforementioned staff members, has received training in the application of the PFMA from an accredited tertiary institution; however, all members have received internal training.

(ii) 7,7% of these members in the Finance and Internal Audit

components are part of the senior management.

(3) (a) and (b) The Head of the Chief Directorate: Internal Audit has the following qualifications:

(i) National Diploma in Government Finance (ML Sultan Technikon);

(ii) Bachelor of Commerce Degree (University of South Africa);

(iii) Hons Bachelor of Commerce in Auditing (University of South Africa);

(iv) Certification in Forensic Auditing and Criminal Justice (Natal);

(v) Certified Internal Auditor — CIA (Institute of Internal Auditors);

(vi) Certification in Control Self-Assessment — CCSA (Institute of Internal Auditors);

(vii) Certified Business Manager — CBM — Association for Professionals in Business Management.

(4) Not all the posts in the internal auditing component are filled.

(a) The structure and establishment of the Internal Audit component was adjusted in January 2004 and posts are being filled increasingly.

(b) As at the end of 31 January 2005, 55% of the posts have been filled and 45% are vacant. However, a shortage of appropriately skilled persons is impinging on this process.

(c) 19% of the finance posts are vacant.

(d) Posts have been advertised during January 2005 and it is envisaged that further posts will be filled in April 2005. It is intended that the remainder of the vacant posts will be filled during the course of the 2005-06 financial year.

(5) The Accountant (Director: Financial Accounting) has received training in the application of the PFMA from the University of Potchefstroom. The Chief Financial Officer, the Internal Auditor and the Director of Budgeting have not received training in the application of the PFMA training from accredited tertiary institutions; however, they have received in-house training in the application of the PFMA.

The performance agreements of the Chief Financial Officer, the Chief Director: Financial Services and the Director: Budgets are based on the strategic objectives of the department and the strategic priorities for the Chief Directorate which incorporates the implementation of financial systems reform in line with the PFMA and good corporate governance.

Cost of implementation/awareness campaign to bring new bank notes into circulation

149. Mr K D S DURR (ACDP) asked the Minister of Finance:

What (a) will be the estimated total cost of the implementation and awareness campaign to bring the new bank notes into circulation, (b) is the budgeted cost of launching the notes and educating the public and (c) what are the advantages of the new notes? N193E

The MINISTER OF FINANCE:

(a) The estimated total cost to the South African Reserve Bank is R19 431 571.

(b) This is included in the above figure; and

(c) The advantages are as follows:

- It is international best practice to upgrade and/or renew banknote se-

ries every six to eight years; our old notes have been in circulation since 1992.

- The new notes will help to prevent counterfeiting, through the use of new technical and security features.
- The new notes are printed in all eleven official languages of South Africa, enabling everybody to better use and understand them.

Inclusion of servant's quarters in parliamentary villages in maintenance budget

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

Whether the servant's quarters in the parliamentary villages are included in the maintenance budget; if not, why not; if so, when were they last (a) painted and (b) fumigated? N271E

The MINISTER OF PUBLIC WORKS:

Yes.

(a) Acacia Park, was last painted in the year 2001.

Laboria Park, was last painted in the year 2000.

Pelican Park, was last painted in the year 2000.

(b) Fumigation at the domestic quarters in the parliamentary villages is done on an *ad hoc* basis. (On request from the tenants in the domestic quarters.)

Application submitted by Nelson Mandela metropolitan municipality to be declared urban development zone

206. Mr E W TRENT (DA) asked the Minister of Finance:

(1) Whether the Nelson Mandela metropolitan municipality has submitted an application for an urban development zone to be declared in terms of the relevant legislation; if so, (a) when was the application received and (b) when is the matter expected to be finalised;

(2) whether any other metropolitan areas have made similar applications; if so, (a) which metropolitan areas and (b) what was the outcome in each case? N320E

The MINISTER OF FINANCE:

(1) Nelson Mandela Metropolitan submitted an application for an Urban Development Zone in terms of section 13 *quat* of the Income Tax Act, 1962 (Act 58 of 1962) as amended.

(a) This application was received on 2 December 2004, after which additional information was requested to comply with all legislative requirements. This additional in-
formation was received on 9 February 2005 and is being evaluated by the National Treasury.

(b) I am hoping to finalise the process for considering this application shortly.

(2) (a) and (b)All six metropolitan municipalities have made similar applications — City of Cape Town, Ekurhuleni, eThekwini, Johannesburg, Nelson Mandela and Tshwane have made applications. Johannesburg and Cape Town submitted their applications first, and hence were approved and gazetted on 14 October 2004. eThekwini and Tshwane were approved and gazetted on 10 December 2004. The National Treasury is currently considering the applications from Nelson Mandela and Ekurhuleni.

Five nonmetropolitican municipalities were also approved and gazetted on 10 December 2004, namely Sol Plaatje (Kimberley), Mangaung (Bloemfontein), Mbombela (Nelspruit), Emfuleni (Vereeniging) and Buffalo City (East

London). Applications from Polokwane (Pietersburg) and Msunduzi (Pietermaritzburg) are also being processed. Applications from Mafikeng and Matjhabeng (Welkom) have been received, however, insufficient information was provided and has been requested. The last eligible municipality, Emalahleni (Witbank), has not submitted any application to date.

To summarise, nine of the 16 eligible municipalities have been approved including four metros, four applications are being processed including two remaining metros, and three municipalities have yet to submit comprehensive applications.

US dollar value of current SA gold/ other foreign exchange reserves

208. Mr I O DAVIDSON (DA) asked the Minister of Finance:

(1) (a) What is the US dollar value of the current gold and other foreign exchange reserves of South Africa, (b) in respect of what date is this information given and (c) what does this constitute in terms of import cover of total gross reserves;

(2) whether the Government has a target in respect of gold and other foreign exchange reserves; if so, (a) what target and (b) what does this figure constitute by the figure in terms of import cover? N304E

The MINISTER OF FINANCE:

(1) (a) Gross foreign assets of the country are US dollar 31,3 billion of which foreign reserves held by the South African Reserve Bank (SARB) are US dollar 15,1 billion.

(b) 31 January 2005.

(c) The figures for 31 January 2005 are not available. As at 30 September 2004 gross foreign assets of the country covered 23 weeks' worth of imports. Figures as at 31 December 2004 will be published in the South African Reserve Bank's Quarterly Bulletin on 23 March 2005.

(2) No.

Amount in rands of personal income tax collected/budgeted for in various tax years

293. Mr M STEPHENS (UDM) asked the Minister of Finance:

What was the amount in rands of personal income tax (a) collected and (b) budgeted for in the (i) 1995-96, (ii) 1996-97, (iii) 1997-98, (iv) 1998-99, (v) 1999-2000, (vi) 2000-01, (vii) 2001-02, (viii) 2002-03 and (ix) 2003-04 tax years? N428E

The MINISTER OF FINANCE:

The amount of personal income tax collected and budgeted for the periods in question are set out in the table below:

		(a)	(b)
	Tax year	*Collected*	*Budgeted*
		R'000	R'000
(i)	1995-96	51 179 289	49 755 000
(ii)	1996-97	59 519 831	57 975 000
(iii)	1997-98	68 342 382	65 019 000
(iv)	1998-99	77 733 900	71 800 000
(v)	1999-00	85 883 787	82 650 000
(vi)	2000-01	86 477 998	87 820 000
(vii)	2001-02	90 389 505	90 122 000
(viii)	2002-03	94 336 679	89 982 000
(ix)	2003-04	98 495 129	96 714 000

Amount in rands of company income tax collected/budgeted for in various tax years

294. Mr M STEPHENS (UDM) asked the Minister of Finance:

What was the amount in rands of company income tax, excluding secondary tax

on companies, (a) collected and (b) budgeted for in the (i) 1995-96, (ii) 1996-97, (iii) 1997-98, (iv) 1998-99, (v) 1999-2000, (vi) 2000-01, (vii) 2001-02, (viii) 2002-03 and (ix) 2003-04 tax years?
N429E

The MINISTER OF FINANCE:

The amount of personal company income tax, excluding secondary tax on companies collected and budgeted for the periods in question are set out in the table below:

		(a)	(b)
	Tax year	*Collected*	*Budgeted*
		R'000	R'000
(i)	1995-96	15 667 453	15 608 000
(ii)	1996-97	18 834 255	18 604 000
(iii)	1997-98	21 378 257	23 254 000
(iv)	1998-99	22 522 700	22 550 000
(v)	1999-00	20 972 000	21 575 700
(vi)	2000-01	29 491 826	24 582 500
(vii)	2001-02	42 354 472	29 960 000
(viii)	2002-03	55 745 054	50 858 000
(ix)	2003-04	60 880 802	65 820 000

Amount in rands of VAT collected/ budgeted for in various tax years

295. Mr M STEPHENS (UDM) asked the Minister of Finance:

What was the (a) amount in rands of value-added tax (VAT) collected and (b) percentage of VAT collected in relation to overall revenue in the (i) 1995-96, (ii) 1996-97, (iii) 1997-98, (iv) 1998-99, (v) 1999-2000, (vi) 2000-01, (vii) 2001-02, (viii) 2002-03 and (ix) 2003-04 tax years?
N430E

The MINISTER OF FINANCE:

The amount in rands of value-added tax (VAT) collected and percentage of VAT collected in relation to overall tax revenue for the periods in question are set out in the table below:

		(a)		(b)
	Tax year	*Collected*	*Total tax revenue*	*VAT as percentage of tax revenue*
		R'000	R'000	
(i)	1995-96	32 768 180	127 277 962	25,75%
(ii)	1996-97	35 902 887	147 332 339	24,37%
(iii)	1997-98	40 095 641	165 327 440	24,25%
(iv)	1998-99	43 985 450	184 844 500	23,80%
(v)	1999-00	48 376 840	201 386 050	24,02%
(vi)	2000-01	54 455 193	220 334 146	24,71%
(vii)	2001-02	61 056 610	252 298 310	24,20%
(viii)	2002-03	70 149 851	282 209 654	24,86%
(ix)	2003-04	80 681 756	302 507 509	26,67%

QUESTIONS

For written reply:

Programmes to help entrepreneurs access funds

44. Prof E S CHANG (IFP) asked the Minister of Trade and Industry:

> Whether his department has any plans or programmes to help entrepreneurs, especially those in rural areas, to access capital, finance and training and to help foster a strong work ethic among them; if not, why not; if so, what are the relevant details? N74E

The MINISTER OF TRADE AND INDUSTRY:

The past decade has been a learning curve for the DTI in grappling with small business development and their importance in contributing to growth and employment creation in the economy. The department realised that there is no one size fits all solution to dealing with small business development, but that services and products had to be tailored to address the needs of different types of small businesses. Therefore, last year, the department embarked on a process of streamlining the provision of services to small, medium and micro enterprises (SMMES), which resulted in the merger of Ntsika and Namac to form the Small Enterprise Development Agency (SEDA).

SEDA will have district offices that will provide a one-stop shop for small business support. The support includes:

- developing a network of service providers,
- mentorship programmes,
- facilitating and coordinating access to technology,
- support in terms of franchise, tender and business plan advice, and
- training and capacity building in terms of export orientation and project management.

The SEDA district offices and multipurpose community centres will increase the DTI's presence in rural areas.

The department had further identified the lack of micro credit facilities in South Africa as another challenge that needed special intervention. The Apex fund will be operationalised within this year to provide micro and very small businesses, as well as entrepreneurs in rural areas with access to credit. Khula, the National Empowerment Fund and the Industrial Development Corporation, agencies of the DTI, offer development finance for bigger businesses and franchises.

Training and skills development has been a focus of the democratic government since 1994. The department supports training through all of its agencies, particularly SEDA. The department also works closely with other departments in the economic and employment cluster to ensure the effective implementation of the National Skills Development Strategy.

Plan to review MIDP

64. Dr E NKEM-ABONTA (DA) asked the Minister of Trade and Industry:

(1) How does his department plan to review the Motor Industry Development Programme (MIDP), taking into account international criticism and domestic concerns raised against it;

(2) whether the industry beneficiaries of the programme have fulfilled the programme's goals such as making vehicles more affordable to the domestic market and stabilising employment within the industry; if not, how does his department plan to hold the industry beneficiaries to account; if so, what are the relevant details;

(3) whether he will make a statement on the matter? N105E

The MINISTER OF TRADE AND INDUSTRY:

Trade and Investment South Africa (TISA), a division of the Department of Trade and Industry, is in the process of reviewing the Motor Industry Development Programme (MIDP), including the automotive leather segment. The review will furthermore cover the Productive Asset Allowance (PAA) and the feasibility of proposals for the provision of assistance to the medium and heavy vehicle sector.

The objective of the review will be to assess the performance of the automotive industry in terms of official objectives of the MIDP and to formulate recommendations on adjustments to the existing MIDP, taking into account government's strategic objectives, challenges and opportunities facing the industry, South Africa's international trade obligations, and the need to simplify the administration procedures.

In order to assess the existing impact, the Motor Industry Development Council appointed four task teams in 2003 to monitor vehicle affordability, employment, raw materials and trade issues. Inputs from the task teams will be incorporated in the MIDP Review.

The MIDP's objectives have been met to a large extent given the rapid surge in completely built-up vehicles and automotive component exports, significant investments in best practice assets and state of the art equipment, as well as the industry's contribution to the GDP as the leading manufacturing sector in the SA economy.

The automotive industry is the second most beneficiated manufactured export product after processed foods. The industry's contribution to the GDP is 6,2%, which puts it in second place after mining. The industry has also become a major foreign currency earner, accounting for 80% of all cars produced in Africa and 0,7% of world production. In the eight years the programme has existed, vehicle and car components have risen to R40 billion from R4,2 billion in 1995. Furthermore the number of manufacturers has grown from seven to 26.

A media release in respect of the MIDP review was made public on 7 September 2004 and the terms of reference of the review has also been clearly communicated to all stakeholders via the MIDC.

Provisional operating permits granted to certain IDZs

66. Dr E NKEM-ABONTA (DA) asked the Minister of Trade and Industry:

(1) Whether provisional operating permits have been granted to the Industrial Development Zones (IDZ) in (a) Johannesburg and (b) Richards Bay; if not, (i) what has caused the delay in the granting of such permits, (ii) which individual or body is responsible for granting the permits and (iii) when will the permits be granted; if so, when were the permits granted;

(2) whether the East London IDZ underspent its overall budget in the 2003-04 financial year; if not, what is the position in this regard; if so, where did the underspending take place;

(3) whether he has received a full explanation from the East London IDZ for the underspending; if not, why not; if so, what are the relevant details regarding the underspending;

(4) whether he has made any policy and/or organisational changes to ensure that the IDZ works at full capacity in future; if not, why not; if so, what changes? N107E

The MINISTER OF TRADE AND INDUSTRY:

(1) (a) and (b) No provisional operating permits have been granted to the Industrial Development Zones (IDZ) in Johannesburg and Richards Bay.

The delays in the granting of such permits are explained as follows:

The Johannesburg International Airport (JIA) IDZ submitted an initial application for the permit on 3 April 2003. The application, to date, still does not meet the requirements, due to a lack of clarity around land and ownership of the IDZ Company. The designated land belongs to ACSA and Denel. The Johannesburg International Airport IDZ Development Company (DevCo) (Pty) Ltd has been registered under the Companies Act of South Africa. The Gauteng Provincial Government, through Blue IQ, currently wholly owns this company. The initial proposed DevCo shareholding structure was going to include Blue IQ, ACSA and Denel, each containing representative shareholding to the market value of their contributions. Negotiations to finalise a shareholders agreement between Blue IQ, ACSA and Denel have collapsed. The DTI, through The Enterprise Organisation (TEO) division, is currently interacting with Blue IQ, ACSA and the provincial Dept of Economic Development to revive the negotiations process.

The Richards Bay IDZ submitted an application for the permit on 30 July 2002. The application was declared incomplete, as the following information is outstanding: the identification of the IDZ Company; the shareholding structure; and the corporate governance and management structure. The prospective shareholders, the municipality and the provincial government are currently discussing the issues.

The Manufacturing Development Board (MDB), which is governed by the Manufacturing Development Act (No. 187 of 1993), is responsible for granting the permits.

The permits will be granted as soon as the reasons for the delays mentioned above are resolved.

(2) and (3) The East London IDZ underspent its budget in 2003-04 due to organisational establishment delays, including strategic refocusing and recruitment. Delays were also experienced in finalising tender and procurement processes for initiating key, major infrastructure development programme contract works that, as a result, commenced considerably later than envisaged. This resulted in commitments extending beyond the close of the financial period.

(4) The ELIDZ accepts and endorses the principle of needing to ensure, as far as is possible, that financial year-end rollovers are avoided, in line with the recommendation issued by the portfolio committee. However, the organisation has signaled that the nature of its work to implement a variety of infrastructural facilities and associated services to establish a functional industrial development zone within the shortest time period possible creates unique work scheduling (and budget disbursement) requirements.

Development activity to establish the IDZ entails the programmed activation of a series of inter-linked construction projects undertaken by principal contractors, various nominated subcontractors and secondary and ancillary contracting companies. The progressive development of the IDZ infrastructures typically requires that many of the contracts run sequentially (with any given contractor having to schedule its availability to effect its activity start-up

to remain in step with the work completed by other contractors/subcontractors).

In some instances, contracted and associated subcontract works can be both initiated and completed within a single financial period but in the case of major works associated with the bulk infrastructure development phase the construction activity comprises multi-faceted works entailing multi-year project implementation horizons. Typically, the activation of these major works also entails a time-consuming start-up phase to finalise pre-tendering and tendering procedures.

These considerations pose particular difficulties for the ELIDZ operator in moderating its rate and timing of budget disbursement to ensure that budget allocations are deployed in a manner correlating with the close of the financial year. To achieve such degree of correlation would require a resort to a "stop-start" programme of work activity with a high attendant risk of creating unnecessary disruptions and delays to the actioning of sequential contracting work (especially within the several months immediately prior to the close of each financial period).

A stop-start project management approach that is solely responsive to budget considerations is not advisable for a development of the scope and complexity of the IDZ establishment because of the risk of substantially extending the overall period to completion of the IDZ in readiness for the accommodation of industrial tenants, which itself entails adverse total project cost implications.

Notwithstanding these difficulties and the particular extenuating reasons that existed for the underspending of the 2003-04 period, the ELIDZ confirmed that it is committed to doing everything in its power to ensure that future work completion and budget provisioning requests are aligned to respective forecasting as closely as possible.

Arms deal: total initial offset commitment of certain company

72. Mr E W TRENT (DA) asked the Minister of Trade and Industry:

(1) (a) What was the total initial offset commitment of a certain company (name furnished) in terms of the defence procurement package and (b) when is it anticipated that this total commitment will have been met;

(2) whether any undertaking by the said company to build a steel mill at Coega IDZ has been met; if not, (a) why have they failed to meet their undertaking and (b) what action is his department taking as a result of this failure; if so, what are the relevant details;

(3) whether the said company has made investments as part of the offset agreements connected to the defence procurement package; if not, why not; if so, what are the relevant details with regard to each specified investment in terms of (a) financial commitment and (b) direct and indirect jobs created? N113E

The MINISTER OF TRADE AND INDUSTRY:

Trade and Investment South Africa (TISA), a division of the Department of Trade and Industry, is in the process of reviewing the Motor Industry Development Programme (MIDP), including the automotive leather segment. The review will furthermore cover the Productive Asset Allowance (PAA) and the feasibility of proposals for the provision of assistance to the medium and heavy vehicle sector.

The objective of the review will be to assess the performance of the automotive industry in terms of official objectives of the MIDP and to formulate recommendations on adjustments to the existing MIDP, taking into account government's strategic objectives, challenges and opportunities facing the industry, South Africa's international trade obligations, and the need to simplify the administration procedures.

In order to assess the existing impact, the Motor Industry Development Council appointed four task teams in 2003 to monitor vehicle affordability, employment, raw materials and trade issues. Inputs from the task teams will be incorporated in the MIDP Review.

The MIDP's objectives have been met to a large extent given the rapid surge in completely built-up vehicles and automotive component exports, significant investments in best practice assets and state of the art equipment, as well as the industry's contribution to the GDP as the leading manufacturing sector in the SA economy.

The automotive industry is the second most beneficiated manufactured export product after processed foods. The industry's contribution to the GDP is 6,2%, which puts it in second place after mining. The industry has also become a major foreign currency earner, accounting for 80% of all cars produced in Africa and 0,7% of world production. In the eight years the programme has existed, vehicle and car components have risen to R40 billion from R4,2-billion in 1995. Furthermore the number of manufacturers has grown from seven to 26.

A media release in respect of the MIDP review was made public on 7 September 2004 and the terms of reference of the review has also been clearly communicated to all stakeholders via the MIDC.

QUESTIONS

For oral reply:

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■1. Adv H C Schmidt (DA) — Provincial and Local Government (Chairperson NCACC). [Written Question No 10] [col 418]

■2. Mr M Waters (DA) — Social Development. [Written Question No 19] [col 420]

■3. Mr D K Maluleke (DA) — Water Affairs and Forestry. [Written Question No 21] [col 421]

■4. Mr A H Nel (DA) — Provincial and Local Government. [Written Question No 23] [col 425]

■5. Mr T D Lee (DA) — Sport and Recreation. [Written Question No 28] [col 426]

■6. Mr A C Steyn (DA) — Housing. [Written Question No 29] [Question standing over.]

■7. Mr S J Masango (DA) — Health. [Written Question No 47] [col 427]

■8. Mr S J Masango (DA) — Housing. [Written Question No 48] [Question standing over.]

■9. Mr R Coetzee (DA) — Health. [Written Question No 50] [col 429]

■10. Mr R Coetzee (DA) — Health. [Written Question No 51] [col 432]

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■14. Mr E W Trent (DA) — Social Development. [Written Question No 73] [col 437]

The DEPUTY SPEAKER: Order! The first item on the Order Paper is Questions to the Deputy President. I wish to advise members that Question 8 by the hon M P Mentor to the Deputy President has been withdrawn. Members are reminded that they may press their "to talk" button at their desks if they wish asked a supplementary question.

Deputy President:

Decisions taken at Sanac meetings

*5 Mr M STEPHENS (UDM) asked the Deputy President:

(1) (a) How many times has the SA National Aids Council met in the latest specified twelve-month period and (b) what were the main decisions taken by Sanac during this period;

(2) whether Sanac has discussed the implications of the report by Statistics SA entitled Mortality and causes of death in South Africa; if not, why not; if so, what was the outcome of these discussions? N465E

The DEPUTY PRESIDENT: Thank you, Deputy Madam Speaker. The answer to part (1) of the question is the following: The SA

National Aids Council is composed of representatives of both government and various sectors of civil society. Its functions are to advise government on matters relating to HIV/Aids, and to co-ordinate the different sectors' responses to HIV/Aids.

Sanac has met four times in the past twelve months. It has deliberated on many issues pertaining to the HIV and Aids policy — the implementation of HIV and Aids strategies, in particular the comprehensive HIV and Aids care and treatment plan, and the strengthening of partnerships against Aids.

Decisions have been taken on issues relating to Sanac and its role as the country's co-ordinating mechanism for the Global Fund to Fight Aids, TB and Malaria. Decisions have also been taken on improving the functioning of Sanac and the establishment of the executive council.

The answer to part (2) of the question is as follows: Sanac has not discussed the report on mortality and causes of death in South Africa, because it has not met since the release of the report.

In the interests of updating hon members, I hereby table a summary of the main discussions and deliberations of Sanac in 2004 for members to peruse at their convenience, as time will not allow me to go through all of them. Thank you, Madam Speaker.

Mr M STEPHENS: Madam Deputy Speaker, I wish to thank the hon Deputy President for his reply and for the opportunity to peruse the details of his reply at greater leisure. However, from the details he has given thus far, meeting four times seems to be parsimonious given the gravity of HIV/Aids as the single biggest health crisis that this country has ever faced. There is also a related state-sponsored body, the SA National Aids Trust, which is also chaired by the hon Deputy President and which is meant to advise the Minister of Health. Reportedly that body has never sat once. A budget of R30 million has gone unspent, apart half a million rand to rent offices which have not been used. The Director-General of Health has been reported in the media as saying that the high calibre and busy schedules of the people who serve on the trust made it impossible to gather them all together simultaneously.

