

Friday, 14 April 2000]

342

No 56—2000] SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 14 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The following Bill was introduced in the National Assembly on 14 April 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *Administration of Estates Amendment Bill* [B 24—2000] (National Assembly—sec 75)—(Portfolio Committee on Justice and Constitutional Affairs—National Assembly). [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 12081 of 10 April 2000].

(2) The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Water Affairs and Forestry and the Select Committee on Land and Environmental Affairs for information:

Report of the Auditor-General on the Financial Statements of Vote 36—Water Affairs and Forestry and related accounts for 1998-99 [RP 160—99].

- (2) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Justice and Constitutional Development and to the Select Committee on Security and Constitutional Affairs for information:

Report of the Auditor-General on the Financial Statements of Vote 21—Justice for 1998-99.

- (3) The following paper is referred to the Portfolio Committee on Public Service and Administration and the Select Committee on Local Government and Administration:

Report and Financial Statements of the South African Management Development Institute for 1998-99, including the Report of the Auditor-General on Vote 30—South African Management Development Institute.

- (4) The following paper is referred to the Portfolio Committee on Provincial and Local Government and the Select Committee on Local Government and Administration:

Reasons for declaring a state of disaster in Mpumalanga Province, tabled in terms of section 2(4) of the Civil Protection Act, 1977 (Act No 67 of 1977).

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Reports of the Auditor-General on the—

- (a) Financial Statements of Vote 17—Home Affairs for 1998-99 [RP 141—99];

- (b) Financial Statements of Vote 28—Public Works for 1998-99 [RP 152—99];

- (c) Financial Statements of the Zoological Gardens of South Africa for 1998-99 [RP 65—2000].

2. The Minister for Welfare and Population Development:

Report of the Department of Welfare and Population Development for 1999-2000 [RP 86—2000].

COMMITTEE REPORTS:

National Council of Provinces:

1. Report of the Select Committee on Local Government and Administration on the *Fire Brigade Services Amendment Bill* [B 63B—99] (National Assembly—sec 76), dated 10 April 2000:

The Select Committee on Local Government and Administration, having considered the subject of the *Fire Brigade Services Amendment Bill* [B 63B—99] (National Assembly—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill without amendment.

1. In view of the urgent need to restructure the Fire Brigade Board, the Committee focussed on the composition of the Board.

2. The Committee further recommends that the principal Act must be reconsidered: It must be reviewed and either redrafted or amended to reflect the terminology and constitutional arrangements contained in the Constitution of the Republic of South Africa.

2. Report of the Select Committee on Economic Affairs on the *Competition Amendment Bill* [B 10B—2000] (National Assembly—sec 75), dated 12 April 2000:

The Select Committee on Economic Affairs, having considered the subject of the *Competition Amendment Bill* [B 10B—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports the Bill with proposed amendments, as follows:

CLAUSE 2

1. On page 4, in line 1, to omit “and” and to substitute “or”.
2. On page 4, from line 2, to omit paragraph (b) and to substitute:
 - (b) consider an appeal arising from the Competition Tribunal in respect of—
 - (i) any of its final decisions other than a consent order made in terms of section 63; or
 - (ii) any of its interim or interlocutory decisions that may, in terms of this Act, be taken on appeal.

Monday, 17 April 2000]

No 57—2000] SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 17 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Minister in the Office of the President on 7 April 2000 submitted a draft of the *The National Youth Commission Amendment Bill, 2000*, and a memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159.

COMMITTEE REPORTS:

National Assembly:

1. Report of the Standing Committee on Private Members' Legislative Proposals and Special Petitions on a Petition, dated 12 April 2000:

The Standing Committee on Private Members' Legislative Proposals and Special Petitions, having considered the Special Petition of Ms H E Liebenberg, referred to it, reports as follows:

1. Ms Liebenberg's husband, who was in the employ of the then South African Railways and Harbours Administration for more than 40 years, passed away in 1996.
2. She and her husband were both classified as "coloured" in terms of the Population Registration Act, 1950.
3. Her husband was a member of a pension fund for "non-whites", which did not provide benefits for surviving spouses.
4. Accordingly, no legislative authority exists whereby she can receive a widow's pension.
5. The Committee approached the Ministry of Public Enterprises who, through the Transnet Pension Fund, reported that the management of that fund identified the rule excluding dependants of black pensioners who retired before 1 April 1986

to be an anomaly and obtained approval from the Pension Fund's Board of Trustees on 25 May 1999 to amend the rule in question.

6. The proposed amendment also provides that all current widows must be approached so that they can register a claim with the fund within a period of 12 months.
7. Should the amendment to the Transnet Pension Fund rules be approved, Ms Liebenberg could qualify to receive a gratuity as compensation for loss of income.
8. However, the amendment to the Transnet Pension Fund rules must, in terms of the Transnet Pension Fund Act, 1990, be approved by the Board of Trustees, the Managing Director of Transnet and the Minister of Public Enterprises, with the concurrence of the Minister of Finance.
9. The Committee therefore recommends that Ms Liebenberg be advised to approach the Fund and provide it with documentary evidence to substantiate her relationship with her deceased husband, so that her claim can be settled once the amendment to the rules has been effected.

Report to be considered.

National Council of Provinces:

1. Report of the Select Committee on Public Services on the *National Land Transport Transition Bill* [B 5—2000] (National Council of Provinces—sec 76), dated 11 April 2000:

The Select Committee on Public Services, having considered the subject of the *National Land Transport Transition Bill* [B 5—2000] (National Council of Provinces—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill with amendments [B 5A—2000].

2. Report of the Select Committee on Finance on the *Division of Revenue Bill* [B 8B—2000] (National Assembly—sec 76), dated 17 April 2000:

The Select Committee on Finance, having considered the subject of the *Division of Revenue Bill* [B 8B—2000] (National Assembly—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill without Amendment.

3. Report of the Select Committee on Labour and Public Enterprises on the *Independent Communications Authority of South Africa Bill* [B 14B—2000] (National Assembly—sec 75), dated 17 April 2000:

The Select Committee on Labour and Public Enterprises, having considered the subject of the *Independent Communications Authority of South Africa Bill* [B 14B—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports that it has agreed to the Bill.

Tuesday, 18 April 2000]

No 25—2000] SECOND SESSION, SECOND PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 18 APRIL 2000

1. The House met at 14:05.
2. The Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:01] Notices of motion.
4. Mr J J Dowry moved without notice: That the House—
 - (1) take cognisance of and congratulate the Protea cricket team with its splendid victory in the series of three one-day matches against the world champion, Australia;
 - (2) notes that the victory is so much more remarkable in view of the unfortunate events of the past two weeks with regard to the team;
 - (3) is of the opinion that Shaun Pollock and his team emphasised the true bravery and willpower of a winning nation like South Africa by properly revenging the disappointment of the Edgbaston World Cup Tournament in 1999;
 - (4) is further of the opinion that the victory is an example of the fighting spirit and abilities of all South Africans, who do not allow themselves to be beaten by setbacks; and
 - (5) wishes the team everything of the best for the tour to Sri-Lanka and the next meeting with the world champions in Australia.

5. FIRST ORDER [14:21]

Debate on Vote No 35—Welfare, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

BUSINESS SUSPENDED AT 17:01 AND RESUMED AT 17:03.

Debate concluded.

6. The House adjourned at 17:05.

S G MFENYANA,
Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 18 APRIL 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Report of the Auditor-General on the Financial Statements of the Independent Development Trust (Main Fund) for 1997-98 [RP 182—99].

2. The Minister of Finance:

- (1) Rider Number one to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Parliamentary Support Programme, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (2) Rider Number one to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Policing in the Eastern Cape, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (3) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Technical Support to the South African Department of Education, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (4) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Public Service Management Development, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (5) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning the Truth and Reconciliation Commission, to be tabled in terms of section 231(3) of the Constitution, 1996.

- (6) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning the Cato Manor Development Programme, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (7) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Private Sector Development Programme, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (8) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning FISCU, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (9) Rider Number Three to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning District Health System, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (10) Rider Number Three to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Health Technical Support, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (11) Rider Number Two to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Non-Grid Electrification of Rural Schools, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (12) Rider Number Two to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Technical Assistance Consultancy Support, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (13) Rider Number Three to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning HIV/AIDS Programme, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (14) Rider Number Four to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning District Health System, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (15) Rider Number Four to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Health Technical Support, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (16) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Public Health Sectoral Support Programme, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (17) Rider Number Two to the Financing Agreement between the Government of the Republic of South Africa and the European

Tuesday, 18 April 2000]

Community concerning SADC Finance and Investment Research Programme, to be tabled in terms of section 231(3) of the Constitution, 1996.

(18) Rider Number Two to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Private Sector Development Programme: Small and Micro Enterprises, to be tabled in terms of section 231(3) of the Constitution, 1996.

(19) Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Sector Support for Community Water Supply and Sanitation, to be tabled in terms of section 231(3) of the Constitution, 1996.

(20) Agreement between the Government of Sweden and the Government of the Republic of South Africa on General Terms and Conditions for Development Co-operation, to be tabled in terms of section 231(3) of the Constitution, 1996.

(21) Amendment Agreement between the Government of the United States of America and the Government of the Republic of South Africa on Community-based Water Board Development Project, to be tabled in terms of section 231(3) of the Constitution, 1996.

(22) Amendment Agreement between the Government of the United States of America and the Government of the Republic of South Africa on Primary Education Results Package Programme: Department of Education, to be tabled in terms of section 231(3) of the Constitution, 1996.

3. The Minister of Arts, Culture, Science and Technology:

(1) Report of the Board of Control of the Woordboek van die Afrikaanse Taal for 1998-99.

(2) Government Notice No 1034 published in the Government Gazette No 20410 dated 3 September 1999, Withdrawal of Government Notice No 644 of 19 April 1999 made in terms of section 5(1)(c) of the National Monuments Act, 1969 (Act No 28 of 1969).

(3) Government Notice No 1044 published in the Government Gazette No 20410 dated 3 September 1999, Entries in the register of immovable conservation-worthy property in terms of section 5(1)(cC) of the National Monuments Act, 1969 (Act No 28 of 1969).

(4) Government Notice No 2063 published in the Government Gazette No 20436 dated 10 September 1999, European Programme: Support for small, medium and micro enterprises in South Africa.

(5) Government Notice No 90 published in the Government Gazette No 20458 dated 10 September 1999, Designation of Provincial Language Committee in the North West, made in terms of section 8(8)(a) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).

(6) Government Notice No 92 published in the Government Gazette No 20458 dated 10 September 1999, Designation of Provincial Language Committee in the Western Cape, made in terms of

section 8(8)(a) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).

- (7) Government Notice No 91 published in the Government Gazette No 20458 dated 10 September 1999, Publication of a decision in terms of section 11(7) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (8) Government Notice No 1125 published in the Government Gazette No 20476 dated 23 September 1999, Registration of heraldic representations made in terms of section 10 of the Heraldry Act, 1962 (Act No 18 of 1962).
- (9) Government Notice No 97 published in the Government Gazette No 20499 dated 1 October 1999, Designation of Khoi and San National Language Body, made in terms of section 8(8)(b) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (10) Government Notice No 98 published in the Government Gazette No 20499 dated 1 October 1999, Normative Framework for the recognition of Provincial Language Committees made in terms of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (11) Convention on the Means of Prohibition and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, to be tabled in terms of section 231(2) of the Constitution, 1996.
- (12) Explanatory Memorandum to the Convention.
- (13) Convention to the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), to be tabled in terms of section 231(2) of the Constitution, 1996.
- (14) Explanatory Memorandum to the Convention.

4. The Minister of Trade and Industry:

- (1) Constitution of the United Nations Industrial Development Organisation (UNIDO), to be tabled in terms of section 231(2) of the Constitution, 1996.
- (2) Explanatory Memorandum to the Constitution.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

TUESDAY, 18 APRIL 2000

1. The Council met at 10:04.
2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:10] Kgoshi M-L Mokoena moved without notice: That the Council—
 - (1) notes that the Easter holiday is upon us once again;
 - (2) further notes that past Easter holidays have taken a terrible toll on many families who lost loved ones through road accidents;
 - (3) urges all South Africans intending to travel over this period to exercise the utmost care when they are on the roads; and
 - (4) calls on the Minister of Transport and on the Department to ensure that there are enough traffic officials available over this period.

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

4. [10:11] Mr N M Raju moved without notice: That the Council—
 - (1) congratulates two great non-American golfers, Vijay Singh of Fiji and Ernie Els of South Africa, on coming first and second in the prestigious US Masters Golf Tournament which was held at the famous Augusta National Golf Course in Georgia, USA;
 - (2) acknowledges that to beat the world's best golfers and especially the much-vaunted Americans in their own backyard is no mean achievement; and
 - (3) notes with gratification that the victor in this great tournament was a golfer of colour from the seemingly unknown island of Fiji, which is a source of great inspiration to all disadvantaged golfers all over the world.

What a victory! Not only for Vijay Singh but a great triumph for the sport itself—golf is indeed the ultimate winner. We celebrate!

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

5. [10:13] Mr M A Sulliman moved without notice: That the Council—

- (1) notes that the institution of traditional leadership was never accorded pride of place in the systems of apartheid governance;
- (2) also notes the recent launching of a draft discussion document towards a White Paper on Traditional Leadership and Institutions;
- (3) is of the opinion that the discussion document will give us an opportunity to map out a vision which will harmonise the indigenous institutions of traditional leadership with our evolving system of democratic governance, and accord it the priority it deserves; and
- (4) wishes to congratulate the Minister for Provincial and Local Government on the launching of this discussion document.

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

6. [10:15] Ms E C Gouws moved without notice: That the Council—

- (1) congratulates the national cricket team under the captaincy of Shaun Pollock on the outstanding victory over world champions Australia; and
- (2) acknowledges that this victory is particularly remarkable and sweet in the light of the emotional pressure that was brought to bear upon the team as a result of the preceding unfortunate events.

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

7. [10:16] Dr E A Conroy moved without notice: That the Council—

- (1) notes the huge losses suffered on the Johannesburg Stock Exchange yesterday following the dramatic drop in the prices of information technology shares in particular, and in response to similar happenings, especially in the USA;
- (2) addresses an urgent appeal for calm to those who suffered losses as a result of this; and
- (3) reaffirms its confidence in the inherent vitality, basic soundness and power of recovery of the South African economy, which enables it to process and overcome setbacks of this nature.

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

8. [10:17] Mr P D N Maloyi moved without notice: That the Council—

- (1) notes that one of the nine priorities identified by the Minister of Education, Comrade Kadar Asmal, is to enable schools to become centres of community life;
- (2) notes that election for school governing bodies will take place during the course of this year;
- (3) believes that democratically elected school governing bodies are an essential part of our campaign to make schools the centres of community life; and

Tuesday, 18 April 2000]

- (4) therefore calls on communities to participate in the election of school governing bodies so that they can provide leadership and direction in the development of our schools.

Mr A E van Niekerk moved as an amendment: That, in paragraph (1), the words "the Minister of Education, Comrade Kadar Asmal" be substituted by "the honourable Minister of Education, Dr Kadar Asmal".

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

Motion, as amended, agreed to in accordance with section 65 of the Constitution, namely: That the Council—

- (1) notes that one of the nine priorities identified by the honourable Minister of Education, Dr Kadar Asmal, is to enable schools to become centres of community life;
- (2) notes that election for school governing bodies will take place during the course of this year;
- (3) believes that democratically elected school governing bodies are an essential part of our campaign to make schools the centres of community life; and
- (4) therefore calls on communities to participate in the election of school governing bodies so that they can provide leadership and direction in the development of our schools.

9. [10:18] Ms Q D Mahlangu moved without notice: That the Council—

- (1) notes that—

- (a) the Insider Trading Act, which was passed by the Council in 1998, came into effect on 1 May 1999;
- (b) from then until 28 March 2000, 83 investigations have been registered;
- (c) 44 of these cases have been investigated and closed;
- (d) in six of the cases the individuals whose transactions were investigated, settled out of court with the Directorate for the repayment of the profit made (or the loss avoided) and for the payment of a penalty of twice that amount; and
- (e) these funds have been used to cover the costs of the investigations, and the balance is in the process of being distributed to persons who may have been prejudiced; and

- (2) commends the Financial Services Board on its good work.

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

10. [10:19] Rev P Moatshe moved without notice: That the Council—

- (1) notes that—

- (a) the hauling of perlemoen in the Betty's Bay and Kleinmond area is illegal; and
- (b) perlemoen is a valuable commercial resource which could become extinct; and

- (2) therefore—

- (a) resolves that national and provincial government continue to protect its natural and marine resources; and

- (b) calls on all provincial and local authorities to host an urgent meeting of all affected stakeholders to peacefully resolve the controversial hauling of perlemoen.

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

11. [10:21] The Chief Whip of the Council moved: That, subject to the concurrence of the National Assembly, the resolution of the Council of 27 January 2000 adopting the Report of the *Ad hoc* Joint Committee on Open Democracy Bill on the *Open Democracy Bill* [B 67—98] (Announcements, Tablings and Committee Reports, p 15) be amended as follows:

That—

- (1) the Report be adopted, except that—

(a) with reference to paragraph 7 of the Report, the Department of Justice and Constitutional Development report back to Parliament (rather than to “the Committee”) on the feasibility of establishing an enforcement mechanism like the Information Commissioner; and

(b) with reference to paragraph 9 of the Report, the Council notes that the task of redrafting the chapter on whistle blower protection, which was omitted from the bill presented to the Houses by the *ad hoc* joint committee, has been assigned by the National Assembly to the National Assembly Portfolio Committee on Justice and Constitutional Development, the Committee to present the redrafted chapter as a separate bill; and

- (2) the *Ad hoc* Joint Committee on Open Democracy Bill is accordingly dissolved.

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

12. [10:22] The Chief Whip of the Council moved without notice: That precedence be given to Order No 3 after Order No 1.

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

13. FIRST ORDER [10:23]

Review of policy of Minister of Education, as embodied in Vote No 8—Education, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

14. THIRD ORDER [13:12]

Consideration of *Independent Communications Authority of South Africa Bill* [B 14B—2000] (National Assembly—sec 75) and of Report of Select Committee on Labour and Public Enterprises thereon (Announcements, Tablings and Committee Reports, p 346).

Debate concluded.

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

15. BUSINESS SUSPENDED AT 13:21 AND RESUMED AT 14:32.

16. SECOND ORDER [14:32]

Consideration of *National Land Transport Transition Bill* [B 5B—2000] (National Council of Provinces—sec 76) and of Report of Select Committee on Public Services thereon (Announcements, Tablings and Committee Reports, p 346).

Debate concluded.

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

17. FOURTH ORDER [17:01]

Consideration of *Fire Brigade Services Amendment Bill* [B 63B—99] (National Assembly—sec 76) and of Report of Select Committee on Local Government and Administration thereon (Announcements, Tablings and Committee Reports, p 343).

Debate concluded.

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

18. FIFTH ORDER [17:07]

Consideration of *Competition Amendment Bill* [B 10B—2000] (National Assembly—sec 75) and of Report of Select Committee on Economic Affairs thereon (Announcements, Tablings and Committee Reports, p 344).

Order disposed of without debate.

Bill, subject to proposed amendments, agreed to in accordance with section 75 of the Constitution.

19. The Council adjourned at 17:08.

S G MFENYANA,

Secretary to Parliament.

15. BUSINESS SUBCOMMITTEE REPORTS (1997)

16. SECOND ORDER (1997)

Consideration of National Land Transport Finance Bill (1997-2000)
 National Council of Provinces—see 101 and 102 of Report of Select
 Committee on Public Service Administration (Finance and
 Government Reports p. 340)

17. FOURTH ORDER (1997)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)
 National Assembly—see 101 and 102 of Report of Select Committee on Public
 Service Administration (Finance and Government Reports p. 340)

18. FIFTH ORDER (1997)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)
 National Assembly—see 101 and 102 of Report of Select Committee on Public
 Service Administration (Finance and Government Reports p. 340)

19. SIXTH ORDER (1997)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

20. SEVENTH ORDER (1997)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

Consideration of the National Land Transport Finance Bill (1997-2000)

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 19 APRIL 2000

1. The House met at 15:03.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [15:03] Questions.
4. [17:03] Notices of motion.
5. [17:19] The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that millions of Christians will, during the weekend, commemorate the death and celebrate the resurrection of Jesus Christ;
 - (2) recognises that there will be long queues of traffic to and from areas of commemoration and celebration;
 - (3) calls on drivers to observe traffic rules and to drive carefully; and
 - (4) wishes everyone a happy Easter and a safe journey.

Arrive Alive! Do not speed! Do not drink and drive! God bless all!

Agreed to.
6. [17:20] The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) noting that Ms Liz “Nana” Abrahams is retiring from Parliament this month, and today is her last day in the Chamber;
 - (2) recognises Ms Abrahams’ long and rich history of involvement and commitment to the struggle for a democratic, non-racial and non-sexist society in our country;
 - (3) acknowledges that she served this new democratic Parliament with dignity and dedication; and

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 19 APRIL 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The following Bill was introduced in the National Assembly by the Minister in the Office of the President on 19 April 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *National Youth Commission Amendment Bill* [B 25—2000] (National Assembly—sec 75). The Bill has not yet been referred to a committee. [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 21107 of 17 April 2000.]

National Assembly:

1. The Speaker:

- (1) The National Council of Provinces on 18 April 2000 agreed to the *Competition Amendment Bill* [B 10B—2000] (National Assembly—sec 75) subject to proposed amendments (see Announcements, Tablings and Committee Reports, p 344). The Bill and proposed amendments were thereupon referred to the Portfolio Committee on Trade and Industry in accordance with Rule 270.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Report of the Auditor-General on the Financial Statements of the Economic Co-operation Promotion Loan Fund for 1998-99 [RP 63—2000].

2. The Minister for Justice and Constitutional Development:

- (1) Report of the Department of Justice for 1998-99 [RP 52—2000].
- (2) Report of the South African Law Commission for 1999 [RP 53—2000].
- (3) Report of the Judicial Service Commission for 1998-99.
- (4) Draft Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, tabled in terms of section 231(2) of the Constitution, 1996.
- (5) Explanatory Memorandum to the Draft Protocol.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 20 APRIL 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Report of the Office of the Auditor-General on the Budget of Income and Expenditure for the financial year ending 31 March 2001 [RP 76—2000].

Tuesday, 2 May 2000]

363

No 61—2000] SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 2 MAY 2000

ANNOUNCEMENTS:

National Assembly:

1. The Speaker:

The following changes have been made to the membership of Committees, viz:

Private Members' Legislative Proposals and Special Petitions:

Appointed: Heine, R J.

Discharged: Bruce, N S.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chaperson:

Reports of the Auditor-General on the—

(1) JLB Smith Institute of Ichthyology for 1997-98 [RP 49—2000];

(2) Departments of Posts and Telecommunications of the former TBVC Countries for 1995-96 [RP 73—2000].

2. The Minister for Public Enterprises:

Report and Financial Statements of Eskom for 1999.

3. The Minister of Environmental Affairs and Tourism:

(1) Report and Financial Statements of the South African Tourism Board for 1997-98.

(2) Report and Financial Statements of the National Botanical Institute for 1998-99.

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 5 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The Minister of Transport on 5 May 2000 submitted drafts of the *Administrative Adjudication of Road Traffic Offences Amendment Bill, 2000*, and the *Road Traffic Management Corporation Amendment Bill, 2000*, and the memorandums explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The drafts have been referred by the Speaker and the Chairperson to the Portfolio Committee on Transport and the Select Committee on Public Services, respectively, in accordance with Joint Rule 159(2).

(2) The Joint Tagging Mechanism (JTM) on 28 April 2000 in terms of Joint Rule 160(3), classified the following Bill as a section 75 Bill:

(i) *Administration of Estates Amendment Bill* [B 24—2000] (National Assembly—sec 75)—(Portfolio Committee on Justice and Constitutional Development—National Assembly).

(3) The following Bill was introduced in the National Assembly on 5 May 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

(i) *Local Government: Municipal Systems Bill* [B 27—2000] (National Assembly—sec 75)—(Portfolio Committee on Provincial and Local Government—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 21071 of 13 April 2000.]

(4) On 3 May 2000 the following Bill, at the request of the Minister of Education, was introduced in the National Council of

Provinces by the Select Committee on Education and Recreation. It has been referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *South African Council for Educators Bill* [B 26—2000] (National Council of Provinces—sec 76)—(Select Committee on Education and Recreation—National Council of Provinces) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 20956 of 3 March 2000.]

(5) The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) **The following paper is referred to the Portfolio Committee on Public Service and Administration and to the Select Committee on Local Government and Administration:**

Report of the Department of Public Service and Administration for 1999-2000.

- (2) **The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Home Affairs and to the Select Committee on Public Services for information:**

Report of the Auditor-General on the Financial Statements of Vote 17—Home Affairs for 1998-99 [RP 141—99].

- (3) **The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Public Works and to the Select Committee on Public Services for information:**

Report of the Auditor-General on the Financial Statements of Vote 28—Public Works for 1998-99 [RP 152—99].

- (4) **The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Arts, Culture, Science and Technology and to the Select Committee on Education and Recreation for information:**

Report of the Auditor-General on the Financial Statements of the Zoological Gardens of South Africa for 1998-99 [RP 65—2000].

- (5) **The following paper is referred to the Portfolio Committee on Welfare and Population Development and to the Select Committee on Social Services:**

Report of the Department of Welfare and Population Development for 1999-2000 [RP 86-2000].

- (6) **The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Trade and Industry and to the Select Committee on Economic Affairs for information:**

Report of the Auditor-General on the Financial Statements of the Independent Development Trust (Main Fund) for 1997-98 [RP 182—99].