Now, given the track record of these two HIV/Aids bodies, which the hon Deputy President chairs, could he indicate how the public can have confidence in the government's often-claimed seriousness about the HIV/Aids pandemic?

The DEPUTY PRESIDENT: Thank you, Deputy Speaker. I think I have indicated that in twelve months Sanac met four times. In no way can you say that that is not meeting for a body like Sanac that is co-ordinating and advising government, and for a body that many stakeholders in the country relate to and report to. So, in no way can you say that this body has not met. It has met, I think relatively fairly, given the times and issues that it has discussed.

With regard to the other body that the hon member was talking about, it has also met. Of course there have been the issues that were raised by the Director-General. That body has carried out a lot of activities. Unfortunately, because the hon member did not prime me that he would ask me questions on this issue, I did not bring the necessary details. But it has met. It has operated. I think the Director-General may be querying very specific issues, and this is not that the body is not meeting. Thank you.

Mr L V J NGCULU: Thank you, hon Deputy Speaker. Thank you, Deputy President. Firstly, I want to thank you for your elaborate and comprehensive reply to the question, in particular the detailed account of the activities of Sanac.

I noted, Deputy President, that there are moves afoot to look at the restructuring of Sanac and its functioning, including holding a strategy workshop on this matter. Approxi-

mately when do you think the workshop will be held, and will all the role-players of Sanac be invited to attend the workshop? Thank you.

The DEPUTY PRESIDENT: Thank you, Madam Deputy Chair. Yes, the workshop will be coming. I don't have the date with me here, but certainly all the stakeholders will be invited. We always do so, because we do need the wisdom of the stakeholders. Once the date is set and we know when, they will certainly be invited. Thank you.

Mrs C DUDLEY: Thank you, Deputy Speaker. Deputy President, is Sanac able to show concrete evidence, for example feasibility studies or measurable results, that indicate that the Aids projects it has allocated funds to, will indeed have a direct affect on the number of people who will contract HIV/Aids in the near future?

Statistics SA's latest report entitled "Morality and the causes of death in South Africa" is essentially an updated account of Aids statistics. But a British study published on 14 March 2005 revealed that changes in sexual behaviour helped more to slow down the spread of HIV in the early 1990s than the introduction of Aids therapy drugs.

Furthermore, according to findings in a Harvard University study, Uganda may be on its way to wiping out Aids by using a strategy based on chastity and fidelity. How do these findings influence the funding decisions of Sanac? Thank you.

The DEPUTY PRESIDENT: Thank you, Madam Deputy Speaker. Well, I would like to believe that in South Africa we have a very comprehensive plan that we are working on. I think we are able to say that an impact is being made as a result of this comprehensive plan. On the basis of that we can say that we are addressing the question of HIV/Aids in South Africa.

I think that the report the hon member referred to was a report that government said it would want to have a clear idea about with regard to the causes of death. Of course Sanac has not discussed that report, but the government is trying to inform itself, as it always does.

I think it is fair to look into that from a different angle, because if we bring other examples — if we take the example of Uganda, which is often quoted — other facts and research will certainly demonstrate other facts in regard to that. It is not as rosy and glossy as people usually quote. I wouldn't want to discuss other people's programmes in other countries.

I think it should always be borne in mind that when we discuss the situation in South Africa, we should be quoting such programmes of other countries to help what we do, rather than to say that we should do exactly what they do. For example, there were programmes in place in Uganda, which, after some time, were questioned by other institutional bodies internationally as to the specific research that was done. So, I don't think we should be quoting Uganda as the answer to everything. Otherwise, we might find ourselves debating the issue of HIV/Aids instead of assisting one another to find a solution to this issue. Thank you, Chair.

The DEPUTY SPEAKER: Thank you, hon Deputy President. We now come to Question 6, which has been asked by . . .

Mr M J ELLIS: Madam Deputy Speaker, I think that there were only three supplementary questions.

The DEPUTY SPEAKER: We usually take four supplementary questions, but if we only get three, they have to suffice.

Mr M J ELLIS: Madam Deputy Speaker, I want to say that the hon Coetzee did push his button right from the very start, and I am concerned that you did not notice it. Before you go on to the next question, I wondered whether you would give him a chance to ask a question.

The DEPUTY SPEAKER: We do not have to argue about this, Mr Ellis.

Mr M J ELLIS: Madam Deputy Speaker, absolutely, I am not arguing.

The DEPUTY SPEAKER: I asked everybody at the beginning of the meeting to press the "to talk" button and if that was not done it is not a problem.

Mr M J ELLIS: Madam Deputy Speaker, with due respect, some two weeks ago when you were not here, at the start of the session I immediately stood up and said: Could the hon Chairperson — it was the hon Mr Doidge in the Chair at the time — indicate to us whether the mechanism was working or not? Later on during the course of the day he did indicate to us that it wasn't actually working.

The DEPUTY SPEAKER: Hon members, please, I would like to get some wisdom from Mr Ellis. Allow me the time. [Interjections.] [Applause.] I was not here in the past weeks. [Interjections.]

Mr M J ELLIS: Madam Deputy Speaker, I know, I am just trying to make the point that he indicated to us on that occasion that the mechanism was not working and therefore asked us to put up our hands. I suggest that the mechanism is not working again, because I know that Mr Coetzee did indicate by pushing the button that in actual fact he wanted to ask a question. I am not arguing, I am pleading for the situation.

The DEPUTY SPEAKER: We do not need an argument, Mr Ellis, because the point I am making is that the mechanism, which worked very well with the three other members, did not work for the member of the DA, and it is not a big issue. The Deputy President is still here, and he would definitely welcome a question. So, let us not take much time on a separate issue.

Mr M J ELLIS: Madam Deputy Speaker, thank you very much, much obliged.

Mr R COETZEE: Madam Deputy Speaker, I did press the button twice.

The DEPUTY SPEAKER: I did not ask you.

Mr R COETZEE: Madam Deputy Speaker, I have just pressed it again. [Interjections.] [Laughter.] I just thought I would clarify that. Mr Deputy President, the President has effectively delegated responsibily for leading the fight against HIV/Aids to the Deputy President. I submit that Sanac has actually done less than it should have done. The SA National Aids Trust has failed dismally to do its duty, and the Auditor-General pointed a finger directly at the trustees, one of whom is the Deputy President.

I would like to ask the Deputy President if he thinks he is doing a good enough job leading the fight against HIV/Aids in South Africa? If so, will he promise us that he will do an even better job in the future, if not, will he undertake to resign and give the job to somebody who will do it properly. [Interjections.]

The DEPUTY SPEAKER: I do not know. It is up to the Deputy President if he wants to answer this question, because it is actually not related to the first question. It is supposed to be a supplementary question related to the initial question asked, and I do not see any link to it, but it is up to the hon Deputy President. If you want to answer you may, but if you don't, you are still within the Rules of Parliament.

The DEPUTY PRESIDENT: [Laughter.] [Applause.]

The DEPUTY SPEAKER: Thank you for the answer, Deputy President. [Applause]

The DEPUTY PRESIDENT: Madam Deputy Speaker that could constitute an answer. [Laughter.] [Applause.] Well, I really do not know what the member is talking about. Firstly, part of what he has said I have just answered. Secondly, it is his own opinion that Sanac is not working, and each individual has a right to have an opinion,

particularly from the benches of the opposition. That is part of his job, I am sure he is just fulfilling his duty to his party, namely to stand up and say something here. Thank you. [Applause.] [Interjections.]

The DEPUTY SPEAKER: Just before we conclude this question, after pressing the "to talk" button, which works very well in some quarters of the House, let's just raise our hands to make sure that in fact everybody is covered. Because, I think it was a little embarrassing that we had to go back to a question, which we had already completed.

Creation of enabling environment for preservation/protection/promotion of SA heritage

*6. Adv C B JOHNSON (NNP) asked the Deputy President:

What steps are being taken by the Government to create an enabling environment for the effective preservation, protection and promotion of the South African heritage for present and future generations?
N460E

The DEPUTY PRESIDENT: Madam Deputy Speaker, we come from a divided past, therefore building a common heritage was never going to be an easy task in our country. However, we have a responsibility to create and develop an understanding and appreciation of the culture and history of all the people of our country.

In doing so, we define our identity as South Africans in preserving, protecting and promoting our heritage. We have to introduce the history and experiences of the black majority into the archives and heritage architecture of our country. We have to reverse the legacy of apartheid, which had rendered black people almost nonexistent.

Where they were included in cultural archives, it was usually in negative terms, or through the eyes of others. In an effort to ensure redress in this regard, the government has embarked on a number of legacy projects, these include, amongst other, the Nelson Mandela Museum in Umtata, the Samora Machel Monument at Embuzini, the Luthuli Museum at KwaDukuza, the Freedom Park in Pretoria and the Ncome Museum at Nquthu.

Legislation is in place, which would provide a framework for the development of heritage resources befitting our society. In 1996 government adopted the White Paper on Arts, Culture and Heritage. After the adoption of the White Paper two important heritage laws were passed. One was the National Heritage Resources Act of 1999, which established the South African Heritage Resources Agency, sets norms and maintains essential national standards for the management of heritage resources in the country, and protects heritage resources of national significance.

It also enables provinces and local authorities to protect and manage certain categories of heritage resources and conservation worthy places. The National Heritage Council Act of 1999 aims to develop, promote and protect the national heritage for present and future generations. It also aims to intensify support for the promotion of the history and culture of all our people and particularly support research and publication on enslavement in South Africa.

Also important is involvement of communities and civil society in the development and protection of heritage resources. The National Heritage Council, established in terms of this Act, hosted a civil society engagement conference last Saturday on 12 March in Soweto, ahead of the 29th session of the World Heritage Committee meeting, to be held in July this year in Durban.

Hon members, we all have a responsibility to work together, to develop and promote heritage resources for a democratic South Africa, and to promote access to, and general awareness of these resources by all, includ-

ing the youth. Thank you, Madam Deputy Speaker. [Applause.]

Ms C B JOHNSON: Madam Deputy Speaker,

Agb Adjunkpresident, eerstens, baie dankie vir die antwoord. Die kwessie van erfenis is nie iets wat in 'n vakuum of in isolasie bestaan nie. Erfenis is nou verwant en baie nou gekoppel aan aspekte soos kulturele regte, taal, godsdiens, letterkunde en diens meer.

In die afgelope tyd was daar heelwat debatvoering en heelwat besprekings uit verskeie oorde en deur verskillende rolspelers, selfs in briewekolomme, oor kulturele diversiteit, en dan baie spesifiek hoe kulturele diversiteit mindersgroepe en minderheidsgemeenskappe in Suid-Afrika raak.

U het verwys na die gemeenskaplike erfenis of "the common heritage" waaraan ons moet bou en ons is dit almal eens dat dit nodig is om hierdie gemeenskaplike erfenis saam te bou. Maar watter waarborg is daar wat ons kan gee aan spesifiek lede van minderheidsgemeenskappe, om aan hulle die versekering te gee dat hulle kulturele erfenis beskerm en bevorder sal word, en nie net sal verdwyn binne hierdie groter, breër gemeenskaplike erfenis nie? Baie dankie.

(*Translation of Afrikaans paragraphs follows.*)

[Hon Deputy President, firstly, thank you for the response. The question of heritage is not something that exists in a vacuum or in isolation. Heritage is closely related and closely linked to aspects such as cultural rights, language, religion, literature and so on.

Recently there has been much debate and many discussions from different sectors and by different role-players, even in letter columns, on cultural diversity, and then very specifically on the manner in which cultural diversity concerns minority groups and minority communities in South Africa.

You referred to the common heritage we should build on and we all agree that it is necessary to build this common heritage together. But what guarantee is there that we can give to specific members of minority communities, to give them the assurance that their cultural heritage will be protected and promoted, and that it will not disappear in this greater, broader common heritage? Thank you.]

The DEPUTY PRESIDENT: Madam Deputy Speaker, I think what I have said is that after a long history of this country which we all know, which has had its own ups and downs, its own turns and twists, we finally arrived at a point where we said: All of us agreed that South Africa belongs to all who live in it, irrespective of religion, colour, whatever. We are building a new society, which is based on the values of quality in every respect, rights before the law, and that we all, therefore, whatever we do, we do it to create the purpose, to create this one nation which is united in its diversity.

Respect must be paid to each national group, irrespective of its size and its cultures and language. I think we are among the few countries that have legally recognised in its Constitution 11 languages to ensure that there is no language that is going to be looked down upon by others, in a sense giving an answer to our own history.

I do not think there will be, given the framework that we have, any possibility of one national group's language and culture disappearing, because it is guaranteed and protected in the first instance by our Constitution, and by our laws. So, there is no need for any fear, whether the group was in the minority, or there were many minorities. I think there are sufficient guarantees, in terms of the framework of the country and democracy itself, and I think we have shown, since 1994, that we are capable of doing it.

It cannot be an overnight affair to deal with this matter. It is going to take a long time, but we have sufficient guarantees to address

what would be, in other circumstances, the fears of the minorities. Thank you, Deputy Speaker. [Applause.]

Mr S D MONTSITSI: Deputy Speaker, Deputy President, thank you, may I reiterate your words. You said that South Africa belongs to all those who live in it, black and white. What we are saying is that this is a principled statement. It is not a tactic. It is a statement that says all those who are South Africans, irrespective of colour, belong in this country.

With their diverse culture, their language and the landscape, all South Africans, again irrespective of colour, belong. Your "Sarie Marais", or "Die ou Kalahari", boerewors are all proudly South African products. [Applause.] But the question I would like to ask is which language, which culture, which religion is under threat in South Africa? I thank you.

Mr D V BLOEM: Boerewors. [Laughter.]

The DEPUTY PRESIDENT: Madam Deputy Speaker, honestly speaking, there is not a single language in this country that is under threat, not a single one. As I said, all of them feel more comfortable under the current dispensation, and as I said there are guarantees, and therefore there is no need for any fear, because there is no culture and no language that is under threat. So, if there were any who felt that way, they would really fear nothing, for there is nothing to fear in this country. Thank you. [Applause.]

Mrs D VAN DER WALT: Madam Deputy Speaker, it is a pity that Mr Montsitsi and others actually make a mockery of some people's culture in this country. [Interjections.] He should do it outside the House.

Ek wil graag aan die Adjunkpresident die volgende vraag vra: In die lig van die striemende aanval op die Afrikaanse taal op universiteitsvlak, en die voortdurende aftakelende behandeling wat Afrikaans en ander Afrikatale oraloor die land ontvang, is dit die regering se beleid om al die ander tale in ons land te vernietig en uiteindelik net Engels te behou? Dankie.

(*Translation of Afrikaans paragraph follows.*)

[I would like to ask the Deputy President the following question: In the light of the scathing attack on the Afrikaans language on university level, and the continuous discrediting of Afrikaans and other African languages all over the country, is it government's policy to destroy all the other languages in our country and to ultimately retain only English? Thank you.]

The DEPUTY PRESIDENT: Madam Deputy Speaker, I am not certain where the question emanates from. What the problem is? I have not heard any person saying we should have English and kill all other languages. I have not heard that. I think what I have said, since I started answering this question, has been an attempt by the new dispensation to correct what I said were ups and downs and twists and turns in our history. I want to say you cannot in this country promote one or two languages only.

We have eleven languages that are constitutionally accepted as languages that are official in the country. Our task is to develop those languages to be used as English is used, as Afrikaans is used, because, of the eleven languages, there are two languages that are used the most namely English and Afrikaans.

We are saying other languages should also be used at the same level. In fact, of the two languages, it would be a false cry to say that any one of them is being undermined, because they have been developed already. All we are saying is that we should also develop the other languages to the same level, and as such is the policy of the government. In no way are we saying we should have English only. I think in our history such a policy did exist some time ago, and that is probably why Afrikaners had

to fight for Afrikaans to be like English in terms of strength and officialdom.

What we have done is to embrace all languages. We ask ourselves how we can develop our languages so that they are all useable in the same way. That is what we are doing. So, I do not understand where the question emanates from, because the question should really be: What do we do to ensure that all languages are developed to the same level of these two languages: English and Afrikaans? I would understand such a question. [Applause.]

Mr K D S DURR: Madam Chair, heritage and culture, the man-made and the built environment, is not only of interest to South Africans, but to foreign tourists also. Has the government considered a South African national trust, not only to preserve, but also to mobilise these assets in the interest of conservation and the economy? Have the Department of Arts and Culture and the Department of Environmental Affairs and Tourism perhaps met to look at possibilities in this regard?

The greatest guarantee that these cultural assets have for their preservation is that they should be able to generate the resources that are required to preserve them. And that can be done by tourism, as we see all over Europe, all over Africa and all over the place. Can the Deputy President tell me whether the government has considered a national trust, or some other mechanism which can act as a repository for these cultural assets to mobilise them in the interests of their own preservation? I thank you.

The DEPUTY PRESIDENT: Madam Deputy Speaker, even without necessarily establishing a national trust, I think there is a lot that the government is doing. One of the Department of Arts and Culture's line functions and tasks is to do exactly that — to promote our cultures and ensure that they are all preserved and promoted. That has been the issue, including that of tourism that I raised in my answer. We are saying this with respect to South Africa because of its own unique situation of unity in diversity.

The question I have been answering all the time is: How do we ensure that we promote this, preserve it and that we indeed embrace everything and have the kind of cultures that appeal to tourists or whoever? If somebody is in South Africa, he or she must know that he or she will meet these diversities in our cultures.

I think what the Government is doing is exactly what the hon member has been asking — we are trying to develop them with the understanding that we have a past; we have a legacy. Therefore, it is almost like rebuilding — as we built our nation — our culture and heritage into a new South African perspective. This is what we are doing, and I think we have a plan for it and we are working on it. Thank you, Madam Deputy Speaker.

The DEPUTY SPEAKER: Thank you, hon Deputy President. I want to apologise to the hon Mulder, hon Dlamini and hon Semple because our time for this question in particular has expired.

Action *re* human rights violations in countries which subject women to "honour punishment"

*7. Rev K R J MESHOE (ACDP) asked the Deputy President:

> Whether the Government has taken or intends taking any action in respect of human rights violations in countries which subject women to so-called "honour punishment" such as acid burning, rape and murder for the alleged crimes of relatives; if not, why not; if so, (a) what steps and (b) with what results? N464E

The DEPUTY PRESIDENT: Thank you, Deputy Speaker. The crimes that the hon member referred to are crimes committed by individuals and not by states. These crimes are linked to certain cultural or traditional

practices. The information at our disposal indicates that the transgressions are not sanctioned by any government or defended by any faith.

International human rights law consistently condemns torture and other cruel methods of punishment as inconsistent with the respect for human rights and fundamental freedom. The most instructive international instrument in this regard is the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which South Africa is a signatory.

The South African government, jointly with other members of the international community, condemns such practices at all United Nations human rights forums, as they are inconsistent with the international human rights standards and norms. These practices also undermine the core provisions of the international human rights law. South Africa was also one of the main proponents of the recently adopted optional protocol to the convention against torture, which provides for mandatory visits to countries and places of detention where torture is reported to be systematically taking place. Thank you.

Rev K R J MESHOE: Thank you, hon Deputy President. We understand that governments do not sanction these kinds of abuses. Nevertheless we believe that more pressure should be placed on governments where these abuses take place because if more pressure is put upon them they would see the urgency of bringing these abuses to an end because they have been taking place for decades.

Many people fail to understand why such abuses have not been curbed or stopped even today, whereas the UN condemns such abuses. That is why I want to find out from our government whether they would lead in putting pressure on governments where these abuses are taking place and say to them: People are expecting you to act fast in order to prove to the world that you do not condone such abuses. They are of such serious nature that they warrant that pressure be placed upon governments where they take place. So I want to know from the Deputy President: Has our government considered or will it consider taking the lead in putting pressure on governments where those abuses are taking place? Thank you.

The DEPUTY PRESIDENT: Thank you, Deputy Speaker. I am not certain about considering to take the lead and leading the world on this one, and whether that is a matter we need to consider. So I don't think that we could impose ourselves to the world and lead them in matters of this nature.

There are international institutions and organisations that address these issues, and in my answer I indicated that we have been party to that. Where we have been called upon or where the need has arisen for us to attach our signature, we have done so in order to ensure that we are part of the world that is fighting against crimes as committed by individuals in different countries.

The hon member has said that these atrocities and crimes have been taking place for a long time. Well, unfortunately, that has been the nature of the history of humanity. Atrocities of different types have been with us for a long time and at different stages of man's development. For example, the slaves had to fight to be free. There have been wars even in the most civilised countries. There are people who have died in certain countries very recently, wherein the most civilised have seen it fit to take action which resulted in the loss of human life.

The question of fighting these crimes is a continuous issue that we will deal with all the time as developments emerge, particularly the ones that are political and involve at times the interests of countries, religions etc. I think what is important is that our country is part of those who are fighting against this. Of course, where it is possible, we need to increase the pressure with other countries. We will always be ready to do so, and that has been our commitment. Thank you.

Mr M JOHNSON: Thank you, Deputy Speaker, and thank you Deputy President for the comprehensive response to a question. Understanding that our government is a signatory to multilateral conventions that support human rights, and also that some Asian countries are not part of some of these conventions; understanding that our government's record speaks for itself regarding protection of human rights as opposed to the cowboy regime-change attitude of George Bush and his administration towards human rights violators, the question is: Can government take any action towards individual human rights violators in foreign lands? If so, what actions? Secondly, how does government wish to approach such future violations — keeping in mind the recent sharia law experience of Amina Lawal?

The DEPUTY PRESIDENT: Thank you, Deputy Speaker. I don't think it would be easy for any country to act against individual crimes committed in another country. Otherwise, you would almost want to come and accuse the administration of another country. That is why we have international organisations where matters are discussed collectively about the conditions that would come to the eyes of everybody else.

We have, for example, the international organisations that monitor the human rights and many other things. From time to time they issue reports and the United Nations discusses those reports. It is only through the UN and other international bodies that countries are able to act collectively on specific things that come to them, even if they come from specific countries — depending on their depth. And that is the only way we can address this matter.

In fact, regarding both questions, if we take for example the sharia law, I think it was only when there was a specific case that was reported very much widely in the world and it was when there was international reaction that people then had to find a way to pressurise specific countries. I would imagine that we need to strengthen the international bodies that monitor these and perhaps find a way also to encourage the existence of such bodies in individual countries so that they could monitor such activities within those countries but at the end, channel them to international organisations where you can act, and where those particular countries are also members. You would therefore look at the internationally agreed norms and see whether those countries are violating those particular laws. I don't think we could fight it in any other way.

I think we need to encourage one another and try to promote good values internationally; try to promote awareness so that we can look at these crimes — if they were committed somewhere; and, indeed, try to work out specific resolutions that will help us to address the issue. Thank you.

Ms J A SEMPLE: Thank you, Deputy Speaker. Hon Deputy President, in reply to my Question 743 last year, which was about virginity testing, you stated your support for virginity testing and said that, I quote:

> It was a highly prized and practised part of the culture of many of our communities.

Whilst virginity testing might be acceptable to some South Africans, many others regard it as a violation of human rights of young girls.

You said earlier that honour punishment is a cultural practice but it is also a violation of human rights. Does the Deputy President believe that human rights must take precedence over cultural practices where there is a contradiction between the two? Secondly, in the light of severe human rights abuses in North Korea, particularly against women, does the Deputy President intend raising this matter when he meets the delegation from North Korea later this week? Thank you.

The DEPUTY PRESIDENT: Well, Madam Deputy Speaker, I don't think that when I meet the leader from North Korea I would be so presumptions and big as to come and say:

Hey, what are you doing in your country? What are you doing? [Applause.] Really, how could I do that? How could I tell somebody what to do in his country? I don't think you can run a country in that way.

You discuss issues that fall within the purview of the relations between countries and international relations. But to begin to discuss how the laws of a country are and why they are not doing xyz is certainly something that I am not going to do. It is not within my brief and not within my task as well. I am sure you would really feel that I have not represented South Africa properly if I tried to make myself an induna of another country.

With regard to the first question, I think we have been saying that there is a need to balance your cultural practices and beliefs with democracy and modern values. There is a need for that. I think the problem is if one of these two criticises the other without looking at the sensitivities of both.

I also think it is important for us to debate these matters at the right time and right forums and ask: What is it that we take forward? What is it that we think is not good? Even if you make the law, you cannot convince people by saying, I don't agree with this and therefore don't do it. If, for example, a particular community believes that this is useful, I think you need to find a way to balance these and then be in a position to say at the end, we take this particular decision.

There are many customs that are observed by many different nationalities in the world. Some people don't believe that this thing should be done and yet others believe it should. There are people who believe you can't eat the meat of a horse and yet to some people it is a delicious dish.

Now, I remember there was a joke among the people who had these two different things. One said, Don't eat transport. This is our transport, and the other one said, Look, this is our meat. [Laughter.] So before we become critical, there is a need to really try to research and study what this means. I think the answer that I had given at one time was when we were dealing with the issue of the problems that face us today. How do we deal with the problems that face us today?

I might be coming from the culture where what you talked about was something that preserved our youth and built our nation. And, indeed, given the challenges of today, what is the remedy? I think it was in that context that I gave the answer and I am keen to debate the matter probably outside Parliament regarding our own beliefs because people come from different cultures and I might know things differently. I think we need to respectfully come and say, if we believe that there is something wrong with this particular culture and custom: We don't think that this is working and this is a better solution. I think that that is how we should relate. Thank you, Chair. [Applause.]

The DEPUTY SPEAKER: Thank you, Deputy President. I see Mr Tony Leon has requested to speak and he is not in the House. I think this should actually amuse Mr Ellis because he has been complaining that the system is not working. The DA enjoys it so much that earlier on when I called Ms Semple she was actually not ready to speak because somebody had pressed her button. Now somebody pressed Mr Leon's button, and I don't know if you want to take the slot and ask the question Mr Seremane?

Mr W J SEREMANE: Deputy President, I would like to make a follow-up. I have heard what you said and most of it makes a lot of sense. But, the critical aspect is: How do we weigh those things against the essence and imperatives of the Constitution and human rights? How do we handle and balance those? The other explanations are quite all right regarding transport and meat. But, in our context, what do we say about the Constitution and general universal human

rights? Those are the critical areas. How do we go about that? Thank you.

The DEPUTY PRESIDENT: Was that the hon member of the Parliament, Tony Leon? [Laughter.]

The DEPUTY SPEAKER: No, they have started to enjoy the buttons, now everybody is just . . . sorry about that.

The DEPUTY PRESIDENT: I see. Thank you very much, Deputy Speaker. Hon member, I think your question has been answered. I think, firstly, you have your fundamental law, the Constitution. You also have fundamental human rights, which in our case are underscored and underpinned by our laws. These were made at a particular stage of our development as a country.

We come from a past that has very different things. Once we have that in place, we have to say then, regarding whatever practices have been there and those things that people have been doing differently: How do we make those conform to our Constitution and our human rights principles? That is why I said, we need to discuss those matters because, depending on where we come from, one might view a particular thing in a particular way. I think you need to convince society, and finally gravitate to a situation where you would say: We have discarded everything that we believed was not useful to our Constitution and to our human rights.

I don't think we could jump, that is the point I was making. We have to find the way to engage and be able to identify those that indeed undermine these two principles and then begin to say to people: What you are doing is, in fact, unconstitutional and antihuman rights.

At times, that is why people take others to the Constitutional Court to prove the point on other ordinary practices. I don't think we could jump and make a decree, particularly if people come from a particular culture and understanding which they believe is their own thing.

There are many things that people do that others think are a waste of time and meaningless. But other people think those things are meaningful and they are not a waste of time — depending, again, as to how much weight they give to these two principles you mentioned. Regarding others, you might have to move quicker because of their impact to society. With others you might say: Even if they exist, let us educate people as we go along. So I am saying that you don't have the kind of an answer that says: You come here and you stop here, and that is end of the story.

That is part of what we call the building of the nation. It implies the conscientisation of the people about human rights and the Constitution so that they gradually come to understand and gradually begin to appreciate that if they were doing things that were against these two they were, in fact, antihuman rights. That, I think, is the process we will have to take. Thank you.

*8. Ms M P V MENTOR (ANC) — Deputy President. [Withdrawn.]

Ministers:

The DEPUTY SPEAKER: I wish to advise hon members that question number 2, by the hon Roopnarain to the Minister for the Public Service and Administration, and question number 1 by the hon Gore to the Minister for Provincial and Local Government have been withdrawn.

SOCIAL SERVICES AND GOVERNANCE (Cluster 2)

Solutions to settle unrest at tertiary institutions

*8. Ms M P MENTOR (ANC) asked the Minister of Education:

(1) Whether, in light of the upheavals and uprisings at tertiary institutions plaguing the beginning of every academic year due to students' dissatisfaction over financial exclusions and

related matters, her department has any plans in place to ensure that a long-term and permanent solution is found to settle these unrests; if not, why not; if so, what are the relevant details;

(2) whether her department has taken or intends taking any steps to ensure that the councils and senates of tertiary institutions are transformed in order to embrace an inclusive and developmental approach to higher education; if not, why not; if so, what steps? N328E

The MINISTER OF EDUCATION: Madam Speaker, the response to Question 8 is as follows:

The department is involved in ongoing contact with and support to institutions and stakeholders within the higher education sector and it always strives to assist in resolving disputes. I have personally met with stakeholders at a regular basis, with students as well as with institutional leadership in an effort to encourage open decision-making and dialogue on campuses.

The matter of funding in higher education is not the only cause or factor in the recent demonstrations. Nevertheless, we believe that the financing of higher education does require some further scrutiny and attention. In this regard, we intend to initiate a government review of higher education financing, which will be undertaken by the Department of Education and the Treasury jointly. It should be emphasised, however, that the provision of adequate levels of student financial aid has been a priority of this government since 1994 and provision in this regard has expanded considerably from R90 million in 1994 to just under R1,2 billion this year.

My department's incorporation with the National Student Financial Aid Scheme Board and higher education institutions is engaged in ensuring that the students' financial aid funds are managed in the most effective and efficient way to ensure optimal use of available resources. For example, we have taken steps this year to assist students eligible for full awards with support for the upfront registration fees.

In addition, I am encouraging institutions to plan their annual student intake and to reduce walk-in registrations. In response to (2), the Higher Education Act amongst other pieces of legislation addresses the need for councils to be representative in terms of race and gender and to ensure that they represent the constituencies within our higher education.

We have supported a range of various capacity-building programmes for councils in order to emphasise both the fiduciary and broader educational and social responsibilities.

Mr S D MONTSITSI: Deputy Speaker, I appreciate the response from the Minister. Minister, in making the follow-up I would like to find out firstly what criterion is being used to distribute financial assistance to students? Secondly, is such assistance continuous if the student is able to perform and excel academically?

The MINISTER OF EDUCATION: I thank the hon member. Madam Speaker, it is important for us to stress that the intention of the National Student Financial Aid Scheme is to support academically able students who are financially needy. Therefore, it is not available to support those students who go to our campuses to have a campus holiday for seven or ten years.

Its intention is to ensure that we produce graduates for this country and, therefore, academic criteria are very important. It is for this reason that our government decided that it would provide funding to students and ensure that what was originally conceived as a loan is converted into a partial loan and a partial bursary scheme. So, 60% of the funds become a loan and depending on academic

progress up to 40% of the amounts awarded to students can be converted into a bursary, depending on academic performance.

Generally, what you find is that a number of those students who are clamouring about financial exclusion have very poor academic records, and this is something that we would certainly want to address. With respect to the manner in which we distribute the financial aid, there is a formula utilised by the board of the National Students Financial Aid Scheme to determine the award that should go to each of our higher education institutions. It is a complex formula utilising the number of black students as a component as well as the full cost of study for particular degrees in the higher education institutions. The distribution also takes account of the performance of students in terms of success and through input in the academic setting.

Finally, the criteria for the determination of the award that goes to each student is based on the outcome of a national means test which is a uniform means test used by all the financial aid offices throughout the country. This allows us to ensure a fair allocation to all students on a basis and criteria that are used for all the applicants.

Mr A M MPONTSHANE: Hon Speaker, through you to the hon Minister, I must have missed the Minister's response to subsection 2 of this Question where it is asked whether her department has taken or in turns is taking any steps to ensure that the councils and senates of tertiary institutions are transformed in order to embrace an inclusive developmental approach. By implication hon Minister, these institutions, councils and senates according to this question are not transformed.

Now, would the Minister be in a position to tell us in what ways in her opinion are these institutions not transformed. Whenever we meet student bodies of these institutions the criticism is that the management of these institutions cannot transform or are not capable of transforming them. Would the Minister agree with such sentiments?

The MINISTER OF EDUCATION: Firstly, I would not agree that all the councils and senates and all the governing structures are not transformed. There are many that I believe are actually leading the tertiary institutions to take on very progressive roles and functions in terms of human resource development in South Africa.

I did, hon member, answer the question by indicating that the Higher Education Act institutional statutes as well as the interim statute relating to the mergers address the need for councils to be representative in terms of race and gender. I began my response by saying: In answer to 2 the response is . . . I think that just when you were dozing off, I said that. But, let me say that all our councils are indeed representative.

Mr A M MPONTSHANE: Chair, the Minister says I was dozing and the statement is going out into the public that Mpontshane is dozing. [Laughter.] Would the Minister be kind enough to withdraw that statement because of its effect on my integrity out in the public? I was not dozing, Minister. [Laughter.]

The MINISTER OF EDUCATION: Chairperson, the hon member is aware I have an excellent angle from where I am standing, but I will withdraw. The comment was based on my own observation but I am prepared to withdraw it. Knowing the member's interest in education I was very directly observing but I will withdraw.

Nevertheless, let me say that our councils and senates and especially with regard to the composition of councils, I believe we have been able to achieve higher levels of representivity than we have had before. One of the things that are very clear is that changing the composition does not necessarily allow the achievement of progressive outcomes.

As I have indicated that for example at times we find that our councils make decisions without consulting the entire stakeholders within the institution, so the representivity has not necessarily led to a democratic set of practices and this is a worrying feature of some of the structures of governance.

The bodies that probably require a greater deal of attention are the senates in our universities because it is far more difficult from an external perspective to influence the composition of senates. The hon member would be aware, for example, that the senates are made up of the professors and the associate professors in the institutions, and you would know from statistics in South Africa that the majority of that core of academics in South Africa is white and male and therefore on most of our campuses that will be the composition, and this is the challenge.

The CHAIRPERSON: Hon Minister, I have allowed you quite a lenient opportunity to answer.

Ms H ZILLE: Arising out of the Minister's very interesting answer in which she announced that she will be instituting yet another review into educational funding, I would like to ask her that given that the last review into student financial aid began about three years ago and has not completed its duties nor produced a report, what process will be followed in this latest initiative. What deadlines will the Minister set for producing a report and who will undertake the review?

In the second part of the question, my follow-up question, because she had a two-part reply, I would also like to ask the Minister whether she will accept the transformation applied to universities should measure as a priority the institution's capacity to achieve excellent teaching research and contribute effectively to the country's human resource development strategy rather than just getting stuck on racial head counts?

The MINISTER OF EDUCATION: With respect to the review, I believe we gave a comprehensive indication of our plans in that regard to the recent meeting of the Portfolio Committee on Education. However, let me say and repeat for the hon members' interest that we are working on terms of reference with respect to the joint review between Treasury and Education.

There has not been a joint review before, so I am not sure which review of three years ago the hon member is referring to. There has not been a Treasury and Education Department review of the overall financing of higher education. I am not speaking of the National Student Financial Aid Scheme review as a separate rather narrow look at the financial aid scheme. I am talking of the overall because as the member would be aware, there have been concerns about subsidy levels, about the pertain of subsidising of higher education in the past few years, about the degree to which you are able to pursue the imperatives of national human resource demand with the current funding pertains in the manner in which the framework operates. So, that is the kind of review I am talking about.

Now, when will we set about doing it? Our departments are in discussion and I would want it to be under way by the middle of this year but it is something that I believe we need to frame the terms of reference for very carefully so that I do not come back next year saying we are going to carry out another study. I believe it must be a definitive look at higher education financing. So, I am not going to throw out dates just to satisfy us because I want this to be done properly and I am sure that my colleague, the Minister of Finance, would want the same as well.

With respect to the counting of, I do not know the terminology that the member used, I must say I always find it amazing the degree to which the opposition party seems

to be more concerned itself about references to race than ourselves.

We are concerned about changing the opportunities available to people who were denied opportunity in our country. So we are not busy with bean counting, we are busy with transformation in order to offer our citizens an opportunity they have not had before. [Applause.]

Mrs C DUDLEY: Hon Minister, the ACDP identifies with what you have said but we also share concerns with students at university fees placing higher education out of reach for many and we must find solutions which will enable greater access to tertiary education, and in this respect we are encouraged that the student's financial assistance appears to have been taken into consideration in the Budget, can the Minister inform the House whether or not these provisions will adequately address the situation? At the same time, is the Minister satisfied that a clear message has gone out to students that violent and destructive behaviour will not be condoned or tolerated?

Hon Minister, in what way is the transformation of education at tertiary institutions expected to impact on the alleviation of unemployment crisis in our country?

HOUSE CHAIRPERSON (Mrs C-S Botha): Hon Minister, before you respond could I just ask the members to make sure that they ask a question as a supplementary question and not lists of questions to the Minister? It is most unfair to expect them to answer in two minutes at least three questions and do it adequately. Hon Minister!

The MINISTER OF EDUCATION: Madam Chairperson, you probably noticed that I missed the last part, which was the third question that was asked, and maybe the member would be allowed to repeat it. The review I am speaking of is going to be directed at issues of fee levels. One of the matters I raised in our first meeting with vice chancellors following my appointment last year was the question of fee levels in our universities and universities of technology.

We do need to find a more adequate way of arriving at the fee levels in our institutions, but of course to do that we must look at the nature of the state subsidy. This is why we are investigating the totality of financing in higher education. Will the R1,2 billion meet all the needs? No it will not because we have many more poor students entering higher education than we are able to support. Clearly, one of the things we need to do is to direct young people to other avenues of training such as the FET colleges in South Africa so that we begin to provide a diverse range of skills for this country.

The current situation where all our students seem to be attracted to the university or university of technology route is a difficult challenge for South Africa, so I believe diversification of training opportunities is going to be an important avenue of addressing the current university high level in terms of fees because they will have to begin to compete once there is a diversity of opportunities available. Has a clear message gone to students? I have stated it very clearly despite an editorial I read last week that I was prodded. I was not prodded by anybody. I stated this last year and stated it again this year. I do not support vandalising of property. I support protest that is peaceful and properly run but destroying property and interfering with students on campuses cannot be supported by anybody.

The last question on employment, I am afraid I only got the word employment. I did not quite get the rest, so I do not know.

Conflicts over allocation of state-subsidised houses

*23. Mr A C STEYN (DA) asked the Minister of Housing:

(1) Whether she has been informed of the conflicts which have arisen between persons on local council housing waiting lists and persons not on

such lists; if so, (a) where have such conflicts arisen and (b) how have they been resolved;

(2) whether her department has produced any guidelines to be used by local councils in devising policies for the allocation of state-subsidised houses; if not, why not; if so, what are the relevant details? N442E

The MINISTER OF HOUSING: Hon Chairperson, the answer to the question is: (a) No, I have not been informed of any conflicts, perceived or otherwise. Therefore I have not gone out to resolve any, perceived conflicts or otherwise.

It's important, however, to note that, in terms of my mandate, the department is responsible for the development of national housing policy and strategy. The actual compilation and administration of housing subsidies are the responsibilities of the various provincial housing departments and the municipalities. There is nothing in our laws or our regulations that makes it obligatory for these to report to me any perceived conflicts or otherwise that may arise out of this. There are no requirements from any of our laws either.

The department prepares detailed guidelines for the use by provincial housing departments and municipalities in matters that relate to the allocation of housing subsidies and the implementation of the housing subsidy scheme. These guidelines focus on the criteria to be met in order to qualify for a housing subsidy rather than the administration of the waiting list.

However, arising from perceptions which have been brought to my attention by the DA itself, in the Western Cape I have sought information from the relevant departments and I have been informed that, in fact, these perceived conflicts or otherwise have been fuelled by opportunistic political parties taking advantage of real problems on the ground. [Applause.]

I have taken an interest, therefore, in the housing issue list. [Interjections.] May I be defended! I have been asked a question by the DA and I am answering that question. Would you kindly protect me from the heckling!

HOUSE CHAIRPERSON (Ms C-S Botha): Will the DA please allow the Minister to complete the answer to the question! [Interjections.]

The MINISTER OF HOUSING: I will otherwise sit down if they are not interested.

HOUSE CHAIRPERSON (Ms C-S Botha): I hope they will comply with my request.

The MINISTER OF HOUSING: I hope so, because that is why they asked the question.

I have taken an interest in the housing list issue and I issued a statement two days ago to indicate that in order for the housing lists to be acceptable to all, and in order for the housing lists to be applied with integrity, we are in the process of appointing an independent audit company to ensure that these lists — wherever they are throughout the country — are properly audited, and people may come and check whether or not they are reflected on that list. Thank you very much. [Applause.]

Mr A C STEYN: Madam Chair, it's unfortunate that the hon Minister chooses to bury her head in the sand. She said she is not aware of any conflicts. Besides what has taken place over the past three weeks or so, on Monday, for example, it was reported that some backyard squatters from Langa, Guguletu and Nyanga were arrested for protesting against what they saw as government turning a blind to their housing plight. [Interjections.]

Just yesterday, the provincial housing department's offices were occupied by protesters. So I find it strange that the Minister is unaware of these conflicts. But be that as it may, I want to ask the Minister: Is it not a fact that the sole purpose of now ignoring

approved policies — and the Minister has acknowledged that there are approved policies — for the allocation to beneficiaries is to buy votes for the ANC in the upcoming local government elections? [Interjections.]

The MINISTER OF HOUSING: Chairperson, I have indicated to the hon member many times that I have this information. Judging from my background, he would know I would have this information. Over and above that, I have been informed — and I will repeat this, I have been informed — that these conflicts are politically generated by certain opportunistic parties that are intending to fuel racial problems in the Western Cape. [Applause.]

Let me indicate this: These do not arise from anybody jumping the list. There has not been a list. What we have done in the Western Cape is to announce that we are building 22 000 houses along the N2. We will then allocate those houses in terms of a list. There is no list against which the DA would go and mobilise in Langa. I myself have been on a door-to-door visit in Langa. I invited the hon member there. I have been there. It's not something I read in the papers. We live with these people; we know what the real problems are. [Interjections.]

I invited the hon member to go and see the appalling conditions of the people in that area. That is why we are putting so much emphasis on ensuring that we can deliver speedily on housing. The perception that the DA has put out there is that people are jumping the queues. [Interjections.] This is what I refer to as immoral. Nobody is jumping any queue because . . .

HOUSE CHAIRPERSON (Ms C-S Botha): Order! Hon members, it's impossible to hear what the hon Minister is saying.

The MINISTER OF HOUSING: The hon Zille has been cited in the media as being the main instigator. That is why . . . [Interjections] . . . I am not surprised that she would be heckling. I have indicated that we have approached an independent audit company. Should the DA wish to have any say on that, it will be an open transparent process. There is no jumping of any queues. From the information I have, the conflicts are a result of the manipulation by a certain opportunistic party. We don't need to manipulate the list to win the Western Cape; we would win it hands down anyway. [Applause.]

Rev M S KHUMALO: Sihlalo, ngithi kuwe Ngqongqoshe uhlelo lwakho lwalo msebenzi waku-N2 luhle kakhulu futhi siyalwesekela. Futhi njengoba kungumsebenzi wakho wokuqala lo, kubalulekile ukuthi ukuqaliswa kwawo kube kuhle ngoba uzogcina ngokwenzeka nakwezinye izindawo.

Indaba yezinhla zabalindile ayiyona inkinga kwezinye zezindawo kuphela, nalapha ngiyacabanga ukuthi bakhona abalinde ngokweqiniso. Njengoba uqoke abacubunguli abazimele ukuthi bahlole lolu daba ngicabanga ukuthi ikhona into esile ozoyithola maqondana nokuthi bakhona abantu abalinde ukuthola izindlu ngokweqiniso.

Ngqongqoshe, isiphakamiso sethu njenge-ACDP ukuthi njengoba kukhona abashelwe imizi futhi kukhona abanye abalindile ohlwini, awukwazi yini ukubafaka ndawonye kube nendlela obabhekela ngayo? [Kwaphela isikhathi.]

(Translation of isiZulu paragraphs follows.)

[Rev M S KHUMALO: Chairperson, I am saying to you Minister your programme of N2 is excellent and we support it. Hence this is your first project, it is important that its start should be a good one because that would even be contagious to other places.

The question of waiting lists is not a problem only in certain places but even here I think there are people who are patiently waiting. As you have appointed independent auditors to investigate this matter, I think you will get a sensuous report regarding that there are people who are patiently waiting to get houses.

Minister our proposal as the ACDP is that as there are people whose homes were burned down and there are also those who are on the waiting lists, is it not possible for you to place these people together and have a certain way to assist them? [Time Expired.]]

HOUSE CHAIPERSON (Ms C-S Botha): Hon Minister, what I could pick up from the interpreting is that there may not have been a question that you would wish to answer . . .

The MINISTER OF HOUSING: I think I accept the compliment. It was a complimentary statement. Thank you very much and I will take into consideration what you said. Thank you. [Applause.]

Mr T S DODOVU: Chairperson, thank you very much to you, Minister, also for your comprehensive response. We in the ANC believe that housing constitutes a daunting challenge that is facing us as a country. We are committed to ameliorating the unacceptable conditions in which our people live. But the question from the DA member doesn't only seek to score cheap political points, it also shows reckless disregard for the ultimate consequences of tensions and divisions between people who reside in informal settlements and those who live in backyard dwellings.

Hon Minister, would you therefore agree with me that the long waiting list for people needing better subsidised housing in the Western Cape is a result of the inability of the DA government, which has over the years failed to fast-track housing delivery, and its lack of a disaster management plan when it governed the Western Cape? [Time expired.] [Applause.]

The MINISTER OF HOUSING: Hon Chairperson, I wish also to acknowledge the statement made by the hon member from the ANC. I completely agree with him. I would like to add, however, that there must be some schizophrenia in the air. The hon member from the DA sits in committee meetings and we go through these problems meticulously, indicating what it is that we are going to do. He has actually agreed to come along with me on my door-to-door visits. Once he gets into the parliamentary precincts he becomes a completely different animal . . .

HOUSE CHAIRPERSON (Ms C-S Botha): Hon Minister, I understand your desire to give a response but it was actually a question from the ANC, which asked . . .

The MINISTER OF HOUSING: The question from the ANC was indicating an answer to the . . .

Mr M J ELLIS: Madam Chair, on point of order: It's not parliamentary to refer to an hon member as "an animal", even "a completely different animal". I think the Minister should withdraw that remark. [Interjections.]

The MINISTER OF HOUSING: I think "an animal" was used here as a figure of speech. The hon member over there knows that. I just wanted to say to the hon member of the DA: I prefer you in the portfolio committee. You seem a very reasonable person who is able to articulate the problems of the DA. In front of the cameras, however, you become a real Jekyll and Hyde. I am very disappointed in you. [Applause.]

HOUSE CHAIRPERSON (Ms C-S Botha): Since I have suggested that members confine their supplementary questions to the actual questions, may I ask the hon Minister also please to confine her response to the question. Thank you. [Interjections.] [Applause.]