(7) The following papers are referred to the Portfolio Committee on Arts, Culture, Science and Technology and to the Select Committee on Education and Recreation:

- (a) Report of the Board of Control of the Woordeboek van die Afrikaanse Taal for 1998-99.
- (b) Government Notice No 1034 published in the Government Gazette No 20410 dated 3 September 1999, Withdrawal of Government Notice No 644 of 19 April 1999 made in terms of section 5(1)(c) of the National Monuments Act, 1969 (Act No 28 of 1969).
- (c) Government Notice No 1044 published in the Government Gazette No 20410 dated 3 September 1999, Entries in the register of immovable conservation-worthy property in terms of section 5(1)(cC) of the National Monuments Act, 1969 (Act No 28 of 1969).
- (d) Government Notice No 2063 published in the Government Gazette No 20436 dated 10 September 1999, European Programme: Support for small, medium and micro enterprises in South Africa.
- (e) Government Notice No 90 published in the Government Gazette No 20458 dated 10 September 1999, Designation of Provincial Language Committee in the North West, made in terms of section 8(8)(a) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (f) Government Notice No 92 published in the Government Gazette No 20458 dated 10 September 1999, Designation of Provincial Language Committee in the Western Cape, made in terms of section 8(8)(a) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (g) Government Notice No 91 published in the Government Gazette No 20458 dated 10 September 1999, Publication of a decision in terms of section 11(7) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (h) Government Notice No 1125 published in the Government Gazette No 20476 dated 23 September 1999, Registration of heraldic representations made in terms of section 10 of the Heraldry Act, 1962 (Act No 18 of 1962).
- (i) Government Notice No 97 published in the Government Gazette No 20499 dated 01 October 1999, Designation of Khoi and San National Language Body, made in terms of section 8(8)(b) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).

- (j) Government Notice No 98 published in the Government Gazette No 20499 dated 1 October 1999, Normative Framework for the recognition of Provincial Language Committees made in terms of the Pan South Language Board Act, 1995.
- (k) Convention on the Means of Prohibition and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, tabled in terms of section 231(2) of the Constitution, 1996.
- (l) Explanatory Memorandum to the Convention.
- (m) Convention to the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), tabled in terms of section 231(2) of the Constitution, 1996.
- (n) Explanatory Memorandum to the Convention.

(8) **The following paper is referred to the Subcommittees on Internal Arrangements:**

Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Parliamentary Support Programme, tabled in terms of section 231(3) of the Constitution, 1996.

(9) **The following paper is referred to the Portfolio Committee on Safety and Security and to the Select Committee on Security and Constitutional Affairs:**

Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Policing in the Eastern Cape, tabled in terms of section 231(3) of the Constitution, 1996.

(10) **The following papers are referred to the Portfolio Committee on Education and to the Select Committee on Education and Recreation:**

(a) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Technical Support to the South African Department of Education, tabled in terms of section 231(3) of the Constitution, 1996.

(b) Amendment Agreement between the Government of United States of America and the Government of the Republic of South Africa on Primary Education Results Package Programme: Department of Education, tabled in terms of section 231(3) of the Constitution, 1996.

(11) **The following paper is referred to the Portfolio Committee on Public Service and Administration and to the Select Committee on Local Government and Administration:**

Rider Number One to the Financing Agreement between

the Government of the Republic of South Africa and the European Community concerning Public Service Management Development, tabled in terms of section 231(3) of the Constitution, 1996.

- (12) The following paper is referred to the Portfolio Committee on Justice and Constitutional Development and to the Select Committee on Security and Constitutional Affairs:

Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning the Truth and Reconciliation Commission, tabled in terms of section 231(3) of the Constitution, 1996.

- (13) The following paper is referred to the Portfolio Committee on Provincial and Local Government and to the Select Committee on Local Government and Administration:

Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning the Cato Manor Development Programme, tabled in terms of section 231(3) of the Constitution, 1996.

- (14) The following papers are referred to the Portfolio Committee on Trade and Industry and to the Select Committee on Economic Affairs:

(a) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Private Sector Development Programme, tabled in terms of section 231(3) of the Constitution, 1996.

(b) Rider Number Two to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning SADC Finance and Investment Research Programme, tabled in terms of section 231(3) of the Constitution, 1996.

(c) Rider Number Two to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Private Sector Development Programme: Small and Micro Enterprises, tabled in terms of section 231(3) of the Constitution, 1996.

- (15) The following papers are referred to the Portfolio Committee on Finance and to the Select Committee on Finance:

(a) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning FISCO, tabled in terms of section 231(3) of the Constitution, 1996.

(b) Rider Number Two to the Financing Agreement between the Government of the Republic of South

Africa and the European Community concerning Technical Assistance Consultancy Support, tabled in terms of section 231(3) of the Constitution, 1996.

(16) The following papers are referred to the Portfolio Committee on Health and to the Select Committee on Social Services:

- (a) Rider Number Three to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning District Health System, to be tabled in terms of section 231(3) of the Constitution, 1996.
- (b) Rider Number Three to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Health Technical Support, tabled in terms of section 231(3) of the Constitution, 1996.
- (c) Rider Number Three to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning HIV/AIDS Programme, tabled in terms of section 231(3) of the Constitution, 1996.
- (d) Rider Number Four to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning District Health System, tabled in terms of section 231(3) of the Constitution, 1996.
- (e) Rider Number Four to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Health Technical Support, tabled in terms of section 231(3) of the Constitution, 1996.
- (f) Rider Number One to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Public Health Sectoral Support Programme, tabled in terms of section 231(3) of the Constitution, 1996.

(17) The following paper is referred to the Portfolio Committee on Minerals and Energy and Portfolio Committee on Education and to the Select Committee on Economic Affairs and the Select Committee on Education and Recreation:

Rider Number Two to the Financing Agreement between the Government of the Republic of South Africa and the European Community concerning Non-Grid Electrification of Rural Schools, tabled in terms of section 231(3) of the Constitution, 1996.

(18) The following papers are referred to the Portfolio Committee on Water Affairs and Forestry and to the Select Committee on Land and Environmental Affairs:

- (a) Financing Agreement between the Government of the Republic of South Africa and the European Commu-

Friday, 5 May 2000]

nity concerning Sector Support for Community Water Supply and Sanitation, to be tabled in terms of section 231(3) of the Constitution, 1996.

- (b) Amendment Agreement between the Government of United States of America and the Government of the Republic of South Africa on Community-based Water Board Development Project, tabled in terms of section 231(3) of the Constitution, 1996.

- (19) The following paper is referred to the Portfolio Committee on Foreign Affairs and to the Select Committee on Economic Affairs:

Agreement between the Government of Sweden and the Government of the Republic of South Africa on General Terms and Conditions for Development Co-operation, tabled in terms of section 231(3) of the Constitution, 1996.

- (20) The following papers are referred to the Portfolio Committee on Justice and Constitutional Development and to the Select Committee on Security and Constitutional Affairs:

- (a) Report of the Department of Justice for 1998-99 [RP 52—2000].
- (b) Report of the South African Law Commission for 1999 [RP 53—2000].
- (c) Report of the Judicial Service Commission for 1998-99.
- (d) Draft Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, tabled in terms of section 231(2) of the Constitution, 1996.
- (e) Explanatory Memorandum to the Draft Protocol.

- (21) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Trade and Industry and to the Select Committee on Economic Affairs for information:

Report of the Auditor-General on the Financial Statements of the Economic Co-operation Promotion Loan Fund for 1998-99 [RP 63—2000].

National Assembly:

I. The Speaker:

- (1) The vacancy which occurred owing to the death of Mr M. I. Vilakazi has been filled with effect from 1 May 2000 by the nomination of the following member:

Moropa, R. M.

- (2) The vacancy which occurred owing to Ms L. A. Abrahams vacating her seat with effect from 1 May 2000, has been filled with effect from 1 May 2000 by the nomination of the following member:

Dithebe, S L.

- (3) The following member has vacated his seat with effect from 1 May 2000:

Rockman, G.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Report of the Auditor-General on the Financial Statements of Vote 31—South African Police Service and the Secretariat for Safety and Security for 1998-99 [RP 154—99].

2. The Minister of Water Affairs and Forestry:

- (1) Government Notice No 15 published in the Government Gazette No 20793 dated 14 January 2000, Determination of an interest rate in terms of section 59(3)(a) of the National Water Act, 1998 (Act No 36 of 1998).

- (2) Proclamation No 6 published in the Government Gazette No 20897 dated 25 February 2000, Commencement of certain provisions of the National Forests Act, 1998 (Act No 84 of 1998).

- (3) Government Notice No 212 published in the Government Gazette No 20946 dated 10 March 2000, Request to register a water use in terms of the National Water Act, 1998 (Act No 36 of 1998).

- (4) Government Notice No 213 published in the Government Gazette No 20946 dated 10 March 2000, Request to register a water use in terms of the National Water Act, 1998 (Act No 36 of 1998).

- (5) Government Notice No 234 published in the Government Gazette No 20965 dated 17 March 2000, made in terms of section 50(4) of the National Forests Act, 1998 (Act No 84 of 1998).

- (6) Government Notice No 277 published in the Government Gazette No 21017 dated 24 March 2000, Trans-Caledon Tunnel Authority Notice made in terms of Chapter 10 of the National Water Act, 1998 (Act No 36 of 1998).

- (7) Government Notice No 338 published in the Government Gazette No 21042 dated 7 April 2000, Rates and charges for the Water Research Fund made in terms of the Water Research Act, 1971 (Act No 34 of 1971).

- (8) Report and Financial Statements of the Water Research Commission for 1999, including the Report of the Auditor-General on the Financial Statements for 1998.

Monday, 8 May 2000]

No 63—2000] SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 8 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Minister of Transport on 8 May 2000 submitted a draft of the *Sea Transport Documents Bill*, 2000, and the memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Transport and the Select Committee on Public Services, respectively, in accordance with Joint Rule 159(2).
- (2) The Joint Tagging Mechanism (JTM) on 8 May 2000 in terms of Joint Rule 160(3), classified the following Bill as a section 75 Bill:
 - (i) *National Youth Commission Amendment Bill* [B 25—2000] (National Assembly—sec 75). The Bill has not yet been referred to a committee.
- (3) The following Bills were introduced in the National Assembly on 8 May 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:
 - (i) *Sea Transport Documents Bill* [B 28—2000] (National Assembly—sec 75)—(Portfolio Committee on Transport—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 21158 of 8 May 2000.]
 - (ii) *Meat Safety Bill* [B 29—2000] (National Assembly—sec 76(1))—(Portfolio Committee on Agriculture and Land Affairs—National Assembly) [Explanatory summary of

Bill and prior notice of its introduction published in Government Gazette No 21155 of 8 May 2000.]

National Council of Provinces:

1. The Chairperson:

- (1) The following paper has been tabled and is now referred to the Select Committee on Security and Constitutional Affairs for consideration and report:

Draft Code of Ethics for Members of the Cabinet and Members of Executive Councils.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Finance:

- (1) Report and Financial Statements of the Department of Finance for 1999, including the Report of the Auditor-General on the Financial Statements of Vote 14—Finance for 1998-99 [RP 56—2000].
- (2) Report and Financial Statements of the Department of State Expenditure for 1999, including the Report of the Auditor-General on the Financial Statements of Vote 33—State Expenditure for 1998-99 [RP 69—2000].
- (3) Report of the Statistics South Africa for 1999 [RP 41—2000].
- (4) Report and Financial Statements of the South African Revenue Service for 1998-99, including the Report of the Auditor-General on the Financial Statements for 1998-99.

2. The Minister of Arts, Culture, Science and Technology:

Report of the Department of Arts, Culture, Science and Technology for 1999, Volume One.

Tuesday, 9 May 2000]

No 27—2000] SECOND SESSION, SECOND PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

TUESDAY, 9 MAY 2000

1. The House met at 14:02.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. The Deputy Speaker announced that the vacancies caused by the death of Mr M I Vilakazi and the resignation of Ms L A Abrahams and Mr G Rockman, had been filled, in accordance with item 6(3) of Schedule 6 to the Constitution, 1996, by the nomination of Mr R M Moropa and Mr S L Dithebe with effect from 1 May 2000, and Mr M H Fazzie with effect from 3 May 2000, respectively.
4. Mr R M Moropa, accompanied by Ms P S Sekgobela and Ms M P Coetzee-Kasper, made and subscribed the oath and took his seat.
5. Mr S L Dithebe, accompanied by Ms P S Sekgobela and Ms M P Coetzee-Kasper, made and subscribed the oath and took his seat.
6. Mr M H Fazzie, accompanied by Ms P S Sekgobela and Ms M P Coetzee-Kasper, made and subscribed the solemn affirmation and took his seat.
7. [14:08] Notices of motion.
8. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes—
 - (a) that the Minister for Agriculture and Land Affairs has brought to this world a healthy baby girl, who has been named Thandolwethu;
 - (b) that this is the first time in the history of our country that a Minister gave birth whilst continuing with ministerial responsibilities;
 - (2) commends the Minister for serving our nation in this diligent manner; and

- (3) wishes the newly born baby, Thandolwethu, a happy and prosperous future.

Agreed to.

9. Dr B L Geldenhuys moved without notice: That the House—

- (1) condemns the kidnapping of 21 hostages including two South Africans by a Phillippine rebel group;
- (2) demonstrates its solidarity with the families of the South African hostages;
- (3) expresses its appreciation for the tireless efforts of the South African Government in trying to release the hostages and to ease their plight; and
- (4) trusts that all the hostages will be released as soon as possible.

Agreed to.

10. FIRST ORDER [14:24]

Consideration of *Competition Amendment Bill* [B 10B and B 10C—2000] (National Assembly—sec 75) and of Report of Portfolio Committee on Trade and Industry on amendments proposed by National Council of Provinces (Announcements, Tablings and Committee Reports, pp 344 and 364).

Bill agreed to.

11. SECOND ORDER [14:26]

Debate on Vote No 5—Communications, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

12. The Chief Whip of the Majority Party, with leave, moved without notice: That, notwithstanding the provisions of Rules 29, 110 and 115, a statement by the President of the Republic on the Democratic Republic of Congo takes precedence tomorrow.

Agreed to.

13. The House adjourned at 16:29.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 9 MAY 2000

ANNOUNCEMENTS:

National Assembly:

1. The Speaker:

- (1) The following paper has been tabled and is referred to the Portfolio Committee on Public Service and Administration for consideration and report:

Draft Code of Ethics for Members of the Cabinet and Members of the Executive Councils.

- (2) The vacancy which occurred owing to Lieut G Rockman vacating his seat with effect from 1 May 2000, has been filled with effect from 3 May 2000 by the nomination of the following member:

Fazzie, M H.

National Council of Provinces:

1. The Chairperson:

The following paper was incorrectly referred to the Select Committee on Security and Constitutional Affairs. It is now referred to the Select Committee on Local Government and Administration for consideration and report.

Draft Code of Ethics for Members of the Cabinet and Members of the Executive Councils.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Correctional Services:

Report and Financial Statements of the Department of Correctional Services for 1999 [RP 50—2000].

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

WEDNESDAY, 10 MAY 2000

1. The House met at 15:10.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. The Chief Whip of the Majority Party moved: That, notwithstanding the provisions of Rule 106, the following times be allocated to parties for comment on the statement by the President on the Democratic Republic of Congo:

President: 20 minutes; African National Congress: 5 minutes; Democratic Party: 4 minutes; Inkatha Freedom Party: 4 minutes; New National Party: 3 minutes; United Democratic Movement: 3 minutes; all other parties: 2 minutes each.

Agreed to.

4. [15:12] The President made a statement on the Democratic Republic of Congo.

Debate concluded.

5. [15:58] Questions.
6. [18:01] Notices of motion.
7. The House adjourned at 18:16.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS

WEDNESDAY, 10 MAY 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Home Affairs:

Report of the Independent Electoral Commission on the National and Provincial Elections of 2 June 1999 [RP 83—2000].

2. The Minister for Provincial and Local Government:

Reasons for declaring a state of disaster in the Magisterial Districts of Phuthaditjhaba Transitional Local Council, Qwaqwa Rural Council and Maluti Transitional Rural Council in the Free State Province submitted to Parliament in terms of section 2(4) of the Civil Protection Act, 1977 (Act No 67 of 1997).

3. The Minister of Safety and Security:

Regulation Number R.389 published in the Government Gazette Number 21088 dated 14 April 2000, the South African Police Service Employment Regulations made in terms of section 24(1) of the South African Police Service Act, 1995 (Act No 68 of 1995).

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

THURSDAY, 11 MAY 2000

1. The House met at 14:00.
2. The Deputy Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:02] Notices of motion.
4. FIRST ORDER [14:17]
Consideration of Report of Portfolio Committee on Environmental Affairs and Tourism (Announcements, Tablings and Committee Reports, p 283—*African-Eurasian Migratory Waterbirds Agreement*).
Report adopted without debate.
5. SECOND ORDER [14:18]
Debate on Vote No 21—Minerals and Energy, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).
Debate concluded.
6. THIRD ORDER [16:53]
Debate on Vote No 14—Home Affairs, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).
Debate suspended.
7. The House adjourned at 18:00.

S G MFENYANA,

Secretary to Parliament.

REPORT OF THE

COMMISSIONER OF THE

INTERNAL SECURITY

1947-1948

1. The Commission of the

Internal Security, established by the Act of March 10, 1947, has the honor to submit herewith its report for the year 1947-1948.

2. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

3. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

4. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

5. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

6. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

7. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

8. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

9. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

10. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

11. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

12. The Commission has the honor to acknowledge the assistance and cooperation of the various departments and agencies of the Government.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 11 MAY 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Home Affairs:
Report of the Department of Home Affairs for 1999 [RP 98—2000].
2. The Minister of Correctional Services:
Report and Financial Statements of the Judicial Inspectorate for the
period 1 June 1998 to 1 February 2000.
3. The Minister of Health:
 - (1) Protocol on Health in the Southern African Development
Community, tabled in terms of section 231(2) of the Constitution,
1996.
 - (2) Explanatory Memorandum to the Protocol.



REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

FRIDAY, 12 MAY 2000

1. The House met at 09:02.
2. The Deputy Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [09:03] Notices of motion.
4. Ms S Rajbally moved without notice: That the House—
 - (1) wishes all South African women a happy Mother's Day on 14 May 2000;
 - (2) recognises that the women in South Africa are special and were burdened with a demanding and unique role to accomplish liberation;
 - (3) agrees that women are the givers of life who are persevering to build a strong foundation for the children who are the future leaders;
 - (4) believes that mothers are an asset to the development of South Africa; and
 - (5) takes this opportunity to wish all mothers love and a prosperous life with their families.

Agreed to.

5. The Chief Whip of the Majority Party moved: That the matter of the appointment of councillors on the Council of the Independent Communications Authority of South Africa, in accordance with section 5(1) of the Independent Communications Authority of South Africa Act, 2000, be referred to the Portfolio Committee on Communications for consideration and report.

Agreed to.

6. The Chief Whip of the Majority Party moved: That, subject to the concurrence of the National Council of Provinces—
 - (1) in accordance with Joint Rule 32(2)(b), the *National Youth Commission Amendment Bill*, 2000, upon its introduction, be referred to the Joint Monitoring Committee on Improvement of Quality of Life and

Status of Children, Youth and Disabled Persons for consideration and report;

- (2) for the purposes of the consideration of this bill, Joint Rules 167 to 171 apply to the said committee; and
- (3) notwithstanding Joint Rule 132E, Joint Rule 115 apply to the said committee for the purposes of taking decisions on the bill.

Agreed to.

7. FIRST ORDER [09:18]

Resumption of debate on Vote No 14—Home Affairs, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

8. SECOND ORDER [10:38]

Debate on Vote No 6—Correctional Services, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

9. The House adjourned at 12:48.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

FRIDAY, 12 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Arts, Culture, Science and Technology and to the Select Committee on Education and Recreation for information:

Report of the Auditor-General on the JLB Smith Institute of Ichthyology for 1997-98 [RP 49—2000].

- (2) The following papers are referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Communications and to the Select Committee on Labour and Public Enterprises for information:

- (a) Report of the Auditor-General on the Departments of Posts and Telecommunications of the former TBVC Countries for 1995-96 [RP 73—2000].

- (b) Report and Financial Statements of Eskom for 1999.

- (3) The following papers are referred to the Portfolio Committee on Environmental Affairs and Tourism and to the Select Committee on Land and Environmental Affairs:

- (a) Report and Financial Statements of the South African Tourism Board for 1997-98.

- (b) Report and Financial Statements of the National Botanical Institute for 1998-99.

(4) The following papers are referred to the Portfolio Committee on Water Affairs and Forestry and to the Select Committee on Land and Environmental Affairs:

- (a) Government Notice No 15 published in the Government Gazette No 20793 dated 14 January 2000, Determination of an interest rate in terms of section 59(3)(a) of the National Water Act, 1998 (Act No 36 of 1998).
- (b) Proclamation No 6 published in the Government Gazette No 20897 dated 25 February 2000, Commencement of certain provisions of the National Forests Act, 1998 (Act No 84 of 1998).
- (c) Government Notice No 212 published in the Government Gazette No 20946 dated 10 March 2000, Request to register a water use in terms of the National Water Act, 1998 (Act No 36 of 1998).
- (d) Government Notice No 213 published in the Government Gazette No 20946 dated 10 March 2000, Request to register a water use in terms of the National Water Act, 1998 (Act No 36 of 1998).
- (e) Government Notice No 234 published in the Government Gazette No 20965 dated 17 March 2000, made in terms of section 50(4) of the National Forests Act, 1998 (Act No 84 of 1998).
- (f) Government Notice No 277 published in the Government Gazette No 21017 dated 24 March 2000, Trans-Caledon Tunnel Authority Notice made in terms of Chapter 10 of the National Water Act, 1998 (Act No 36 of 1998).
- (g) Government Notice No 338 published in the Government Gazette No 21042 dated 7 April 2000, Rates and charges for the Water Research Fund made in terms of the Water Research Act, 1971 (Act No 34 of 1971).
- (h) Report and Financial Statements of the Water Research Commission for 1999, including the Report of the Auditor-General on the Financial Statements for 1998.

(5) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Safety and Security and to the Select Committee on Security and Constitutional Affairs for information:

Report of the Auditor-General on the Financial Statements of Vote 31—South African Police Service and the Secretariat for Safety and Security for 1998-99 [RP.154—99].

(6) The following paper is referred to the Portfolio Committee on Arts, Culture, Science and Technology and to the Select Committee on Education and Recreation:

Report of the Department of Arts, Culture, Science and Technology for 1999, Volume One.

(7) The following papers are referred to the Portfolio Committee on Finance and to the Select Committee on Finance. The Reports of the Auditor-General included in these papers are

referred to the Standing Committee on Public Accounts for consideration and report:

- (a) Report and Financial Statements of the Department of Finance for 1999, including the Report of the Auditor-General on the Financial Statements of Vote 14—Finance for 1998-99 [RP 56—2000].
- (b) Report and Financial Statements of the Department of State Expenditure for 1999, including the Report of the Auditor-General on the Financial Statements of Vote 33—State Expenditure for 1998-99 [RP 69—2000].
- (c) Report and Financial Statements of the South African Revenue Service for 1998-99, including the Report of the Auditor-General on the Financial Statements for 1998-99.

- (8) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance:

Report of the Statistics South Africa for 1999 [RP 41—2000].

- (9) The following paper is referred to the Portfolio Committee on Correctional Services and to the Select Committee on Security and Constitutional Affairs:

Report and Financial Statements of the Department of Correctional Services for 1999 [RP 50—2000].

- (10) The following paper is referred to the Portfolio Committee on Minerals and Energy and to the Select Committee on Economic Affairs:

Report of the Department of Minerals and Energy for 1999.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

- 1. The Speaker and the Chairperson:

Reports of the Auditor-General on the—

- (a) Financial Statements of Enerkom (Proprietary) Limited for 1998-99 [RP 57—2000];
- (b) Financial Statements of the Unemployment Insurance Fund for 1997 and 1998 [RP 77—2000];
- (c) Financial Statements of the Agricultural Research Council for 1998-99 [RP 40—2000].

- 2. The Minister of Health:

Report of the Department of Health for 1999-2000 [RP 75—2000].

COMMITTEE REPORTS:

National Assembly:

- 1. Report of the Portfolio Committee on Justice and Constitutional Development on the *Open Democracy Bill* [B 67—98] (National Assembly—sec 75), dated 15 March 2000:

- A. The Portfolio Committee on Justice and Constitutional Development reports as follows:

1. The *Ad Hoc* Joint Committee on Open Democracy Bill submitted the *Promotion of Access to Information Bill* [B 67B—98] (National Assembly—sec 75) together with its Report to the Houses (*see* Announcements, Tablings and Committee Reports, p 15).

2. That Report, which was adopted by the two Houses, contained the following:

“The original Bill provided a chapter on the protection of whistle blowers. All parties were unanimous in their views that this legislation is vital for the fight against crime. The Committee was of the view that it is not apposite to include a chapter on whistle blower protection in legislation dealing with the right of access to information. Parliament has embarked on a process of redrafting the chapter into separate legislation. The whistle blower legislation will be the next priority of the Committee. . .”

3. On 12 April 2000, the National Assembly, with the concurrence of the National Council of Provinces (on 18 April 2000) amended that Report to read, *inter alia*, as follows:

“... with reference to paragraph 9 of the Report, the task of redrafting the chapter on whistle blower protection, which was omitted from the bill presented to the Houses by the *ad hoc* joint committee, be assigned to the National Assembly Portfolio Committee on Justice and Constitutional Development, the Committee to present the redrafted chapter as a separate bill; and . . . the *Ad Hoc* Joint Committee on Open Democracy Bill is accordingly dissolved”.

4. Therefore, the Portfolio Committee, having considered and examined its terms of reference, presents the *Protected Disclosures Bill* [B 30—2000] (National Assembly—sec 75).

B. The Committee further reports as follows:

1. The Bill is derived from Part 5 of the *Open Democracy Bill* [B 67—98], and purports to protect employees from victimisation by employers and, for that purpose, is confined to the relationship between employer and employee in both public and private spheres. The Committee considered the possibility of extending the ambit of the Bill beyond the purview of the employer/employee relationship. The Committee, *inter alia*, considered the following possibilities:

(1) An individual who makes a disclosure concerning the corrupt activities of an insurance salesperson and who, as a result thereof, is denied insurance coverage by that or another insurance company.

- (2) A pensioner who, as a result of reporting on the involvement of an employee of an organ of state in criminal activities, experiences delays in receiving his or her pension.
- (3) A private contractor discloses information concerning corrupt activities in an organ of state or a private body and as a result thereof an existing contract is breached or any expectation in respect of future contracts is surrendered.

It was, however, noted that most foreign jurisdictions tend to limit legislation of this nature to the relationship between employer and employee. The Committee concluded that—

- (a) any extension beyond the current ambit would require defining the different types of victimisation to which persons who are not in an employer/employee relationship may be subjected as a result of making certain disclosures; and
- (b) existing labour, contractual or other remedies may not be sufficient to provide appropriate redress for persons who, as a result of making certain disclosures, are subjected to victimisation.

The Committee is not opposed to an extension of the current ambit of the Bill, but is nevertheless of the view that this would require comprehensive and comparative research.

2. The Committee noted that the British “Public Interest Disclosure Act”, 1998, contains a provision (section 43C) in terms of which a worker can also make a protected disclosure relating to the conduct of a person other than his or her employer. The Committee considered the insertion in Clause 6 of the words underlined hereunder:

“6. (1) Any *disclosure* made in good faith—

- (a) and substantially in accordance with any procedure *prescribed*, or authorised by the *employee's employer* for reporting or otherwise remedying the *impropriety* concerned; or
 - (b) to the *employer* of the *employee*, where there is no procedure as contemplated in paragraph (a); or
 - (c) to a person other than the employee's employer, where the employee reasonably believes that the impropriety concerned relates solely or mainly to—
 - (i) the conduct of that other person; or
 - (ii) any other matter for which that other person has legal responsibility,
- is a *protected disclosure*.”

However, the Committee concluded that the provision would extend the ambit of the Bill beyond the scope of the employer/employee relationship, as discussed in paragraph 1 above.

3. Clause 63(1) of the *Open Democracy Bill* made provision for the exclusion of criminal or civil liability for making, what in terms of this Bill amounts to, a protected disclosure.

The Committee, after considering the matter, came to the conclusion that it is undesirable to include this provision in this Bill, for the following reasons:

- (1) The Bill purports to protect employees from victimisation by employers, and is confined to the relationship between employer and employee.
- (2) Extending the scope of protection of employees to matters in respect of which they would otherwise—
 - (a) be liable to criminal prosecution; or
 - (b) have incurred civil liability to third parties,
 may amount to a denial of the constitutional right to the adjudication of a justiciable dispute in a court of law or another independent forum.
- (3) The indemnifying of employees against prosecution for offences (who in certain cases may use the provisions of the Bill to conceal their own involvement in criminal activities) may frustrate the legislature's intention in respect of certain statutory offences and may not be in the best interests of the public.

The Committee was not in a position to conduct an audit of the effect that such a provision may have on existing laws, and is of the view that such an audit will be essential to prevent unintended consequences resulting from such a provision.

The Committee realises that the matters referred to in paragraphs (2) and (3) are arguable, and holds the position that these matters should be investigated more fully and, if necessary, the provisions of the Bill could then be reviewed.

4. The Committee also considered the creation of a new course of action for an employee who had been victimised by an employer in contravention of the Bill. Such course of action could be aimed at the person who acted in contravention of the Bill, or at both the employer (vicarious liability) and such person, and could also introduce the concept of "punitive damages" into our law. The Committee considered the following as possible draft provisions in this regard:

Option 1

"(a) Any employee who is subjected to any detriment in breach of section 3 is entitled to claim punitive damages in any court having jurisdiction.

- (b) The punitive damages may be awarded against the employer, or alternatively, or as well as, against any person in his or her personal capacity if such person's action caused the detriment.
- (c) Nothing in this Act shall be construed as preventing the employee who is subjected to detriment in breach of section 3 to institute an action for an order to set aside the action taken by the employer which constituted the detriment or an order directing the employer to remedy the detriment.
- (d) Notwithstanding any other remedy prescribed in other legislation, the employee may, if an application is made in terms of paragraph (a) above, add an application for an order referred to in paragraph (c) above."

Option 2

"(1) Any employee who—

- (a) has suffered a detriment;
- (b) on account of, or partly on account of, having made a protected disclosure; and
- (c) who has suffered any loss or damage resulting from such detriment,

may, in addition to any other relief at his or her disposal, bring a claim for appropriate compensation or any other appropriate relief against the person whose conduct resulted in such detriment."

However, the Committee is of the opinion that the creation of new remedies in the labour field should be approached with caution. A thorough knowledge and understanding of the existing remedies and procedures in this field will be necessary to ensure that duplication does not occur and to prevent the development of a dual system, which could create legal uncertainty and detrimentally affect the administration of sound labour practices. It should be noted that if the matter referred to in paragraph 2 above is investigated and the Bill is amended accordingly, the possibility of additional remedies should also be investigated for that purpose. The Committee is further of the opinion that the introduction of the concept of "punitive damages" should, likewise, be approached with caution.

5. The Committee considered the desirability of creating offences in the Bill, in terms of which—
 - (1) an employer would be committing an offence by unlawfully subjecting an employee to an occupational detriment; and
 - (2) an employee would be committing an offence by making a false disclosure, or by making a disclosure not knowing or believing it to be true.

The Committee holds the view that it may well be appropriate to create such offences. However, the Committee is aware that countries which have similar legislation differ in this respect. The Committee is also mindful of the fact that such a provision may impact on the existing laws

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 15 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) On 15 May 2000 the following Bills, at the request of the Minister of Transport, were introduced in the National Council of Provinces by the Select Committee on Public Services. They have been referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

(i) *Administrative Adjudication of Road Traffic Offences Amendment Bill* [B 31—2000] (National Council of Provinces—sec 76)—(Select Committee on Public Services—National Council of Provinces) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 21077 of 7 April 2000.]

(ii) *Road Traffic Management Corporation Amendment Bill* [B 32—2000] (National Council of Provinces—sec 76)—(Select Committee on Public Services—National Council of Provinces) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 21077 of 7 April 2000.]

(2) Assent by the President of the Republic in respect of the following Bills:

(i) *Financial Services Board Amendment Bill* [B 62B—99]—Act No 12 of 2000 (assented to and signed by President on 20 April 2000); and

(ii) *Independent Communications Authority of South Africa Bill* [B 14B—2000]—Act No 13 of 2000 (assented to and signed by President on 4 May 2000).

(3) The Joint Tagging Mechanism (JTM) on 15 May 2000 in terms of Joint Rule 160(3), classified the following Bills as section 75 Bills:

- (i) *Local Government: Municipal Systems Bill* [B 27—2000] (National Assembly—sec 75)—(Portfolio Committee on Provincial and Local Government—National Assembly).
- (ii) *Sea Transport Documents Bill* [B 28—2000] (National Assembly—sec 75)—(Portfolio Committee on Transport—National Assembly).

(4) The Joint Tagging Mechanism (JTM) on 15 May 2000 in terms of Joint Rule 160(4), classified the following Bills as section 76 Bills:

- (i) *South African Council for Educators Bill* [B 26—2000] (National Council of Provinces—sec 76)—(Select Committee on Education and Recreation—National Council of Provinces).
- (ii) *Meat Safety Bill* [B 29—2000] (National Assembly—sec 76(1))—(Portfolio Committee on Agriculture and Land Affairs—National Assembly).

2. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

(1) **The following papers are referred to the Portfolio Committee on Home Affairs and to the Select Committee on Social Services:**

- (a) Report of the Independent Electoral Commission on the National and Provincial Elections of 2 June 1999 [RP 83—2000].
- (b) Report of the Department of Home Affairs for 1999 [RP 98—2000].

(2) **The following paper is referred to the Portfolio Committee on Safety and Security and to the Select Committee on Security and Constitutional Affairs:**

Regulation Number R.389 published in the Government Gazette Number 21088 dated 14 April 2000, the South African Police Service Employment Regulations made in terms of section 24(1) of the South African Police Service Act, 1995 (Act No 68 of 1995).

(3) **The following paper is referred to the Portfolio Committee on Provincial and Local Government and to the Select Committee on Local Government and Administration:**

Reasons for declaring a state of disaster in the Magisterial Districts of Phutaditjhaba Transitional Local Council, Qwaqwa Rural Council and Maluti Transitional Rural Council in the Free State Province submitted to Parliament in terms of section 2(4) of the Civil Protection Act, 1977 (Act No 67 of 1977).

- (4) The following paper is referred to the Portfolio Committee on Correctional Services and to the Select Committee on Security and Constitutional Affairs:

Report and Financial Statements of the Judicial Inspectorate for the period 1 June 1998 to 1 February 2000.

- (5) The following papers are referred to the Portfolio Committee on Health and to the Select Committee on Social Services for consideration and report:

(a) Protocol on Health in the Southern African Development Community, tabled in terms of section 231(2) of the Constitution, 1996.

(b) Explanatory Memorandum to the Protocol.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Reports of the Auditor-General on the—

- (a) Financial Statements of the South African Telecommunications Regulatory Authority for 1998-99 [RP 84—2000];
- (b) Financial Statements of the Ciskei Broadcasting Corporation for 1993-94 to 1996-97 and the period ended 30 November 1997 [RP 79—2000];
- (c) Group Annual Financial Statements of Soekor (Pty) Ltd for 1997-98 [RP 78—2000];
- (d) Financial Statements of the Commission on Gender Equality for 1998-99 [RP 85—2000].

National Assembly:

Bills:

1. The Minister of Finance:

- (1) *Wetsontwerp op die Verdeling van Inkomste* [W 8—2000].

The *Division of Revenue Bill* [B 8—2000] (National Assembly—sec 76(1)) was introduced by the Minister of Finance on 23 February 2000 and referred to the Portfolio Committee on Finance.

COMMITTEE REPORTS:

National Council of Provinces:

1. Report of the Select Committee on Local Government and Administration on the *Draft Code of Ethics for Members of the Cabinet and Members of Executive Councils*, dated 15 May 2000:

The Select Committee on Local Government and Administration, having considered the *Draft Code of Ethics for Members of the Cabinet and Members of Executive Councils*, referred to it, reports that it approves of the Draft Code.

Report to be considered.

1. The Commission is composed of the following members:

(a) The President of the United States, or his representative, shall be the Chairman of the Commission.

(b) The Secretary of the United States, or his representative, shall be the Vice-Chairman of the Commission.

(c) The Commission shall also include representatives of the various departments and agencies of the Government.

(d) The Commission shall have the honor of the President of the United States.

(e) The Commission shall have the honor of the Secretary of the United States.

(f) The Commission shall have the honor of the President of the United States.

(g) The Commission shall have the honor of the Secretary of the United States.

(h) The Commission shall have the honor of the President of the United States.

(i) The Commission shall have the honor of the Secretary of the United States.

(j) The Commission shall have the honor of the President of the United States.

(k) The Commission shall have the honor of the Secretary of the United States.

(l) The Commission shall have the honor of the President of the United States.

(m) The Commission shall have the honor of the Secretary of the United States.

(n) The Commission shall have the honor of the President of the United States.

(o) The Commission shall have the honor of the Secretary of the United States.

(p) The Commission shall have the honor of the President of the United States.

(q) The Commission shall have the honor of the Secretary of the United States.

(r) The Commission shall have the honor of the President of the United States.

(s) The Commission shall have the honor of the Secretary of the United States.

(t) The Commission shall have the honor of the President of the United States.

(u) The Commission shall have the honor of the Secretary of the United States.

(v) The Commission shall have the honor of the President of the United States.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 16 MAY 2000

1. The House met at 14:04.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:05] Notices of motion.
4. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that President Mbeki departs today to meet with British Prime Minister, Tony Blair, where the issue of a solution to the unrest will dominate the agenda;
 - (2) believes that our country, and in particular President Mbeki, has unique skills and experience which can contribute to regional peace and stability; and
 - (3) wishes the President every success in achieving a peaceful solution to the unrest in our region.

Agreed to.

5. Mr M J Ellis moves without notice: That the House—
 - (1) notes with sadness the tragic deaths of seven miners at the Beatrix Mine near Virginia in the Free State;
 - (2) extends its heartfelt sympathies and condolences to the bereaved families; and
 - (3) expresses the hope that no effort will be spared in order to prevent the recurrence of such a tragedy.

Agreed to.

6. FIRST ORDER [14:20]

Debate on Vote No 4—Arts, Culture, Science and Technology, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

TUESDAY, 16 MAY 2000

1. The Council met at 10:15.
2. The Deputy Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:16] Notices of motion.
4. [10:21] Mr A E van Niekerk moved without notice: That the Council—
 - (1) notes the explosion at the Beatrix Gold Mine and the loss of life of seven of the mineworkers;
 - (2) expresses its condolences towards the next of kin of the workers, who originate from Lesotho, Botswana and Mozambique;
 - (3) requests its members to keep them in their thoughts, and the faithful to keep them in their prayers, in this time of mourning; and
 - (4) concedes that it is important for the Council to be informed about the reasons for the explosion and to receive the assurance that everything possible will be done to prevent a recurrence of this tragedy.

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

5. [10:22] Mr N M Raju moved without notice: That the Council—
 - (1) wishes one of South Africa's greatest cricketers and coaches, Eddie Barlow, a speedy recovery from the unfortunate stroke he had been afflicted with while on his latest coaching stint in Bangladesh; and
 - (2) notes that Eddie Barlow, who brought joy to millions as a brilliant batsman and equally brilliant fielder in the slips, and who is generally credited with discovering Paul Adams, before catapulting him into the S A National Cricket Team as a spinner of colour, is recuperating in a Singapore hospital.

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

THE EFFECT OF THE VARIOUS FACTORS IN THE PRODUCTION OF THE DISEASE

1. The first factor is the heredity of the patient.

2. The second factor is the environment of the patient, which includes the climate, the food, the water, the air, and the social conditions.

3. The third factor is the constitution of the patient, which is determined by the heredity and the environment.

4. The fourth factor is the age of the patient, which is a very important factor in the production of the disease.

5. The fifth factor is the sex of the patient, which is also a very important factor in the production of the disease.

6. The sixth factor is the occupation of the patient, which is a very important factor in the production of the disease.

7. The seventh factor is the habits of the patient, which are a very important factor in the production of the disease.

8. The eighth factor is the state of the patient's mind, which is a very important factor in the production of the disease.

9. The ninth factor is the state of the patient's body, which is a very important factor in the production of the disease.

10. The tenth factor is the state of the patient's organs, which are a very important factor in the production of the disease.

11. The eleventh factor is the state of the patient's cells, which are a very important factor in the production of the disease.

12. The twelfth factor is the state of the patient's tissues, which are a very important factor in the production of the disease.

13. The thirteenth factor is the state of the patient's blood, which is a very important factor in the production of the disease.

14. The fourteenth factor is the state of the patient's lymph, which is a very important factor in the production of the disease.

15. The fifteenth factor is the state of the patient's nerves, which are a very important factor in the production of the disease.

16. The sixteenth factor is the state of the patient's muscles, which are a very important factor in the production of the disease.

17. The seventeenth factor is the state of the patient's bones, which are a very important factor in the production of the disease.

18. The eighteenth factor is the state of the patient's skin, which is a very important factor in the production of the disease.

19. The nineteenth factor is the state of the patient's hair, which is a very important factor in the production of the disease.

20. The twentieth factor is the state of the patient's nails, which are a very important factor in the production of the disease.

21. The twenty-first factor is the state of the patient's teeth, which are a very important factor in the production of the disease.

9. [10:27] The Chief Whip of the Council moved: That [00c4]

- (1) in accordance with Joint Rule 32(2)(b), the *National Youth Commission Amendment Bill*, [B 25—2000] (National Assembly—sec 75) be referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons for consideration and report;
- (2) for the purposes of the consideration of this bill, Joint Rules 167 to 171 apply to the said committee; and
- (3) notwithstanding Joint Rule 132E, Joint Rule 115 apply to the said committee for the purposes of taking decisions on the bill.

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

10. [10:30] The Chief Whip of the Council moved: That, notwithstanding the provisions of Rule 237(1), the time allotted for questions will be 60 minutes on Tuesday, 23 May 2000.

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

11. [10:31] The Chief Whip of the Council moved: That the Council, on the recommendation of the Rules Committee of the National Council of Provinces, appoints Ms L L Matyolo as Secretary to the National Council of Provinces, with effect from 16 May 2000.

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

12. FIRST ORDER [10:33]

Review of policy of Minister of Trade and Industry, as embodied in Vote No 32—Trade and Industry, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

13. BUSINESS SUSPENDED AT 12:31 AND RESUMED AT 14:02.

14. SECOND ORDER [14:02]

Consideration of Report of Select Committee on Local Government and Administration on *Draft Code of Ethics for Members of the Cabinet and Members of Executive Councils* (Announcements, Tablings and Committee Reports, p 395).

Debate concluded.

Report adopted in accordance with section 65 of the Constitution.

15. THIRD ORDER [15:29]

Consideration of *Division of Revenue Bill* [B 8B—2000] (National Assembly—sec 76) and of Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, p 346).

Debate concluded.

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

16. The Council adjourned at 17:51.

S G MFENYANA,

Secretary to Parliament.

1. The purpose of this document is to provide information regarding the activities of the [redacted] and the [redacted] in the [redacted] area. This information is being provided to you for your information only and is not to be used for any other purpose.

2. The information contained in this document is classified as [redacted] and is being provided to you under the authority of [redacted].

3. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

4. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

5. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

6. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

7. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

8. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

9. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

10. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

11. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

12. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

13. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

14. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

15. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

16. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

17. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

18. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

19. The information contained in this document is being provided to you for your information only and is not to be used for any other purpose.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS

TUESDAY, 16 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The Joint Tagging Mechanism (JTM) on 16 May 2000 in terms of Joint Rule 160(6), classified the following Bill as a section 75 Bill:

- (i) *Protected Disclosures Bill* [B30—2000] (National Assembly—sec 75)—(Portfolio Committee on Justice and Constitutional Development—National Assembly).

National Council of Provinces:

1. The Chairperson:

Message from National Assembly to National Council of Provinces:

Bill passed by National Assembly on 16 May 2000 and transmitted for concurrence:

- (1) *Protected Disclosures Bill* [B 30—2000] (National Assembly—sec 75)—(Select Committee on Security and Constitutional Affairs—National Council of Provinces).

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 17 MAY 2000

1. The House met at 15:02.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [15:03] Questions.
4. [17:03] Notices of motion.
5. The Chief Whip of the Majority Party moved without notice: That the House—

(1) notes—

(a) the coming Zimbabwean parliamentary elections that are to take place on 24 to 25 June 2000; and

(b) that the South African Parliament will be sending a delegation to observe these elections;

(2) believes that this will be a significant contribution by our Parliament to the success of these elections;

(3) wishes the delegation good luck in its mission; and

(4) expresses the hope that after the completion of its mission the delegation will give a full report to this House on the Zimbabwean elections.

Agreed to.

6. The Chief Whip of the Majority Party moved without notice: That the House—

(1) notes—

(a) the appointment of Mr Cyril Ramaphosa by British Prime Minister, Mr Tony Blair, to be part of a team that will inspect Irish Republican Army secret weapons; and

(b) that inspection constitutes a major breakthrough in the peaceful resolution of the conflict in Ireland; and

The first of these is the fact that the patient is not a "typical" case of the disease. The second is the fact that the patient is not a "typical" case of the disease. The third is the fact that the patient is not a "typical" case of the disease.

There are two main points to be considered:

(1) The patient is not a "typical" case of the disease.

The second point is the fact that the patient is not a "typical" case of the disease. The third is the fact that the patient is not a "typical" case of the disease.

The third point is the fact that the patient is not a "typical" case of the disease.

(2) The patient is not a "typical" case of the disease.

The fourth point is the fact that the patient is not a "typical" case of the disease.

The fifth point is the fact that the patient is not a "typical" case of the disease. The sixth is the fact that the patient is not a "typical" case of the disease. The seventh is the fact that the patient is not a "typical" case of the disease.

The eighth point is the fact that the patient is not a "typical" case of the disease.

(3) The patient is not a "typical" case of the disease.

The ninth point is the fact that the patient is not a "typical" case of the disease.

The tenth point is the fact that the patient is not a "typical" case of the disease. The eleventh is the fact that the patient is not a "typical" case of the disease.

The twelfth point is the fact that the patient is not a "typical" case of the disease.

(4) The patient is not a "typical" case of the disease.

The thirteenth point is the fact that the patient is not a "typical" case of the disease.

The fourteenth point is the fact that the patient is not a "typical" case of the disease. The fifteenth is the fact that the patient is not a "typical" case of the disease.

The sixteenth point is the fact that the patient is not a "typical" case of the disease.

(5) The patient is not a "typical" case of the disease.

The seventeenth point is the fact that the patient is not a "typical" case of the disease.

The eighteenth point is the fact that the patient is not a "typical" case of the disease.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 17 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Minister for Intelligence on 18 April 2000 submitted a draft of the *General Intelligence Law Amendment Bill, 2000*, and the memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159.
- (2) The Minister of Home Affairs on 17 May 2000 submitted a draft of the *Identification Amendment Bill, 2000*, and the memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Home Affairs and the Select Committee on Social Services, respectively, in accordance with Joint Rule 159(2).
- (3) The following Bill was introduced in the National Assembly on 17 May 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:
 - (i) *Identification Amendment Bill* [B 33—2000] (National Assembly—sec 75)—(Portfolio Committee on Home Affairs—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 21079 of 7 April 2000.]

2. The Speaker and the Chairperson:

- (1) The following changes have been made to the membership of Joint Committees, viz:

Defence:

Discharged: Selfe, J.

National Assembly:

1. The Speaker:

The following changes have been made to the membership of Portfolio Committees, viz:

Defence:

Discharged: Selfe, J.

Public Service and Administration:

Appointed: Zulu, N E.

Discharged: Ndabandaba, L B G.

National Council of Provinces:

1. The Chairperson:

Message from National Assembly to National Council of Provinces:

Bills passed by National Assembly on 17 May 2000 and transmitted for concurrence:

- (1) *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75)—(Select Committee on Public Services—National Council of Provinces).
- (2) *National House of Traditional Leaders Amendment Bill* [B 15B—2000] (National Assembly—sec 76)—(Select Committee on Local Government and Administration—National Council of Provinces).
- (3) *Remuneration of Public Office Bearers Second Amendment Bill* [B 23—2000] (National Assembly—sec 76(1))—(Select Committee on Local Government and Administration—National Council of Provinces).

COMMITTEE REPORTS:***National Assembly:***

1. Report of the Portfolio Committee on Transport on the *National Land Transport Transition Bill* [B 5B—2000] (National Council of Provinces—sec 76), dated 17 May 2000:

The Portfolio Committee on Transport, having considered the subject of the *National Land Transport Transition Bill* [B 5B—2000] (National Council of Provinces—sec 76), referred to it and classified by the JTM as a section 76 Bill, reports the Bill without amendment.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

THURSDAY, 18 MAY 2000

1. The House met at 14:02.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. The Deputy Speaker made an announcement with regard to International Candlelight Memorial Day.
4. [14:04] Notices of motion.
5. FIRST ORDER [14:20]
Debate on Vote No 17—Independent Complaints Directorate, and Vote No 28—SA Police Service, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).
Debate concluded.
6. The House adjourned at 17:32.

S G MFENYANA,
Secretary to Parliament.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

WEDNESDAY, 17 MAY 2000

1. The Council met at 14:02.
2. The Deputy Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:03] Notices of motion.
4. [14:05] Ms J N Vilakazi moved without notice: That the Council—
 - (1) notes the birth of another set of conjoined twins at Groote Schuur Hospital;
 - (2) commends the professional explanation that one in 75 000 children is born as a conjoined twin;
 - (3) looks forward to a time when medical science will be able to develop a mechanism of separating the fertilised egg, when conjoined twins are detected early;
 - (4) also commends the enlightenment of the use of the terminology “conjoined twin” instead of “siamese twin”; and
 - (5) therefore wishes the mother and all the caregivers who attend to babies the best of luck in the extensive surgery of separating twins.Motion agreed to in accordance with section 65 of the Constitution.
5. [14:07] Ms E N Lubidla moved without notice: That the Council—
 - (1) takes cognisance of the shooting of a student and the injury of five other people by police at the University of Durban-Westville yesterday afternoon;
 - (2) notes that the students were protesting against deregistration of over five hundred students who have not paid their fees;
 - (3) requests the Independent Complaints Directorate to make sure that there is no stone left unturned as the students were demonstrating and posed no threat to the police; and

- (4) extends its sincere condolences to victims and family members and wishes a speedy recovery to those injured.

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

6. [14:08] Mr A E van Niekerk moved without notice: That the Council—

- (1) notes that—
 - (a) it was reported today that there are people in the Northern Cape who are illegally occupying commercial farms; and
 - (b) the reason is given that the occupations arise from frustration about the restitution and land reform process in the Northern Cape, which is not proceeding according to plan;
- (2) notes with thanks that the MEC for Agriculture and Land Affairs in the Northern Cape, Mr Makweya, has stated openly that such occupations will not be tolerated;
- (3) declares itself against illegal occupations; and
- (4) requests that it be kept informed about the progress of restitution and land reform in the Northern Cape as a matter of pressing importance, so that South Africa does not degenerate into a situation such as that in Zimbabwe.