Mr B W DHLAMINI: Chairperson, my follow-up question, Minister, is with regard to the appointment of the auditing firm to look at the list, because throughout the country, when we do oversight, we do come across problems. I remember very well that in the past two years this House has approved a Bill that established within the department an internal investigation unit. So is the appointment of auditors not duplication, or how are they going to complement

each other in trying to unearth these problems?

The MINISTER OF HOUSING: Thank you very much, hon member. The independent audit company has been requested to come and assist us precisely so that that list can have the integrity that we would like it to have. The internal audit capacity is available for us. However, we want this to be an open and transparent process so that the DA does not think that there is something that we hope to achieve from that. This is why we are doing it.

*2. Dr U ROOPNARAIN (IFP) — Public Service and Administration. [Withdrawn.]

Plans to ensure that emerging small farmers receive fair quota of irrigation water from water canals in West Coast

*11. Mr D V MABUYAKHULU (ANC) asked the Minister of Water Affairs and Forestry:

(1) Whether her department has any plans in place to ensure that emerging small farmers in the Matzikama municipal area receive their fair quota of irrigation water from water canals in this part of the West Coast; if not, why not; if so, what plans;

(2) whether the distribution of canal water is properly monitored by her department in order to facilitate equity in water distribution; if not, why not; if so, what are the relevant details;

(3) whether small farmers have complained that commercial farmers intercept the bulk of the available water, leaving them with little or no water for irrigation; if not, what is the position in this regard; if so,

(4) whether there are any punitive measures in place to deal with offenders; if not, why not; if so, what measures? N400E

The MINISTER OF WATER AFFAIRS AND FORESTRY: Chairperson, thank you very much.

Mna ke, ndizakugalela amanzi kulomlo we DA kunye noMphathiswa wezeZindlu ukwenzela ukuba ezi zilwanyana zibembuna noko. [Kuyahlekwa.]

[I am going to start by stopping the fight between the Minister of Housing and the DA, so as to calm these animals.] [Laughter.]

The response is: Yes, to the first part of the question. Emerging farmers are represented and they form part of the board of the Lower Olifants River Water User Association. This board is responsible for the management of bulk irrigation infrastructure, but most importantly, it ensures equitable water control for the Matzikama area.

The second part of the question is be responded to as follows: Consideration is being given to the raising of the Clanwilliam Dam that supplies the scheme. This would provide additional water, and preference in the allocation of water from the dam would be given to emerging farmers. Ebenhaezer though, which is the biggest emerging farmers' settlement in the area, and a subdistrict of the Lower Olifants River Water User Association, receives a quarter of their water supply from a canal entering the area.

Allocations to farmers in this area are administered by a water committee, which, as much as we hate to accept this, is not functioning well. In order to improve water management, a partnership with the Department of Agriculture and Land Affairs was entered into, and a balancing dam was built to facilitate water management. This dam was opened by Mr Ronnie Kasrils when he was still the Minister of Water Affairs and Forestry.

There is still a need to implement a proper water management plan for this Ebenhaezer area, and this is being done in partnership with the Water Users Association, as well as the departments of agriculture, local govern-

ment and housing in the Western Cape. A meeting between the three departments mentioned and the Department of Water Affairs and Forestry was held yesterday, discussing progress on this matter.

Regarding the third part of the question: There have been limited incidents of commercial farmers intercepting water from the canal in the past. However, the abovementioned balancing dam solved problems of temporary shortages at the end of the canal, which occurred in the past.

Here is the response to the last part of the question: Once an offence has been reported, the Water User Association deals it with immediately. If it is not dealt with administratively, illegal water use can also be addressed through legal action by the department. I want to place on record that no water user has a right to use water without a licence. A licence has to be issued by the Department of Water Affairs and Forestry.

If people violate provisions of our National Water Act, such as section 151, we have fines for them. We can imprison them and keep them in jail, so to speak. Thank you very much. [Time expired.]

Mr D V MABUYAKHULU: Chair, hon Minister, thank you for your comprehensive answer. Your response is highly appreciated because it gives rise to real hope that the concerns of the small emerging farmers who bear the full brunt of the two years' ravages of drought, as well as the disconcerting attitude of the commercial farmers bent on squeezing them off the land, will be addressed.

It can only be expected that the relevant local authorities have the necessary political will to discharge their obligations fairly and fearlessly. The Department of Water Affairs and Forestry officials have enough integrity not to allow discrimination to rear its head within this section, and especially in that part of the Western Cape referred to in my question.

Hon Minister, have you received feedback from the meeting scheduled for 15 March 2005? If so, what are the relevant details? Do small emerging farmers have any recourse by using the structures of the department up to your level? [Time expired.]

The MINISTER OF WATER AFFAIRS AND FORESTRY: Hon Chair, I do have a report. The meeting did take place, as the hon member has enquired. However, it is difficult for me to give the detail of the outcome of the report. I can come back to the House at a later stage and give such a report. I know that the meeting sat, and amongst things that were spoken about was that there were around 1 500 land claimants that will be given their land back by 21 March 2005. That would help us to allocate water in a structured way. But as I say, further detail of that can be supplied at a later stage.

On the question of recourse, definitely anybody who feels aggrieved regarding the allocation of water has recourse. We have what we call a Water Tribunal, which takes up issues regarding water. So, we do have recourse, but as indicated earlier on, section 151 of the National Water Act, Act 36 of 1998 is quite clear on violations and how we will deal with them. Thank you.

HOUSE CHAIRPERSON (Ms C-S Botha): Although I have his name here I do not see Mr Simmons in the House. I will thus proceed to the hon Mdaka of the UDM.

Ms N M MDAKA: Enkosi Mhlali-Ngaphambili, bendizakubhekisa kuMphathiswa wezeZindlu, kodwa uye wathi ixesha alikho ke, ngaphandle kokuba ungandipha ithuba, oko ndikutsho ngentlonipho. [Thank you, Chairperson, my question is meant for the Minister of Housing, but you said that we have run out of time. Can you give me a chance to do that?]

. . . with due respect.

HOUSE CHAIPERSON (Ms C-S Botha): Hon member, I regret that we have moved on.

Ms N M MDAKA: Enkosi, bendizama ukucacisa loo nto Mhlali ngaphambili. [Thank you, Chairperson, I just wanted to explain that.]

HOUSE CHAIRPERSON (Ms C-S Botha): I missed that last bit. Please let us move on to the hon Van der Walt.

Mrs D VAN DER WALT: Thank you, Madam Deputy Chair.

Ek wil graag van die Minister weet — ek sal haar tyd gee om haar oorfoon op te sit — tot watter mate het u uself vergewis van enige hulp aan die opkomende boere in dié area deur die reeds gevestigde boere met betrekking tot waterhulp? Veral in die lig daarvan dat ek dink u departement min, indien enige hulp sover, aan die spesifieke opkomende boere met betrekking tot droogte in daardie area verleen het?

(Translation of Afrikaans paragraphs follows.)

[I would like to ask the Minister — I shall give her time to put on her ear phones — to what extent have you acquainted yourself with regard to any aid from the existing established farmers in respect of water supply to the emerging farmers in this area, especially in the light of the fact that I think your department has given very little, if any, aid thus far to those specific emerging farmers with regard to the drought situation in that area?]

The MINISTER OF WATER AFFAIRS AND FORESTRY: Chair, the hon member will appreciate that this is a shared responsibility. When farmers are affected by drought, any compensation will always come from both the Departments of Agriculture and Land Affairs. It does not necessarily come from us. What we always make sure of is that water is available for emerging farmers. And we have policies that will help farmers with regard to ensuring that water is always available. We have what we call a resource-poor farmers' programme, which has funding for assisting the farmers with irrigation.

HOUSE CHAIRPERSON (Ms C-S Botha): The hon Ntuli. Is there no such follow-up question, because I have the name on the monitor? This is quite problematic. Are there any further supplementary questions?

Mr M W SIBUYANA: Chair, hon Minister, I have two questions for you. The first one is: How many licenses have the Department of Agriculture issued to small farmers in the area in question?

The second question is: Is there any time-frame for the remaining emerging farmers to get licenses? Thank you.

The MINISTER OF WATER AFFAIRS AND FORESTRY: Chair, let me request the hon member to put that as a new question, because really, it deals with statistics. I did not bring the statistics with me. The issue of time-frames and all of that, really I would appeal that the member gives me another opportunity. Alternatively, the question could be tabled for a return reply. I could do that.

Mr T M MASUTHA: Madam Chair, on a point of order: Is a member allowed to ask two follow-up questions at the same time?

HOUSE CHAIRPERSON (Ms C-S Botha): It is my understanding that it is supposed to be one question. Members have been phrasing their questions in such a way that they tie one onto another. I do find this a problem. I would think that they should stick . . .

Mr T M MASUTHA: Chair, the member clearly indicated that he was asking a first and the second question. [Interjections.]

HOUSE CHAIRPERSON (Ms C-S Botha): In this instance there was no relevant question at all. But what is acceptable is for a supplementary question to be put in two parts. However, there cannot be, quite correctly, Mr Masutha, two questions in one. So, please take note of that. What we do have, however, is an opportunity for another follow-up. Does anybody else want ask a supplementary question?

Mrs D VAN DER WALT: Chair, seeing that there is nobody else to asked the hon Minister a question, I will do so.

Minister, ek sal graag wil weet, u is inderdaad korrek wanneer u sê dit het ook met samewerking met ander departemente soos Landbou en Grondsake te make. [Minister, I would like to know, you are indeed correct when you say that it also has to do with co-operation with other departments such as those for Agriculture and Land Affairs.

What I am concerned about is that we also dished out assistance to those people who work on the farms for the purpose of drought relief. But my question is really what is the Department of Water Affairs and Forestry doing for emerging farmers in the drought period?

The MINISTER OF WATER AFFAIRS AND FORESTRY: Chair, we do not have a programme that helps in terms of drought, but we have a programme that helps poor farmers to put up irrigation schemes. We do fund them, but when it comes to disasters we do not give anything. That money is located in the Department of Agriculture and Land Affairs. We would really have liked to help, but unfortunately we have neither the funding and the authority to do so, nor the mandate.

HOUSE CHAIRPERSON (Ms C-S Botha): Thank you hon Minister, I must emphasise that it is your prerogative to refuse to answer something that is not actually a supplementary question. So, thank you for that information.

Elderly people prohibited from accessing social grants unless accompanied by ward councillor

*7. Mr J BICI (UDM) asked the Minister of Social Development:

(1) Whether elderly people are prohibited from accessing social grants unless they are accompanied by a ward councillor; if so, (a) why and (b) how will his department ensure that bottlenecks do not occur in large rural wards where the large number of applicants may have to wait on the availability of a single ward councillor; if not,

(2) whether he has been informed that this practice is occurring in Engcobo; if not, why not; if so, what steps have been or will be taken by his department to address the matter? N321E

The MINISTER OF SOCIAL DEVELOPMENT: No, elderly people are not obliged to go around with councillors. What we expect councillors to do when they are asked or requested by the elderly people is to help them, as we would like everybody to do so. However, they have no right to interfere whatsoever in the delivery and distribution of pensions.

In as far as the issue of Engcobo is concerned, I am not sure. I've never heard of it and I'll make my colleague, the MEC, in the Eastern Cape aware of that. I've already written him a letter to apprise him of the situation that is taking place there.

Ms H WEBER: Deputy Chair, arising from the hon Minister's reply, not only are ANC councillors intimidating pensioners who are trying to get social grants, but the late mayor of the greater Groblersdal municipality sat at the payout table and took R12 from each pensioner for his mayoral fund. In addition, the ANC councillors have used the payout points as a source of revenue by forcing pensioners to pay a R12 membership fee to the ANC. [Interjections.] Will he undertake to ensure that his ANC colleagues repay all this money to the poor pensioners they have exploited in this way?

The MINISTER OF SOCIAL DEVELOPMENT: Madam Deputy Chair, when we issue statements in this House, we should be able to substantiate them. If the hon member would be able to come to me and substantiate the statement that there are members of the ANC who are doing that, the ANC will

take action on its own. It doesn't have to be told by the DA to do that. As a Member of Parliament, she could come to me and tell me the names of the people who are doing that and, surely, the African National Congress will take drastic steps against such councillors. [Applause.]

Mrs T J TSHIVHASE: I believe you heard the name. It's Tshivhase instead of Masutha. [Interjections.]

HOUSE CHAIRPERSON: Hon member, where are you asking from? I have been given this list by the ANC and it states here, "the hon Masutha". So if you wish to be the person asking the question, I will proceed but that is the name that I was given. [Interjections.]

Ms S D MOTUBATSE-HOUNKPATIN: Just on a point of order, Chair, if I may. We did indicate to the Deputy Speaker when she was still in the Chair that the names have been changed. I'm not sure if she left that note on the Chair but we did indicate.

HOUSE CHAIRPERSON (Ms C-S Botha): I accept but it hasn't been indicated to me. Please continue with your supplementary question. [Interjections.]

Mr M J ELLIS: Madam Chair, on a point of order: We have always led to believe that there is some spontaneity about question time. It's a cause for a great concern for us to hear that lists are handed in prior to question time to the Presiding Officer. I don't think that this is in the spirit of question time at all. Is this what all parties should be doing from now on?

HOUSE CHAIRPERSON (Ms C-S Botha): Members who wish to speak should press the button. I have found it very useful if there is an indication that there will be questions from other people, and I accept that other parties are quite free to do the same. It does not preclude anybody from asking a question without indicating that they want to ask a question. Thank you. May we then proceed in the spirit of wanting to give everybody an opportunity to ask a question who wishes to do so and can do so with one question and in the limit of four supplementary questions. Please, continue.

Mrs T J TSHIVHASE: Thank you, Deputy Chairperson. Ndi a livhuwa Comrade Minisita kha phindulo yavho. U bva kha ANC ri tama u bveledza vhupfiwa hashu na maipfi a thuthuwedzo kha vhone na muhasho wavho kha vhukundandeme he vha dikumedzela hone, u itela u tupula vhuada vhure kha social security system.

Minisita vha nga nea lushaka tsivhudzo ifhio hangei nnda, ngauri vhathu vho livhana na vhaofisiri vha vhuada, vha diitelaho milayo yavho, vha itaho zwavho nga nnda ha mulayo, sa u badelwa tshelede nga vhufhura u itela uri muthu a kone u wana gavhelo la mundende?

(Translation of TsiVenda paragraphs follows.)

[Mrs T J TSHIVHASE: Thank you, Comrade Minister, for your answer. The ANC would like to express its words of encouragement to you and your department for your dedication in the eradication of corruption in the social security system.

Minister, what kind of advice would you give the nation out there, ie what advice would you give to the people who work with corrupt officers? They do unlawful deeds, such as taking bribes from people who do not qualify to receive grants in exchange for giving them those grants.]

The MINISTER OF SOCIAL DEVELOPMENT: Ndiyabulela, njengokuba ilungu elibekekileyo lisiza nalombulelo liza nawo. Into endiyicela kuye kukuba, ukuba kukho abantu abenza izinto ezinjengale ebeke wathethe ngayo makaze nabo ngaphambili, asixelele. Ndikwacela namanye amalungu ePalamente akhoyo apha ukuba azame ngako konke anako . . .

(Translation of isiXhosa paragraph follows.)

[THE MINISTER OF SOCIAL DEVELOPMENT: I thank the hon member for showing a sense appreciation. What I request from him is to alert us if there is any person who does such things as those he spoke about. I also ask other Members of Parliament who are here to try by all means to pinpoint exactly who these officials are so that we can be able to take action against them and that they can be punished, and legal processes should be put into place because we are not going to tolerate this type of behaviour from public anymore servants. Thank you.]

Mr V B NDLOVU: Sihlalo, mhlonishwa Ngqongqoshe, umnyango lona owuphethe kanye nowezifundazwe kuthiwa unamakomidi asiza abantu abadala — ngilandela kulo mbuzo obuzwe umfowethu. Kulawo makomidi bese kuba khona abantu abaphatha kabi abantu abanye abadala bebadala kwabona. Kwedlule lapho kuze ezisebenzini lezi ezikhokhayo. Le ndaba yokukhokhiswa akuyona nje eyamakhansela kuphela, iyenzeka nalapha emakomidini. Ngokomnyango, ngabe umhlonishwa uyawazi yini la makomidi okuthiwa awezimpesheni lapho kuholwa khona ngokwehlukana, abuye futhi asetshenziswe yilaba abaholelayo ukuthi abe yindlela yokwedlulisa imali isuka ngapha ayise ngapha?

Yilokho okubuye kuhluphe abantu abadala uma betshelwa yilezi zingane ezisebenza emnyangweni kamhlonishwa naseminyangweni yabahlonishwa laba abanye ukuthi bathi kubantu abadala abazukuyicosha imali uma ngabe bengayikhiphanga imali ethile. Ngabe umhlonishwa uke ahlangane yini nalezo zinkinga ezinjalo? Izinkinga lezo okufanele sizinqande ngoba zenziwa yizingane zethu zizenza kogogo bazo nakomkhulu bazo.

(Translation of isiZulu paragraphs follows.)

[Mr V B NDLOVU: Chairperson, hon Minister, it said that there are committees serving old-age pensioners in the department you are responsible for, as well as at provincial level — I am making a follow up from the previous speaker. These committees are made up of old-age pensioners who are treating other pensioners badly. Apart from that, there are also employees. Bribery is not only practised by councillors, but is also taking place within these committees. Are you aware of the existence of such committees? They are known as pension committees, working at pension payout points. The employees use these committees to channel moneys.

The pensioners are concerned when told by young employees from your department and other departments that they will not get their pension if they fail to pay the money demanded. Have you ever come across such problems, hon Minister? These problems should be avoided at all costs, because they are carried out by our children at the expense of their grandparents.]

The MINISTER OF SOCIAL DEVELOPMENT: Ewe, ndikhe ndayiva into elolohlobo, eyenzekayo ngalendlela uthetha ngayo, kodwa ndiyayazi nento yokuba kukho ikomiti ebekwe ngabantu abadala abafumana indodla le. Kukho isivumelwano kwindawo ezininzi esiphakathi kwalekomiti nenkampani ekhupha indodla sokuba lenkampani, ibeyiyo ebanika imali ekhoyo ukuba bayisebenzise, ngoba yiyo ebancedayo. Thina isibophelelo sisinekezele kule nkampani. Umsebenzi karhulumente akuvumelekanga nakanye ukuba afumane mali evela ebantwini abamnkela indodla, owenza lonto unetyala, makabanjwe, agxothwe.

(Translation of a Xhosa paragraph follows.)

[The MINISTER OF SOCIAL DEVELOPMENT: I have heard about that but I have also heard about a committee that has been set up by old people that are recipients of social grants. There apparently is a working agreement between this committee and the company that pays out the social grants. This particular company has been awarded a contract by the department. No government employee is supposed to receive money from people that receive social grants. The one who does that is guilty and shall be arrested, prosecuted and most probably dismissed.]

*1. Mr V C GORE (ID) — Provincial and Local Government. [Removed.]

Problems encountered by crisis-line service providers *re* referrals to offices of his department in certain provinces

*17. Mrs C DUDLEY (ACDP) asked the Minister of Social Development:

(1) Whether he or his department has been informed of the problems being encountered by crisis line service providers in respect of referrals to offices of his department in North West, Limpopo and KwaZulu-Natal (details furnished); if not, what is the position in this regard; if so,

(2) whether his department will investigate these cases in particular, as well as the problem in general, as a matter of urgency; if not, why not; if so, what are the relevant details?N435E

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, I thought the other question was still going to be answered. These problems where discussed as matter of urgency in the National Child Protection Committee meeting of 8 December 2004, the following interim solutions were recommended, namely, that Childline SA would follow up the matter directly with regional or district offices. If there is no response, the provincial head office will be informed. The national office will also follow up the cases under discussion directly with the said provinces.

We have received a complaint from Childline SA, which only indicates the types of cases with no details of the children's families and addresses. The matter is receiving attention and is being followed up with the said provinces.

Mrs C DUDLEY: Chairperson, hon Minister, Childline, of course, makes referrals according to protocol requested by the department, which includes three follow-ups in addition to the initial referral, and all this is done at their own expense as there is no subsidy or funding from government. Response to these referrals has deteriorated drastically, leaving children like the 21 cases I referred to the Minister helpless and placing them at greater risk.

One of these cases, for example, is a thirteen-year-old girl, orphaned, not attending school, sexually abused while in the care of her aunt who abuses alcohol. She was abused by a number of her aunt's male friends and she was in fact visited by a social worker in response to referral, but was interviewed in the presence of her aunt. These are the sorts of situations that we are finding. Another example is a four-year old, who is living in Vryheid. She was sexually and physically abused by her brother, with the knowledge of the mother. The case was reported on 18 February 2003 and has still not been responded to.

A four-year old from Ndwedwe was raped by her uncle and another member of the community. The case was referred on 1 September 2003 and not responded to, and so on. Hon Minister, could you give us some indication of when are you expecting a response in terms of an investigation and how soon will we see these things . . . [Time expired.]

The MINISTER OF SOCIAL DEVELOPMENT: Chair, could the hon member put the questions in a manner that I will be able to understand? She read a lot of things, and in the end I could not get what is it that she wanted to say. What is the question exactly?

Mrs C DUDLEY: Chair, hon Minister, you mentioned that you were doing investigations and obviously these cases date back to 2003, I just want some indication of whether you have given time-frames to provinces. Is there any kind of pressure, or are you expecting any response in terms of those investigations, so that we can know what are

we looking at, and whether these people will get assistance?

The MINISTER OF SOCIAL DEVELOPMENT: Chair, it is quite true, I will definitely refer the questions to the provinces again, and ask the MECs to accelerate the process of ensuring that the cases that you are raising are followed-up. I will be very pleased if you can give me details of those cases, and I will personally follow them up.

Mr M WATERS: Chair, hon Minister, the Minister and his department have been aware for some time that there is a serious shortage of social workers. The family advocate has only 16 social workers despite the fact that they deal with all civil matters regarding children, including guardianship, adoption and placement.

Limpopo has no social workers, while the Northern Cape, North West, Mpumalanga, Free State and KwaZulu-Natal have one each, and the Eastern and the Western Cape have two each. The responsibilities of these social workers are to conduct forensic investigations, interview children and visit homes. Some of these cases take up to two years or even longer. It is the children who suffer while the Minister fails to act in this regard. Will he explain to the House why this shortage continues? Thank you, Chair.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, quite obviously there is a problem, and I have said in this House many times that we don't have enough social workers. One of the reasons is the way in which social workers were graded in the Public Service. Despite the fact that they study at least four years to obtain a degree, whereas an ordinary teacher can study three years, they still continue to be paid less than an ordinary teacher.

Quite a big number of them have moved away from social work to do other jobs within the public, or even the private sector. Also quite a number of them have moved out of the country, and that is why there has been an agreement basically between us, as government, to upgrade their remuneration. That has been agreed between us, the Minister for the Public Service and Administration and the Minister of Finance. We agreed about that thirteen months ago, but it was held within the bargaining councils themselves. They were not sensitive, because social workers are not as well represented as the teachers, the nurses and all the others.

It is only recently that this issue has received attention, after we, as government, have put a little bit of pressure on the bargaining chamber to agree on that. There has been an agreement, the money is there, and they have come to the final analysis. I think very soon they will be receiving that money.

In other provinces the provincial governments have been able to increase the salaries, and I think right through South Africa it will be the same.

Mr T M MASUTHA: Chairperson, I think Ms Dudley of the ACDP who asked this question, of all people, should also read the Constitution, and not just the Bible. She should know that the national department does not run offices in North West, Limpopo and KwaZulu-Natal. These are distinct provinces with their own departments.

Never mind that, may I ask the Minister whether progress has been made in increasing the capacity of provinces to deliver this essential services, especially given the fact that their responsibility to administer social security is now being transferred to the social security agency, which will free them to be able to increase their capacity to deliver essential welfare services?