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

7. [14:09] Mr P A Matthee moved without notice: That the Council—

- (1) notes the media reports in respect of a circular from the Director-General of Justice according to which large-scale corruption and malpractices are committed by Justice officials in the said department; and
- (2) requests the Minister for Justice and Constitutional Development as soon as possible, but on or before 31 May 2000, to provide the Council with a report in which the details of the corruption and malpractices mentioned are expounded and in which is indicated what steps must be taken to prosecute the relevant officials and prevent further corruption and malpractices in the department.

Mr A Marais moved as an amendment: That, in paragraph (2), the words “as soon as possible, but on or before 31 May 2000,” be substituted by “within reasonable time”.

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

Motion, as amended, agreed to in accordance with section 65 of the Constitution, namely: That the Council—

- (1) notes the media reports in respect of a circular from the Director-General of Justice according to which large-scale corruption and malpractices are committed by Justice officials in the said department; and
- (2) requests the Minister for Justice and Constitutional Development within reasonable time to provide the Council with a report in which the details of the corruption and malpractices mentioned are expounded and in which is indicated what steps must be taken to prosecute the relevant officials and prevent further corruption and malpractices in the department.

8. FIRST ORDER [14:11]

Review of policy of Minister of Transport, as embodied in Vote No 33—Transport, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

9. The Council adjourned at 16:38.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 18 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The Subcommittee of the Joint Programme Committee on 17 May 2000 took a decision, in accordance with Joint Rule 216, that the *Local Government: Municipal Electoral Bill, 2000*, be fast-tracked with a view to ensuring that the Bill can be passed by both Houses by 23 June 2000.

In terms of Joint Rule 216(4) this decision must be tabled in both Houses for ratification.

- (2) Assent by the President of the Republic in respect of the following Bill:

- (i) *Fire Brigade Services Amendment Bill* [B 63B—99]—Act No 14 of 2000 (assented to and signed by President on 12 May 2000).

- (3) The Minister of Environmental Affairs and Tourism on 18 May 2000 submitted a draft of the *South African Weather Bureau Bill, 2000*, and the memorandum explaining the objects of the proposed legislation, to the Speaker and the Chairperson in terms of Joint Rule 159. The draft has been referred by the Speaker and the Chairperson to the Portfolio Committee on Environmental Affairs and Tourism and the Select Committee on Land and Environmental Affairs, respectively, in accordance with Joint Rule 159(2).

2. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following papers are referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Communications and

to the Select Committee on Labour and Public Enterprises for information:

- (a) Report of the Auditor-General on the Financial Statements of the South African Telecommunications Regulatory Authority for 1998-99 [RP 84—2000].
 - (b) Report of the Auditor-General on the Financial Statements of the Ciskei Broadcasting Corporation for 1993-94 to 1996-97 and the period ended 30 November 1997 [RP 79—2000].
- (2) The following papers are referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Minerals and Energy and to the Select Committee on Economic Affairs for information:
- (a) Report of the Auditor-General on the Group Annual Financial Statements of Soekor (Pty) Ltd for 1997-98 [RP 78—2000].
 - (b) Report of the Auditor-General on the Financial Statements of Enerkom (Proprietary) Limited for 1998-99 [RP 57—2000].
- (3) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Women for information:
- Report of the Auditor-General on the Financial Statements of the Commission on Gender Equality for 1998-99 [RP 85—2000].
- (4) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Labour and to the Select Committee on Labour and Public Enterprises for information:
- Report of the Auditor-General on the Financial Statements of the Unemployment Insurance Fund for 1997 and 1998 [RP 77—2000].
- (5) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Agriculture and Land Affairs and to the Select Committee on Land and Environmental Affairs for information:
- Report of the Auditor-General on the Financial Statements of the Agricultural Research Council for 1998-99 [RP 40—2000].
- (6) The following paper is referred to the Portfolio Committee on Health and to the Select Committee on Social Services:
- Report of the Department of Health for 1999-2000 [RP 75—2000].

National Assembly:

1. The Speaker:

- (1) The following private member's legislative proposal was submitted to the Speaker on 12 May 2000, in accordance with Rule 234:

(i) *Transfer of Convicted Prisoners Bill* (Adv H C Schmidt).

The legislative proposal has been referred to the Standing Committee on Private Members' Legislative Proposals and Special Petitions by the Speaker, in accordance with Rule 235.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Finance:

List of Shareholders of the South African Reserve Bank as at March 2000.

2. The Minister of Environmental Affairs and Tourism:

Report of the Department of Environmental Affairs and Tourism for 1999-2000 [RP 68—2000].

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

FRIDAY, 19 MAY 2000

1. The House met at 09:02.
2. The Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [09:03] Notices of motion.
4. [09:17] The Chief Whip of the Majority Party moved: That the House ratifies the decision the Joint Programme Subcommittee on 17 May 2000 took in accordance with Joint Rule 216(2), namely that the *Local Government: Municipal Electoral Bill*, 2000, be fast-tracked by, where necessary, shortening any period within which any step in the legislative process relating to the Bill must be completed, in order to make it possible for the Bill to be passed by both Houses of Parliament by 23 June 2000 (see Announcements, Tablings and Committee Reports, p 410).

Agreed to.

5. FIRST ORDER [09:18]

Debate on Vote No 9—Environmental Affairs and Tourism, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

6. SECOND ORDER [11:37]

Second Reading debate—*Tourism Amendment Bill* [B 50B—99] (National Assembly—sec 76).

Debate concluded.

Bill read a second time.

7. The House adjourned at 12:20.

S G MFENYANA,
Secretary to Parliament.

THE NATIONAL ASSOCIATION OF REALTORS

EXHIBIT

1977

REPORTS ON THE YEAR

1977

ANNOUNCEMENTS, FABRICS AND COMMITTEE REPORTS

1977

1977

1977

1977

1977

1977

1977

1977

1977

1977

1977

1977

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

MONDAY, 22 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The following Bill was introduced in the National Assembly on 22 May 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *Local Government: Municipal Electoral Bill* [B 35—2000] (National Assembly—sec 75)—(Portfolio Committee on Home Affairs—National Assembly) [The Bill has been fast-tracked—see Announcements, Tablings and Committee Reports, p 410.]

(2) The Joint Tagging Mechanism (JTM) on 22 May 2000 in terms of Joint Rule 160(3), classified the following Bill as a section 75 Bill:

- (i) *Identification Amendment Bill* [B 33—2000] (National Assembly—sec 75)—(Portfolio Committee on Home Affairs—National Assembly).

(3) The Joint Tagging Mechanism (JTM) on 22 May 2000 in terms of Joint Rule 160(4), classified the following Bills as section 76 Bills:

- (i) *Administrative Adjudication of Road Traffic Offences Amendment Bill* [B 31—2000] (National Council of Provinces—sec 76)—(Select Committee on Public Services—National Council of Provinces).
- (ii) *Road Traffic Management Corporation Amendment Bill* [B 32—2000] (National Council of Provinces—sec 76)—(Select Committee on Public Services—National Council of Provinces).

- (4) The following changes have been made to the membership of Joint Committees, viz:

Improvement of Quality of Life and Status of Women:

Discharged: Abrahams, L A.

Improvement of Quality of Life and Status of Youth, Children and Disabled Persons:

Appointed: Dithebe, S L.

- (5) The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (i) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance:

List of Shareholders of the South African Reserve Bank as at March 2000.

- (ii) The following papers are referred to the Portfolio Committee on Environmental Affairs and Tourism and to the Select Committee on Land and Environmental Affairs:

Report of the Department of Environmental Affairs and Tourism for 1999-2000 [RP 68—2000].

- (iii) The following papers are referred to the Portfolio Committee on Trade and Industry and to the Select Committee on Economic Affairs for consideration and report:

(a) Constitution of the United Nations Industrial Development Organisation (UNIDO), tabled in terms of section 231(2) of the Constitution, 1996.

(b) Explanatory Memorandum to the Constitution.

National Assembly:

1. The Speaker:

The following changes have been made to the membership of Committees, viz:

Arts, Culture, Science and Technology:

Appointed: Dithebe, S L.

Defence:

Appointed: Fazzie, M H (Alt).

Environmental Affairs and Tourism:

Discharged: Rockman, G.

Health:

Appointed: Twala, M (Alt).

Labour:

Appointed: Moropa, R M.

Discharged: Abrahams, L A.

Monday, 22 May 2000]

Private Members' Legislative Proposals and Special Petitions:

Discharged: Rockman, G.

Provincial and Local Government:

Appointed: Dithube, S L (Alt).

Public Service and Administration:

Discharged: Rockman, G.

Safety and Security:

Appointed: Morobi, D M; Ndon, R S (Alt).

Discharged: Vilakazi, M L

Sport and Recreation:

Appointed: Moropa, R M

Discharged: Gousen, A D.

Transport:

Appointed: Fazzie, M H

Discharged: Rockman, G.

Welfare and Population Development:

Appointed: Kasienyane, O R

Discharged: Morobi, D M

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Report of the Auditor-General on the Secret Services Account, the Related Departmental Accounts and the Security Services Special Account for 1998-99 [RP 125-99].

2. The Minister of Arts, Culture, Science and Technology:

(1) Government Notice Number 1466 published in the Government Gazette No 20692 dated 10 December 1999, Amendment of Item 3 of Government Notice No 1584 of 4 October 1996, made in terms of section 10(2)(a) of the National Monuments Act, 1969 (Act No 28 of 1969).

(2) Government Notice Number 127 published in the Government Gazette No 20705 dated 10 December 1999, Board Notice No 127 of 1999, made in terms of section 11(7) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).

(3) Government Notice Number 128 published in the Government Gazette No 20705 dated 10 December 1999, Designation of a Provincial Language Committee: KwaZulu-Natal, made in terms of section 8(3) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).

(4) Government Notice Number 52 published in the Government Gazette No 20820 dated 28 January 2000, Designation as a conservation area: The Air Force Base Swartkop in Pretoria, made in terms of section 5(9) of the National Monuments Act, 1969 (Act 28 of 1969).

- (5) Government Notice Number 83 published in the Government Gazette No 20837 dated 4 February 2000, Approval of official places names by the National Place Names Committee.
- (6) Government Notice Number 158 published in the Government Gazette No 20877 dated 18 February 2000, Application for registration of heraldic representations and objections thereto, made in terms of section 7A and B of the Heraldry Act, 1962 (Act No 18 of 1962).
- (7) Government Notice Number 159 published in the Government Gazette No 20877 dated 18 February 2000, Registration of heraldic representations, made in terms of section 10 of the Heraldry Act, 1962 (Act No 18 of 1962).
- (8) Government Notice Number 160 published in the Government Gazette No 20877 dated 18 February 2000, Registration of heraldic representations, made in terms of section 10 of the Heraldry Act, 1962 (Act No 18 of 1962).

National Assembly:

Bills:

1. The Minister of Public Works:
 - (1) *Wetsontwerp op die Raad vir die Bou-omgewing* [W 16—2000]
The *Council for the Built Environment Bill* [B 16—2000] (National Assembly—sec 75) was introduced by the Minister of Public Works on 6 April 2000 and referred to the Portfolio Committee on Public Works.
 - (2) *Wetsontwerp op die Argitektuurprofessie* [W 17—2000]
The *Architectural Profession Bill* [B 17—2000] (National Assembly—sec 75) was introduced by the Minister of Public Works on 6 April 2000 and referred to the Portfolio Committee on Public Works.

COMMITTEE REPORTS:

National Council of Provinces:

1. Report of the Select Committee on Social Services on the *Nonprofit Organisations Amendment Bill* [B 9—2000] (National Assembly—sec 75), dated 22 May 2000:

The Select Committee on Social Services, having considered the subject of the *Nonprofit Organisations Amendment Bill* [B 9—2000] (National Assembly—sec 75), referred to it, reports that it has agreed to the Bill.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 23 MAY 2000

1. The House met at 14:02.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:02] Notices of motion.
4. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes the accident in the Eastern Cape in which five young boys lost their lives and 50 others were injured;
 - (2) further notes that this accident again raises the concerns of proper road signage, road maintenance and the roadworthiness of buses used for public transportation;
 - (3) recognises the need for the national and provincial transport departments to work together to ensure safety improvements on all major roads in the Eastern Cape;
 - (4) calls on the provincial transport department to immediately investigate the roadworthiness of public transport in the area and to launch an investigation into the cause of the recent accident; and
 - (5) expresses its condolences with the families of the deceased.

Agreed to.

5. FIRST ORDER [14:19]

Debate on Vote No 15—Housing, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

6. The House adjourned at 16:37.

S G MFENYANA,
Secretary to Parliament.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

TUESDAY, 23 MAY 2000

1. The Council met at 10:08.
2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:09] Notices of motion.
4. [10:15] Mr N M Raju moved without notice: That the Council—
 - (1) congratulates the South African under 23 soccer team, the *Amagluglug*, on its convincing victory against the All Whites of New Zealand, thus setting up an exciting follow-up match this weekend in South Africa;
 - (2) congratulates the new Springboks selected to represent South Africa in the forthcoming international matches against Canada and England, and specially congratulates André Vos on his elevation to captaincy; and
 - (3) wishes the Justice King inquiry into match-fixing in cricket to be conducted speedily in the interests of all.

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

5. [10:16] Mrs E N Lubidla moved without notice: That the Council—
 - (1) expresses its shock and disbelief over the Eastern Cape bus crash which occurred on Sunday afternoon between Mount Ayliff and Mount Frere;
 - (2) notes that—
 - (a) a bus transporting school-children from a soccer match in Mount Ayliff overturned and plunged down an embankment on the notorious Umzimvumbu stretch of road between the towns Mount Ayliff and Mount Frere; and

- (b) four boys died at the scene and one in hospital, increasing the total number of children who died in the incident to five;
- (3) extends the same condolences to all the families of those unfortunate students who have fallen victim to this incident;
- (4) strongly urges the Minister of Transport to take the matter under full investigation and to issue a report as to the circumstances which led to the accident; and
- (5) is of the opinion that there must be stricter measures with regard to the conditions and roadworthy tests applied to buses.

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

6. [10:17] Mr Z S Kolweni moved without notice: That the Council extends its heartfelt congratulations to the entire workforce of the Eastern Cape-Port Elizabeth Coca-Cola plant for achieving a prestigious award as the world's best bottling plant of the century.

Thank you, you are a good example. Keep it up!

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

7. [10:18] Mr K D S Durr moved without notice: That the Council—

- (1) salutes the bravery of the three streetchildren in the Green Point-Sea Point area that identified to the authorities a live pipe bomb that was ticking away and that was about to explode, for their public spiritedness and brave example that allowed the police to disarm the bomb and thus to save lives; and
- (2) calls upon the Minister of Safety and Security to consider an award to these young people.

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

8. [10:19] Mrs J N Vilakazi moved without notice: That the Council—

- (1) commends the Minister of Education on his bold move to introduce an indigenous language as a compulsory subject in the school curriculum—the country has long been waiting for this to happen; and
- (2) urges the Department of Education to ensure that this process is monitored closely to ensure the effective implementation of language instruction.

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

9. [10:21] Mr P A Matthee moved without notice: That the Council—

- (1) takes note that—
 - (a) during the first three months of this year 48 police members were killed in the line of duty;
 - (b) last year 81 were killed on duty and 131 whilst off duty; and
 - (c) more than 1 600 police officers were murdered, on and off duty, between 1994 and 1999;
- (2) supports the Ministers of Safety and Security and for Justice and Constitutional Development in their intention to take steps that would empower courts to impose maximum sentences on the killers of police officials; and

- (3) urges the Government immediately to address the shortages of trained personnel, vehicles and other equipment in the South African Police Service, so that the lives of police members are not unnecessarily endangered because of such shortages.

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

10. [10:24] The Chief Whip of the Council moved: That the Council ratifies the decision the Joint Programme Subcommittee took on 17 May 2000 in accordance with Joint Rule 216(2), namely that the *Local Government: Municipal Electoral Bill*, 2000, be fast-tracked by, where necessary, shortening any period within which any step in the legislative process relating to the Bill must be completed, in order to make it possible for the Bill to be passed by both Houses of Parliament by 23 June 2000 (see Announcements, Tablings and Committee Reports, p 410).

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

11. FIRST ORDER [10:27]

Review of policy of Minister of Sport and Recreation, as embodied in Vote No 29—Sport and Recreation, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

12. BUSINESS SUSPENDED AT 13:01 AND RESUMED AT 14:06.

13. [14:06] Questions.

14. SECOND ORDER [15:21]

Review of policy of Minister of Water Affairs and Forestry, as embodied in Vote No 34—Water Affairs and Forestry, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

15. THIRD ORDER [17:52]

Consideration of *Nonprofit Organisations Amendment Bill* [B 9—2000] (National Assembly—sec 75) and of Report of Select Committee on Social Services thereon (Announcements, Tablings and Committee Reports, p 418).

Debate concluded.

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

16. The Chairperson gave a ruling on a motion without notice moved by Mrs E N Lubidla, that the matter was still *sub judice*.

17. The Council adjourned at 17:54.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 23 MAY 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister for Provincial and Local Government:
Reasons for declaring a state of disaster in the Province of KwaZulu-Natal in terms of section 2(1) of the Civil Protection Act, 1977 (Act No 67 of 1977).
2. The Minister of Housing:
The Report of the Department of Housing for 1999 [RP 74—2000].

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Trade and Industry on the *UNIDO Constitution*, dated 23 May 2000:

The Portfolio Committee on Trade and Industry, having considered the request for approval by Parliament of the *Constitution of the United Nations Industrial Development Organization (UNIDO)*, referred to it, recommends that the House, in terms of section 231(2) of the Constitution, approve the said *UNIDO Constitution*.

Report to be considered.

National Council of Provinces:

1. Report of the Select Committee on Public Services on the *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75), dated 22 May 2000:

The Select Committee on Public Services, having considered the subject of the *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75), referred to it, reports that it has agreed to the Bill.

With reference to the proposed new paragraph (b) of section 7(4) of the Act, the Committee recommends that the Commission be encouraged to complete its work within the period stipulated in section 7(4)(a).

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 24 MAY 2000

1. The House met at 15:00.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [15:02] Questions.
4. [17:05] Notices of motion.
5. The Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that the Inkatha Freedom Party (IFP) celebrated its 25th anniversary over the weekend;
 - (2) believes that the IFP has played an important part in the first democratic government as well as the current Government in transforming our society; and
 - (3) congratulates them on their birthday and hopes that they will continue to play a positive role in strengthening our democracy.

Agreed to.

6. Mr J J Dowry moved without notice: That the House—
 - (1) notes the world title boxing fights to be held in Brakpan tonight where three South Africans, Cassius Baloyi, Baby Jake Matlala and Hawk Makepula, will be fighting;
 - (2) recognises the wealth of sporting talent currently present in South Africa;
 - (3) pledges its support to all three South African boxers in their respective fights tonight, wishing them all the best; and
 - (4) notes that if Baby Jake Matlala wins tonight, he will make history by becoming the first South African boxer to win four world titles from different world bodies.

Agreed to.

7. FIRST ORDER [17:21]

Debate on Vote No 30—State Expenditure (Intelligence Services), *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate suspended.

8. The House adjourned at 17:52.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS

WEDNESDAY, 24 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

- (1) The following Bill was introduced in the National Assembly on 24 May 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

- (i) *General Intelligence Law Amendment Bill* [B 36—2000] (National Assembly—sec 75). The Bill has not yet been referred to a committee. [Explanatory summary of Bill and prior notice of its introduction published in *Government Gazette* No 21084 of 14 April 2000.]

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Transport on the *COSPAS/SARSAT Notification Letter*, dated 24 May 2000:

The Portfolio Committee on Transport, having considered the request for approval by Parliament of the *Letter of Notification of Association with the International COSPAS/SARSAT Programme as a Ground Segment Provider*, referred to it, recommends that the House, in terms of section 231(2) of the Constitution, approve the said Letter of Notification.

Report to be considered.

National Council of Provinces:

1. Report of the Select Committee on Economic Affairs on the *UNIDO Constitution*, dated 24 May 2000:

The Select Committee on Economic Affairs, having considered the request for approval by Parliament of the *Constitution of the United Nations Industrial Development Organization (UNIDO)*, referred to it, recommends that the Council, in terms of section

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

THURSDAY, 25 MAY 2000

1. The House met at 14:04.
2. The Deputy Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:05] Notices of motion.
4. Mrs M E Olckers moved without notice: That the House—
 - (1) congratulates Kirstenbosch Botanical Gardens on being awarded the 23rd gold medal for the Old Mutual Kirstenbosch Exhibition at the Chelsea Flower Show in London; and
 - (2) is of the opinion that this is proof of South Africa's standing as a country that cares for botanical issues, aesthetics and our environment.

Agreed to.

5. [14:20] The House discussed the following subject as a Speaker's debate: Africa Unity Day—formation of the OAU.

Debate concluded.

6. FIRST ORDER [15:19]

Resumption of debate on Vote No 30—State Expenditure (Intelligence Services), *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

7. SECOND ORDER [16:18]

Debate on Vote No 10—Finance, Vote No 10—Finance (SA Revenue Service), Vote No 31—Statistics South Africa, Vote No 30—State Expenditure, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

8. The House adjourned at 18:54.

S G MFENYANA,

Secretary to Parliament.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

THURSDAY, 25 MAY 2000

1. The Council met at 14:03.
2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:04] Notices of motion.

4. FIRST ORDER [14:07]

Review of policy of Minister of Housing, as embodied in Vote No 15—Housing, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

5. SECOND ORDER [16:39]

Consideration of *Road Accident Fund Commission Amendment Bill* [B 12—2000] (National Assembly—sec 75) and of Report of Select Committee on Public Services thereon (Announcements, Tablings and Committee Reports, p 424).

Order disposed of without debate.

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

6. The Council adjourned at 16:40.

S G MFENYANA,

Secretary to Parliament.

No 76—2000] SECOND SESSION, SECOND PARLIAMENT

PARLIAMENT

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

THURSDAY, 25 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

1. The Joint Tagging Mechanism (JTM) on 25 May 2000 in terms of Joint Rule 160(3), classified the following Bills as section 75 Bills:

- (i) *Firearms Control Bill* [B 34—2000] (National Assembly—sec 75)—(Portfolio Committee on Safety and Security—National Assembly).
- (ii) *Local Government: Municipal Electoral Bill* [B 35—2000] (National Assembly—sec 75)—(Portfolio Committee on Home Affairs—National Assembly).

2. The Speaker and the Chairperson:

(1) The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Joint Standing Committee on Intelligence, the Portfolio Committee on Safety and Security and to the Select Committee on Security and Constitutional Affairs for information:

Report of the Auditor-General on the Secret Services Account, the Related Departmental Accounts and the Security Services Special Account for 1998-99 [RP 125—99].

(2) The following papers are referred to the Portfolio Committee on Arts, Culture, Science and Technology and to the Select Committee on Education and Recreation:

- (1) Government Notice No 1466 published in the Government Gazette No 20692 dated 10 December 1999, Amendment of Item 8 of Government Notice No 1584 of 4 October 1996, made in terms of section 10(2)(a) of the National Monuments Act, 1969 (Act No 28 of 1969).
- (2) Government Notice No 127 published in the Government Gazette No 20705 dated 10 December 1999, Board Notice No 127 of 1999, made in terms of section 11(7) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (3) Government Notice No 128 published in the Government Gazette No 20705 dated 10 December 1999, Designation of a Provincial Language Committee: KwaZulu-Natal, made in terms of section 8(8) of the Pan South African Language Board Act, 1995 (Act No 59 of 1995).
- (4) Government Notice No 52 published in the Government Gazette No 20820 dated 28 January 2000, Designation as a conservation area: The Air Force Base Swartkop in Pretoria, made in terms of section 5(9) of the National Monuments Act, 1969 (Act No 28 of 1969).
- (5) Government Notice No 83 published in the Government Gazette No 20837 dated 4 February 2000, Approval of official place names by the National Place Names Committee.
- (6) Government Notice No 158 published in the Government Gazette No 20877 dated 18 February 2000, Application for registration of heraldic representations and objections thereto, made in terms of section 7A and B of the Heraldry Act, 1962 (Act No 18 of 1962).
- (7) Government Notice No 159 published in the Government Gazette No 20877 dated 18 February 2000, Registration of heraldic representations, made in terms of section 10 of the Heraldry Act, 1962 (Act No 18 of 1962).
- (8) Government Notice No 160 published in the Government Gazette No 20877 dated 18 February 2000, Registration of heraldic representations, made in terms of section 10 of the Heraldry Act, 1962 (Act No 18 of 1962).

(3) The following paper are referred to the Portfolio Committee on Housing and to the Select Committee on Public Services:

The Report of the Department of Housing for 1999 [RP 74—2000].

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Public Service and Administration on *Draft Code of Ethics for Members of the Cabinet and Executive Councils*, dated 23 May 2000:

The Portfolio Committee on Public Service and Administration, having considered the *Draft Code of Ethics for Members of the Cabinet and Executive Councils*, referred to it, reports as follows:

A. *Requirements of Constitution*

The Constitution requires the State to be open, accountable and responsive (sec 1). In terms of the doctrine of separation of powers, the legislature exercises oversight of the executive, while another branch, the judiciary, has the power to review both the laws of the legislature and administrative acts of the executive. All three branches must act in accordance with the Constitution, which is the supreme law.

In terms of the Constitution, the national Cabinet is accountable collectively and individually to Parliament for the exercise of their powers and the performance of their functions. Members of the Cabinet are further required to act in accordance with the Constitution, and must provide Parliament with “full and regular reports” concerning matters under their control (sec 92). Members of the Executive Council of a province are similarly accountable to the relevant legislature (sec 133).

Related provisions confer powers upon the legislatures that correspond with the executive’s duty of accountability. Oversight powers are conferred on the National Assembly (sec 55), the National Council of Provinces (sec 66) and provincial legislatures (sec 114).

Within this framework of executive accountability to the legislature, the Constitution also contains provisions regarding the conduct of Members of the Cabinet and Deputy Ministers (sec 96) and Members of the Executive Council of a province (sec 136). Members of Cabinet, Deputy Ministers and Members of Executive Councils are required “to act in accordance with a code of ethics prescribed by national legislation”.

By specifically proscribing certain conduct, the Constitution provides a minimum content for the envisaged code of ethics. Executive members are prohibited from—

1. undertaking any other paid work;
2. acting in a manner inconsistent with their office, or exposing themselves to any situation involving the risk of a conflict of interest between their official responsibilities and their private interests; or

Mpumalanga, Mr N Mahlangu, on 22 June 1999 [RP121—99]) alluded to the fact that although the enabling legislation for a code of ethics, the Executive Members Ethics Act, was in place, the code itself had not been compiled and published.

Report 11 was tabled on 26 April 1999, after Parliament had dissolved for the June 1999 elections. The Public Protector, in addition to investigating the specific complaints referred to him, made some general observations and recommendations. He noted in his report that a Code of Conduct for Public Servants was in place, that an Executive Members' Ethics Act was also in place, but that the code of ethics enabled by the Act and required by the Constitution had not yet been promulgated. He further noted that no general code of conduct for members of Parliament was in place, only a Code of Conduct in Regard to Financial Interests. He therefore recommended that—

1. the code of ethics as envisaged in the Executive Members' Ethics Act be promulgated "as soon as possible";
2. public office-bearers and officials raise awareness of the Code of Conduct for Public Servants; and
3. the Rules Committees of Parliament develop a general code of conduct for members of Parliament.

Before Report 11 was formally considered by a committee of the National Assembly, Report 12, an "own initiative" investigation of the Public Protector in terms of section 7(1) of the Public Protector Act, was tabled. The subject of the investigation was a statement made by the Premier of Mpumalanga. The report was tabled in the National Assembly, the National Council of Provinces and the Provincial Legislature of Mpumalanga. The Public Protector again bemoaned the absence of the code of ethics:

"The importance of the code of ethics being finalised and promulgated without any delay has again been emphasised by this matter. The Act seeks to ensure public accountability on the part of those holding office. Such accountability can, however, only be properly enforced where there are clearly defined ethical prescripts". (Page 3 of the Report.)

The Public Protector was of the view that "further delay will cause unnecessary uncertainty in the minds of those affected by the provisions of the Act as to what is expected from them and/or of them" (Ibid.). This report was not well received in the Mpumalanga legislature, where members alleged that the Public Protector was on "a frolic of his own".

He responded to his detractors in the legislature in an article in the *Sunday Times* of 10 October 1999, entitled "Intemperance in the House Bodes Ill for the Rule of Law", drawing attention to the constitutional obligation on organs of state to assist and protect Chapter 9 institutions (sec 181(3) of the Constitution).

Soon after the commencement of the Second Parliament in August 1999, the Speaker referred Report 11 to the, at the time recently constituted, Portfolio Committee on Public Service and Administration. The Committee requested a special briefing on the Report by the Public Protector, which took place on 27 October 1999. The Committee requested additional information on the measures in place to combat nepotism and on the extent to which the Public Protector's recommendations had been implemented. That Report of the Committee was published in the Announcements, Tablings and Committee Reports, dated 17 November 1999.

D. Findings and recommendations in respect of Report 11

The Committee supported the Public Protector's call for the promulgation of the code of ethics, as required by sec 2(1) of the Executive Members' Ethics Act and sec 96 and 136 of the Constitution. The Committee also noted that public servants and officials elected to local government were covered by codes of conduct, but that non-executive members of Parliament, members of provincial legislatures and local government officials were excluded from the operation of the existing codes.

The Committee accordingly recommended that the President publish a code of ethics, as envisaged in sec 2 of the Executive Members' Ethics Act, by 1 June 2000. The Committee also made recommendations that the relevant authorities develop codes for non-executive members of Parliament and legislatures and for local government employees (pp 486-487 of that Report).

E. Parliamentary consideration of Draft Code

The Draft Code for Members of the Cabinet and Members of Executive Councils was tabled in the National Assembly and the National Council of Provinces by the Committee of Ministers convened by the Minister of Education, Prof A K Asmal, on 13 April 2000. The Minister opened a debate on the Draft Code in the National Council of Provinces on 16 May, which was also addressed by senior representatives of the provinces, including the Premier of Mpumalanga.

During the debate, the following points, *inter alia*, were raised by provincial delegates:

1. The Northern Cape delegate expressed his appreciation for the referral of the Draft Code to the legislatures for their consideration.
2. The Western Cape delegate asked whether a Minister appointed in terms of sec 91 of the Constitution would be covered by the Draft Code. He added that the NNP supported the Draft Code, but wanted the time-frames to be shorter.
3. The Free State delegate said that the requirement of disclosure of financial interests should be extended to the Public Service.

4. The Speaker of the KwaZulu-Natal Legislature raised a concern regarding the Draft Code's impact on gifts of a cultural or customary nature. He also asked whether the President and Premiers were covered by the provisions of the Draft Code, since in places it referred to a "Member of the Cabinet" or "member of Executive Council", without specifically including the President or the Premier, as the case may be. He also indicated that the Draft Code prescribed no sanctions for breaches thereof, and felt that a tribunal should be established to adjudicate such matters. He also called for the establishment of a national hotline for reporting allegations against elected officials and public servants.
5. The Premier of Mpumalanga said that professional bodies have codes of conduct and that it was therefore fitting for public representatives to adopt and enforce similar codes. He added that public representatives' every word and action are closely scrutinised.
6. The Gauteng delegate indicated that the legislature had also drawn up a code for its members, which had been adopted recently by the legislature. The post of Integrity Commissioner had been created in the legislature to enforce the code. A "cooling-off" period had been activated for "outside-remunerated" work currently undertaken by members.
7. The Eastern Cape delegate gave an undertaking the Eastern Cape legislature would follow suit.

The Minister, in his reply to the debate, gave the assurance that Ministers appointed in terms of sec 91 would also be covered by the Code, and that the definitional concerns of members were unwarranted. Nonetheless, he said, "out of an abundance of caution" the President and Premier could be explicitly included in the provisions.

The Speaker of the National Assembly referred the report to the Portfolio Committee on Public Service and Administration on 9 May. The Committee was briefed by Mr Allan Taylor, Special Adviser to the Minister of Education, on 19 May. At the briefing, members of the Committee made the following remarks:

- (1) Mr Modisenyane (ANC) pointed out that paragraphs 2.3(d) and (i) contained the same provision and that one should be deleted.
- (2) Mr De Beer (UDM) raised the question of sanctions to be applied in the case of a breach.
- (3) Adv Madasa (ACDP) said that such a code was appropriate because executive members have far more power and therefore far more opportunities to abuse that power.

- (4) Mr Sithole (ANC) said that the moral aspect of the code did not come through clearly enough. He and Mr Mfundisi (UCDP) enquired regarding the distinction between a code of ethics and a code of conduct.
- (5) Mr Da Camara (DP) asked whether the term “inconsistent” was not too vague.
- (6) Several members were of the view that such a code should apply to senior civil servants as well.

F. Observations

1. The Committee congratulates Minister Asmal and the Committee of Ministers on the work they have done in developing the Draft Code. The Committee is also cognisant that the tabling of the Draft Code on 13 April is demonstrative of a willingness on the part of the executive to be bound by, and to act in accordance with, resolutions of the legislature—in this instance a resolution of the National Assembly in respect of the promulgation of the code by 1 June 2000—and accordingly commends the executive for the spirit in which it has complied with the Assembly’s resolution.
2. The Committee is of the view that the Draft Code is in compliance with, and gives full effect to, the provisions of sec 96 and 136 of the Constitution and of the Executive Members Ethics Act. The Committee is, however, of the view that Parliament, specifically the Joint Subcommittee on Ethics and Members’ Interests, should review both the enabling legislation and the code one year after the promulgation of the code in the *Gazette*.
3. Such a review by the joint subcommittee might incorporate the following issues:
 - (1) The No and nature of complaints submitted by members of legislatures.
 - (2) The efficacy of procedures provided for in the Act and the Code.
 - (3) Any technical problems which may have arisen.
 - (4) An evaluation of the manner in which the relevant legislatures have dealt with the reports of the Public Protector investigating such complaints.
 - (5) Any other matter that it deems fit to incorporate.
4. The Committee is further of the view that the Code should have the title and name provided for in paragraph 8.4 of the Draft Code (“Executive Ethics Code”), since the working title “Draft Code for Members of the Cabinet and Members of Executive Councils” does not expressly include Deputy Ministers, who are required to be subject to the Code in terms of the Constitution, and are in fact subject to it in terms of the definitions contained in the Draft Code.

5. The Committee believes it is important that there be greater awareness of the provisions of the Code and the procedures by which the conduct of executive members may be brought under the scrutiny of the relevant legislature. It therefore believes that Parliament should consider producing an information pamphlet on executive members' accountability for their conduct, including the kinds of sanctions that may be imposed, as this was an issue of concern for members in both Houses.
6. The Committee remains of the view, expressed in its Report on report 11 of the Public Protector, that the application of the Code should be extended to all members of Parliament, with such modifications as may be appropriate, that the Code should be adopted by the Joint Rules Committee of Parliament, and that the application of the Code should likewise be extended by the appropriate structures in the legislatures to all members of provincial legislatures.
7. The Committee notes further that it has already made a recommendation in respect of the development by the provincial and local government Minmec of a Code of Conduct for Local Government employees by 1 January 2001.
8. The Committee supports the extension of a requirement of disclosure of financial interests to senior public servants, and takes note of the fact that the Department of Public Service and Administration (DPSA) and the Public Service Commission (PSC) are working on the introduction of an assets register for senior civil servants.

G. Recommendations

The Committee therefore recommends as follows:

1. That the National Assembly endorse the Draft Code tabled by the Committee of Ministers.
2. That the Joint Subcommittee on Ethics and Members' Interests conduct a review, as outlined above, one year after the promulgation of the Draft Code.
3. That Parliament, specifically the Joint Subcommittee on Ethics and Members' Interests, assume responsibility for the production of an information pamphlet for the general public on the ways in which the public can hold executive members accountable for their conduct, and the kinds of sanctions which may be applied by the relevant executive head and the relevant legislature.
4. That Parliament extend the application of the Code to all members of Parliament, with such modifications as may be appropriate, and that such Code be adopted by the Joint Rules Committee of Parliament by the end of the year.

5. That provincial legislatures, through their appropriate structures, similarly extend the application of the Code to all members of provincial legislatures, with such modifications as may be appropriate, by the end of the year.
6. That a Code of Conduct for local government employees be put in place by 1 January 2001, in accordance with the earlier recommendation of the Committee in this regard.
7. That the DPSA and the PSC report to the Committee on progress made in respect of the development of an asset register for senior civil servants during the third quarter of 2000.

Report to be considered.

The Committee has considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

The Committee has also considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

The Committee has also considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

The Committee has also considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

The Committee has also considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

The Committee has also considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

The Committee has also considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

The Committee has also considered the report of the Public Service Commission (PSC) and the Department of Public Service and Administration (DPSA) on the implementation of the Code of Conduct for Public Servants (CCPS) and the Public Service Commission (PSC) report on the implementation of the CCPS during the third quarter of 2000.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

FRIDAY, 26 MAY 2000

1. The House met at 09:03.
2. The Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [09:04] Notices of motion.
4. Mr J Durand moved without notice: That the House—
 - (1) notes the South African under 23 soccer side, better known as the Amaglug-glug, will be playing against New Zealand at Vosloorus on Saturday, 27 May 2000;
 - (2) congratulates the team for their victory in Auckland last week, where they beat the Kiwis by 3 goals to 2;
 - (3) recognises that a victory on Saturday will secure the Amaglug-glug team qualification for the Sydney Olympics later this year;
 - (4) expresses its unanimous support for the team and wishes them all the best for the match; and
 - (5) is confident that a victory on Saturday will bode well for South Africa's bid to host the 2006 World Cup Soccer Tournament showing the rest of the world the depth of soccer talent present in South Africa as well as our love for the sport.

Agreed to.

5. The Chief Whip of the Majority Party moved: That the House elects Ms G L Mahlangu to preside during today's sitting of the House when requested by a presiding officer to do so.

Agreed to.

6. FIRST ORDER [09:19]

Debate on Vote No 26—Public Works, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

7. [11:29] Mr J H Momberg (for the Chief Whip of the Majority Party) moved: That the House—

(1) notes—

(a) that earlier this year the Prime Minister of Sweden hosted a “Forum on the Holocaust” in Stockholm attended by delegations from 46 countries, including 21 Heads of State, and that South Africa was represented at this important event which concluded with a declaration which, *inter alia*, stated that—

(i) the unprecedented character of the Holocaust, and the terrible suffering of the countless millions of Nazi victims, will always hold universal meaning which transcends race and religion;

(ii) the international community shares a common responsibility to fight the evils of genocide, ethnic cleansing, racism, prejudice, anti-semitism and xenophobia which still scar humanity;

(iii) the delegates will continue to encourage the study of and education about the historical and moral dimensions of the Holocaust and to honour those who stood against it;

(iv) the delegates declare their commitment to plant the seeds of a better future amidst the soil of a bitter past; and

(v) the delegates reaffirm humanity’s common aspiration for mutual understanding and justice; and

(b) the excellent work undertaken by the Cape Town Holocaust Centre in educating South Africans about the Holocaust and the universal importance of tolerance, mutual understanding, justice and the celebration of diversity in addressing the evils of racism, prejudice, abuse of power, apathy and indifference;

(2) acknowledges that those who cannot remember the past are condemned to repeat it;

(3) resolves to support the work of those seeking to keep alive the memory of the victims and heroes of the Holocaust, believing that such education will—

(a) communicate an important message about the need to remember our own tragic past, in order to build a just and tolerant future;

(b) strengthen the fight against continuing racism, ethnocentrism, prejudice, anti-semitism, xenophobia and intolerance from whatever quarter in our young democracy; and

(c) reaffirm our commitment to plant the seeds of a better future amidst the soil of a bitter past in our country, our continent of Africa and the world.

Debate concluded.

Motion agreed to.

8. SECOND ORDER [12:22]

Consideration of Report of Portfolio Committee on Public Service and Administration (Announcements, Tablings and Committee Reports, p 435—*Draft Code of Ethics for Members of the Cabinet and Members of Executive Councils*).

Debate concluded.

The Chief Whip of the Majority Party moved without notice: That the Report be adopted with the recommendations of the Committee amended to read as follows—

- (1) that the National Assembly endorses the Draft Code tabled by the Committee of Ministers;
- (2) that the Joint Subcommittee on Ethics and Members' Interests conduct a review, as outlined above, one year after the promulgation of the Draft Code;
- (3) that the House refers to the Joint Rules Committee the proposal that Parliament, specifically the Joint Subcommittee on Ethics and Members' Interests, assume responsibility for the production of an information pamphlet for the general public on the ways in which the public can hold executive members accountable for their conduct, and the kinds of sanctions which may be applied by the relevant executive head and the relevant legislature;
- (4) that Parliament extends the application of the Code to all members of Parliament, with such modifications as may be appropriate, and that such Code be adopted by the Joint Rules Committee of Parliament by the end of the year;
- (5) that the House recommends that provincial legislatures, through their appropriate structures, similarly extend the application of the Code to all members of provincial legislatures, with such modifications as may be appropriate, by the end of the year;
- (6) that the House recommends that a Code of Conduct for local government employees be put in place by 1 January 2001, in accordance with the earlier recommendation of the Committee in this regard; and
- (7) that the Department of Public Service and Administration and the Public Service Commission be requested to report to the Committee on progress made in respect of the development of an asset register for senior civil servants during the third quarter of 2000.

Report, as amended, adopted.

9. The House adjourned at 13:24.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

FRIDAY, 26 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:
 - (1) Assent by the President of the Republic in respect of the following Bill:
 - (i) *Competition Amendment Bill* [B 10D—2000]—Act No 15 of 2000 (assented to and signed by President on 24 May 2000).

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Public Works:
 - (1) Report of the Department of Public Works for 1999-2000 [RP 100—2000].
 - (2) Memorandum by the Minister of Public Works setting out particulars of the Building Programme for 2000-2001 in respect of Programme 2: Provision of Land and Accommodation of Vote 26 of the State Account [RP 93—2000].

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 30 MAY 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The Joint Tagging Mechanism (JTM) on 30 May 2000 in terms of Joint Rule 160(3), classified the following Bill as a section 75 Bill:

- (i) *General Intelligence Law Amendment Bill* [B 36—2000] (National Assembly—sec 75). The Bill has not yet been referred to a committee.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister for Justice and Constitutional Development:

Reports of the South African Law Commission on the—

- (a) Constitutional Jurisdiction of Magistrates' Courts, Project 111 [RP 80—2000];
(b) Conflicts of Law, Project 90 [RP 81—2000];
(c) Sharing of Pension Benefits, Project 112 [RP 82—2000];
(d) Review of the Law of Insolvency, Project 63 (Volume 1) [RP 89—2000];
(e) Review of the Law of Insolvency, Project 63 (Volume 2) [RP 88—2000].

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 31 MAY 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Recommendations of the Financial and Fiscal Commission on 2001-2004 Medium-Term Expenditure Framework Cycle, submitted in terms of section 9(1) of the Intergovernmental Fiscal Relations Act, 1997 (Act No 97 of 1997).

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 1 JUNE 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:

Report of the Auditor-General on Performance Audits completed at the South African Revenue Service during 1999 [RP 96—2000].

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Public Service and Administration on *SITA's 2000-01 Business Plan*, dated 26 May 2000:

The Portfolio Committee on Public Service and Administration, having considered the Business Plan of the State Information Technology Agency (SITA) for 2000-01, reports as follows:

A. Introduction

At a meeting of the Committee on 12 April 2000, the Chairperson of the Board of SITA, Mr Sello Rasethaba, and the Acting Managing Director, Mr Sello Mokale, briefed the Committee on SITA's Business Plan for 2000-01. The briefing was given in compliance with a resolution of the Portfolio Committee on Public Service and Administration of the previous Parliament, which was tabled on 21 September 1998 and adopted by the National Assembly on 23 September 1998.

B. Background: Report of Presidential Review Commission

In March 1998 the Presidential Review Commission (PRC), established by Pres Mandela to investigate the Public Service, reported that in respect of information management, systems and technology (IMST), South Africa's current Public Service

practice lagged behind the private sector, which itself was slipping behind developments elsewhere in the world.

The Commission felt that the State should have a major role to play in promoting the information society, but that the Public Service had not used IMST in a systematic manner to improve service delivery, public participation, government transparency or accountability. The PRC stressed the need for greater integration and inter-operability of Public Service data banks, which would require the setting of basic standards first and the formulation of a more comprehensive set of standards later.

The PRC argued that technology must be driven primarily by the business objectives of the State, and not the other way around. The PRC believed that "IT can significantly change the manner in which the Public Service conducts its business, and indeed should be used to radically re-engineer its processes, but this transformation must be shaped by the strategic and operational needs of the Public Service, particularly in relation to the provision of efficient, effective and equitable service delivery" (p 192 of PRC report). Important decisions regarding IMST should therefore not be delegated or outsourced, but taken by the senior political and managerial leadership of the State.

The Commission made several recommendations relating to IMST, summarised as follows:

1. A short-term procurement moratorium on all large (above R5 million) IT systems and technology must be imposed until some basic standards are agreed upon to facilitate future data exchange and data operability.
2. Basic standards, most immediately the standards required for exchange of information (the "unique identifier" and network standards), should be established.
3. A more holistic business, information, systems and technology architecture, derived from the current IT Business Architecture and/or subsequent projects, must be developed.
4. The above projects should be consolidated into a national information management strategy, information systems strategies and an IT strategy for the Public Service.
5. The post of Chief Information Officer (CIO) should be created in the Office of the President, the incumbent of which would head a Policy Committee and a Technology Forum.
6. The "lead agency" concept, whereby a particular State agency would be given primary responsibility to co-ordinate a whole-of-government IMST initiative in relation to a specific set of IT functions in conjunction with other participating departments, should be accepted and implemented. Personnel and resources would need to be shared on a programme and/or project basis, but ultimately the Minister and senior management responsible for the lead agency would be held accountable for performance.

Thursday, 1 June 2000]

7. The current functional differentiation of the Public Service needs to be addressed on the basis of business process re-engineering, using the National Crime Prevention Strategy as a model.
8. A systematic skills development plan needs to be designed and implemented to train new entrants to the information management and technology field, including a four-year internship programme to produce an accelerated but equivalent qualification to those offered at tertiary institutions.
9. The government should give serious consideration to migrating completely to electronic communication within the next five years.
10. New procurement models should be used in the development, operation, maintenance and upgrading of information management systems and technology. "Alternative service delivery" models and the "request for solution" method should be explored to ensure that risks and rewards are appropriately shared between the public and private sectors.

(Pp 226-228 of PRC report.)

C. SITA Bill and Committee's Report

In August and September 1998, the Committee considered and reported on the State Information Technology Agency Bill [B 96—98], which was introduced by the Minister for the Public Service and Administration, in line with the recommendation of the PRC (*see B.6* above) regarding the establishment of a "lead agency" to consolidate and co-ordinate the State's IMST interests.

The primary reasons for the creation of SITA were the government's difficulty in—

1. recruiting, developing and retaining skilled IT personnel;
2. managing IT procurement and ensuring that the government gets value for money;
3. using IT to support transformation and service delivery;
4. utilising effectively expensive IT resources; and
5. integrating IT initiatives.

In reporting to the National Assembly on the SITA Bill (ATCs of 21 September 1998), the Committee expressed concern that the legislation was preceding a policy framework for IMST. A more orthodox progression would have been that the policy would inform any legislation that was required. The Committee, however, accepted that the establishment of SITA was a matter of urgency, and therefore agreed to postpone a review of policy.

The other key recommendation of the Committee was "that the Board of Directors of SITA present SITA's business plan... to the Standing Committee on Public Accounts once it has been finalised". The Standing Committee on Public Accounts conducted a review of the roles and responsibilities of the various IT

role-players in government (see ATCs of 23 July 1998). The Committee itself followed up on its resolution regarding SITA's Business Plan.

D. Establishment of SITA

The SITA Act was gazetted on 16 October 1998 and came into operation on 2 November 1998. SITA's role was to provide IT, IS and related services in a maintained information systems security environment to, or on behalf of, participating departments and organs of state (sec 6 of the SITA Act).

To achieve this objective, SITA may—

1. provide data processing services;
2. provide IT and IM training;
3. provide application software development and maintenance services;
4. promote the effective utilisation of IT to enhance efficiency at all levels of the Public Service;
5. provide technical, functional and business advice and support regarding IT;
6. provide IT and IS management services;
7. with regard to any of the above functions, act as procurement agency in respect of IT requirements, in accordance with State procurement policy; and
8. perform any other function that the Minister may, from time to time, determine to give effect to the objective of the agency.

(Sec 7 of the Act.)

The Minister for the Public Service and Administration is the sole shareholder on behalf of the State (sec 17 and 18). Initial components to be incorporated, were the Central Computer Services (CCS), a chief directorate in the Department of State Expenditure, ISSAPS (the SAPS IT component) and Infoplan (a division of the parastatal Denel) (sec 3(4)).

Participation by departments in SITA was to be phased in, as determined by Cabinet on recommendation of the Minister (sec 3(6)). Participation is in terms of a business agreement between SITA and the department concerned, and such a business agreement must be supported by a service level agreement (sec 20).

SITA (Pty) Ltd was established in terms of the Companies Act on 1 April 1999. In November 1999, the Board of Directors was restructured in line with the tenets of good governance expounded in the King Report on corporate governance. The Board of Directors is reflected as follows:

Non-executive directors

Chairperson	Mr Sello Rasethaba
DPSA nominee	Mr Robinson Ramaite

Department of Finance nominee	Vacant
Department of Communications nominee	Mr Andile Ngcaba
Legal expert	Ms Khomotso Moroka
Finance expert	Ms Lindiwe Mthimunye
Organisational development expert	Mr Gavin Pieterse
<i>Executive directors</i>	
(Acting) MD & CEO	Mr Sello Mokale
COO	Ms Makano Mojapelo
CFO	Vacant

E. Initial briefing by SITA on 8 September 1999

In an initial briefing by SITA to the newly constituted Committee on 8 September 1999, Mr Sello Rasethaba, Chairperson of the Board of SITA, took issue with the requirement in terms of sec 16(9) of the SITA Act that the books and records of account must be audited by the Auditor-General. Mr Rasethaba argued that SITA itself could more effectively promote the empowerment of SMMFs. The Committee investigated the Auditor-General's procurement processes (with the co-operation of the Auditor-General and mindful of sec 181(3) of the Constitution) and expressed its approval of the affirmative procurement policies of the Auditor-General (ATCs, 12 October 1999).

F. Briefing by SITA on 12 April 2000

Mr Sello Mokale, Acting Managing Director of SITA, briefed the Committee on SITA's Statement of Strategic Direction and Business Plan. SITA's statement of intent is as follows:

"Management is committed to demonstrate that the State Information Technology Agency (Pty) Ltd is:

- * The vehicle for Government IT in effective service delivery to the citizens;
- * Leveraging IT as a strategic resource for Government, fostering competitiveness and industry through best practice procurement processes; and
- * Establishing South Africa as a global information and communications technology player".

SITA's vision is—

"to become a leading and respected public sector IT company in the world that:

- * Provides relevant products and services to the Government cost-effectively;
- * Is an employer of choice;
- * Is an advanced user of information technology; and
- * Delivers value for money to the stakeholder".

SITA's mission is to continually—

1. increase the speed of delivery of the products and services to SITA;
2. improve the return on investment on government IT expenditure;
3. improve the quality of the products and services of SITA;
4. improve the security environment in which SITA operates;
5. innovate with respect to its products and services; and
6. support the socio-economic policies of the government.