The MINISTER OF SOCIAL DEVELOPMENT: Chair, we hoped we would be able to do that. As the hon member knows, one of the reasons that we are moving that way of setting up the social security agency has been the fact that social welfare services have not received the necessary attention

that they deserve in most of the provinces. Provincial governments and provincial departments have mostly concentrated on distributing their social security.

We hope that by taking that away from provincial functions, we will give more space to issues of social welfare services like looking after children and other issues that are very necessary. I think in the process we hope that the budgets that we are supposed to concentrate on will be better studied and that we will be able to improve them, because they leave a lot to be desired. Thank you.

HOUSE CHAIRPERSON (Ms C-S Botha): Thank you, hon Minister. Again, I think we were dealing with a question that did not relate to the original question, and if I had the opportunity I would have told you that you needed not respond. You have been very kind, but I think we should consider whether the questions are related.

The MINISTER OF SOCIAL DEVELOPMENT: Chair, I looked at you, and thought that you would help me, but you did not show much sympathy.

HOUSE CHAIRPERSON (Ms C-S Botha): I have been sympathetic to you all afternoon. The time allocated for questions has expired. Outstanding replies received will be printed in Hansard. I wish to come back to the question of the list on the monitor, the buttons, the hands, and all the ways that are used, quite legitimately, for indicating that a member wants to ask a question.

I am going to refer this question to the presiding officers and ask their guidance on how we can proceed so that we deal with this in the most fair and transparent manner. Thank you. Order!

Business interrupted in accordance with Rule 113(2) of the Rules of the National Assembly.

Emergency plan to deal with loss of IDs/other documents as result of natural disasters

*13. Mr B L MASHILE (ANC) asked the Minister of Home Affairs:

(1) Whether her department has an emergency plan in place to deal with the loss of identity documents and other documents as a consequence of natural disasters; if not, why not; if so, what are the relevant details;

(2) whether this plan has been implemented on any occasion; if so, (a) where, (b) what results were achieved and (c) what are the further relevant details? N431E

The MINISTER OF HOME AFFAIRS:

(1) Yes, in case of natural disasters, mobile units are utilised and special teams are designated to visit the applicants to collect the relevant application forms from them. These applications are handled separately and are prioritised at Head Office in order to be of assistance to the affected persons. Provinces can apply to the Director-General for such communities to be exempted from paying the normal fees associated with a reissue of an identity document.

(2) (a), (b) and (c) Yes, on several occasions, including, most recently, two instances during fires and floods at the Joe Slovo informal settlements in Cape Town as well as our 24 hours operational centre that was established at the Johannesburg International Airport to deal with South Africans affected by the Tsunami disaster. Home Affairs officials collected identity document and passport applications on the airport from South African citizens who returned. These applications were expedited and the documents handed to their owners in a very short space of time.

Provincial officials adhering to provisions of Constitution/Act 84 of 1996

*21. Ms H ZILLE (DA) asked the Minister of Education:

(1) Whether provincial departmental officials adhere to of the provisions of the Constitution and the South African Schools Act, Act 84 of 1996, in executing their functions; if not, why not;

(2) (a) what mechanisms are in place to ensure that provincial officials are fully versed in the provisions of the Constitution and the law relating to their duties and (b) what oversight mechanisms does her department have to monitor the execution of duties by these officials;

(3) whether her department has any provisions in place to manage any breach of the requirements in the Constitution and the law by provincial officials; if not, why not; if so, what are the relevant details? N440E

The MINISTER OF EDUCATION:

(1) Yes they do. But they also act in terms of the Provincial Schools Act and its regulations.

(2) (a) Provincial officials are employed by the province and not by the national department of education. It is the duty of the provincial employer to see to it that its officials understand the provisions of the constitution. Provincial departments as employers of provincial officials are responsible for capacity building of such officials.

(b) The hon member is well aware of our co-operative governance structures and hardly needs me to repeat them in this house. The oversight mechanisms include CEM, Hedcom and other subcommittees.

(3) The provincial department is responsible for managing any breach of the requirements of the constitution and the law by provincial officials. The Public Service Act of 1996 and Resolution 2 of 1999 regulate public servants, whereas the Employment of Educators Act, Act 76 of 1998, as well as the South African Council for Educators Act, Act 31 of 2000, regulates the conduct of educators.

African Ministerial Conference on Housing & Urban Development: increase in housing delivery in Africa

*15. Mr G D SCHNEEMAN (ANC) asked the Minister of Housing:

Whether the decisions taken at the African Ministerial Conference on Housing and Urban Development will help to increase housing delivery in Africa; if not, what is the position in this regard; if so, what are the relevant details? N433E

The MINISTER OF HOUSING:

As the theme of the inaugural African Ministerial Conference on Housing and Urban Development (AMCHUD) indicates, this Conference had at its nexus, implementation frameworks that seek to create sustainable cities and towns in Africa. One of the central discussion areas at the Conference was the "Challenge of slums . . . and the provision of and access to basic services for all."

At the culmination of this particular debate it was agreed that slums are not likely to go away and that governments have to address the need for strategies that secure land tenure in slums and regard slum dwellers as an asset in poverty reduction. Further, concluding points in this working group's deliberations focused on the attainment of the Millenium Development Goals (MDGs). On the one hand the view was expressed that Africa should set targets that are higher than those

set in the MDGs, while on the other hand numerous speakers responded with the argument that the cost of achieving the MDGs is so high that it will be very difficult to attain those goals in practice. External assistance would be vital in this regard. Participants expressed confidence in the newly established Commission for Africa and its willingness to assist. The UN Economic Commission for Africa as well as the African Development Bank both also pledged their support for this area of work.

One of the outputs of the Conference was the adoption of an Enhanced Framework of Implementation, which is intended to provide strategic guidance and support to urban development programmes and projects across Africa. Some of the critical recommendations included in the framework are, among others, that:

1. City development strategies and country Poverty Reduction Strategy Programmes (PRSPs) must have an urban poverty reduction focus.
2. Multi-sectoral, integrated approaches are needed to reduce risk and vulnerability, especially women, the aged, the disabled and street children.
3. Slum upgrading must become an "essential ingredient" of national and local plans, city development strategies and PRSPs.
4. Governments must promote secure land tenure, within a pro-poor framework, and undertake secure tenure campaigns.
5. Governments, in consultation with all stakeholders, must set national slum targets, taking into account the relevant MDGs and also set out plans and strategies to reach these targets.
6. Cities must play a leading role in meeting MDG slum targets.
7. Urban development, especially if it is to be pro-poor, depends on good urban governance.
8. Decentralisation and local government capacity building are essential.
9. Both the private sector and local authorities and "social security/provident funds" need to be involved in financing urban development.
10. Urban development in Africa cannot be financed by domestic resources alone, within the current economic framework, hence the need for global cooperation in terms of development assistance, debt relief and increased market access.

Therefore, while the decisions taken at the Conference may assist in increasing housing delivery across Africa, importantly it should be noted that the delivery strategy will be a very focussed one, targeted primarily at the urban poor, more specifically, the relief of those living in slums and informal settlements across Africa.

Sporting codes to be prioritised for development funding

*37. Mr T D LEE (DA) asked the Minister of Sport and Recreation:

(1) (a) Which sporting codes will be prioritised for development funding and (b)(i) how and (ii) by whom was this prioritisation decided;

(2) whether school sport organisations were consulted in this regard; if not, why not; if so, what are the relevant details? N458E

The MINISTER OF SPORT AND RECREATION: The following federations have been prioritised for funding for development on the basis that they are best suited to grow through expansion in previously disadvantaged areas: football (soccer), rugby, athletics, netball, basketball, boxing, cricket, gymnastics, baseball, golf, hockey, softball, squash, table tennis, tennis, volleyball, dance sport, chess and swimming.

A committee consisting of representatives of Sport and Recreation South Africa, the

South African Sports Commission and the National Olympic Committee of South Africa did the prioritisation.

School sport organisations *per se* were not part of the committee who made the decision. They are part of the SASC and its successor, SASCOC.

Differences between new funding formula for higher education and current system

*4. Mrs L MALONEY (ANC) asked the Minister of Education:

(a) How does the new funding formula for higher education differ from the current system that is in place and (b) what changes or improvements will the new system bring to higher education institutions? N317E

The MINISTER OF EDUCATION:

(a) The new funding framework for higher education was implemented with effect from the 2004-05 financial years. The key difference between the new funding framework and the old framework is that it is goal-oriented and performance-related, which enable the funding of higher education to be closely linked to the achievement of national policy goals and objectives.

The old funding framework, which was conceived in 1982, was not designed to support the attainment of national policy goals and objectives. It was based on the funding of student demand, without taking due cognisance of broader policy and human resource development imperatives.

The new framework is in line with the policy framework for the transformation of the higher education in Education White Paper 3: A Programme for the Transformation of Higher Education (July 1997), which states that the higher education system must be planned, governed and funded as a single national co-coordinated system.

The emphasis on planning is informed by the fact that if the higher education system is to respond to the national development agenda in terms of access, redress and human resource development priorities, the size and shape of the system needs to be given careful consideration at a systemic and institutional level.

The new framework therefore links the allocation of funds to the delivery of the teaching and research-related services, required for the social and economic development of South Africa.

(b) The main improvement that would result from the introduction of the new framework is that it would enable the achievement of national policy goals and objectives such as equity, efficiency, effectiveness and quality. Once the new funding framework is fully implemented, improved teaching and research outputs will also be acknowledged in the allocation of subsidy.

Schools not receiving all textbooks/ learning materials

*12. Mr J BICI (UDM) asked Minister of Education:

Whether any schools had not received all their textbooks and learning materials as at 1 March 2005; if so, (a) how many, (b) what were the reasons for the delay and (c) what steps has her department taken to rectify the matter? N427E

The MINISTER OF EDUCATION:

(a) and (b) The information is not readily available. The procurement and supply of learner support materials (LSM) to schools is the responsibility of provincial departments of education. If the member so wishes, I will provide him with a written response when I have received the information from the provincial education departments.

(b) Reporting on the status of provincial education departments to procure and deliver learning and teaching support material is a standing item at the heads of education departments Committee (Hedcom) and the Council of Executive Members of Education meetings (CEM).

At the CEM meeting of 11 October 2005, council agreed that all the provinces would ensure that on the first day of school, all the necessary tools for learning would be available.

I personally reminded provinces to ensure that they were ready with arrangements for the delivery of LTSM before schools reopened and that the process should be handled with complete efficiency.

Provincial education departments requested that the national department play a minimal role in the monitoring of the procurement and delivery of LTSM.

Therefore my department did not monitor the procurement and delivery at the beginning of the 2005 school year. Instead, the heads of the provincial education departments reported on progress made in the delivery of LTSM and its challenges. During visits by officials from my Department to monitor the opening of schools in 2005, it was established that there were schools where LTSM were not delivered, or delivered in part. The provincial education departments, however, committed themselves to complete delivery by end of January 2005.

The delivery of textbooks is still a serious challenge and I am introducing new monitoring mechanisms to assist provincial education departments to ensure early delivery for the beginning of the 2006 school year.

Feasibility of desalination of seawater as alternative source of potable water

*16. Mr S SIMMONS (NNP) asked the Minister of Water Affairs and Forestry:

Whether her department has investigated the feasibility of the desalination of seawater as an alternative source of potable water in South Africa; if not, why not; if so, what are the relevant details? N434E

The MINISTER OF WATER AFFAIRS

Yes. The Department of Water Affairs and Forestry does not undertake basic research into sea water desalination, but in all my Department's studies regarding water sources for coastal areas around the country, sea water desalination is considered as an option.

Some current examples are studies to compile strategies for the reconciliation of water requirements and water availability in the Western Cape Water Supply System (Cape Town) and the Algoa Water Supply System (East London), as well as studies to find supplementary water sources for towns along the Albany Coast (Port Alfred and Alexandria) and along the Outeniqua Coast (Knysna to Stilbaai). These studies place an emphasis on improving the efficiency of water use, but also consider all the available options to increase the water availability, such as surface water development (dams), groundwater utilisation, reuse of effluent and sea water desalination.

The studies that have been finalised, concluded that at this stage and in most cases, sea water desalination is not yet competitive if good surface and groundwater potential still exist. One exception is the Albany Coast Water Board, which already supplies desalinated sea water to Bushman's River Mouth and Kenton-on-Sea. Desalination is likely to become a competitive option for other towns in the Albany Coast area in the medium term. The reason is the lack of adequate useable surface and groundwater resources.

In the case of the City of Cape Town, desalination will become more of a proposition as it becomes more costly to further develop already stressed conventional resources, and as desalination becomes less expensive due to technological improvements and favourable exchange rates. In anticipation of the eventual need for a larger scale desalination scheme, the City of Cape Town is considering plans to install a pilot scale plant to gain local application information and experience.

Planners in my department are keeping abreast of developments in the desalination field. Ongoing research takes place in many parts of the world and technology, operation and management improvements lead to cost reductions. The planners make use of the latest information to ensure that desalination is fairly and correctly compared with other options.

Programmes to develop interest in rugby in black townships

*20. Rev K R J MESHOE (ACDP) asked the Minister of Sport and Recreation:

(1) Whether there are any programmes to develop interest in rugby in black townships, other than in the Eastern Cape where rugby is more popular; if not, why not; if so, (a) how many programmes, (b) in which provinces and (c) how successful are the programmes;

(2) whether there are black rugby teams in the other provinces apart from the Eastern Cape that are involved in league matches or regular competitions; if not, why not; if so, what are the relevant details? N439E

The MINISTER OF SPORT AND RECREATION:

(1) We have been informed by the South African Rugby Union that programmes to develop rugby are being run in the following provinces:

Gauteng: Blue Bulls Rugby Union, Gauteng Lions, Falcons Rugby Football Union
Free State: Cheetahs and Griffons
KwaZulu-Natal
Mpumalanga
Northern Cape
North West
Western Cape: Western Province Rugby Union, Boland, SWD.

(2) SARU is of the opinion that, though the programmes are successful there is still a lot of room for improvement.

(3) There are black teams participating in junior and/or senior leagues in virtually all the above provinces. Where there are no senior black teams, the black players are playing in integrated clubs.

Intervention strategies to improve data capturing ability of provincial education departments to enhance schools' infrastructure development

*3. Mr B MTHEMBU (ANC) asked the Minister of Education:

Whether her department has devised any intervention strategies to improve the data capturing ability of the provincial departments of education so as to enhance schools' infrastructure development; if not, why not; if so, what systems have been put in place in this regard? N316E

The MINISTER OF EDUCATION: The Department of Education has submitted to Treasury a plan for the re-engineering of the Education Management Information System (EMIS), and this plan has resulted in the additional allocation of R10 million made by the Minister of Finance on 23 February 2005. This will make a good start to the project, but its sustainability and effectiveness will also depend on adequate allocations made by provincial treasuries, to ensure we have an accurate picture of the education system.

The new EMIS will be built around individual learner records, rather than on aggregated numbers. This will allow us to monitor the progress of every child through the system, to know if they are failing or in danger of dropping out, and to know if they move from one school or province to another. It will also allow for much more effective planning in every area, especially the provision and maintenance of infrastructure.

In addition, the department is also looking to appoint an expert agency to undertake a comprehensive audit of school infrastructure, and to develop a long-term plan for the provision and maintenance of school buildings and facilities. This should include the exploration of more cost-effective and speedy design and construction methods.

I may add that the role of the community is critical in this area. Schools are widely dispersed across our country, and government officials cannot be at every one of these, all the time. We cannot call on the Public Works Department to fix a broken window, repair a leaking tap, or clear a blocked toilet. Communities must take responsibility for protecting the assets of their schools in the first place, and where these are damaged through use, to help, where they can, with what they can. We are building new facilities as quickly as we can — over 6 000 new classrooms last year alone — but we are distressed to find that others that we have built, even since 1994, are in a state of disrepair through poor maintenance.

I am delighted to see the serious attention to infrastructure that has been given in all nine provincial budgets, and I hope that this will alleviate at least the worst cases which have been identified by the President as unacceptable an unsuitable for either teaching or learning.

Contracts signed with community radio stations to produce programming on children, women, disability and health

*27. Ms M SMUTS (DA) asked the Minister of Communications:

(1) Whether any contracts were signed with 50 community radio stations in 2004 to produce programming on children, women, disability and health; if so;

(2) whether these contracts required the stations to reflect government policy and programmes in these fields; if so; (a) how are the contracts phrased in this regard, (b) what were the titles of the programmes and (c) which government spokespersons or representatives appeared in the programmes? N446E

The MINISTER OF COMMUNICATIONS:

(1) Yes, the Department of Communications (DoC) entered into memoranda of agreement with over 60 community radio stations (CRS) between October and December 2004.

(2) The programmes deal with all aspects that impact on women, children, disability, crime prevention and health. Government policies and programmes are discussed in so far as they have a bearing or impact to the aspects mentioned above. For example, government policy on child grants is discussed within the context of issues that affect the rights and welfare of the children.

(a) In terms of Clause 2.11 of the Agreement, it is required of each participating community radio station (CRS) to:

"ensure reasonable involvement and participation of the community members, respective thematic authority and/or experts (disability,

children, women, crime prevention and health) and organised structures (NGO/CBO/civic/statutory/nonstatutory/community print media/local and provincial government, etc.), operating within the regions that the CRS serves";

(b) The Department of Communications neither specifies the "programme titles" that CRS would need to focus on, nor the "studio guests" that would partake in the programmes. No "monthly themes" are adopted for stations to conform to. Programme-planning, design and production happens at station level and external of DoC. Each community radio station consults the respective community members, experts, NGOs, CBOs and related advocacy organisations that fall within its broadcast footprint, to collectively define and prioritise the "topical issues and programme titles" that would be covered for each of the five broad programming areas: children, women, disability, health and crime prevention.

(c) No Government spokespersons or representatives appeared in the programmes through DoC's facilitation. Stations use their discretion on whom to feature in their programming line-ups.

Number of first-time teachers appointed since amendment of SA Schools Act, 1996

*5. Ms P N MNANDI (ANC) asked the Minister of Education:

(a) How many first-time teachers have been appointed since the amendment of the South African Schools Act, Act 84 of 1996, and (b) what impact have these appointments made on rural schools? N318E

The MINISTER OF EDUCATION: This question is not possible to answer, for a number of reasons. One is that the Schools Act has been amended a number of times, and it is not clear which amendment is being referred to. Another is that the question of impact is difficult to assess without being further defined — impact on what?

Adequate time will have to be given for answering this question — a lot of data will need to be provided by provinces. Alternatively, it may be preferable to get this question raised in provincial legislatures.

It is proposed that the question be rephrased and resubmitted.

Act 6 of 2004: retrospective adjustment of increases that municipalities had applied in absence of guidelines

*34. Mr W P DOMAN (DA) asked the Minister for Provincial and Local Government:

Whether, with reference to the proposed guidelines for the implementation of the Local Government: Municipal Property Rates Act, Act 6 of 2004, section 16(5) and/or section 20 will be used to retrospectively adjust increases that municipalities had applied in the absence of the guidelines; if not, why not; if so, what are the relevant details? N455E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

No. The guidelines are aimed at supporting municipalities with the implementation of the Act from the date of its commencement. The Act does not provide for retrospectivity regarding the operationalisation of sections 16(2) and 20. The application of the guidelines is linked to the commencement date of the Act, as the guidelines are support measures to achieve the successful implementation of the Act. Whatever municipalities did prior to the commencement date, has no bearing on whether guidelines were in place or not, as the Act, is not yet in operation. Such issues should be looked at within the context of the present rating regime, in this case the relevant Provincial Ordinances.

Persons not eligible for social grants coming forward since launch of indemnity programme

*6. Dr S HUANG (ANC) asked the Minister of Social Development:

How many persons who are not eligible for, but who have been receiving social grants have come forward since his department launched its indemnity programme? N320E

The MINISTER OF SOCIAL DEVELOPMENT: On 13 December 2004 I announced a process to consider indemnity to certain categories of beneficiaries, if they apply before the 31 March 2005. To this end, systems and procedures have been put in place to indemnify certain category of beneficiaries who qualify.

Application forms for indemnity have been distributed to service points or district offices in all the nine provinces, and those who would like to be considered for indemnity are at liberty to fill the forms and submit them to their nearest service points or district offices, and service points or district offices will submit the forms to the provinces for decision by the head of department in the province.

At this stage people are applying in district offices or service points and after a decision is taken by the heads of departments in the provinces, statistics of those people who are not eligible will be forwarded to the national department by all the nine provinces. Currently provinces are still consolidating the statistics and it will be publicly announced soon after 31 March 2005.

Steps to enhance security measures at refugee reception centres

*19. Mr S N SWART (ACDP) asked the Minister of Home Affairs:

Whether any steps will be taken to enhance security measures at refugee reception centres, following the incident on 2 March 2005 when a group of refugees forced their way into the offices of the Cape Town refugee centre; if not, why not; if so, what steps? N437E

The MINISTER OF HOME AFFAIRS: Yes. Appropriate steps have already been taken in this regard. The Deputy Director-General: National Immigration Branch, has given instruction to all five the refugee reception centres, located in Pretoria, Johannesburg, Durban, Cape Town and Port Elizabeth respectively, that from Monday, 14 March 2005, the following two additional security measures be put in place.

(i) Additional security personnel to be deployed by private security companies and depending on the number of asylum seekers and refugees visiting the said centres, between two to five security officers be deployed.

(ii) Additional immigration officers be designated to these five reception centres to scrutinise persons queuing at the said offices to establish if such persons are legitimately visiting the said office.

The following extra security measures were additionally implemented at the Cape Town refugee centre:

(i) The installation of a metal detector,

(ii) the introduction of a queue management system in order to manage the large number of asylum seekers and refugees more effectively,

(iii) the placement of an additional toilet.

Quotations for the following have been requested and will be implemented as soon as a contractor has been appointed:

(i) Closed-circuit television system inside and outside the building,

(ii) portable air conditioners,

(iii) turnstiles at the entrance.

Gauteng health care facilities experiencing crisis wrt service delivery/ administration

*9. Mr S J NJIKELANA (ANC) asked the Minister of Health:

(1) Whether any health care facilities in Gauteng are experiencing crisis situations in the areas of service delivery and administration; if not, what is the position in this regard; if so, what are the relevant details;

(2) whether her department has analysed or intends analysing the crisis situations and the causes leading thereto; if not, why not; if so, what are the relevant details;

(3) whether any mechanisms that will act as early warning systems have been put in place in order to prevent future crisis situations of this nature; if not, why not; if so, what mechanisms? N337E

The MINISTER OF HEALTH:

In general, each hospital and health facility is able to deal with its normal workload. However, from time to time institutions, particular hospitals, experience disparity between demand and service levels available. The demand for services is unpredictable as the number of patients presenting to health institutions can vary quite widely from day to day.

The department aims to ensure that the vast majority of demand can be dealt with, but there are some occasions when just too many patients present for treatment. For example, a sudden multi casualty accident may result in a number of seriously injured patients presenting simultaneously to a hospital casualty department.

The department has a strategy in place to manage situations like these as soon as they happen and is able to support the receiving hospitals via the emergency medical services (EMS), the managing medical officer (MMO) on-call system and the hospital referral system.

With regard to available service levels, it is generally known that there is a shortage of nurses in some disciplines. However, the department utilises agency nurses in order to ensure that these gaps are compensated for.

Furthermore, medical management is monitored on a 24-hour basis daily by the MMO on-call system, through which senior medical managers are available to monitor medical service management and provide immediate assistance when required.

With regards to administration, the department has a Departmental Acquisitions Council (DAC) to internally manage and oversee the tendering process. This means that all procurement processes are smoothly administered and minimising shortages of any items. The DAC further ensures consistent legislative compliance.

Reports are received regularly from hospitals and institutions on the services delivered. The department has established Quality Management, Monitoring and Evaluation and Labour Relations teams which are able to assist and intervene where necessary, to ensure smooth service delivery.

The department has introduces a 24-hour complaints hotline, which could be used by staff, patients, or the general public, to bring to our notice any specific problems. There are also compliant management systems at each institution and complaints are recorded and reported to both hospital boards and head office. Furthermore, the MMO on-call, EMS and patient referral systems mentioned earlier provide additional assistance and support to ensure seamless service delivery.

Wes-Kaap SAPD opdrag *re* slegs Engels vir amptelike kommunikasiedoeleindes: beskerming van taalregte

*24. Mev D VAN DER WALT (DA) vra die Minister van Kuns en Kultuur:

Of hy, in die lig van die SA Polisiediens in die Wes-Kaap se opdrag dat slegs Engels vir amptelike kommunikasiedoeleindes

gebruik mag word, stappe beoog om die grondwetlike regte ten opsigte van taal, soos vervat in die Grondwet van die Republiek van Suid-Afrika, Wet 108 van 1996, te beskerm; so nie, (a) waarom nie en (b) hoe hy sy verantwoordelikheid omskryf om die taalregte van alle Suid-Afrikaners te beskerm; so ja, (i) watter stappe en (ii) wanneer? N443A

(Translation of Afrikaans question follows):

[Instruction by Western Cape SAPS *re* use of only English for official communication purposes: protection of language rights

*24. Mrs D VAN DER WALT (DA) asked the Minister of Arts and Culture:

Whether, in light of the instruction by the SA Police Service in the Western Cape that only English is to be used for official communication purposes, he intends taking any steps to protect the constitutional rights in respect of languages, as contained in the Constitution of the Republic of South Africa, Act 108 of 1996; if not, (a) why not and (b) how does he define his responsibility to protect the language rights of all South Africans; if so, (i) what steps and (ii) when? N443E]

The MINISTER OF ARTS AND CULTURE:

(1) (a) The hon member rightly points out that language rights for all citizens are enshrined in the Constitution. I would like to add and say that government went even further to put a National Language Policy Framework (February 2003) in place so as to give effect to the Constitution. The Language Policy Framework provides that each government structure must agree on a working language(s) (Section 2.4.6.1) for internal communication. We have also said as government that we would like to go the route of functional multilingualism. What is meant by this is that the choice of a particular language(s) in a particular situation must be determined by the context in which the language is used (ie taking into account, the function, the audience and the message for which it is employed).

In this particular context the South African Police Service decided on a working language which is English. It would also seem that this decision was based on the practicalities of their working environment (eg access to dockets that must be investigated on by members who may not necessarily understand one anothers' languages).

It must be noted that this instruction was meant for internal communication and not for community members.

(b) It would also perhaps be necessary to understand that SAPS is among the first departments that took the Telephone Interpreting Service for South Africa (TISSA) on board when my department was piloting the project in 2002-03. We are now rolling the service out to all government departments on a 7-day, 24-hour basis and SAPS is actually the first department that has entered into a Memorandum of Understanding with my Department.

Assistance given to municipalities to implement Water Services Development Plan

*10. Ms M N S MANANA (ANC) asked the Minister of Water Affairs and Forestry:

What assistance is her department giving to municipalities to implement the Water Services Development Plan in terms of the Water Services Act, Act 108 of 1997? N399E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

The Department of Water Affairs and Forestry regards the Water Services Development Planning Process as an essential and critical Water Services Management mechanism and tool for the Water Services Authorities, the Water Services Sector as such, as well as for my department as sector leader. My department is, therefore, committed and dedicated to ensure that the Water Services Development Planning process and products are well developed, functional and owned by the Water Services Authorities, through:

- A dedicated and committed Water Services Development Planning Unit and Programme;
- the development and maintenance of planning guidelines, capturing tools, and frameworks, as well as functional management tools for eg free basic services, sanitation and infrastructure development;
- workshops, awareness and induction programmes, networking, training sessions, as well as one-on-one partnerships with municipalities. In fostering ownership of the Water Services Development Plans by municipalities, my department on a regular basis undertakes Councillor and Ward Committee awareness programmes;
- the provision and facilitation of technical and managerial advisory support, as well as information and knowledge support on needs, water resources availability and integrated management; and
- financial and resources support to enhance the quality of Water Services Development Plans. All municipalities benefit from the appointment of Planning Service Providers per province. Furthermore, a total of 61 municipalities are currently receiving direct financial support.

The Water Services Development Planning Programme is totally integrated and aligned with the Integrated Development Planning Process, as well as other associated planning programmes. By supporting these programmes my department also contributes to improving Local Government planning.

Project Consolidate: financial/ administrative capacity of municipalities

*35. Mr W P DOMAN (DA) asked the Minister for Provincial and Local Government:

Whether the financial and administrative capacity of municipalities was taken into account to determine who qualifies for intervention through Project Consolidate; if not, (a) why not and (b) what factors were taken into account; if so, what are the relevant details? N456E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

(a) Yes. This was done in consultation with the various provincial governments.

(b) There were five main criteria which guided the determination, namely:

(i) municipalities in which less than 60% of households had access to electricity for lighting; water in their yards; sanitation at the level of a sceptic tank and refuse removal at least once a week;

(ii) municipalities facing unique challenges as a result of arrears arising from nonpayment for municipal services;

(iii) municipalities identified by the Municipal Demarcation Board as performing less than 30% of their assigned powers and functions;

(iv) municipalities currently under intervention in terms of section 139 of the Constitution of the Republic of South Africa, 1996; and

(v) municipalities in known financial distress, and unable to meet their financial obligations, particularly to bulk suppliers of water and electricity, and financial institutions.

There was significant overlap with regard to these categories and, in several instances, the challenges faced by the municipalities were linked directly to their financial and administrative capacity.

Iimeko kwiofisi yesebe laseSterkspruit: ukunqongophala kwezixhobo zokusebenza

*14. U Mnu S S VUNDISA (ANC) ubuza Umphathiswa Wezekhaya:

(1) Ingaba wazisiwe na ngeemeko zeofisi yesebe lakhe eliseSterkspruit elinabantu abaqikelelwa kumawaka alikhulu namashumi amathandathu (160 000), ukuba kunjalo;

(2) Akho amanyathelo awathathileyo okanye azakuthathwa lisebe lakhe ukuqwalasela imeko yenkonzo ezifunekayo kwi-ofisi yaseSterkspruit; ukuba akunjalo, ngoba; ukuba kunjalo manyathelo mani? N432X

(Translation of isiXhosa question follows):

[Conditions at department's office in Sterkspruit: lack of resources/capacity

*14. Mr S S VUNDISA (ANC) asked the Minister of Home Affairs:

(1) Whether the conditions at her department's office in Sterkspruit, which serves approximately 160 000 people, have been brought to her attention; if so,

(2) whether she or her department has taken or intends taking any steps to address the lack of resources and capacity at the Sterkspruit office; if not, why not; if so, what steps? N432E]

The MINISTER OF HOME AFFAIRS:

(1) The department's attention has been brought to the situation in Sterkspruit and to highlight current status and steps taken to address the situation, the following is worth mentioning:

(a) The Sterkspruit office, currently operating as a service point, is accommodated at the Sterkspruit MPCC and has been allocated two small offices. These offices are inadequate even in service point standards for the department.

(b) Alternative accommodation has been sought and in September 2004 the Department of Public Works identified accommodation at Erf 342 in Church Street. A delegation was sent to view this accommodation and it was found to be unsuitable as it is in Zwelitsha township, ± 5 km from town. The area therefore is not accessible to the community especially the rural community. The Department of Public Works was informed that the department could not utilise this building due to disadvantages mentioned above. The Department of Public Works nevertheless continues to seek accommodation for the department.

The current staff complement comprises five officials, one senior administrative officer and four senior administrative clerks, all from the establishment of Queenstown Regional Office, as the proposed establishment for Sterkspruit is not yet approved. In the proposal a district office is recommended with an assistant director, senior administrative officer, administrative officer, three chief administrative clerks, nine administrative clerks/senior, two security officers, one chief immigration officer, five immigration

officers and two cleaners. The three proposed service points, namely, Aliwal North, Barkly East and MPCC Sterkspruit, under the guardianship of Sterkspruit, have also been catered for, each with two clerks.

Child welfare societies struggling to provide services to children owing to lack of funds

*18. Mrs C DUDLEY (ACDP) asked the Minister of Social Development:

(1) Whether his attention has been drawn to the fact that (a) child welfare societies countrywide are struggling to continue providing quality services to children owing to a lack of funds and (b) nongovernmental organisations are concerned that the new finance policy for NGOs will not remedy the situation, leaving vulnerable children abandoned in their need; if so,

(2) whether he intends taking any steps to address these concerns; if not, why not; if so, what steps? N436E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) (a) Yes, it is true that not only child welfare societies, but other organs of civil society that render social development services are struggling to provide quality services to clients owing to lack of funds. This is due to the general under funding of social welfare services in the country as a result of the crowding out effect of the social security budget, which is also a critical poverty alleviation programme of government.

(b) The Policy on Financial Awards is aimed at ensuring that transformation of services as well as the equitable redistribution of resources is achieved. It also provides for the allocation of resources to under-resourced areas such as previously disadvantaged organisations and rural communities. With this policy, the department has also developed draft costing models, which assist in realistically determining the cost drivers for each service area and will therefore result in proper resourcing of NGOs that render priority services to all vulnerable sectors of society. The government has a responsibility towards the protection of vulnerable children and works closely with NGOs in this regard, to ensue that such children are not abandoned.

(2) In addition to the above measures, the Minmec has recently approved the service delivery model for social services. This model assists in the design of comprehensive and integrated social services to be rendered by both government and organs of civil society. This model sets the basis for setting norms and standards for service delivery, which will in turn enable the department to cost the provision of social services in the country to ensure appropriate budget allocation.

Regulations to prevent cheating in senior certificate examination

*22. Ms H ZILLE (DA) asked the Minister of Education:

(1) (a) What regulations are in place at school level to prevent cheating in the senior certificate examination and (b) what are the details of the mechanisms used to ensure that these regulations are adhered to;

(2) whether these regulations are uniform across all provinces; if not, how do they differ in respect of each province;

(3) whether all possible steps were taken to ensure that the 2004 examinations

were corruption-free in all schools, except those in Mpumalanga that were officially named; if not, what is the position in this regard; if so, what factors did she take into consideration in reaching this conclusion? N441E

The MINISTER OF EDUCATION:

(1) Yes they do. However, they also act in terms of the Provincial Schools Act and its regulations.

(2) (a) Provincial officials are employed by the province and not by the national department of education. It is the duty of the provincial employer to see to it that its officials understand the provisions of the constitution. Provincial departments as employers of provincial officials are responsible for capacity building of such officials.

(b) The hon member is well aware of our co-operative governance structures and hardly needs me to repeat them in this house. The oversight mechanisms include CEM, Hedcom and other subcommittees.

(3) The provincial department is responsible for managing any breach of the requirements of the constitution and the law by provincial officials. The Public Service Act of 1996 and Resolution 2 of 1999 regulate public servants, whereas the Employment of Educators Act 76 of 1998 as well as the South African Council for Educators Act 31 of 2000 regulates the conduct of educators.

Availability of grants to children who can produce death certificates for both parents

*29. Mr M WATERS (DA) asked the Minister of Social Development:

Whether he will propose amendments to legislation that would allow any child under the age of 18, who can produce death certificates for both parents, to automatically be entitled to a child support grant, even if grants are not currently available to children of their age; if not, why not; if so, when will he table such legislation? N448E

The MINISTER OF SOCIAL DEVELOPMENT:

No, the Minister will not propose any amendments to the current legislation that would allow children under the age of 18 to be entitled to the child support grant (CSG). The CSG has been extended for the financial 2005-06 to include children up to the age of 14 years. Orphaned children under the age of 18 years have access to the foster child grant, if they are found to be in need of care in terms of section 14(4)(a) of the Child Care Act No 74 of 1983.

Replacement of certain person

*32. Ms D KOHLER-BARNARD (DA) asked the Minister of Arts and Culture:

(1) Whether, in light of the remarks made in a letter to a certain newspaper (details furnished) by a senior employee in his department (name furnished), the said person will be replaced; if not, why not; if so, when;

(2) whether he or his department has taken or intends taking any action against the said person; if not, why not; if so, what action? N453E

The MINISTER OF ARTS AND CULTURE:

(1) The said person will not be replaced as a result of the remarks made in a letter to a certain newspaper. It is the responsibility of officers of the State to correct factual misrepresentations of their departments, Ministers and especially themselves. The journalist to whom the senior official responded has written successive articles, over a long time, that consisted of unjustified attacks on

the department, Ministers who have headed this department, and on senior officials. Many of his statements were factually incorrect or distorted matters relating to the department. The weekly newspaper in question chose to publish the senior official's article as a highly edited letter to the editor, whose effect was to seriously distort the senior official's meaning. The weekly newspaper has since agreed to publish another article under the rubric "right of reply" as a means making amends for its previous actions.

The abilities of the senior official have never been in question and are not so now.

(2) As already indicated in my response thus far (Thursday, 10 March 2005), the fuller article that the senior official wrote to provide the public with a different perspective on what the critic or the department has been writing, has not been published in full. The senior official's intention was to correct the misrepresentations being conveyed to the reading public unchallenged. He was right to intervene so as to allow the reading public a different view of the facts so that it is not misled by this continued misrepresentation of the work and performance of the department, Minister and officials.

I am, therefore, satisfied that the public has been given a more accurate picture of the work of this department and his letter has cast a very different lighton the motivation of this so-called critic of the department.

Reasons for delay in launching NQF

*30. Mr C M LOWE (DA) asked the Minister of Education:

(1) What are the reasons for the delay in launching the National Qualifications Framework (NQF);

(2) whether there is a lack of co-operation between officials of her department and those of the Department of Labour, as alleged in media reports; if not, how did these allegations arise; if so, what are the relevant details;

(3) whether any steps have been or will be taken in this regard; if not, why not; if so, what steps? N449E

The MINISTER OF EDUCATION:

(1) The National Qualifications Framework was "launched" with the passing of the SAQA Act in 1995, so there is no delay as alleged by the hon member. The Act is however currently under review, with the intention of bringing to Parliament certain amendments which will strengthen and improve the functioning of the National Qualifications Framework. I would agree that this review has taken longer than it should have, but I can report that the proposed amendments are currently under consideration by the Minister of Education and Labour, and will be finalised very soon.

(2) There is no lack of co-operation between officials of the two departments, but the matters are complex and needed time to resolve. I am not aware how allegations of nonco-operation arose in the media.

(3) Further steps will entail taking the proposed amendments to Cabinet for approval, after which they will be released for public comment.

Medeverantwoordelikheid vir doeltreffende funksionering van plaaslike regerings

*25. Dr S M VAN DYK (DA) vra die Minister vir Provinsiale en Plaaslike Regering:

(1) Of sy departement medeverantwoordelik is om toe te sien dat plaaslike regerings doeltreffend funk-

sioneer; so nie, wat die posisie in dié verband is; so ja, wat die tersaaklike besonderhede is;

(2) of 136 van die 284 munisipaliteite in die land min of geen munisipale dienste lewer nie; so ja, watter stappe sy departement in dié verband beoog;

(3) of daar in die boekjaar 2003-04 'n persentasie van 61% aan ongevulde vakatures, waarvan die meeste in die senior bestuurskader, in sy departement was; so ja, watter stappe sy departement in dié verband beoog;

(4) of sy departement vir meer as 150 sake gerapporteer is, die meeste vir swak batebestuur en probleme rakende inkomstestate, inligtingstelsels en interne oudits, soos in die ouditeur-generaal se verslag gemeld word; so ja, watter stappe sy departement in dié verband beoog? N444A

(Translation of Afrikaans question follows):

[Co-responsibility for ensuring effective functioning of local governments

*25. Dr S M VAN DYK (DA) asked the Minister for Provincial and Local Government:

(1) Whether his department is co-responsible for ensuring it that local governments function effectively; if not, what is the position in this regard; if so, what are the relevant details;

(2) whether 136 of the 284 municipalities in the country are delivering few or no municipal services; if so, what steps does his department intend taking in this regard;

(3) whether his department had a percentage of 61% in unfilled vacancies in the 2003-04 financial year, of which most were in the senior management cadre, in his department; if so, what steps his department intend taking in this regard;

(4) whether his department was reported for over 150 cases, most of which were for poor asset management and problems concerning revenue, information systems and internal audits, as stated in the Auditor-General's report; if so, what steps does his department intend taking in this regard? N444E]

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

(1) The department's responsibility to support the effective and efficient functioning of local governments is embedded in our Constitution — which obliges the national, as well as the provincial spheres of government, to support local governments and monitor their effectiveness — particularly in addressing and redressing issues of marginalisation and exclusion, and the resultant underdevelopment.

(2) The range of municipal services is extremely wide. They range from what are considered basic services, such as the provision of water, sanitation, electricity, refuse removal, storm water systems, to other critical services such as fire fighting, municipal roads, municipal planning, building regulations, street lighting, air pollution management, cemeteries and public transport, and to other essential services such as sports facilities, municipal parks, child care facilities, regulation of public markets and the control of the sale of liquor.

It is, however, important to appreciate that, against the backdrop of the legacy of apartheid, the challenge now is to ensure that services are reliably and sustainably provided in order to impact positively on the quality of life of all South Africans, whilst creating an envi-

ronment for successful economic development.

Based on thorough and corroborated assessments, we collectively determined that there are 136 municipalities across the nine provinces that are in need of specialised support to ensure that they are able to effectively, efficiently and sustainably carry out their powers and functions — and in a manner that instills confidence in our democracy and lays a solid foundation for social and economic development. Project Consolidate is the vehicle through which this special support will be rendered over a two-year period.

We expect that the effective and successful implementation of this initiative will indeed improve the capacity and performance of these 136 municipalities. Moreover, support will also be rendered to the other municipalities outside those requiring focused attention, in order to ensure that they do not get bedevilled by the same challenges that have impaired the performance of the identified 136 municipalities.

(3) In 2003-04 the department had an overall vacancy rate of 26,3%, of which 61% was in the senior management cadre. The reason for the high vacancy rate in the senior management cadre was that —

- the organogram of the department had to be aligned to the department's strategic objectives as indicated in the strategic plan; and
- additional posts were then created in October 2003 to enable the department to meet its objectives, linked to the mandate.

The department spent the better part of the 2004-05 financial year recruiting and filling posts in the senior management cadre. Currently the department's vacancy rate in the senior management cadre is 40%. Processes are currently still underway to fill the remaining vacant posts on the establishment. However, it must be stated that a special team has been set up to support Project Consolidate.

(4) The issues which the Auditor-General has raised relate primarily to the functioning of internal audit in the department. The report does not cover some of the areas the hon member has alluded to. The hon member is thus advised to engage the department on these matters of detail. If needs be, the member may still pose a more focused question later.

Regarding Internal Audit, the unit is being strengthened, and all outstanding issues are being handled by the Select Committee on Public Accounts.

Migration from analogue to digital terrestrial TV/audio transmission

*33. Ms M SMUTS (DA) asked the Minister of Communications:

Whether a plan for migration from analogue to digital terrestrial television and audio transmission is in place, if so (a) when will migration commence and (b) what is the proposed time period for double illumination? N454E

The MINISTER OF COMMUNICATIONS:

The department is currently working on a national digital migration strategy for broadcasting services. The finalisation of this digital migration strategy will follow a consultative process and will have to be approved by Cabinet during the course of 2005-06 financial year. It is then that South Africa will officially outline its plan for migration from analogue to digital terrestrial television and audio transmission.

(a) The issue of when will migration commence, will only be finalised once Cabinet has approved the strategy for the digital migration of broadcasting systems in South Africa.

(b) The proposed time period for double illumination will also be finalised once Cabinet has approved the strategy for the digital migration of broadcasting systems in South Africa.

Release of forensic report on alleged corruption in NDA

*28. Mr M WATERS DA asked the Minister of Social Development:

(1) Whether he or his department intends releasing the forensic report on alleged corruption in the National Development Agency (NDA); if not, why not; if so, when will the report be released;

(2) whether any action has been taken against any individual implicated in corruption by the forensic report; if not, why not; if so, (a) against whom and (b) what action? N447E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) Yes, the department has released the forensic report on the alleged corruption at the National Development Agency (NDA) to the newly appointed Board of the NDA, for it to take all the necessary steps, which include the finalisation of the contested disciplinary hearing outcomes, after which the board may release the report.

(2) The report alleged certain inappropriate behaviour,

(a) Largely on the part of the chief executive officer, Mr Delani Mthembu and

(b) an internal disciplinary hearing was conducted, with an independent senior council presiding over it. During the course of the hearing, Mr Mthembu resigned. The presiding officer declared that, had Mr Mthembu not resigned, the presiding officer's suggested sanction would have been dismissal. The NDA Board has requested its attorneys to advise whether any further action should be taken in this regard. Currently Mr Mthembu is contesting the matter.

Amount to be funded by banks for N2 Gateway housing project

*31. Mr S J MASANGO (DA) asked the Minister of Housing:

(1) Whether the amount to be funded by the banks for the N2 Gateway housing project will be a loan; if so, what is the (a) agreed interest rate on and (b) period of the loan;

(2) whether the loan is to be paid back by her department; if not;

(3) whether it is to be paid back by the local municipality from the rent paid by homeowners; if not, what is the position in this regard; if so, what are the relevant details? N450E

The MINISTER OF HOUSING:

(1) There have not been any agreements between the Government and the banks on funding for the N2 Gateway housing project. Discussions and negotiations with various stakeholders are underway to determine the role of the banks in funding various aspects of the projects. It must be borne in mind that depending on the permutations of the funding models, the banks contributions may only be related to funding units for direct loan finance to beneficiaries based on their income categories and affordability levels.

(a) No interest rate has been agreed

upon as no loan agreement has been entered into.

(b) No period of loan has been agreed upon as no loan agreement has been entered into.

(2) No. No loan agreement has been entered into with the banks.

(3) No loan agreement has been entered into and therefore no repayment arrangements have been made.

Loan agreements with DBSA for provision of finance for N2 Gateway development

*26. Mr A C STEYN (DA) asked the Minister of Housing:

Whether the Government has signed any loan agreements with the Development Bank of Southern Africa for the provision of finance for the N2 Gateway development; if not, what is the position in this regard; if so, (a) when was the agreement signed, (b) what amount has the Development Bank agreed to loan for the development, (c) what interest rate will apply to the repayments and (d) over what period will the loan be repaid? N445E

The MINISTER OF HOUSING: No loan agreement has been signed with the DBSA.

Exploratory discussions have been held with various stakeholders including the DBSA, National Housing Finance Corporation and Social Housing Fund with regard financing for the N2 Gateway Project. Various financing models are being considered subject to the prescripts of the Municipal Finance Management, 2003 (Act 56 of 2003).

In addition, engagements with the formal banking sector will be necessary to consider the role they could play in funding for the project as well as funding for a specific target market within the project.

No amount has yet been agreed upon as these discussions are at an initial exploratory phase. No interest rates have been discussed at this early stage although for various models different rates have been used. The period of the loan has not been discussed. This will no doubt be determined by the cash-flow requirements of the project.

Views expressed by certain chairperson: views of Government

*36. Mr T D LEE (DA) asked the Minister of Sport and Recreation:

(1) Whether the views expressed by the chairperson of the Portfolio Committee on Sport and Recreation in respect of a certain person (name furnished) reflect the views of the Government; if so, what are the relevant details; if not,

(2) whether he has taken any steps to (a) repudiate the statement by the said chairperson and (b) clarify the Government's position in this regard; if not, why not; if so, what steps?N45E

The MINISTER OF SPORT AND RECREATION: The chairperson of the Portfolio Committee is free to express his personal views on topical issues in the same manner that any person is entitled to do that. It is not necessarily the view of government.

(a) There is, therefore, no need to repudiate Mr Komphela.

(b) Government's view on transformation is expressed in policy documents and the envisaged transformation charter will clearly outline my department's policy and guidelines for the sector. We have also stated our case in these issues in these issues in the Press briefing session Mr Lee also attend (two weeks ago).