The “Business Plan to guide SITA Operations” uses each of the elements of the above mission statement as an individual goal statement. Goal 1, for example, is to increase the speed of delivery of SITA products and services, and outcomes are listed as follows:

- Reduced delivery times.
- Faster and guaranteed access to information required for decision-making.
- Improved business processes.
- Strategic partnerships.
- Interactive approach to IT services between all role-players involved in the upstream and downstream processes.

A number of short-, medium- and long-term initiatives, with specified targets in each case, are listed in respect of each of the identified goals. For example, one of the initiatives listed under Goal 1 is the “improvement of the procurement process”, and a target emanating from this is a “30 per cent reduction in the time from the definition of the tender specification to the publication of the tender”.

In addition to the six goals and various outputs attached to each, SITA has identified five “strategic projects”:

- A: Integrate organs of state.
- B: Adopt best practices and standards.
- C: Consolidate and rationalise.
- D: Capacity-building through skills and knowledge development.
- E: Adopt common applications across the government.

In terms of strategic project A, for example, it is projected that all IT functions of national and provincial governments will be incorporated into SITA by March 2003. A schedule for incorporation should be agreed upon with the DPSA by May 2000. The lessons learnt during the integration of the CCS, ISSAPS and Infoplan are currently used to establish the base that is required to effect a smoother integration of organs of state with less interruption.

The Eastern Cape Provincial Government signed up with SITA on 14 September 1999. Transfers currently under way include the following:

- * DPSA (completed by April 2000).
- * Department of Minerals and Energy (by May 2000).
- * KwaZulu-Natal Provincial Government (by July 2000).

G. Key issues raised by SITA at briefing

Mr Rasethaba concluded SITA's presentation by drawing the attention of the Committee to a number of factors that were regarded by SITA as substantial obstacles to the efficient and effective performance of its duties and exercise of its powers:

1. IT procurement by government departments

The first issue raised, was IT procurement by government departments. Uncoordinated IT procurement had already resulted in the co-existence of three non-compatible identification systems: The bar-coded ID, the smart card and the driver's licence. (Mr Rasethaba compared this state of affairs with the United States, where one number, the social security number, provided access to the full range of identity systems.)

SITA's role was to ensure that duplication of this kind does not occur. However, while government departments remain free to conduct their own large system procurement, the problem of non-compatibility of systems will continue to escalate. Mr Rasethaba said he was aware that three different departments were intending to tender (separately) for a document management service.

He asked the Committee to consider recommending a moratorium on procurement, as recommended by the PRC in 1998 (*see B* above). In practical terms, a moratorium could be effected by requiring that departments wishing to procure IT goods and services would have to obtain a certificate from the Department of Finance. With such a requirement in place, SITA could achieve an immediate saving of 20% on IT procurement.

SITA is putting into place a procurement system that will be fair, equitable and effective. At the same time, it is necessary that the system be efficient in terms of costs and time needed to procure. Once the policy is in place, it will be submitted to Cabinet for approval. SITA will hopefully take over the procurement of IT in government after this process.

2. Funding for capacity-building and promotion of representivity

SITA's workforce is currently 70% to 80% white, a situation which had been inherited. Mr Rasethaba asked that its "operating profit" (funds not spent) of R64 million may be utilised for training. SITA's profile did not match the private sector profile. SITA would like to follow the example of the Scorpions and send certain employees on degree courses to address those shortcomings.

3. *Necessary component not transferred to SITA*

The SITA Act intended to transfer all IT-related components from the Department of State Expenditure to SITA. Yet only the CCS was transferred, and not the strategically important Centre for Applied Government Financial Management, a chief directorate in State Expenditure, which has responsibility for developing, implementing and maintaining an acceptable accounting and reporting system. Its directorates oversee the BAS/FMS financial management systems, the PERSAL salary system and the LOGIC provisioning system. Mr Rasethaba therefore requested this chief directorate's immediate transfer to SITA.

4. *PFMA scheduling and related request*

Mr Rasethaba said that SITA should have been listed as a Schedule 2 entity in terms of the Public Finance Management Act (PFMA), 1999, which came into operation on 1 April 2000. This would have enabled SITA to appoint its own auditors, provided it was done in agreement with the Auditor-General, had it not been for the specific provision in sec 16(9) of the SITA Act, which requires SITA to be audited by the Auditor-General. Therefore, Mr Rasethaba requests either that the Act be amended or that such change be effected by regulation, if it is deemed lawful by the State.

5. *SITA's debtors*

An amount of R339 million in outstanding debt was owed to SITA. The SAPS, Defence and certain provincial governments were named as culprits. Mr Rasethaba asked that the applicable rules be strengthened to ensure that government institutions settle all their obligations and pay all money owing within the prescribed or agreed periods. He said that under the current circumstances SITA's accounting officer was likely to be called by the Standing Committee on Public Accounts in terms of the PFMA to account for the uncollected debt.

H. *Findings*

1. SITA has substantially complied with the resolution of the Committee regarding the tabling of its business plan. The business plan's framework of goals, strategic projects and alignment with government priorities could be more effectively integrated. The business plan is largely at strategic level, and it is hoped that the operational plans which are due to be presented to the SITA Board this month will outline specific activities in more concrete terms.
2. The Committee remains concerned about the absence of a government IT policy. On 21 September 1998, it was recommended that such a policy be put in place, echoing an earlier resolution of the Public Accounts Committee. The

PRC report and SITA's briefing make it clear that the absence of an IT policy/strategy may potentially undermine the government's efforts at achieving economy, efficiency and effectiveness in respect of governmental IT in a coherent and co-ordinated manner.

3. The Committee is broadly in support of the requests and recommendations made by SITA, as outlined in paragraph G of this Report and summarised as follows:
 - (1) The imposition of a moratorium on large (R5 million) government IT procurement/a centralised certification process for the approval of government IT procurement.
 - (2) The return to SITA of its operating profit of R6.4 million for the purposes of investment in training.
 - (3) The transfer of the Chief Directorate: Centre for Applied Government Financial Management from the Department of State Expenditure to SITA.
 - (4) The rescheduling of SITA as a schedule 2 entity in terms of the PFMA.
4. SITA did not provide sufficient reasons for the proposed change in the auditing arrangements, which would necessitate an amendment to the Act or a regulation. Nonetheless, it would appear logical that, if SITA were to be rescheduled as a schedule 2 entity, it should conform to the auditing arrangements applicable to such entities. A recommendation to that effect from the Committee would be dependent on the Auditor-General supporting such a course of action.

J. Recommendations

The Committee therefore recommends as follows:

1. That SITA present its business plan to the Committee on an annual basis at the commencement of the financial year.
2. That the DPSA table a draft IT policy/strategy for the Public Service by the end of October 2000.
3. That the Auditor-General offer his expert opinion to the Committee regarding the proposed change in the auditing arrangements for SITA, (as outlined in H.4 above), citing any factors he may deem relevant, by 30 June 2000.
4. That the Directors-General of Finance, of State Expenditure and of Public Service and Administration jointly submit the following in writing to the Committee by 31 July 2000:
 - (1) Their considered opinion regarding the requests and recommendations of SITA (summarised in H.3 above).
 - (2) In respect of each request/recommendation—
 - (a) details regarding any objections they may have to the expeditious implementation of those requests/recommendations; and

- (b) a plan with timeframes for the implementation of requests/recommendations in those instances where there are no substantial objections.

Report to be considered.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

MONDAY, 5 JUNE 2000

ANNOUNCEMENTS:

National Assembly:

Papers:

1. The Speaker:

The Minister in The Presidency on 30 May 2000 submitted a letter, requesting Parliament to advise the President on the appointment of Commissioners to serve on the National Youth Commission as envisaged in section 4 of the National Youth Commission Act, 1996 (Act No 19 of 1996).

National Council of Provinces:

Papers:

1. The Chairperson:

The Minister in The Presidency on 30 May 2000 submitted a letter, requesting Parliament to advise the President on the appointment of Commissioners to serve on the National Youth Commission as envisaged in section 4 of the National Youth Commission Act, 1996 (Act No 19 of 1996).

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Public Service and Administration on *Performance Agreements and White Paper on Public Service Training and Education*, dated 19 May 2000:

The Portfolio Committee on Public Service and Administration, having considered the implementation of performance agreements for heads of department and senior managers, as well as the White Paper on Public Service Training and Education (White Paper), reports as follows:

A. *Introduction*

The First Parliament, 1994-1999, was dedicated to the consideration and passage of more than 500 laws and the scrutiny of more than 100 new policy papers. In this Second Parliament, 1999-2004, greater emphasis must therefore be placed on ensuring that the new laws and policies are successfully implemented by government departments.

Sec 55(2)(b)(i) of the Constitution requires that the National Assembly provide mechanisms to maintain oversight of the exercise of national executive authority, including the implementation of legislation. Rule 201(1)(b)(i) of the Rules of the National Assembly requires that portfolio committees carry out this task on behalf of the Assembly.

The Committee has initially identified two key areas in which to commence its oversight activities in respect of the implementation of legislation and policy: Firstly, the implementation of performance management systems for senior management in the Public Service and, secondly, the implementation of the White Paper.

The Committee requested a report from the Department of Public Service and Administration (the Department) on each of these areas, and the Director-General, Mr Robinson Ramaite, presented these reports at a meeting of the Committee on 1 March. Additional information on certain aspects of the Committee's two focal areas was also given by the Director-General: Office of the Public Service Commission, Mr Mpume Sikhosana, at a briefing on 3 March, in response to questions from members.

B. *Performance management for senior managers*

1. *Relevant policy provisions*

The new Public Service Management Framework is made up of the Public Service Act, 1994, the Public Service Regulations, 1999, and the Collective Agreements of the Public Service Co-ordinating Bargaining Council (PSCBC). One of the key policy goals informing the new framework, which commenced in July 1999, was to replace a hierarchical, highly centralised and rule-bound culture in the Public Service with one that permits maximum departmental autonomy, while strengthening accountability in respect of performance and delivery.

In order to steer departments at national and provincial level towards greater autonomy, while strengthening accountability, the regulations stipulate that all executing authorities determine a system for performance management and development for employees in their departments by 1 January 2001.

However, the establishment of a performance management system for each and every employee in the Public Service will take some time to implement fully. The immediate focus of the new regulations is therefore that performance management must become the basis of the relationship

between executing authorities and their heads of department, and in turn between heads of department and their senior management staff.

The Act, as amended, accordingly includes a new dispensation for all heads of department, including, in terms of an extended definition of "head of department", heads of department at provincial level. Sec 12 of the Act requires that all heads of department be employed on the basis of fixed-term contracts. The terms of such contracts may be five years or a lesser period, and may be extended.

In terms of sec 3B of the Act, the power to appoint heads of department is vested in the President in respect of national departments and in Premiers in respect of provincial departments, but these powers, including the power to enter into a performance-linked agreement with the head of department, are exercised in terms of delegations by the Ministers or MECs themselves. In order to establish a strong incentive for senior managers (from director upwards) to follow suit and enter into a performance agreement with their heads of department (or immediate superiors), an agreement was reached in the PSCBC, which made the award of the annual increase for 1998-99 conditional upon the conclusion of such a contract (Resolution No. 13 of 1998).

The Minister is responsible for issuing guidelines on performance agreements on an annual basis. The guidelines include stipulations regarding the minimum and maximum salaries at each level, the percentage increase to be awarded and the maximum percentage cash bonus.

2. *Report-back by Director-General on progress with implementation*

The Department is currently undertaking a comprehensive survey of the conditions of service and employment practices of senior managers (including heads of department) and of how to create stronger incentives for improved performance within the existing framework.

An initial report on the investigation into senior managers was to be completed by the end of April 2000, and the Department would at that stage have been in a better position to report and comment on the extent to which performance agreements are in place throughout the Public Service.

In the interim, it may be said that performance agreements are now the basis for the awarding of bonuses and merit awards for all heads of department and most senior managers. In the medium term, the Department seeks to see a shift towards individual contracts for senior managers, in addition to heads of department who are already on

fixed-term contracts. It is envisaged that their conditions of service will remain subject to the PSCBC in terms of benefits, but not in terms of salaries, which will be linked to performance criteria.

Experience has shown that the critical performance agreement between an executing authority and a head of department is inoperable without key delegations from the Minister or MEC to that head of department. A problem has arisen in the sense that certain executing authorities do not delegate, but nonetheless expect heads of department to perform.

The Department is preparing a memorandum to Cabinet, recommending that the President in the national sphere, and Premiers in the provincial sphere, issue instructions to Ministers/MECs to delegate the necessary powers. The aim in the medium- to long-term is to entrench the linkage between these delegations and the performance agreements.

All performance agreements between executing authorities and heads of department are registered and kept by the Department. Most agreements scrutinised by the Department have been too broad, and it was therefore difficult to evaluate whether performance criteria were being met. The Department receives no feedback on evaluation, and can currently only assess their effectiveness in terms of the bonuses and awards granted to heads of department.

In addition, it is apparent that not all executing authorities are evaluating their heads of department on a regular basis. It must be said that some Ministers and MECs make a point of sitting down with their heads of department every three months to conduct a performance evaluation. The Department has therefore identified the need for a support structure to be established for the evaluation of heads of department.

The Department accordingly requested the Public Service Commission to assist, and the Public Service Commission has indicated that it would develop a methodology for evaluating heads of department, based on comparative research, and on an ongoing basis render advice to executing authorities on the evaluation of heads of department. The Department will also be developing competency profiles for heads of department and disseminating good practices.

C. White Paper

1. 1998 investigation by Committee

In 1997, the Committee approved the draft White Paper, and the following year it conducted an assessment of the implementation of the White Paper as an aspect of a broader enquiry into training in the Public Service.

Key findings from that Committee Report (ATCs of 17 December 1998) include the following:

- (1) Instruments aimed at facilitating improved strategic planning and budgeting for public service training and education, such as the Capacity Development Standard proposed by the White Paper, were not yet in place.
- (2) Most departments in the Public Service were already setting aside 1% of their wage bills for training, as was proposed in the Skills Development Bill (now Act No. 97 of 1998).
- (3) There was insufficient monitoring and evaluation of departmental training programmes. The only instrument available at the time, the Department's Annual Report on Training, reflected incomplete and inconsistently presented (non-comparable) information from one year to the next.
- (4) The role of the South African Management Development Institute (SAMDI) needed to be reviewed and redesigned (the Director-General of SAMDI subsequently briefed the Committee on the "turnaround strategy" for the institute in February 2000. The Committee intends reporting on this in its report on the Budget Vote for 2000-01).
- (5) Initial steps towards the establishment of a Public Service Training and Education Authority (PSETA), along the lines proposed by the White Paper and proposed in terms of the Skills Development Bill, had been taken.

2. *Relevant policy provisions*

Skills development in both the public and private sectors is regulated by the Minister of Labour, who is responsible for determining policy in this area.

The South African Qualifications Authority Act (SAQA Act), which came into operation in 1995, addresses the key issues of quality and access. The Skills Development Act and the Skills Development Levies Act focus on investment and prioritisation for economic growth and development. The SAQA Act and the Skills Development Act are regarded as "mutually interdependent and fully compatible" (Department of Labour homepage).

On 20 March 2000, the Minister of Labour formally established 25 Sector Education and Training Authorities (SETAs), as required in terms of the Skills Development Act. These SETAs are made up of representatives of business and labour in every sector of the economy (and in some sectors government representatives). They will be tasked with designing and implementing skills development strategies to meet skills needs in their respective sectors. In terms of the White Paper, the Department must establish a SETA for the public service.

In terms of the Skills Development Levies Act, which came into effect on 1 April 2000, employers will have to pay a skills levy of 0,5% of their payroll. The levy increases from 1 April 2001 to 1% of the payroll. The SETAs are to play a major role in the disbursement of these funds to employers as grants.

3. *Report-back by Director-General on progress with implementation*

The role of the Department in terms of education, training and development is to develop policy and strategy. It is not responsible for training—each department has its own budget for training and carries out its own training programme. SAMDI, which is under policy control of the Department, is a training provider that focuses on management development.

The establishment of a Public Service Training and Education Authority has run into problems in terms of the envisaged scope of coverage. The Department of Labour requires that authorities be established for each “economic sector”, yet the Public Service is not homogeneous and consists of more than one economic sector. Only the regulatory departments (the Department, Finance, State Expenditure, and Labour) do not fall into a predetermined economic sector, and current legislation does not provide for dual membership. The Department hopes to finalise the steps required for the establishment of the PSETA very soon.

In addition, there are funding problems in terms of the levy required by the skills development legislation. Departments cannot in fact contribute to it, although the requisite percentage of the wage bill has been isolated by departments. These obstacles will have to be negotiated in consultation with the Department of Labour.

In 1998, the PSCBC committed R10 million to sectors to finalise skills development plans. Some sectors have made progress in this regard, such as health and education, which have developed human resource development strategies, but an integrated approach has not been adopted on human resource development. The sectoral plans must be finalised.

The Department will be registering with SAQA as a service provider. Competencies for managers must then be prescribed in co-operation with SAQA. Targeted programmes for senior managers must result. Lower employees must, however, not be neglected, and a renewed effort must be made to ensure that departments give attention to their upliftment and advancement.

In addition, skills in respect of which there are severe shortages (such as IT, project management and training on the Public Finance Management Act) must be fast-tracked. The Department has commenced a process, firstly, to identify scarce skills and, secondly, to develop a strategy to build capacity of the Public Service in these areas.

The Department will continue supporting the process of SAMDI's restructuring, and will be holding talks on the training fund for the Public Service, provided for in sec 4 of the Public Service Act, and on SAMDI's readiness for and the appropriateness of commercialisation. SAMDI has also been requested by the President to give attention to the development needs of Directors-General.

An important future focal area is the monitoring and evaluation of training taking place in the Public Service. Initially there is a need to identify the real status of training and development by carrying out a study to identify the baseline in each department.

D. Findings

1. Performance agreements

- (1) There is a need to review the content of performance agreements between executing authorities and heads of department to ensure that they are giving effect to the following:
 - (a) Implementation of government policy priorities.
 - (b) Co-ordinated priorities of Cabinet and Exco clusters.
 - (c) Linkages between national departments and corresponding provincial departments.
 - (d) Priorities identified by the Minister/MEC for the department itself.
- (2) Even more urgent is the need to develop a mechanism to facilitate the regular and systematic evaluation of heads of department by (or on behalf of) executing authorities. The Public Service Commission has undertaken to research and design a mechanism for the evaluation of heads of department and to complete a report on the methodology for evaluating heads of department. It has also undertaken to provide advice to executing authorities on an ongoing basis.

2. Implementation of White Paper

- (1) The Department is not responsible for the provision of training, but is responsible for the development of a coherent and integrated HRD strategy, which by its own admission is not in place at this stage. The

[illegible][illegible][illegible][illegible]

- (1) That the Department report back to the Committee on progress made towards the successful implementation of the White Paper, as indicated on the Committee's programme, focussing on the following:
 - (a) The implementation of the Skills Development Act and the Skills Development Levies Act, in respect of its own duties in relation to the Public Service as a whole.
 - (b) The development of a more coherent human resources development strategy for the Public Service (based on such considerations as a review of the White Paper proposals, the sectoral plans, the need to fast-track certain skills and the need to provide for the advancement of the lowest level workers in the Public Service).
- (2) That the Department and the Public Service Commission submit to the Committee in writing an outline of institutions' respective roles and responsibilities in respect of the monitoring and evaluation of the training provided to public servants, as indicated on the Committee's programme.

Report to be considered.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 6 JUNE 2000

1. The House met at 09:05.
2. The Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. Mr J H van der Merwe, moved: That the House—
 - (1) notes the premature death of the Honourable Themba Khoza on Sunday, 28 May 2000;
 - (2) recognises the valuable contribution that he—
 - (a) as a dedicated Member of Parliament, made to our first democratic Parliament; and
 - (b) as Leader of the IFP in Gauteng, made to that province;
 - (3) believes that he served the people of South Africa with selfless dedication;
 - (4) expresses its sincerest condolences to the wife, children, family, friends and supporters of the deceased; and
 - (5) wishes that they be filled with strength and fortitude in their time of sadness.

Hamba kahle, Themba.

Motion agreed to unanimously, all the Members standing.

4. The Chief Whip of the Majority Party moved: That, notwithstanding the provisions of Rule 106, the following times be allocated to parties for comment on today's statement by the Minister of Minerals and Energy:

African National Congress: 7 minutes; Democratic Party: 5 minutes; Inkatha Freedom Party: 4 minutes; New National Party: 4 minutes; United Democratic Movement: 3 minutes; all other parties: 2 minutes each.

Agreed to.

Debate concluded.

11. The Deputy Chief Whip of the Majority Party, with leave, moved without notice: That, notwithstanding the provisions of Rules 29, 110 and 115, a subject for discussion on taxi violence in the Western Cape takes precedence tomorrow.

Agreed to.

12. THIRD ORDER [17:20]

Debate on Vote No 2—Parliament, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

13. The House adjourned at 18:25.

S G MFENYANA,

Secretary to Parliament.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL COUNCIL OF PROVINCES

TUESDAY, 6 JUNE 2000

1. The Council met at 10:04.
 2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
 3. [10:05] Notices of motion.
 4. [10:14] Ms B Thompson moved without notice: That the Council—
 - (1) notes with disgust and shame the brutal killing of IFP leader and also mayor of Nongoma, Mr Joseph Bhekumuzi Sikhonde;
 - (2) notes the presence of individuals who are working against the ongoing peace process between the ANC and the IFP;
 - (3) calls on the police to leave no stone unturned in finding the killers;
 - (4) gives its full support to the leaders of the ANC and IFP for working together to achieve peace and stability in KwaZulu-Natal;
 - (5) conveys its heartfelt condolences to the Sikhonde family and the IFP; and
 - (6) wishes a speedy recovery to Mr Mhlongo, who was critically injured in the attack.
- Motion agreed to in accordance with section 65 of the Constitution.
5. [10:18] Ms E C Gouws moved without notice: That the Council—
 - (1) notes the upliftment work that Rosemary Nalden has been performing with selfless charity over the past five years with the children of Diepkloof in Soweto;
 - (2) expresses its appreciation for the musical training provided by her with the Nuskaid Soweto String Project;
 - (3) congratulates her on the success she is achieving with the group's performances, abroad as well; and

- (4) thanks her for the culture of learning that is being created, the upliftment that is taking place among the youth and the creation of professional skills for young people in the previously disadvantaged communities.

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

6. [10:19] Ms J Witbooi moved without notice: That the Council—

- (1) notes with great sadness the tragic and terrible accident in which 17 people, many of whom were still in their prime, died on the Vanrhyns Pass near Vanrhynsdorp in the Western Cape; and
- (2) expresses its sincere condolences towards the next of kin, as they will be laying their loved ones to rest this forthcoming Saturday.

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

7. [10:20] Rev P Moatshe moved without notice: That the Council—

- (1) notes the widespread support for the clampdown on plastic and supports the challenge of cleaning up South Africa collectively by all sectors of society, including big business;
- (2) notes that the attitude of plastic federations who could not care less about their product has made them part of the problem rather than of the solution;
- (3) notes that plastic is the most visible form of pollution, which needs to be nipped in the bud;
- (4) is of the opinion that we have to make sure that the costs of cleaning this type of pollution are no longer borne by innocent individuals and communities, but by the perpetrators themselves, according to the internationally acceptable principle of the polluter pays, whether directly or indirectly; and
- (5) strongly believes that more jobs are likely to be created by the market for alternatives, including re-usable plastic bags, which will have value and encourage recycling.

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

8. [10:24] The Chief Whip of the Council moved: That, subject to the concurrence of the National Assembly, the request from the Minister in The Presidency regarding the appointment of Commissioners to serve on the National Youth Commission be referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons for consideration in terms of section 4 of the National Youth Commission Act, 1996 (Act No 19 of 1996).

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

9. [10:27] The Chief Whip of the Council moved: That the Council, subject to the concurrence of the National Assembly, resolves that—

- (1) the South African parliamentary delegation being sent to observe the Zimbabwean parliamentary elections will comprise:

ANC: Benjamin, J; Chikane, M M; Dyani, M M Z; Ebrahim, E I; Lobe, M C; Louw, S K; Mapisa-Nqakula, N N; Mpehle, M; Nel, A C; Taabe, T B (NCOP); Van der Merwe, S C; Yengeni, T S (Leader of delegation);

DP: Farrow, S B; Maluleke, D K; McIntosh, G B D;

IFP: Mantsobane, A M; Mkhini, M A;

New NP: Schoeman, E A; Van Jaarsveld, A Z A; and

ACDP: Dudley, C; and

- (C) the delegation is to observe the election campaign in the run-up to the elections, the casting of votes during the elections and subsequently the counting of the votes; and
- (G) the delegation must, after the completion of its mission, present a full report to Parliament.

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

10. FIRST ORDER [10:29]

Review of policy of Minister of Environmental Affairs and Tourism, as embodied in Vote No 9—Environmental Affairs and Tourism, Appropriation Bill [B 7—2007] (National Assembly—sec 77).

Debate concluded.

BUSINESS SUSPENDED AT 13:30 AND RESUMED AT 14:34

11. SECOND ORDER [14:35]

Review of policy of Minister for Welfare and Population Development, as embodied in Vote No 35—Welfare, Appropriation Bill [B 7—2007] (National Assembly—sec 77).

Debate concluded.

- 12. The Chairperson gave a ruling on the motion without notice moved by Mr A E van Niekerk.

- 13. The Council adjourned at 17:40.

S G MFENYANA

Secretary to Parliament

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

TUESDAY, 6 JUNE 2000

ANNOUNCEMENTS:

National Assembly:

1. The Speaker:

The following changes have been made to the membership of Committees, viz:

Transport:

Appointed: Farrow, S B; Pillay, S; Semple, J A (Alt); Seremane, W J (Alt).

Discharged: Ntuli, R S; Swart, P S.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Trade and Industry:

(1) Report and Financial Statements of the Investment South Africa for 1998-99.

(2) Report and Financial Statements of the National Gambling Board for 1998-99, including the Report of the Auditor-General on the Financial Statements for 1998-99.

2. The Minister of Health:

(1) Government Notice No 341 published in the Government Gazette No 21042 dated 7 April 2000, Correction notice regarding Government Notice No 149 of 11 February 2000 made in terms of Pharmacy Amendment Act, 2000 (Act No 1 of 2000).

(2) Government Notice No R.397 published in the Government Gazette No 21100 dated 14 April 2000, Amendment of regulations, changing deadline for comment as published in the Government Notice R.137 of 18 February 2000, regarding the performance of community service by persons registering in

terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).

- (3) Government Notice No R.427 published in the Government Gazette No 21136 dated 5 May 2000, Amendment of regulations governing Microbiological Standards for mineral water made in terms of Foodstuff, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972).
- (4) Government Notice No R.428 published in the Government Gazette No 21136 dated 5 May 2000, Amendment of regulations governing Microbiological Standards for edible ices and egg products made in terms of Foodstuff, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972).
- (5) Government Notice No R.450 published in the Government Gazette No 21144 dated 5 May 2000, Regulations regarding the performance of community service by pharmacists made in terms of the Pharmacy Act, 1974 (Act No 53 of 1974).
- (6) Government Notice No R.498 published in the Government Gazette No 21178 dated 19 May 2000, Amendment of regulations regarding the performance of community service by persons registering in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
- (7) Government Notice No R.497 published in the Government Gazette No 21175 dated 19 May 2000, Date of commencement of community service by dentists made in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
- (8) Government Notice No R.499 published in the Government Gazette No 21178 dated 19 May 2000, List of approved health facilities for the purpose of performing community service by dentists in the year 2000-2001 made in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
- (9) Government Notice No R.547 published in the Government Gazette No 21237 dated 29 May 2000, Amendment to the list of approved health facilities for the purpose of performing community service by dentists in the year 2000-2001 made in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).

National Assembly:

Bills:

1. The Minister of Public Works:

- (1) *Wetsontwerp op die Landskapsargitektuurprofessie* [W 18—2000]

The *Landscape Architectural Profession Bill* [B 18—2000] (National Assembly—sec 75) was introduced by the Minister of Public Works on 6 April 2000 and referred to the Portfolio Committee on Public Works.

- (2) *Wetsontwerp op die Ingenieursweseprofessie* [W 19—2000]

The *Engineering Profession Bill* [B 19—2000] (National Assem-

bly—sec 75) was introduced by the Minister of Public Works on 6 April 2000 and referred to the Portfolio Committee on Public Works.

- (3) *Wetsontwerp op die Projek- en Konstruksiebestuursprofessies* [W 21—2000]

The *Project and Construction Management Professions Bill* [B 21—2000] (National Assembly—sec 75) was introduced by the Minister of Public Works on 6 April 2000 and referred to the Portfolio Committee on Public Works.

- (4) *Wetsontwerp op die Bourekenaarsprofessie* [W 22—2000]

The *Quantity Surveying Profession Bill* [B 22—2000] (National Assembly—sec 75) was introduced by the Minister of Public Works on 6 April 2000 and referred to the Portfolio Committee on Public Works.

COMMITTEE REPORTS:

National Assembly and National Council of Provinces:

1. Report of the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons on the *National Youth Commission Amendment Bill* [B 25—2000] (National Assembly—sec 75), dated 5 June 2000:

The Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons, having considered the subject of the *National Youth Commission Amendment Bill* [B 25—2000] (National Assembly—sec 75), referred to it and classified by the JTM as a section 75 Bill, reports the Bill without amendment.

The Committee further reports that the New NP opposed the Bill. The DP indicated that it was not in favour of the process followed: The Bill was not discussed by the Committee and therefore not properly considered by it. The DP felt that the Bill should be referred back to the Committee for proper discussion and consideration.

National Council of Provinces:

1. Report of the Select Committee on Local Government and Administration on the *National House of Traditional Leaders Amendment Bill* [B 15B—2000 (Reprint)] (National Assembly—sec 76), dated 5 June 2000:

The Select Committee on Local Government and Administration, having considered the subject of the *National House of Traditional Leaders Amendment Bill* [B 15B—2000 (Reprint)] (National Assembly—sec 76), referred to it, reports the Bill without amendment.

2. Report of the Select Committee on Local Government and Administration on the *Remuneration of Public Office Bearers Second Amendment Bill* [B 23—2000] (National Assembly—sec 76), dated 5 June 2000:

The Select Committee on Local Government and Administration, having considered the subject of the *Remuneration of Public Office Bearers Second Amendment Bill* [B 23—2000] (National Assembly—sec 76), referred to it, reports the Bill without amendment.

3. Report of the Select Committee on Education and Recreation on the *South African Council for Educators Bill* [B 26—2000] (National Council of Provinces—sec 76), dated 5 June 2000:

The Select Committee on Education and Recreation, having considered the subject of the *South African Council for Educators Bill* [B 26—2000] (National Council of Provinces—sec 76), referred to it, reports the Bill with amendments [B 26A—2000].

4. Report of the Select Committee on Public Services on the *Administrative Adjudication of Road Traffic Offences Amendment Bill* [B 31—2000] (National Council of Provinces—sec 76), dated 5 June 2000:

The Select Committee on Public Services, having considered the subject of the *Administrative Adjudication of Road Traffic Offences Amendment Bill* [B 31—2000] (National Council of Provinces—sec 76), referred to it, reports the Bill with amendments [B 31A—2000].

5. Report of the Select Committee on Public Services on the *Road Traffic Management Corporation Amendment Bill* [B 32—2000] (National Council of Provinces—sec 76), dated 5 June 2000:

The Select Committee on Public Services, having considered the subject of the *Road Traffic Management Corporation Amendment Bill* [B 32—2000] (National Council of Provinces—sec 76), referred to it, reports the Bill with amendments [B 32A—2000].

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

WEDNESDAY, 7 JUNE 2000

1. The House met at 14:04.
2. The Deputy Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:05] The House, at the request of the Deputy Chief Whip of the Majority Party, discussed the following subject: Taxi violence in the Western Cape.

Debate concluded.

4. [15:24] Questions.
5. [17:22] Notices of motions.
6. [17:36] The Deputy Chief Whip of the Majority Party moved : That, subject to the concurrence of the National Council of Provinces, the request from the Minister in The Presidency regarding the appointment of Commissioners to serve on the National Youth Commission be referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons for consideration in terms of section 4 of the National Youth Commission Act, 1996 (Act No 19 of 1996).

Agreed to.

7. FIRST ORDER [17:36]

Second Reading debate—*National Youth Commission Amendment Bill* [B 25—2000] (National Assembly—sec 75) (Report, *see* Announcements, Tablings and Committee Reports, p 476).

Debate concluded.

Bill read a second time (Democratic Party and New National Party dissenting).

8. The House adjourned at 18:29.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 7 JUNE 2000

ANNOUNCEMENTS:

National Council of Provinces:

1. The Chairperson:

Message from National Assembly to National Council of Provinces:

Bill passed by National Assembly on 7 June 2000 and transmitted for concurrence:

- (1) *National Youth Commission Amendment Bill* [B 25—2000]
(National Assembly—sec 75).

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Education:

Explanatory Memorandum of Vote 8 “Education”, Supplementary Estimate for 2000-2001.

2. The Minister of Finance:

- (1) Supplementary Estimate of Expenditure to be defrayed from the National Revenue Fund during the Financial Year ending 31 March 2001 [RP 4-2000].

- (2) Explanatory Memorandum to the Supplementary Estimate for 2000-2001.

3. The Minister of Arts, Culture, Science and Technology:

Explanatory Memorandum of Vote 4 “Arts, Culture, Science and Technology”, Supplementary Estimate for 2000-2001.

4. The Minister of Housing:
Government Notice Number R.437 published in the Government Gazette Number 21136 dated 5 May 2000, Dissolution of the Pretoria Region Rent Board and extension of the area of jurisdiction of the Southern and Western Region Rent Board to include the Pretoria area, made in terms of sections 2(1) and 2(2) of the Rent Control Act, 1976 (Act No 80 of 1976).
5. The Minister for Agriculture and Land Affairs:
Explanatory Memorandum of Vote 3 "Agriculture", Supplementary Estimate for 2000-2001.
6. The Minister of Water Affairs and Forestry:
Explanatory Memorandum on Vote 34 "Water Affairs and Forestry", Supplementary Estimate for 2000-2001.
7. The Minister of Health:
Explanatory Memorandum of Vote 13 "Health", Supplementary Estimate for 2000-2001.

COMMITTEE REPORTS:

1. Report of the Portfolio Committee on Provincial and Local Government on Budget Vote 22: Provincial and Local Government, dated 5 June 2000:

The Portfolio Committee on Provincial and Local Government, having considered Budget Vote 22: Provincial and Local Government, reports as follows:

A. Introduction

1. The budget review of the Ministry and the Department of Provincial and Local Government (the Department) was undertaken on 14, 15 and 17 March and 4 April 2000.
2. Those who appeared before the Committee included Minister F S Mufamadi, Director-General Z Titus, Deputy Director-General R Sizani, Acting Deputy Director-General J Manche, Financial Manager C Clerihew, Chief Directors L Buys, G Moloi, T Seboka and G Mokate, and Directors M Makhura and C Pakade. Messrs S Mqaka and S Jappie represented the Local Government Education and Training Board. Morena M Mopeli, Nkosi M Matanzima, Kgoshi M Malikane and Mr L Molubi represented the National House of Traditional Leaders. Dr M Sutcliffe, Dr L Zitha and Mr N Buthelezi represented the Municipal Demarcation Board. Mr M Morobe and Dr H Fast of the Financial and Fiscal Commission (FFC) also briefed the Committee.
3. The Department's Annual Report and other documents reached the Committee far too late. The Committee expresses its concern about this, and urges the Department

to ensure that the documents reach the Committee at least 10 days before the budget hearings in future. All three statutory bodies submitted their reports on time, and the Committee expresses its appreciation for this. Although the Department's documents were late, they were fairly comprehensive and of a high standard.

4. The Committee feels that it would have been very useful to have had a full day's workshop on the Ministry and the Department's new perspectives, policies and programmes and the restructuring of the Department, as a precursor to the budget hearings. There was far too much to cover in the budget hearings. In view of disaster management and other challenges confronting the Department, it was not possible to have such a workshop this year. The Committee proposes that in future, at the beginning of each year, before the budget hearings, a workshop be organised to consider the Ministry's and the Department's perspectives, policies and programmes for the year.

B. New direction of Ministry and Department

1. The Minister set out the new perspectives, priorities, policies and programmes of the Ministry and the Department. He explained that previously the Department focussed on the implementation of the Constitution and the establishment of the provincial and local government system. Negotiations are under way to hand over the functions to be implemented in terms of the Constitution to the new Ministry and Department of Justice and Constitutional Development. The focus of the Department will increasingly be on effective governance in all three spheres, especially on greater co-ordination between the spheres. Co-operative governance will be a key concern of the Department. It will focus on consolidating the intergovernmental relations (IGR) system and on ensuring effective planning and service delivery through appropriate co-ordination between the three spheres of government.
2. The institutions of traditional leadership would be reconciled with the overall system of co-operative governance and IGR. The Minister explained that the demarcation of municipal boundaries would not significantly affect the powers and functions of traditional leaders, and that the challenge is to ensure that traditional leaders and councillors work together to advance democracy and development. The Discussion Document on Traditional Leaders, which would be a precursor to the White Paper, will be released shortly, and he urged Parliament to ensure that an appropriate process of public discussion follow the release of the document.
3. The Minister stressed the importance of government in all three spheres ensuring that they contributed to economic

growth and job creation. He paid particular attention to the role of local government in contributing to Local Economic Development (LED).

4. The Minister explained that the Department, the Department of Home Affairs, the Independent Electoral Commission and the Municipal Demarcation Board had established a joint structure to ensure that the local government elections are properly prepared for. He appealed to members of the Committee and public representatives generally to ensure the success of the elections and local government transformation.

5. The Minister referred to the disaster management challenges confronting the country and the Southern African region. He pointed to the importance of developing appropriate disaster management strategies, and said that the Disaster Management Bill would contribute in this regard.

6. In response to the Committee's concern, the Minister explained that the focus on IGR would not undermine the importance of local government, but in fact would strengthen it.

7. The Committee recognises the value of the new approach of the Ministry and the Department. The Committee, understandably, until now has focussed mainly on local government, and has not paid adequate attention to provincial government and IGR. With the new direction of the Ministry and the Department, the Committee will pay increasing attention to the provincial system, IGR and traditional leadership.

C. Restructuring of Department

1. Consistent with the new direction set out in paragraph *B* above, the Department is undergoing a process of restructuring. The Department sets out its vision as follows: "To become the leading department in promoting co-operative governance and supporting an effective system of Provincial and Local Government for accelerated service delivery". Its mission is: "To champion an integrated, sustainable system of governance that supports development and service provision through policy, legislation, monitoring and institutional capacity building to improve the quality of life for all". One of its key priorities is "building an integrated, performance orientated, people-centred and accountable system of government, free of corruption and committed to serving the people".

2. The restructuring process is informed by "internal and external factors". These include "integrated approaches, strategic re-focus, functional integration, service delivery imperatives and the prescripts of the New Public Service Regulations".

Wednesday, 7 June 2000]

3. Essentially, the Department is doing away with its current separation along the lines of local government and provincial affairs and creating a more integrated structure that is consistent with its focus on co-operative governance and IGR. The new structure is intended to provide an improvement in service delivery and will operate in terms of a more developed performance management system and be underpinned more clearly by the Batho Pele ethos.
4. The Committee would have preferred more documentation on, and a clearer sense of, the restructuring. The majority in the Committee broadly understands the overall direction of the restructuring and how this relates to the new priorities of the Ministry and the Department. In view of time limitations, however, the Committee was not able to adequately come to terms with how the new structure would look and how exactly it would fit into the new goals of the Department. The Committee would like, in terms of the oversight role of Parliament, to discuss further with the Department its restructuring process at some appropriate stage in the near future.

D. Overview of Budget and Local Government Finances

1. The Ministry and the Department of Provincial and Local Government have been allocated R3 558 573 000 for this year, which is an increase of 11,2% in nominal terms and 5,1% in real terms over last year. R2 902 550 000 of this constitutes transfers to local government, of which R1 867 000 000 comprises local governments' equitable share of national revenue. The latter amount represents an increase of 11,6% in nominal terms and 5,5% in real terms over last year.
2. Apart from the equitable share, local government will also receive, in total, conditional grants of R963 000 000 and agency payments of R3 879 000 000. Hence, the total transfer to local government constitutes R6 709 000 000.
3. The Committee has difficulties evaluating the budget allocated to local government, especially in relation to last year's allocations. This is partly because of the way the information is presented, the addition of the new transfer items and the lack of information on local government finances generally. It is also difficult, at this stage, to understand what the financial implications of the establishment of new municipalities will be.
4. The Committee is aware that most municipalities are not raising the full revenue they should, have financial management difficulties and are not adequately engaging in LED, service partnerships and other strategies to ensure economic and financial viability. The Committee understands that flinging more money at local government is not the answer, and may even exacerbate the problems. Surely,

however, there is room for national and provincial government to contribute more to help municipalities to develop strategies to raise more revenue, grow their local economies and improve their financial management capacity? The Committee is interested in the Department's LED, municipal service partnerships and other work, and welcomes the allocation of grants to municipalities experiencing financial difficulties to restructure and develop their financial management capacity. The latter includes the local government support grant (R150 million), the restructuring grant (R300 million) and the financial management grant (R50 million). While all this is welcome, is it enough? Also, should this not be complemented by the national government allocating more funds to local government? Of course, the Committee is acutely aware of the fiscal and financial constraints of the national government. However, clearly, the majority in the Committee feels that if local government is going to effectively fulfil the powers and functions allocated to it and the increasing responsibilities heaped on it, and if it is to be the major site of service delivery and development it has been identified to be, it has to be allocated more funding.

5. The Committee is interested in understanding exactly what formula is used to decide local government's equitable share of national revenue, and welcomes the work being done by the Department on this. The Committee is also interested in pursuing with the Department what can be done to more tightly monitor how this money is spent by municipalities.

6. The Committee has on several occasions expressed its concern that no money is allocated for transition to the new system of local government to come into effect with the local government elections. However, the Minister and the Department explained that now that the demarcation has been basically completed and there is a clear sense of the nature and number of the new municipalities to be established, a process is under way to establish the costs of transition. The Cabinet is to be approached to consider funding a transitional fund for the "one-off" cost of the transition.

7. As part of its intergovernmental fiscal relations work, the Department is undertaking an inquiry into the overall fiscal framework. Apart from a study of the equitable share, it is also developing policy frameworks on the division of fiscal powers between district and local municipalities, financing district councils, rationalising capital grants and national tariffs, and the fiscal gap between the expenditure and revenue of local government. The Department is developing a comprehensive financial database.

E. Financial and Fiscal Commission (FFC)

1. Mr Morobe, chairperson of the FFC, said that "the design of a system of local government finance has long been complicated by a lack of data".
2. He also suggested that there is an *ad hoc* approach to the classification of funds flowing to local government. He suggested that the inclusion for the first time of bus subsidies and public works as part of the local government allocation tended to artificially inflate the total transfer to local government. He called for a more consistent approach to the classification of funds and for the rationale for the classification to be explained clearly.
3. He explained that in its publication, "Local Government in a System of Intergovernmental Relations in South Africa", the FFC argued that two principles should underlie the determination of the equitable share to local government:
 - (1) Sufficient resources should be provided to match the services that municipalities are constitutionally required to deliver.
 - (2) Persons in different jurisdictions should receive reasonably comparable levels of public services at reasonably comparable levels of tax effort.

These two principles would inform the Commissions' new "costed norms" approach that it would like to explore in respect of local government. In respect of provincial government "the costed norms approach is a formula-based method for calculating the financial resources necessary for the provision of basic service levels, given nationally mandated norms and standards".

4. Mr Morobe pointed to the unevenness in tax capacity of municipalities. Rural areas find it difficult to raise revenue through property rates. Municipalities with large proportions of poor people have difficulties raising money through service charges. District municipalities with a limited commercial and industrial base raise little in respect of district levies.
5. He also pointed out how the costs of fulfilling constitutionally required functions varies according to the level of infrastructure, location from urban areas and credit ratings.
6. The FFC evaluates any system of intergovernmental transfers in terms of the extent to which it equalises for both tax capacity and expenditure differences.
7. The FFC also echoed concerns about the need for the budget to cater for the transitional costs of the establishment of the new municipalities.

F. Programme on Legislation and Policies

1. The following bills have been or are to be introduced in Parliament this year: "Local Government: Municipal

Systems Bill", "Transfer of Staff to Municipalities Amendment Bill", "Disaster Management Bill", "Local Government: Municipal Electoral Bill", "Cross-Boundary Municipalities Bill", "National House of Traditional Leaders Amendment Bill", "Remuneration of Public Office Bearers Amendment Bill", "Local Government: Property Rating Bill", and "Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Bill".

2. The following policy documents are to be released this year: "Discussion Document on Traditional Leadership", "Audit of IGR institutions", "Discussion Document on the Application and Regulation of the Supervisory Powers in sections 100 and 139 of the Constitution", "Discussion Document on Intergovernmental Relations", "Discussion Document on Intergovernmental Dispute Settlement", and "Guidelines for Targeting Poor Households in Provision of Basic Services (Indigence Policy)".
3. The following policy documents may also be released this year: "Policy Framework on Performance Management", "Discussion Document on Khoisan Communities", "Discussion Document on a Co-ordinated National Framework for Monitoring and Evaluation", "Discussion Document on Strategic Issues and Policy Options for IGR", "Strategy on Capacity-Building", "Municipal Infrastructure Investment Framework", "Procurement Guidelines to Municipalities for CMIP Projects", "MSP Policy Framework", "LED White Paper", "IDP White Paper", "Policy Framework on Implementation of effective Credit Control (National Guidelines and Regulations)", "Strengthening Property Tax in South Africa", "Discussion Document on Fiscal Powers and Functions between Category B and C Municipalities", and "Guidelines for National Municipal Tariffs".

G. Intergovernmental Relations (IGR)

1. The consolidation of an integrated system of IGR is one of the Department's key focus areas and is central to the new portfolio assigned to the Department after the second democratic elections. The budget for the IGR programme has been increased by 72%.
2. Essentially, the Department aims to develop policy and legislative frameworks to ensure greater co-ordination and alignment of governmental structures to provide for more efficient decision-making and improved service delivery. Much of the programme set out in paragraph *F* above is directed towards this.
3. The Department seeks to contribute to efforts to develop the administrative capacity to strengthen intergovernmental co-ordination. The Department aims to "strengthen the applied policy research capacity of the country specifically for provincial IGR practitioners and hopes to establish a specialist research institute on IGR".

4. The Committee welcomes the Department's programme on IGR, and seeks to contribute to achieving the outcomes the Department has set out.

H. Traditional Affairs

1. Traditional affairs is part of the co-operative governance programme. The budget for traditional affairs has been increased by 42,7% in nominal terms, from R6 136 000 to R8 755 000.
2. The Department is finalising a database on traditional leaders and institutions, and is focussing on a review of the remuneration of traditional leaders, resolution of chieftainship, monitoring capacity-building programmes and the rationalisation of existing laws on traditional leadership and institutions.
3. The Department proposes to establish an independent national commission on disputes and claims on traditional leadership to deal with issues around the legitimacy of traditional leaders.
4. The Department is also completing work on the constitutional accommodation of the Khoisan and other traditional communities.
5. Obviously there are understandable difficulties, but the Committee feels that there has not been adequate progress with work being done in respect of traditional leadership and institutions, and urges that this be speeded up. The Committee welcomes the Department's work on Khoisan and other traditional communities, and urges that this be advanced significantly.

I. Development and Support

1. Essentially, the Department seeks to contribute to the development of an integrated system of planning and delivery across all spheres of government. As part of this, there are eight programmes: Infrastructure and Planning, Municipal Service Partnerships, Consolidated Municipal Infrastructure Programmes, Local Economic Development, Social Plan Measures, Equitable Share to Local Government, Local Government Support and R293 towns.
2. The Department has been doing much work around integrated development plans (IDPs). IDP pilot projects have been completed around the country, and lessons drawn from these have been incorporated into the Municipal Systems Bill. An IDP manual has been completed and a quarterly IDP newsletter is produced. Over the next year, the Department is to implement support programmes for IDPs in the 46 district councils to be established after the elections, and is to produce guidelines for municipalities to implement IDPs in terms of the Municipal Systems Bill.
3. The Department has advanced its programme on municipal service partnerships (MSPs). It has produced a draft white

paper on MSPs and offered training to 150 municipalities. It has been working closely with the municipal infrastructure investment unit and has facilitated debates with the trade unions on MSPs. Over the next year, the Department is to finalise the white paper, consolidate its programme on public/public partnerships, produce MSP guidelines for municipalities and compile an annual report on the status of MSPs in South Africa.

4. Through the consolidated municipal infrastructure programme, the Department provides funding to municipalities to address infrastructure backlogs. The programme has been allocated R891 722, compared to R703 289 last year. Over 500 projects have been completed. Over the next year, the programme will be increasingly focussing on rural areas. The municipal infrastructure investment framework is to be reviewed, and a more robust monitoring and evaluation system established. A more structured capacity-building programme on infrastructure delivery is to be set in place.

5. The Department has developed a five-year strategic plan for the implementation of the LED programme. It has produced a draft policy paper on LED and guidelines for municipalities, and has established provincial task teams. In August last year the Department received R42 million for LED. It has approved 47 projects with the potential to create up to 13 000 jobs. The Department is seeking R300 million per annum over the next three years for LED. The requests from municipalities for funds until now total R779 million. Over the next year the Department is to seek additional funding, finalise its LED policy and work more closely with other departments in respect of LED work.

6. The social plan emerged as a response to the 1998 jobs summit. It is meant to provide support to municipalities facing large-scale retrenchments or who receive people that are retrenched. Municipalities are encouraged to undertake regeneration studies and develop LED strategies to create jobs. The Department has obtained R2,9 million for the social plan fund and has approved projects of over R2 million. Over the next year, the Department is to work with other departments to develop a national strategy on job losses and produce regeneration policy guidelines for municipalities.

7. R463 million has been allocated to fund the personnel of R293 towns. The end of September 2000 has been set as the deadline for the transfer of R293 staff to municipalities. The staff have been guaranteed their current salaries for a period of not less than three years. It is expected that there will now be a greater willingness to move.

8. The Committee feels that a crucial test of the Department's work is the degree to which it successfully implements the

programmes set out in this section. These are major programmes focussed on delivery and development. Given the importance of job creation and the need to stimulate the small business sector, the Committee fully supports the Department's programmes on LED and the social plan and its pursuit for more funding for these programmes. While the Committee feels that the budget for the consolidated municipal infrastructure programme is far from adequate, it welcomes the Department's commitment to increasingly focus this programme on rural areas. The Committee also encourages the Department to consolidate its work on MSPs, and feels that its greater focus on public/public partnerships over the next year is to be welcomed. The Committee is concerned about the acute lack of capacity among municipalities to develop appropriate IDPs, and urges that the Department strengthen its work in this regard.