Questions transferred from written to oral reply upon request of the relevant member (Rule 117):

Export permits granted in terms of Act 41 of 2002

1. Adv H C SCHMIDT (DA) asked the Minister for Provincial and Local Government (Chairperson: NCACC): [Written Question No 10]

(1) Whether any export permits were granted in 2004 in terms of the National Conventional Arms Control Act, Act 41 of 2002; if so, (a) in respect of which categories of exports, (b) to which companies and/or institutions were such export permits granted and (c) for which countries were such exports destined;

(2) whether there is a policy in terms of which export permits are granted; if not, what is the position in this regard; if so, what are the relevant details;

(3) (a) what time-frames are required for processing export permit applications and (b) what is the average time taken to process applications from the date of receipt to the date of approval or rejection? N35E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT (Chairperson: NCACC):

(1) A total number of 2 237 applications were received and 2 191 were approved for the period 1 January 2004 to 31 December 2004. The balance of 46 were approved in January 2005.

(a) categories A, B, C, D and G;

(b) the National Conventional Arms Control Committee does not make known this information as it is confidential;

(c) the annual statistics report for 2004 will be submitted to the National Conventional Arms Control Committee during March 2005 for approval. The relevant countries will be mentioned in this report.

(2) Export permits are issued by the Directorate: Conventional Arms Control once the National Conventional Arms Control Committee has approved the contracting authorisation submitted by a company. All applications for a permit involving the permanent transfer of ownership are circulated to various role-player departments for input before they are issued.

(3) (a) Sixteen working days for the departmental reviews indicated in (2) above and four working days for processing;

(b) the Directorate: Conventional Arms Control has fixed circulation days every week but most of the applications are circulated prior to the scheduled days bringing the average days for issuing export permits to six days.

Payment of pensions/social grants: cost of different payment methods available to Government

2. Mr M WATERS (DA) asked the Minister of Social Development: [Written Question No 19]

(1) Whether any costing has been done to determine the actual cost of the different payment methods available to the Government with regard to the payment of pensions and social grants; if not, why not; if so, what are the costs to the State with regard to the payment of pensions and social grants using (a) cash payments (b) the post office and (c) bank accounts;

(2) whether his department has conducted any studies into the number of beneficiaries who would be able to use banks as their method of receiving pensions and social grants; if not, why not; if so, how many beneficia-

ries would be in a position to make use of banks for this purpose in each province? N45E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) Yes, costing has been done to determine the actual cost of different payment methods available to the government with regard to the payment of pensions and social grants. The figures are provided per province as follows:

Actual cost per payment method				
Province	*Cash payment*	*Post office*	*Banks*	*Total*
Eastern Cape	224 474 474	65 963	21 321 743	245 862 180
Free State	107 451 838		563 325	108 015 163
KwaZulu-Natal	383 875 244			383 875 244
Gauteng	119 166 667		34 166 667	153 333 333
Limpopo	185 761 962	6 054 244	576 653	192 392 859
Northern Cape	34 568 818		1 151 223	35 720 041
North West	66 168 722	45 095 232	726 333	111 990 287
Mpumalanga	97 048 294	29 043 534	739 452	126 831 280
Western Cape	79 310 815			79 310 815
TOTAL	1 297 826 833	80 258 974	59 245 397	1 437 331 204

(2) The Monitoring and Evaluation Section of the department did a national sample study of 5 000 beneficiaries of which more than 50% indicated that they would make use of banks as their method of receiving pensions and social grants. The department cannot accurately determine the provincial number of beneficiaries because this was a national sample.

Potential of aquifer system in Western/Eastern Cape as source of potable water

3. Mr D K MALULEKE (DA) asked the Minister of Water Affairs and Forestry: [Written Question No 21]

Whether her department, in conjunction with the Water Research Commission, has funded any studies to determine the potential of the aquifer system in the Western and Eastern Cape as a source of potable water; if so, (a) when were these studies completed, (b) what were the findings and (c) what action has subsequently been taken in this regard? N47E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

Yes. The Department of Water Affairs and Forestry, in collaboration with the Water Research Commission (WRC) has over the years undertaken and funded the following studies to determine the potential of the aquifer system as a source of potable water in the Western and Eastern Cape:

Western Cape

A project (WRC Report 481/1/99) to determine the potential of the fractured rock aquifers of the Table Mountain Group (TMG) as a resource for potable water supply was completed in 1999. Agter-Witzenburg and Struisbaai were selected as study sites and the results enabled my department to understand how the resource gets replenished (recharge sources) and how groundwater flows in the system. This information has been distributed externally to the groundwater community, while the study sites are now incorporated into my department's monitoring programme.

In 2001 a study (WRC Report 729/1/01) on modelling of groundwater flow in the fractured aquifer of the TMG was completed, and that enabled my department to understand the attributes and dynamics of the TMG aquifer as a system of considerable recharge and storage on a large (regional) scale. The information has since contributed to sustainable management of the Aquifer.

In 2001 a study (WRC Report 937/1/01) on the influence of dolerite ring structures on groundwater occurrence in the Little Karoo region was completed. Highly fractured zones that are associated with dolerite complexes of high yielding groundwater potential were then identified. The information has been made available and plans are afoot to also use it for development of water supply sources in the Western Karoo Basin.

In 2003 a study (WRC Report 1115/1/03) on the impact of groundwater abstraction on springs that supply the Kammanassie Nature Reserve and environs was completed. This resulted in the identification of groundwater dependent springs. However, it was also found that low rainfall was a factor in the apparent depletion of resources. The results of the study have been incorporated into the Kammannasie Nature Reserve Management Plan, as well as my department's monitoring system.

A study (WRC Report 1332/1/04) on suitable areas for detailed research into the hydrogeological characteristics of the TMG, as well as the impact of large-scale (regional) groundwater abstraction from the TMG Aquifer systems on the ecology was completed in 2004. The tools produced include the exploitation map, the exploration map, the development potential map and the ecology importance map and this information is useful and essential for sustainable development of the system.

It should be noted that the general outcome of these research studies entail:

- Identification and quantification of potential groundwater supply in the region;
- incorporation of those supplies into overall planning for water availability;
- sustainable management of developed resources;
- use of newly acquired information for monitoring purposes; and
- protection of resources and minimisation of potential impact on the environment.

Eastern Cape

An investigation (WRC Report 515/1/97) of groundwater potential in the Port Elizabeth Municipal area was completed in 1997 and the results thereof indicated that 370 000 cubic metres (m^3) of water could be abstracted from the Aquifer to augment existing resources. Recommendations on the necessary follow up work (such as the need to tap into deeper aquifers more productive resource development) were made to the Municipality.

Guidelines (WRC Report 677/1/98) for the evaluation of groundwater resources for rural development in the Eastern Cape were competed in 1998. Key issues for sustainable development and management of water supply systems, such as holistic approach towards planning for water supply options at community level were addressed. Case study results now form part of a toolbox for empowerment of local government and capacity building of rural communities. This project led to initiation of another project (WRC Report 837/1/01) on the development of a decision support system, which was completed in 2001 for development of rural water supply schemes. The results have been incorporated into planning and evaluation process of my department.

In 2003 a study (WRC Report 1238/1/03) on groundwater potential of the fractured aqui-

fers associated with dolerite rings in the Eastern Cape (Qogodala Ring System and the Great Kei River Catchment) was completed. The study confirmed these areas to have good potential for groundwater supply and the results are now used for water resource planning purposes within my department.

Several other ongoing projects in the Eastern Cape (such as assessment of sustainability of springs in the Eastern Cape, identification and prioritisation of research needs in the Eastern Karoo Basin and conceptualisation of groundwater flow in the rural Karoo aquifers of Mzimvubu to Keiskamma Water Management Area) will be completed shortly followed by implementation process.

Officials supplying roadworking equipment/labour to assist certain community to grade road on private farm without landowner's permission

■4. Mr A H NEL (DA) asked the Minister for Provincial and Local Government: [Written Question No 23]

(1) Whether his attention has been drawn to the involvement of officials of the Mkhado municipality in supplying roadworking equipment and labour to assist the Songozi community to grade a road on a private farm (name furnished) in Limpopo without the landowner's permission; if not, what is the position in this regard; if so,

(2) whether any action will be taken against any officials of the said municipality; if not, why not; if so, (a) against which officials and (b) what action;

(3) whether the municipality will make restitution to the farmer for the damage caused to his property; if not, why not; if so, what are the relevant details;

(4) whether his department has taken legal advice regarding the rights of local authorities, in the absence of any court order, to breach the rights of landowners, so as to assist local authorities in adhering to the law; if not, what action does his department intend taking in this regard; if so, what legal advice was received?

N50E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

(1) No. The position of municipalities in instances where municipalities, or their authorised representatives, are authorised to gain access to private property are clearly provided for in statutory provisions such as sections 5(2)(d) and 101 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), and sections 41 and 72 of the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004). Where actions by municipalities fall outside the scope of such statutory provisions, general legal principles, such as reasonableness, would determine in each particular case whether the actions of a municipality must be regarded as unlawful or not.

(2) to (4) Fall away, as I am not legally empowered to pronounce on these matters. An aggrieved person must follow the relevant legal or court procedures.

Investigation into cases of corruption *re* misappropriation of State funds/misuse of State resources

■5. Mr T D LEE (DA) asked the Minister of Sport and Recreation: [Written Question No 28]

Whether his department is currently investigating any cases of corruption relating to misappropriation of State funds and/or misuse of State resources; if so, (a) what is the (i) total number of cases and (ii) nature of corruption being investigated, (b) when were the investigations launched and (c) what (i) are the names of

the persons being investigated and (ii) positions do they hold, in each specified case? N55E

The MINISTER OF SPORT AND RECREATION: No cases are currently being investigated by the department.

The SA Police Services are, however, currently investigating a case in which departmental funds were fraudulently transferred into a banking account purportedly under the name of the SA National Amateur Boxing Organisation. No formal report on this matter has been received to date. No staff member has to date been implicated in this case.

■6. Mr A C STEYN (DA) — Housing. [Written Question No 29] [Question standing over.]

Details *re* budget of old/new Piet Retief Hospital

■7. Mr S J MASANGO (DA) asked the Minister of Health: [Written Question No 47]

(1) With reference to her reply to Question 734 transferred for oral reply on 10 November 2004 (transferred Question 27), (a) what was the total budget of the existing (old) Piet Retief Hospital from which R99 000 was spent on a party to mark the erection of the physical structure of the new hospital in March 2004, (b) from which line item was the amount taken, (c) why was the hospital's budget used to pay for a function and (d) why was the spending of this amount on a party considered to be more important than spending the money on the provision of health care for the community;

(2) whether any function is planned for the opening of the new hospital which is scheduled for April 2005; if not, what is the position in this regard; if so, (a) what amount has been budgeted for this purpose, (b) which budget will this money be taken from and (c) who will be invited to this function;

(3) whether her department intends instructing the provincial department to refund the money to the hospital; if not, (a) why not, (b) what health delivery factors did she take into account in reaching this decision and (c) whom did she consult in reaching this decision; if so, on what date;

(4) (a) how many (i) doctors and (ii) nurses will be transferred from the old hospital to the new hospital, (b) when will they move to the new hospital and (c) what will be done with the buildings of the old hospital once the new hospital becomes operational;

(5) whether any additional doctors and nurses will be employed at the new hospital; if not, why not; if so, (a) how many (i) doctors and (ii) nurses and (b) when is it anticipated that they will be appointed? N83E

The MINISTER OF HEALTH:

(1) (a) The total budget for Piet Retief Hospital for 2003-04 was R44 000 000.

(b) This amount was taken from the rations line item.

(c) Funds were available on the said line item for functions.

(d) Such functions are viewed as an important part of community involvement and participation.

(2) A function will be arranged to mark the operationalising of the new hospital.

(a) A budget has not yet been compiled for this purpose.

(b) This money will be taken from the provincial event budget.

(c) No decision has been made yet as to who will be invited to this function.

(3) No, we do not intend doing that.

The amount spent has been included as part of the 2003-04 hospital expenditure.

- The function took place at the end of the financial year and services were not negatively affected by the expenditure.

The decision was made by the Mpumalanga provincial health department.

(4) (a) (i) Four medical officers, two community service doctors and three interns will be transferred. Ten sessional doctors (part-time) will also work at the hospital.

(ii) One hundred and thirty nursing staff will be transferred.

(b) Sections will be move over to the new hospital during March and April 2005.

(c) Parts of the old hospital will be renovated to become a step down facility, a psychiatric unit and a comprehensive plan (ART) unit.

(5) (a) (i) An additional ten doctors are needed at the new hospital.

(ii) An additional 40 nurses are needed at the new hospital.

(b) The department is actively trying to recruit health professionals. They will be appointed as soon as they are recruited.

■8. Mr S J MASANGO (DA) — Housing. [Written Question No 48] [Question standing over.]

Tenders awarded to companies for manufacture of ARVs

■9. Mr R COETZEE (DA) asked the Minister of Health: [Written Question No 50]

(1) Whether tenders have been awarded to companies for the manufacture of antiretroviral drugs for the national antiretroviral drug roll-out; if so, with regard to each tender, (a) what company was awarded the tender, (b) for the manufacture (i) of which products and (ii) in what quantities was the tender awarded, (c) on what date was the tender awarded and (d) when will the antiretroviral drugs be available for distribution in terms of the tender;

(2) whether her department has experienced any delays in the awarding of tenders; if so, (a) what problems and (b) what steps have been taken to address these problems? N88E

The MINISTER OF HEALTH:

(1) (a), (b) (i) and (ii) Tender RT71-2004MF was awarded for the supply of antiretrovirals to the following companies:

NRTIs

Stavudine suspension — BMS 727 200 bottles of 200 ml

Stavudine capsules 20 mg — Aspen Pharmacare 84 607 packs of 60

Stavudine 30 mg capsules split — Aspen Pharmacare and Cipla Medpro 70:30 respectively 21 924 000: 939 600 packs of 60

Stavudine 40mg capsules split — Aspen Pharmacare and Cipla Medpro 60:40 respectively 1 879 200: 1 252 800 packs of 60

Lamivudine solution Aspen Pharmacare 2 649 600 bottles of 240 ml

Lamivudine 150 mg tablets — split Aspen Pharmacare and GSK 80:20 respectively 5 030 400: 1 257 600 packs of 60

Didanosine 25 mg — Aspen Pharmacare 5 069 packs of 60

Didanosine 50 mg — Aspen Pharmacare 605 750 packs of 60

Didanosine 100 mg — Aspen Pharmacare 3 564 000 packs of 60

Zidovudine syrup — Aspen Pharmacare 2 398 500 bottles of 200 ml

Zidovudine capsules 100 mg — GSK 216 000 packs of 100

Zidovudine capsules 300 mg — Aspen Pharmacare 103 200 packs of 60

NNRTIs

Efavirenz 50 mg capsules — MSD 1 152 000 packs of 30

Efavirenz 200 mg capsules — MSD 1 557 600 packs of 90

Efavirenz 600 mg tablets — MSD 2 192 400 packs of 30

Nevirapine suspension — Ingelheim Pharmaceuticals 1 152 000 bottles of 240 ml

Nevirapine 200 mg tablets — Aspen Pharmacare 1 879 200 packs of 60

Protease inhibitors

Lopinavir/Ritonavir capsules 2 376 000 packs of 180 and solution 936 000 bottles of 60 ml

Abbott Ritonavir solution 2 880 000 bottles of 90 ml

Indinavir capsules — MSD 8 000 packs of 180

TENDERS RT300-2004 and RT289-2004 respectively.

Abacavir solution — GSK 3 019 bottles of 240 ml (RT300)

Ritonavir capsules — Abbott 1 000 bottles of 84 (RT 289)

(c) Tender RT71-2004MF was awarded on 1 March 2005 while tenders RT 300 and RT289 were awarded on 20 January 2005.

(d) Drugs will be available four to six weeks from date of order. Bristol Myers-Squibb's lead-time is 90 days.

(2) There have been no problems with the award. This tender was co-ordinated by three departments, namely the national Department of Health, the National Treasury and the Department of Trade and Industry. Negotiations on the National Industrial Participation Programme (NIPP) had to be finished before the award.

Facilities offering mother-to-child HIV-transmission prevention programmes

■10. Mr R COETZEE (DA) asked the Minister of Health: [Written Question No 51]

(1) (a) How many facilities were offering mother-to-child HIV transmission prevention programmes as at the latest specified date for which information is available and (b) what percentage of clinics does this represent;

(2) what date does she anticipate that all clinics will be able to offer such programmes;

(3) how many HIV-positive pregnant mothers (a) had been offered access to a PMTCT programme as at the latest specified date for which information is available and (b) have received drug treatment in terms of the programme;

(4) with regard to the babies whose mothers received treatment, (a) how many were later tested for HIV and (b) of these babies were found to be (i) HIV-positive and (ii) HIV-negative? N89E

The MINISTER OF HEALTH:

(1) (a) According to the latest data from the DHIS (district health information system) as at the latter part of 2004, 3 127 facilities were offering PMTCT services.

(b) The percentage of clinics offering PMTCT services from the above-mentioned figure stands out at close to 70%.

(2) All clinics should be offering PMTCT services in the new financial year as a result of assignment and recruitment of more service providers on the PMTCT programme as well as improved capacity building measures.

(3) (a) *DHIS data for the first half of 2004 (April to September) show that of 95 538 Antenatal care clients tested, all of the 25 732 HIV-positive mothers had been offered access to PMTCT services.

(b) 5 839 HIV-positive mothers had taken nevirapine during this period.

(4) (a) 1 941 babies were tested for HIV at twelve months.

(b) (i) 832 babies were HIV-positive.

(ii) 1 109 babies were HIV-negative.

** It should be noted that the data from two provinces (Western Cape and KwaZulu-Natal) are not included as they are not using the DHIS. Therefore, this total is for seven provinces only.*

Introduction of legislation limiting propagation/sale of plants not indigenous to SA

■11. Mr M J ELLIS (DA) asked the Minister of Water Affairs and Forestry: [Written Question No 69]

(1) Whether her department intends introducing legislation limiting the propagation and sale of plants that are not indigenous to South Africa; if so, (a) when is it anticipated that such legislation will be introduced in Parliament, (b) in respect of what plants will limitations be introduced and (c) what factors will be taken into consideration in drawing up the legislation;

(2) whether stakeholders will be consulted prior to the introduction of such legislation; if not, why not; if so, what are the relevant details? N110E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

(1) No. The Department of Water Affairs and Forestry is not intending to introduce legislation limiting the propagation and sale of plants that are not indigenous to South Africa, since this falls outside the Department's mandate and jurisdiction. However, there is other legislation, such as the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and the National Environmental Management; Biodiversity Act, 2004 (Act 10 of 2004) that controls and regulates exotic species. This legislation is administered by the Department of Agriculture and the Department of Environmental Affairs and Tourism, respectively. Regulations

published under the Conservation of Agricultural Resources Act, 1983 provide a schedule of exotic trees and limitations and obligations on landowners.

My department is responsible for the administration of the National Forests Act, 1998 (Act 84 of 1998), which regulates the protection of natural forests and indigenous trees listed under the national list of protected trees. This list does not include exotic species.

(2) Falls away.

Moratorium on registration of social grant beneficiaries in certain provinces

▪12. Mr E W TRENT (DA) asked the Minister of Social Development: [Written Question No 71]

(1) Whether a moratorium has been placed on the registration of social grant beneficiaries in any provinces; if so, (a) in which provinces, (b) when was the moratorium instituted (c) why in each case and (d) when is it anticipated that additional beneficiaries will again be allowed to register for social grants;

(2) whether he was consulted by any of the provinces prior to their instituting such a moratorium; if not, (a) what action has he taken as a result; if so, (b) when was he consulted by each affected province;

(3) whether he approved the decision in each province; if not, what are the relevant details; if so, on what grounds in each specified case;

(4) whether he or his department took legal advice regarding the decision by any province to suspend the registration of social grant beneficiaries; if not, (a) why not and (b) who took the decision not to seek legal advice; if so, (i) what was the relevant legal advice and (ii) from whom was this advice obtained?

N112E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) No moratorium has been placed on the registration of social grant beneficiaries on any directive or instruction from my department.

(2) No, I was not consulted by any of the provinces regarding any decision in this regard.

(3) No, I did not approve any decision.

(4) No legal advice was sought.

(i) and (ii) fall away.

Arms deal: total initial offset commitment of a certain company

▪13. Mr E W TRENT (DA) — Trade and Industry. [Written Question No 72] [*see col 320 supra.*]

Details *re* conditional grants transferred from department to provincial for food emergency relief

▪14. Mr E W TRENT (DA) asked the Minister of Social Development: [Written Question No 73]

(1) With reference to conditional grants transferred from his department to provincial departments as at 31 December 2004 for the purposes of food emergency relief, what amount was (a)(i) allocated and (ii) paid over to each province and (b) distributed by each province to beneficiaries;

(2) whether the rate of distribution to beneficiaries in each province has been found to be satisfactory; if not, (a) why not, (b) what reasons were given by each province for failure to achieve higher distribution rates and

(c) what action does his department intend taking to improve distribution in each case? N114E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) (a) (i) An amount of R400 million was allocated for the National Food Emergency Scheme for this financial year. R12 million (3%) of the R400 million is allocated to the national department for project management and administration cost as well as monitoring, evaluation and the co-ordination of the progress reporting on the programme.

R388 million of the allocation has been paid as conditional grant funds to the provincial departments of social development. This is allocated as follows:

- 3% is for administration and related costs
- 8% is for food supplements for HIV/Aids and TB sufferers
- 35% is for drop-in centres
- 86% is for food parcels.

(ii) Allocation and transfers scheduled

Allocation	*Division of allocation* *R'000*		*First payment end of June R'000*	*Second payment end of July R'000*	*Third payment end of September R'000*
	Eastern Cape	94 133	28 240	47 067	18 826
	Free State	37 334	11 200	18 667	7 467
	Gauteng	27 904	8 371	13 952	5 581
	KwaZulu-Natal	68 185	20 456	34 093	13 636
	Limpopo	61 146	18 344	30 573	12 229
	Mpumalanga	27 651	8 295	13 826	5 530
	North West	41 615	12 485	20 808	8 322
	Northern Cape	9 998	2 998	5 000	2 000
	Western Cape	20 034	6 009	10 014	4 011
Total		388 000	116 398	194 000	77 602

(b) Only two provinces distributed food ie Gauteng 84 000 food hampers and North West 9 396 beneficiaries reached. These distributions were actually from their respective rollovers. All provinces did not distribute food hampers due to a delayed tender and the approval of provincial business plans.

(2) No, the rate of distribution has not been satisfactory.

(a) The national department could not finalise the tender in time. There was uncertainty about the future of the programme and its implementation in 2004-05. The sustainability elements are still not in place. This is particularly so for the Department of Agriculture which could not implement its Starter Pack Programme which was meant to provide the identified beneficiaries with seeds and implements.

The other reason in the delay is that the department wanted to ensure that the processes are of awarding the tender is watertight and that there would be no corrup-

tion and fraud. The department also wanted to ensure that correct service providers ie those who meet our BEE criteria also participate, especially the local traders and shopkeepers.

(b) The delay in the tender finalisation affected all provinces.

(c) The beneficiaries profiling and identifying tool has since been improved.

— The department was vigorously engaged in the thorough screening of service providers to determine their capacity and eligibility in terms of their readiness to efficiently distribute food.

— Stakeholders — NGOs, CBOs, FBOs and others are being mobilised to ensure that deserving beneficiaries receive their food as smooth and on time as possible.

— Programme staff has been provided with appropriate vehicles (4x4s), which will help them access difficult to reach places, especially in the rural areas where roads may be bad.

Supplementary information:

The tender has since been awarded in six of the nine provinces. The Western Cape had to be readvertised because of the high price of the bidders. The department received written submissions from different service providers alleging corruption in the process of the awarding of the tender in KwaZulu-Natal and the Eastern Cape provinces. To address this and ensure the integrity of the process, the department then instituted investigations through the Public Service Commission. To further instil public confidence in the process, the department has since readvertised the tender in these two provinces.

The different provinces in which the tender was awarded are in the process of rolling out the distribution of food hampers. They have engaged the service providers to sign Service Level Agreements. The provinces have also planned different activities for the launches of the roll-out.

For written reply:

Involvement of officials of Makhado municipality in supplying roadworking equipment/labour to assist Songozi community to grade private farm road

23. Mr A H NEL (DA) asked the Minister for Provincial and Local Government:

(1) Whether his attention has been drawn to the involvement of officials of the Makhado municipality in supplying roadworking equipment and labour to assist the Songozi community to grade a road on a private farm (name furnished) in Limpopo without the landowner's permission; if not, what is the position in this regard; if so,

(2) whether any action will be taken against any officials of the said municipality; if not, why not; if so, (a) against which officials and (b) what action;

(3) whether the municipality will make restitution to the farmer for the damage caused to his property; if not, why not; if so, what are the relevant details;

(4) whether his department has taken legal advice regarding the rights of local authorities, in the absence of any court order, to breach the rights of landowners, so as to assist local authorities in adhering to the law; if

not, what action does his department intend taking in this regard; if so, what legal advice was received? N50E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

(1) No. The position of municipalities in instances where municipalities, or their authorised representatives, are authorised to gain access to private property are clearly provided for in statutory provisions such as sections 5(2)(d) and 101 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), and sections 41 and 72 of the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004). Where actions by municipalities fall outside the scope of such statutory provisions, general legal principles, such as reasonableness, would determine in each particular case whether the actions of a municipality must be regarded as unlawful or not.

(2) to (4) Fall away, as I am not legally empowered to pronounce on these matters. An aggrieved person must follow the relevant legal or court procedures.

Persons with official refugee status currently residing in SA

27. Mr M SWART (DA) asked the Minister of Home Affairs:

(1) (a) How many persons with official refugee status currently reside in South Africa, (b) what is the annual cost to taxpayers to house all these refugees and (c) how many of these refugees are citizens of (i) Angola and (ii) Mozambique;

(2) whether these refugees will be returned to their home countries considering the cessation of war in Angola and Mozambique; if not, why not; if so, when;

(3) how many persons applied for refugee status in the twelve months up to 30 September 2004;

(4) whether any applications for refugee status have been turned down; if not what is the position in this regard; if so, how many? N54E

The MINISTER OF HOME AFFAIRS:

(1) (a) 27 046 persons have been granted asylum in South Africa.

(b) Government does not budget directly for costs of maintaining refugees in South Africa. There are however indirect costs that are incurred as a result of the ability of refugees to access several social delivery benefits, including primary healthcare, water, sanitation and education for their children. For this reason it impossible to quantify the costs.

(c) (i) There are 13 722 Angolan refugees in South Africa.

There are 185 Mozambican asylum seekers in South Africa.

(2) Yes. They are likely to be returned to their home countries as circumstances in terms of which they have been recognised as refugees have ceased to exist. In terms of the 1969 OAU Convention Governing Aspects of Refugee Problems in Africa, refugees who freely decide to return to their homeland, as a result of such assurances or on their own initiative, shall be given all possible assistance by the country of asylum, the country of origin, voluntary agencies and intergovernmental organisations to facilitate their return. The Government is however not in a position to implement forced repatriations for those who are not willing to return home.

(3) In the twelve-month period up to 30 September 2004, approximately 22 743 persons applied for asylum.

(4) Yes. Not all applicants qualify for asylum in terms of the criteria as stipulated in section 3 of the Refugees Act, 1998 (Act No 130 of 1998). This include certain applicants who are economic immigrants and other categories that have been rejected. A total 3 961 applications have been rejected.

QUESTIONS

For written reply:

Cancellation of completed programmes

99. Ms M SMUTS (DA) asked the Minister of Communications:

Whether the SABC Board or any individual member of the Board has cancelled the screening of programmes that had been commissioned and completed; if so, (a) which programmes and (b) why? N144E

The MINISTER OF COMMUNICATIONS:

The CEO of the SABC has informed me as follows:

The SABC Board members or any individual have no authority to cancel the screening of programmes.

Commissioning procedures/other practices at SABC commissioned from certain firm

100. Ms M SMUTS (DA) asked the Minister of Communications:

(1) Whether an investigation into commissioning procedures and/or any other practices at the SABC has been commissioned from a certain firm (name furnished); if so, what are the relevant details;

(2) whether a report has been received in this regard; if not, when is it anticipated that a report will be received; if so, what were the findings? N145E

The MINISTER OF COMMUNICATIONS:

The CEO of the SABC has informed as follows:

(1) Yes, the SABC has commissioned Gobodo Forensic Investigators to conduct an investigation into allegations of irregular practices in the awarding of the production and or commissioning contracts for television programmes.

(2) No, the Board of Directors of the SABC has not received a report on the Gobodo investigations.

The Board, in pursing the matter of the investigation, has appointed a special board committee to look into the report and after the committee has satisfied itself, it will present the report to the Board of Directors.

QUESTIONS

For written reply:

Erkende/spesifiek finansieel tersiêre kwalifikasies van sleutelpersoneel

111. Dr S M VAN DYK (DA) vra die Minister van Onderwys:

(1) Of die hoof- finansiële beampte, die Hoofdirekteur: Finansiële Dienste en die Direkteur van Begroting van haar departement oor 'n erkende en spesifiek finansieel tersiêre kwalifikasie beskik; so nie, watter oorwegings deurslaggewend was met die aanstelling van dié amptenare; so ja, (a) watter graad en/of diploma elke vermelde amptenaar behaal het en (b)(i) wanneer en (ii) by watter tersiêre instelling dit verwerf is;

(2) (a)(i) hoeveel amptenare in die interne ouditkomponent van haar departement werksaam is en (ii) hoeveel finansiële personeellede in al die verskillende afdelings van haar departement, uitgedruk as persentasie van die totale personeelsterkte, werksaam is en (b)(i) watter persentasie van al bogenoemde lede opleiding by geakkrediteerde tersiêre instellings ontvang het in die toepassing van die Wet op Openbare Finansiële Bestuur, Wet 1 van 1999 en (ii) watter persentasie van dié lede deel uitmaak van die senior bestuur vanaf die rang van direkteur en hoër;

(3) of die hoof van die interne ouditkomponent oor erkende formele en spesifiek rekeningkundige en ouditkundige kwalifikasies beskik; so ja, (a) watter kwalifikasies en (b) by watter tersiêre instansie dit verwerf is;

(4) of alle poste in die interne ouditkomponent gevul is; so nie, (a) waarom nie, (b) wat die persentasie vakante poste is, (c) watter persentasie van alle finansiële poste in al die afdelings van haar departement vakant is en (d) watter stappe haar departement in dié verband beoog;

(5) of die hoof- finansiële beampte, die rekenmeester, die Interne Ouditeur en die Direkteur van Begroting reeds opleiding in die toepassing van die Wet op Openbare Finansiële Bestuur, Wet 1 van 1999, by geakkrediteerde tersiêre instellings ontvang het; so nie, op grond van watter maatstawwe die prestasie-ooreenkomste van dié amptenare gemeet word; so ja, watter opleidingsertifikaat by watter instelling in elke geval ontvang is?

N156A

(Translation of Afrikaans question follows):

[Recognised/specifically financial tertiary qualification of key staff

111. Dr S M VAN DYK (DA) asked the Minister of Education:

(1) Whether the chief financial officer, the Chief Director: Financial Services and the Director of Budgeting of her department have a recognised and specifically financial tertiary qualification; if not, what considerations were decisive in the appointment of these officials; if so, (a) what degree and/or diploma each of the aforementioned officials obtained and (b)(i) when and (ii) from which tertiary institution it was obtained;

(2) (a)(i) how many official are employed in the internal auditing component of her department and (ii) how many finance staff members are employed in all the various sections of her department, expressed as a percentage of the total staff complement and (b) (i) what percentage of all the aforementioned staff members

have received training in the application of the Public Management Act, Act 1 of 1999, from accredited tertiary institutions and (ii) what percentage of these members form part of senior management from the rank of director and above;

(3) whether the head of the internal auditing component has recognised formal and specifically accounting and auditing qualifications; if so, (a) what qualifications and (b) from which tertiary institution were they obtained;

(4) whether all the posts in the internal auditing component are filled; if not, (a) why not, (b) what is the percentage of vacant posts, (c) what percentage of all finance posts in all the sections of her department are vacant and (d) what steps her department envisages in this regard;

(5) whether the chief financial officer, the accountant, the internal auditor and the Director of Budgeting have already received training in the application of the Public Finance Managment Act, Act 1 of 1999, from accredited tertiary institutions; if not, on the basis of what criteria are the performance agreements of these officials assessed; if so, what training certificate from which institution was received in each case? N156E]

The MINISTER OF EDUCATION:

(1) Yes, the Chief Financial Officer and the Director of Budgeting is in possession of specifically financial tertiary qualifications.

Director: Budgeting

(a) B.Com

(b) (i) 27 April 1991

(ii) University of North West

(a) Advanced Financial Management

(b) (i) 22 December 2000

(ii) University of North West

(a) Senior Certificate

(b) (i) 1985

(ii) RSA

Chief Financial Officer

(a) National Diploma in State Finance

(b) (i) 1980

(ii) Technikon Pretoria

(a) B.Com

(b) (i) 1991

(ii) Unisa

(a) Senior Certificate

(b) (i) 1970

(ii) RSA

(a) B.Com (Hons.) — incompleted

(b) (i) Unisa

(ii) 1992

(a) MBA — module on Public Finance

(b) (i) University of Cape Town

(ii) 1999

(2) (a) (i) Officials employed:

One director

One deputy director

Three assistant directors

Three internal auditors

Total: Eight

(ii) 2,67% (20 officials on a staff compliment of 749)

(b) (i) 35% (seven officials) of staff members. The others all received in-house training.

(ii) Four out of 30, thus 13%.

(3) Yes

Qualifications: Head of Internal Audit

(a) B Comm. (Hon) with Accounting and Internal Auditing

Currently enrolled with Institute for Internal Auditors for Certified Internal Auditor Program

(b) Unisa

(4) No, there are currently two vacant posts:

(a) Both posts could not be filled as no successful candidates could be found when the posts were advertised in 2004. The posts are now being re-advertised.

(b) 25% vacant posts

(c) 28% of all finance posts in all sections vacant due to a high staff turnover rate.

(d) The vacant posts have been advertised and are in the process to be filled.

(5) The officials have received training arranged by National Treasury and IPFA. The Head of Internal Audit also received training from the Auditor-General's office. The present formal studies of the Head of Internal Audit includes training on the application of the PFMA. The MBA module completed by the CFO at the University of Cape Town also included the application of the PFMA.

Operating cost of Lilian Ngoyi vessel since its launch

282. Mr G R MORGAN (DA) asked the Minister of Environmental Affairs and Tourism:

(1) (a) What has been the total operating cost of the Lilian Ngoyi vessel since its launch, (b) what is the daily operating cost of this vessel, (c) what are the average daily costs of (i) onboard staff and (ii) fuel and (d) what total number of nautical miles have been completed since its launch,

(2) (a) how many interventions have been made by the crew of the vessel to apprehend abalone poachers since the launch and (b) in each case, (i) where did the intervention take place, (ii) how many suspected poachers (aa) were arrested and (bb) escaped and (iii) what are the further relevant details;

(3) whether there has been a reported drop in abalone poachers using inflatable boats since the launch of the Lilian Ngoyi; if not, what is the position in this regard, if so, what are the relevant details? N415E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) The operating budget for the period Nov 2004 to Feb 2005 was R3 020 086.

(b) For the period 15 November to 31 December, the daily operating cost was R24 675. This includes all costs such as insurance, management fees, port duties etc.

(c) (i) R12 526

(ii) R10 992

(d) 8 232.

(2) (a) More than 30 interventions have been made, which have included poachers targeting abalone, linefish and lobster.

(b) (i) The apprehensions have generally taken place in the Overstrand, West Coast and Karbonkelberg area.

(ii) (aa) 0

(bb) 0

(iii) The majority apprehensions were disposed of in terms of fines and warnings.

(3) Yes, incident reporting has dropped from an average of 16 to 1 a week, e.g. in the Overstrand.

Demarchés received from any foreign governments *re* Act 28 of 2002

327. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy:

Whether arising from the implementations of the Mineral and Petroleum Resources Development Act, Act 28 of 2002, she has received a demarché from any foreign governments; if so (a) from which governments, (b) what were the terms of such demarché, (c) when was the demarché received, (d) what was her response to it, (e) what follow-up or further meeting is required and (f) what are the further relevant details in each case? N491E

The MINISTER OF MINERALS AND ENERGY:

The Minister of the Department of Minerals and Energy has never received any demarché from any foreign government as a result of the Mineral and Petroleum Resources Development Act, Act 28 of 2002.

Further information:

The DME Minister received an aide memoire from the Embassy of Italy in South Africa on 26 August 2004 enquiring about the possible breaches of the South Africa-Italy Bilateral Investment Treaty (BIT) in the implementation of the Mineral and Petroleum Resources Development Act (MPRDA). Amongst others their complains were on expropriation of mineral rights and the Mining Charter.

Upon receipt of the aid memoire, representatives of the Italian companies operating in South Africa, embassy and the DME held initial discussions on the matter. The meetings are still ongoing and the DME is to engage also with representatives from the Department of Foreign Affairs.

Companies *re* which notices to institute legal proceedings were received i.t.o. Act 40 of 2002

337. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy:

With reference to her reply to question 37 on 8 March 2005 and in the light of the implementation on 1 May 2004 of the Mineral and Petroleum Resources Development Act, Act 28 of 2003, (a) what are the names of the companies registered in (i) foreign countries and/or (ii) South Africa in respect of which notices to institute legal proceedings in terms of the Institution of Legal Proceedings against certain Organs of State Act, Act 40 of 2002, had been received as at 28 February 2005, (b) what are the amounts in respect of which each notice was received, (c) what was the total amount of all the claims in respect of the notices received by the Government or her department and (d) how does the Government or her department intend dealing with these notices? N501E

The MINISTER OF MINERALS AND ENERGY:

(a) On 29 October 2004, the department received in excess of 3 000 notices to institute legal proceedings in terms of the Institution of Legal Proceedings against certain Organs of State Act, Act 40 of 2002. These notices were either faxed or hand delivered. Notices were not only received from companies (foreign and local) but also from close corporations and private individuals.

The department is currently in the process of capturing and processing the information contained in the notices received. This information include amongst others the following:

- Full particulars of company/individual
- Full particulars of legal representative (if any)
- Nature and basis of claim
- Amount of claim
- Property description (where applicable)
- Particulars of certificates, deeds, licenses, permits (where applicable).

The database will be up to date by 15 April 2004.

(b) and (c) Fall away.

(d) Immediately after receiving the said notices in terms of Act 40 of 2002, the department sought legal advice on the appropriate legal procedures to be followed. Counsel has been appointed and is advising the department in this regard.

Reopening of Saldanha harbour slipway

431. Mr M J ELLIS (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether the Saldanha harbour slipway, which was closed for repairs in May 2003, has been reopened; if not, (a) why not and (b) when is it anticipated that it will be reopened; if so, (a) on what date, (b) what total amount was budgeted for the repairs and (c) what was the final cost of the repairs;

(2) whether slipways in other harbours on and around the country's coastline have also been closed or are due to be closed for repairs; if so, which harbour slipways;

(3) whether the same process has been or will be followed in repairing those slipways as was used in Saldanha Bay; if not, how does or will the process differ;

(4) who is responsible for carrying out these repairs? N505E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) No, the repair work to the slipway has not yet been completed.

(a) This question should be posed to the national Department of Public Works.

(b) Estimated final value of the contract is R18 230 500.

(c) This figure is not yet available as repair work is not complete.

(2) Yes. Other slipways in proclaimed fishing harbours that were closed for repairs and have been reopened are in Lambert's Bay, St Helena Bay, Hout Bay, Kalk Bay, and Gansbaai.

(3) This question should be posed to the national Department of Public Works.

(4) The national Department of Public Works.

Completion of national audit of cultural property

367. Mrs D VAN DER WALT (DA) asked the Minister of Arts and Culture:

(1) Whether the national audit of cultural property has been completed; if not, why not; if so, (a) by when was it completed and (b) what were the results of the audit in each province;

(2) whether the R7,5 million budget allocation for the audit in the 2004-05 financial year has been spent; if not, why not; if so, how was it spent by (a) his department and (b) each province? N536E

The MINISTER OF ARTS AND CULTURE:

(1) No. Due to the scope of the project, the envisaged date of completion is 2007.

Because of the scale of our national treasures, undertaking a national audit requires an integrated and comprehensive strategy which includes consultation with provinces, local government, the National Heritage Council (NHC), declared cultural institutions, SA Heritage Resources Agency, SA Museums Association (SAMA), National Arts Council (NAC), institutions of higher learning and other relevant stake holders. Consultation with the provinces has taken place through Minmecand technical committee. These consultations including those with SAHRA, NHC and SAMA have led to the development of terms of reference for conducting the audit.

(2) No. The funds allocated have not yet been spent.

Section 39(1) to (7) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) mandates the SA Heritage Resource Agency (SAHRA) to compile and maintain an inventory of the national estate and sets out procedures of how this is to be done. SAHRA is therefore driving the process of undertaking the audit in line with the legislation and the budget for this (R7,5 million) has accordingly been transferred to SAHRA. The Department of Arts and Culture plays an oversight role through a service-level agreement with SAHRA and through regular progress monitoring interaction with SAHRA.

QUESTIONS

For written reply:

Jobs created/lost in public enterprises

2. Mr M STEPHENS (UDM) asked the Minister of Public Enterprises:

What total number of jobs were (a) created and (b) lost in each public enterprise in the past two financial years?

N20E

The MINISTER FOR PUBLIC ENTERPRISES

The information on jobs created and lost in each public enterprise in the past two financial years is as follows:

Denel

(a) Denel has created seven additional positions over the past two financial years:

2003: General Manager Projects, Chief of Staff, Group Executive Director: Procurement, Forensic Auditor and a Procurement Officer

2004: Legal advisor and an administrative position.

(b) Number of jobs lost over the past two financial years:

Financial year	*Number of retrenched employees*
2002-03	92
2003-04	127

Alexkor

Financial year 1/7/2002-30/6/2003

Jobs created	*Jobs lost*
Environmental officer	Production manager: Noordsif and final recovery
Data clerk — ABT	Secretary
	Trainee manager: Parsley
	Assistant draughtsman
	Financial manager: ABT

Financial year 1/7/2003 — 30/6/2004

Jobs created	*Jobs lost*
Rigger	—

Aventura

Aventura Limited resorts were disposed of in June 2003. When the new management took over as of 1 July 2003, the condition of sale was that no employees would be retrenched for a period of three years.

Therefore (a) no jobs were lost in the past two financial years.

(b) No jobs have been created as the parastatal is being wound down for closure.

Safcol

(a) No jobs were created in the Safcol Group over the past two completed financial years, since the Group is currently being privatised.

(b) 2002-03 Financial year

There were 179 job losses as a result of restructuring and 245 employees (2003-04).

2003-04 Financial year

There were 245 job losses due to export discontinuation and St Lucia operations

Arivia.kom

In the period 31 January 2003 to 31 January 2005, arivia.kom has gained 103 positions overall, due on the whole to a strong increase in industry demand for contract workers.

Period	*Permanent positions*	*Contracting/ temporary positions*	*Difference: permanent*	*Difference: contractor/ temps*	*Total difference*
Opening balance at 31.1.2003	1 494	256			
Year 1 31.1.2004	1 425	365	–69	109	40
Year 2 31.1.2005	1 422	431	–3	66	63
				Total number of positions gained	103

Eskom

External losses

Period	*Jan to Dec 2003*	*Jan to Dec 2004*
Retirements*	649	569
Deceased	220	298
Normal attrition	842	728
Total losses	1 711	1 595

* Ill-health and voluntary packages included.

External appointments

Period	*Jan to Dec 2003*	*Jan to Dec 2004*
New hirings	1 293	1 063

Feasibility of desalination of seawater as alternative source of potable water in SA

108. Mr D K MALULEKE (DA) asked the Minister of Water Affairs and Forestry:

(1) Whether her department has investigated the feasibility of the desalination of seawater as an alternative source of potable water in South Africa; if so, (a) what investigations have been carried out and (b) what were the findings of these investigations;

(2) whether any action has subsequently been taken in this regard; if not, what is the position in this regard; if so, what action;

(3) what is the estimated cost of delivering water through this source?

N153E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

(1) Yes. The Department of Water Affairs and Forestry does not undertake basic research into sea water desalination, but in all my department's studies regarding water sources for coastal areas around the country, sea water desalination is considered as an option.

(a) Some current examples are studies to compile strategies for the reconciliation of water requirements and water availability in the Western Cape Water Supply System (Cape Town) and the Algoa Water Supply System (East London), as well as studies to find supplementary water sources for towns along the Albany Coast (Port Alfred and Alexandria) and along the Outeniqua Coast (Knysna to Stilbaai). These studies place an emphasis on improving the efficiency of water use, but also consider all the available options to increase the water availability, such as surface water development (dams), groundwater utilisation, re-use of effluent and sea water desalination.

(b) The studies that have been finalised, concluded that at this stage and in most cases, sea water desalination is not yet competitive if good surface and groundwater potential still exist. One exception is the Albany Coast Water Board, which already supplies desalinated sea water to Bushman's

River Mouth and Kenton-on-Sea. Desalination is likely to become a competitive option for other towns in the Albany Coast area in the medium term. The reason is the lack of adequate useable surface and groundwater resources.

In the case of the City of Cape Town, desalination will become more of a proposition as it becomes more costly to further develop already stressed conventional resources, and as desalination becomes less expensive due to technological improvements and favourable exchange rates. In anticipation of the eventual need for a larger scale desalination scheme, the City of Cape Town is considering plans to install a pilot scale plant to gain local application information and experience.

(2) Planners in my department are keeping abreast of developments in the desalination field. Ongoing research takes place in many parts of the world and technology, operation and management improvements lead to cost reductions. The planners make use of the latest information to ensure that desalination is fairly and correctly compared with other options.

(3) The cost of desalinated sea water depends on the capital required for intake and filtration works and the plant itself, as well as energy, operation and maintenance costs. At present a representative unit cost of desalinated water at the plant, assuming reasonably favourable conditions, would be in the order of R6 to R7 per cubic metre. The cost of bulk conveyance to consumer areas and reticulation costs is likely to add significantly to that unit price.

Sea water desalination is a relatively large energy (electricity) consumer. It would therefore have a secondary environmental cost in terms of pollution (greenhouse gasses) and the fact that electricity generation also consumes water.

Donation of money by parastatals to ruling party

218. Mr V C GORE (ID) asked the Minister for Public Enterprises:

Whether, (a) Eskom, (b) Transnet, (c) Denel, (d) Alexkor, (e) Aventura, (f) Safcol and/or (g) any other public enterprise falling under his department has donated any money to the ruling party in the last ten years; if so, (i) which public enterprises, (ii)(aa) when and (bb) for what purpose was the donation made and (iii) what amount was donated, in each case? N26E

The MINISTER FOR PUBLIC ENTERPRISES:

A reply on the donation of monies by public enterprises falling under my department is as follows:

(b) Transnet Limited did not donate any funds to the ruling party.

However, Transnet Limited was afforded the opportunity to exhibit at the ANC's 51st National Conference held during December 2002 in Stellenbosch.

Transnet received a proposal from the Network Lounge, a company that saw an opportunity during this conference to create an avenue for companies to interact with the diverse audience to showcase their various companies.

On the basis of the sound proposal and understanding that a conference of this nature is not only attended by members of the said organisation but amongst others diplomats and foreign guests, Transnet took the informed decision to exhibit at the Network Lounge to showcase its business.