J. Disaster Management

1. The R3 883 000 allocated in the budget is for disaster management and not for disaster relief. The money will be used to facilitate the implementation of disaster management legislation. The legislation provides a framework for a comprehensive and co-ordinated disaster management strategy. It provides for training and capacity-building programmes, and a monitoring and evaluation system based on a risk reduction approach.
2. Once the President declares a disaster area, the Department of Welfare and Population Development becomes responsible for disaster relief funds, in terms of section 26 of the Fundraising Act, 1978. A National Disaster Relief Fund has been established to receive and disburse funds for disaster relief.
3. A disaster co-ordinating structure, under the leadership of Deputy Minister Lindiwe Sisulu, has been established by the Cabinet. It is supported by a technical team of experts, and it operates through three subcommittees, namely Reconstruction, Defence and Health.
4. The Committee feels that disaster management is not just the responsibility of the government, but of public representatives and civil society as a whole. The Committee feels that there is a need for greater engagement by public representatives and civil society in managing disasters. The Committee intends to send a delegation of MPs to visit the Disaster Management Centre later this year, after the Disaster Management Bill has been introduced in Parliament. The majority in the Committee is aware of the challenges the Department has had to confront with the continuous outbreak of disasters since December, not just in this country, but in the Southern African region generally. The majority in the Committee feels that, given the magnitude of the disasters and the limited resources

7. The Committee observes that the report of the House, and the perspectives, policies and programme it sets out, are a considerable advance on what was presented last year, and welcomes this. The majority in the Committee believes that the President will appropriately address the concerns of traditional leaders about municipal demarcation. The Committee notes that the House spent R852 662 of its budget of R3,29 million in 1998-99 and R2,05 million of its budget of R3,4 million in 1999-2000. It recognises that the House was experiencing "teething" problems and that many of these are now resolved, but believes that in the absence of a clear business plan and specific justification for more money, it would not at this stage be appropriate to allocate more funding to the House.

M. Municipal Demarcation Board

1. The Municipal Demarcation Board presented a very comprehensive report on its activities over the past year and set out its proposed work programme for the period ahead.
2. The Board comprises one full-time member, the chairperson, Dr M Sutcliffe, and eight part-time members, one having resigned at the end of 1999.
3. The Board had scores of meetings with a wide variety of stakeholders, including the Minister, MECs, parliamentary committees, political parties, government departments, Salga (and its affiliates), Houses of Traditional Leaders, private sector organisations and NGOs. Following the publication of draft boundaries, the Board organised 148 public hearings, attended by 7 286 people. The Board received 245 submissions responding to its section 26 notice of intention to consider boundaries, and 2 353 submissions following its publication of the proposed boundaries. The Board operates a toll-free call centre, and its website has been visited about one million times. The Board has developed a useful database on local government issues.
4. Dr Sutcliffe explained that the Board had adequately consulted traditional leaders and had addressed their concerns in terms of the Constitution and legislation.
5. The Board's proposal on the final boundaries are the following:
 - 6 category A municipalities
 - 232 category B municipalities
 - 46 category C municipalities
 - 26 district management areas

In respect of category B, eight, and of the category C, seven, are proposed as cross-boundary municipalities.

6. In co-operation with the IEC, the Board hoped to finalise the ward boundaries of municipalities by 29 May 2000.

7. In partnership with the Minister and MECs for local government, the Board has analysed the financial and institutional capacity of municipalities. The MECs will adjust powers and functions between category B and C municipalities on the basis of this analysis and in terms of the policy framework provided by the Minister.
8. In co-operation with the Minister, MECs, the Department and the Department of Finance, the Board established the following working committees to deal with the process of establishing the new municipalities: Co-ordinating Committee, Powers and Functions, Finance, Legal and Transitional.
9. The Board has been allocated R24, 8 million for this year. Last year it was allocated R19 million.
10. The Board has been confronted with a daunting task. The majority in the Committee believes that the Board has performed very well, especially in view of time, resource and other constraints. The Board has been utterly remarkable in meeting almost all its deadlines, and it has been extremely prudent in its use of funds, for which it must be commended.

N. Oversight role of Committee

1. The core policies and legislation establishing the new democracy have been largely adopted over the past six years. The key considerations now are the proper implementation of the policies and legislation and improvement in service delivery and development. In this context, the oversight role of Parliament becomes even more important than in the first five-year term of Parliament. The Committee needs to apply itself to how it can more effectively fulfil this oversight role. The overall review of Parliament's oversight role initiated by the Speaker will be of assistance in this regard.
2. The Committee has not adequately evaluated the Department's budget in terms of proposed outcomes or the Medium-Term Expenditure Framework. The Committee has to do this more concertedly in future.
3. Following future budget briefings, the Committee should have a full review of the budget before it finalises its report to Parliament. There should also be a greater focus on the Committee's views of the budget and less on the reports given by the Department and statutory bodies to Parliament. A fuller discussion is necessary on the nature and format of the annual budget reports to Parliament. This could be assisted by the oversight report initiated by the Speaker referred to in paragraph 1 above.
4. The Committee feels that in future budget briefings the Department should respond more directly to the comments of the Committee set out in its annual report to Parliament.

5. The Committee still does not have a research assistant, and without this technical support it is hopelessly ill-equipped to play an effective oversight role.

O. Concluding remarks

The Minister and a full team from the Department attended the budget review. The Committee expresses its appreciation to them and wishes them well for the coming year.

2. Report of the *Ad Hoc* Committee on Report 13 of Public Protector, dated 7 June 2000:

The *Ad Hoc* Committee on Report 13 of Public Protector reports as follows:

1. The Committee, after due deliberation, heard evidence from the Public Protector on his report.
2. Having heard the evidence, the Committee realised that the scope, range and complexity of the matters dealt with in the report were particularly grave and of great consequence to Parliament, and that there was much to be derived from investigating it comprehensively.
3. In its previous Report to the National Assembly, dated 25 February 2000, the Committee indicated that it would need at least three calendar months from the date of adoption of that Report by the House to complete its work, but that it might need to approach the House with a view to extending that period, if necessary.
4. It has now become clear that the Committee was not able to complete its work within the three-month period indicated, and it therefore recommends that the House extend the deadline until 31 August 2000.

Report to be considered.

3. Report of the Standing Committee on Private Members' Legislative Proposals and Special Petitions on the *Petition of P L Young*, dated 7 June 2000:

The Standing Committee on Private Members' Legislative Proposals and Special Petitions, having considered the Special Petition of Mr P L Young, referred to it, reports as follows:

The Committee recommends that, with effect from 1 April 1998, a pension be paid to Mr P L Young in accordance with the Military Pensions Act, 1976, as if he had been doing military service when he sustained his injuries.

Report to be considered.

4. Report of the Portfolio Committee on Agriculture and Land Affairs on *Sorghum Industry Levy*, dated 7 June 2000:

The Portfolio Committee on Agriculture and Land Affairs, having considered the application by the National Agricultural

Marketing Council for the continuation of the statutory levy in the sorghum industry, reports, in terms of section 15 of the Marketing of Agricultural Products Act, 1996, that it has approved the recommendation of the Council, namely that the statutory levy of R3,10 (VAT excluded) be continued until 28 February 2001.

National Council of Provinces:

1. Report of the Select Committee on Land and Environmental Affairs on *Sorghum Industry Levy*, dated 7 June 2000:

The Select Committee on Land and Environmental Affairs, having considered the application by the National Agricultural Marketing Council for the continuation of the statutory levy in the sorghum industry, reports, in terms of section 15 of the Marketing of Agricultural Products Act, 1996, that it has approved the recommendation of the Council, namely that the statutory levy of R3,10 (VAT excluded) be continued until 28 February 2001.

...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...

...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...
...the ... of ...

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

THURSDAY, 8 JUNE 2000

1. The House met at 14:02.
2. The Deputy Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:02] Notices of motion.
4. [14:17] The Deputy Chief Whip of the Majority Party moved without notice: That the House—
 - (1) notes that the mother of President Thabo Mbeki, Mrs Epainnette Mbeki, has been admitted to Groote Schuur Hospital;
 - (2) assures Mrs Mbeki that the thoughts of the nation are with her as she undergoes treatment and care; and
 - (3) wishes her a speedy recovery and recuperation and keeps her in its prayers.

Agreed to.

5. FIRST ORDER [14:19]

Debate on Vote No 22—Provincial and Local Government, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

6. SECOND ORDER [16:44]

Debate on Vote No 12—Government Communication and Information System, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate suspended.

7. The House adjourned at 17:32.

S G MFENYANA,
Secretary to Parliament.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

THURSDAY, 8 JUNE 2000

1. The Council met at 14:04.

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

3. FIRST ORDER [14:05]

Consideration of Report of Select Committee on Economic Affairs (Announcements, Tablings and Committee Reports, p 428—*UNIDO Constitution*).

Order disposed of without debate.

Report adopted in accordance with section 65 of the Constitution.

4. SECOND ORDER [14:07]

Consideration of *National Youth Commission Amendment Bill* [B 25—2000] (National Assembly—sec 75) and of Report of Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disabled Persons thereon (Announcements, Tablings and Committee Reports, p 476).

Debate concluded.

Decision of Question postponed.

5. THIRD ORDER [14:49]

Review of the policy of the Minister for Justice and Constitutional Development, the Minister of Correctional Services and the Minister of Safety and Security, as embodied in Vote No 18—Justice and Constitutional Development, Vote No 6—Correctional Services, Vote No 17—Independent Complaints Directorate and Vote No 28—SA Police Service, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

6. The Council voted as follows on the decision postponed in Order No 2: Bill agreed to in accordance with section 75 of the Constitution.

7. FOURTH ORDER [17:42]

Consideration of *South African Council for Educators Bill* [B 26B—2000] (National Council of Provinces—sec 76) and of Report of Select Committee on Education and Recreation thereon (Announcements, Tablings and Committee Reports, p 477).

Debate concluded.

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

8. FIFTH ORDER [19:00]

Consideration of *Administrative Adjudication of Road Traffic Offences Amendment Bill* [B 31B—2000] (National Council of Provinces—sec 76) and of Report of Select Committee on Public Services thereon (Announcements, Tablings and Committee Reports, p 477).

Order disposed of without debate.

Bill agreed to in accordance with section 65 of the Constitution (Western Cape dissenting).

9. SIXTH ORDER [19:01]

Consideration of *Road Traffic Management Corporation Amendment Bill* [B 32B—2000] (National Council of Provinces—sec 76) and of Report of Select Committee on Public Services thereon (Announcements, Tablings and Committee Reports, p 477).

Order disposed of without debate.

Bill agreed to in accordance with section 65 of the Constitution (Western Cape dissenting).

10. The Council adjourned at 19:03.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS

THURSDAY, 8 JUNE 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

(1) The following Bill was introduced in the National Assembly on 8 June 2000 and referred to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 160:

(i) *Local Government: Cross-boundary Municipalities Bill* [B 37—2000] (National Assembly—sec 75)—(Portfolio Committee on Provincial and Local Government—National Assembly) [Explanatory summary of Bill and prior notice of its introduction published in Government Gazette No 21252 of 2 June 2000.]

(2) The Joint Tagging Mechanism (JTM) on 7 June 2000 in terms of Joint Rule 160(3), classified the following Bill as a section 75 Bill:

(i) *Local Government: Cross-boundary Municipalities Bill* [B 37—2000] (National Assembly—sec 75)—(Portfolio Committee on Provincial and Local Government—National Assembly).

(3) The Subcommittee of the Joint Programme Committee on 8 June 2000 took a decision, in accordance with Joint Rule 216, that the *Local Government: Cross-boundary Municipalities Bill* [B 37—2000], be fast-tracked by, where necessary, shortening any period within which any step in the legislative process relating to the Bill must be completed, in order to make it possible for the Bill to be passed by both Houses of Parliament by Friday, 23 June 2000.

In terms of Joint Rule 216(4) this decision must be tabled in both Houses for ratification.

- (4) Assent by the President of the Republic in respect of the following Bills:
- (i) *Division of Revenue Bill* [B 8B—2000]—Act No 16 of 2000 (assented to and signed by President on 7 June 2000); and
 - (ii) *Nonprofit Organisations Amendment Bill* [B 9—2000]—Act No 17 of 2000 (assented to and signed by President on 7 June 2000).

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister for Provincial and Local Government:
 - (1) Explanatory Memorandum on Vote 22—"Provincial and Local Government", Supplementary Estimate for 2000-2001.
 - (2) Report of the Department of Provincial and Local Government for 1999.
2. The Minister for Welfare and Population Development:

Explanatory Memorandum on Vote 35—"Welfare", Supplementary Estimate for 2000-2001.
3. The Minister for Justice and Constitutional Development:

Report of the National Prosecuting Authority for 1998-99 [RP 99—2000].
4. The Minister of Environmental Affairs and Tourism:

Explanatory Memorandum on Vote 9—"Environmental Affairs and Tourism", Supplementary Estimate for 2000-2001.
5. The Minister of Labour:

Explanatory Memorandum on Vote 19—"Labour", Supplementary Estimate for 2000-2001.

National Assembly:

Bills:

1. The Minister of Public Works:
 - (1) *Wetsontwerp op die Eiendomswaardereersprofessie* [W 20—2000]

The *Property Valuers Profession Bill* [B 20—2000] (National Assembly—sec 75) was introduced by the Minister of Public Works on 6 April 2000 and referred to the Portfolio Committee on Public Works.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

FRIDAY, 9 JUNE 2000

1. The House met at 09:06.
2. The Chairperson of Committees took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [09:07] Notices of motion.
4. [09:17] The Deputy Chief Whip of the Majority Party moved: That the resolution of the House of 26 January 2000 adopting the Nineteenth Report of the Standing Committee on Public Accounts (First Session, Second Parliament), dated 1 December 1999 (Announcements, Tablings and Committee Reports (1999), p 547), be amended as follows:

That the Report be adopted, except that with reference to paragraph 2 of the Report, it be amended to read as follows:

2. The remaining amount of R1 199 022,16, reported as unauthorised by the Auditor-General, refers to expenditure incurred from voted funds to host the Second National Conference on Small Business, in excess of the R2 million donation received. Further information had been requested from the department, but the Committee is concerned at the non-compliance with the relevant Treasury Instructions. The Committee has noted the corrective measures reportedly implemented by the Department. However, the Committee recommends that the unauthorised expenditure in question not be authorised, and that the legal process set out in sections 33 and 34 of the Exchequer Act take its course.

Agreed to.

5. [09:17] The Deputy Chief Whip of the Majority Party moved: That the House ratifies the decision the Joint Programme Subcommittee took on 8 June 2000 in accordance with Joint Rule 216(2), namely that the *Local Government: Cross-boundary Municipalities Bill, 2000*, be fast-tracked by, where necessary, shortening any period within which any step in the legislative process relating to the Bill must be completed, in order to make

it possible for the Bill to be passed by both Houses of Parliament by 23 June 2000 (*see* Announcements, Tablings and Committee Reports, p 500).

Agreed to.

6. FIRST ORDER [09:17]

Consideration of Report of *Ad Hoc* Committee on Report 13 of Public Protector (Announcements, Tablings and Committee Reports, p 495).

Report adopted without debate.

7. SECOND ORDER [09:18]

Resumption of debate on Vote No 12—Government Communication and Information System, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

8. THIRD ORDER [10:15]

Debate on Vote No 34—Water Affairs and Forestry, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

9. The House adjourned at 12:30.

S G MFENYANA,

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

FRIDAY, 9 JUNE 2000

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Speaker and the Chairperson:
Report on Parliament for 1999.

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

MONDAY, 12 JUNE 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

- (1) The following paper is referred to the Portfolio Committee on Provincial and Local Government and to the Select Committee on Local Government and Administration:

Reasons for declaring a state of disaster in the Province of KwaZulu-Natal in terms of sections 2(1) of the Civil Protection Act, 1977 (Act No 67 of 1977).

- (2) The following papers are referred to the Portfolio Committee on Public Works and to the Select Committee on Public Services:

(a) Report of the Department of Public Works for 1999-2000 [RP 100—2000].

(b) Memorandum by the Minister of Public Works setting out particulars of the Building Programme for 2000-2001 in respect of Programme 2: Provision of Land and Accommodation of Vote 26 of the State Account [RP 93—2000].

- (3) The following papers are referred to the Portfolio Committee on Justice and Constitutional Development and to the Select Committee on Security and Constitutional Affairs:

Reports of the South African Law Commission on the—

(a) Constitutional Jurisdiction of Magistrates' Courts, Project 111 [RP 80—2000];

(b) Conflicts of Law, Project 90 [RP 81—2000];

- (c) Sharing of Pension Benefits, Project 112 [RP 82—2000];
- (d) Review of the Law of Insolvency, Project 63 (Volume 1) [RP 89—2000];
- (e) Review of the Law of Insolvency, Project 63 (Volume 2) [RP 88—2000].

(4) **The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance:**

Recommendations of the Financial and Fiscal Commission on 2001-2004 Medium-Term Expenditure Framework Cycle, submitted in terms of section 9(1) of the Intergovernmental Fiscal Relations Act, 1997 (Act No 97 of 1997).

(5) **The following paper is referred to the Standing Committee on Public Accounts for consideration and report. It is also referred to the Portfolio Committee on Finance and to the Select Committee on Finance for information:**

Report of the Auditor-General on Performance Audits completed at the South African Revenue Service during 1999 [RP 96—2000].

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister of Education:

- (1) Government Notice No 207 published in the Government Gazette No 20945 dated 1 March 2000, National Policy for designing school calendars for ordinary public schools in South Africa, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (2) Government Notice No 208 published in the Government Gazette No 20945 dated 1 March 2000, School calendar for public schools for the year 2001, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (3) Government Notice No 252 published in the Government Gazette No 20994 dated 24 March 2000, Appointment of a replacement to serve as a member of the South African Qualifications Authority, made in terms of the South African Qualifications Authority Act, 1995 (Act No 58 of 1995).
- (4) Government Notice No 400 published in the Government Gazette No 21093 dated 20 April 2000, Revision of the policy document: Norms and standards for instructional programmes and examination and certification thereof in technical colleges, Report 190 (92/04), made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (5) Government Notice No 401 published in the Government Gazette No 21093 dated 20 April 2000, Provisos for the Senior Certificate programme, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (6) Government Notice No 402 published in the Government Gazette No 21093 dated 20 April 2000, The deletion of the category providing for foreign candidates as contained in the

policy document, a Résumé of instructional programmes in public schools, Report 550 (97/06), made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).

(7) Government Notice No 449 published in the Government Gazette No 21143 dated 4 May 2000, Appointment of persons to serve as members of the Review Committee to review the National Outcomes-based Curriculum and Progress with its implementation, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).

(8) Government Notice No 404 published in the Government Gazette No 21093 dated 20 April 2000, The inclusion of a continuous assessment component in the final Senior Certificate examination at Grade 12, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).

(9) Government Notice No 448 published in the Government Gazette No 21143 dated 4 May 2000, Call for comments on the draft document—National Curriculum Framework for further Education and Training, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).

(10) Government Notice No 403 published in the Government Gazette No 21093 dated 20 April 2000, Approval of an extension of the Gauteng Youth College Programme, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).

2. The Minister of Finance:

Report of the Executive Officer of the Financial Services Board on the Road Accident Fund for 1998-99.

3. The Minister in The Presidency:

Report of the Government Communication and Information System for 1999 [RP 58—2000].

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Transport on the *Sea Transport Documents Bill* [B 28—2000] (National Assembly—sec 75), dated 7 June 2000:

The Portfolio Committee on Transport, having considered the subject of the *Sea Transport Documents Bill* [B 28—2000] (National Assembly—sec 75), referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, reports the Bill with an amendment [B 28A—2000].

2. Report of the Portfolio Committee on Public Service and Administration on *Implementation of Basic Conditions of Employment Act in Public Service*, dated 26 May 2000:

The Portfolio Committee on Public Service and Administration, having received a briefing on the measures taken in anticipation of the implementation in the Public Service of the Basic Conditions of Employment Act, 1997, reports as follows:

A. *Introduction*

On 9 November 1999, the Public Service Commission (PSC) briefed the Committee on two reports, namely the Management

which is the current practice (for example, in Correctional Services and the SAPS).

(6) *Obstacles*

(a) The current overtime rate is one and a third, whereas the required rate one and a half. At present the employer is negotiating to retain the current overtime rates.

(b) The Act rate for Sunday work is one and a half for those who normally work on a Sunday, and double for those who do not normally work on a Sunday. The Public Service currently pays double for those who do not normally work on a Sunday and the normal rate for those who do normally work on a Sunday. The employer is currently negotiating to retain the current overtime rates.

4. *Leave (Chapter 3 of Act)*

(1) *Annual leave*

Generally, in terms of the Act, an employee will be eligible to 21 days paid leave in a 12-month leave cycle. Presently, in the Public Service, employees receive in general 30 days or 36 days after 10 years' service.

(2) *Sick leave*

An employee is entitled to 36 days sick leave in a three-year cycle. The Public Service sick-leave dispensation exceeds this requirement by far, since 120 days are afforded with pay and a further 120 days with half-pay within a three-year cycle, as well as a further 92 days at the discretion of the head of department.

(3) *Maternity leave*

In terms of the Act, an employee is entitled to at least four consecutive months' maternity leave (unpaid). Presently in the Public Service employees are entitled to paid maternity leave for two confinements. Paid maternity leave may also be granted in exceptional cases. Vacation leave and unpaid leave may be used for further confinements.

(4) *Family responsibility leave*

An employee may be granted three days in a leave cycle when his or her child is born, or when his or her child is sick, and in the event of death. Presently, in terms of Resolution 3 of 1999 of the Public Service Coordinating Bargaining Council (PSCBC), indi-

Monday, 12 June 2000]

vidual departments negotiate their own policies on special leave.

In terms of leave, therefore, the Public Service's provisions are currently more favourable than those required by the Act, so the Public Service therefore complies.

(5) *Particulars of employment and remuneration (Chapter 4 of Act)*

The Act requires that certain particulars be provided and maintained in respect of an employee and that information be made available with regard to the employees' remuneration, deductions, etc. The Public Service Regulations, 1999, require that such information be provided to an employee.

(6) *Implementation process*

(a) The implementation process in the Public Service was launched in May 1998 with a workshop comprising of employer representatives and employee organisations. Major employing departments/sectors such as the SAPS, Education and Health have been assisted by the Department of Labour to identify their needs for purposes of variation by collective agreement in terms of section 49 of the Act.

(b) A workshop was also held to assist other departments and provinces.

(c) An implementation guide has been made available to assist departments.

(d) Sectors/departments are presently in the process of negotiating the variations as required to implement the Act.

C. Findings

1. The Committee notes that the Public Service will implement the Act on 1 June 2000, "except for the areas being negotiated". The Public Service already complies with the Act to a large extent (in terms of leave and particulars of work).

2. The Committee is concerned that the negotiations have not been completed in advance of the implementation date, but accepts that the State as employer commenced an implementation process in May 1998, six months after the enactment of the Act and two years prior to the commencement date for the Public Service.

3. The State as employer is seeking variations in the regulation of working time and remuneration, including the following:

(1) Maximum daily and weekly overtime.

- (2) Specific instances relating to rest periods.
- (3) Night work between 19:00 and 7:00.
- (4) Retention of current overtime pay rate of one and a third.
- (5) Retention of current Sunday work ordinary pay rate.

D. Recommendations

The Committee recommends that the Department brief the Committee on the extent to which the Public Service is complying with the Act in three months' time (end of August 2000), or when negotiations have been successfully concluded, if agreement is reached before the end of August.

Report to be considered.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL ASSEMBLY

TUESDAY, 13 JUNE 2000

1. The House met at 09:04.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. The Speaker announced that the vacancy caused by the resignation of Mr P J de Vos on 12 June 2000 had been filled by Mr R Jankielsohn with effect from 13 June 2000.
4. Mr R Jankielsohn, accompanied by Mr M J Ellis and Mr T D Lee, made and subscribed the oath and took his seat.

5. FIRST ORDER [09:07]

Debate on Vote No 1—Presidency, *Appropriation Bill* [B 7—2000]
(National Assembly—sec 77).

BUSINESS SUSPENDED AT 12:27 AND RESUMED AT 14:02.

Debate concluded.

6. The House adjourned at 18:25.

S G MFENYANA,

Secretary to Parliament.

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS OF NATIONAL COUNCIL OF PROVINCES

TUESDAY, 13 JUNE 2000

1. The Council met at 10:02.
2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:03] Notices of motion.
4. [10:09] UNksz P C P Majodina wenze isiphakamiso ngaphandle kwesaziso: Sokuba le Khansile—
 - (1) idlulise amazwi ovelwano kumaxhoba engozi ehle kuhola ophakathi koQumbu neMount Frere izolo apho abantu abane basutywe kukufa xa bekungqubene izithuthi zikawonke-wonke ezibini; kwaye
 - (2) yenze isindululo kuMphathiswa wezoThutho noMphathiswa weMisebenzi yakwaRhulumente sokuba mabakhe baphonononge isimo sendlela kule ndawo yeshwangusha, kuba akuntsuku zingaphi abantwana besikolo abahlanu bephulukene nobomi babo kwakule ndawo inye.

(Translation of isiXhosa motion follows)

[Ms P C P Majodina moved without notice: That the Council—

- (1) conveys its condolences to the victims of the accident that took place on the national road between Qumbu and Mount Frere where four people died when two public transport vehicles collided; and
- (2) recommends to the Minister of Transport and the Minister of Public Works to look into the condition of the road at this deathtrap point, because not long ago five school children lost their lives at this same spot.]

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

5. [10:10] Ms J N Vilakazi moved without notice: That the Council—

- (1) commends the IFP for having reached 25 years in politics; and

- (2) notes that 80 members defected from various political parties and joined the IFP during the Curries Fountain celebrations in Durban on Sunday, 4 June 2000.

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

6. [10:11] The Chief Whip of the Council moved: That the Council ratifies the decision the Joint Programme Subcommittee took on 8 June 2000 in accordance with Joint Rule 216(2), namely that the *Local Government: Cross-boundary Municipalities Bill*, 2000, be fast-tracked by, where necessary, shortening any period within which any step in the legislative process relating to the Bill must be completed, in order to make it possible for the Bill to be passed by both Houses of Parliament by 23 June 2000 (*see* Announcements, Tablings and Committee Reports, p 500).

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

7. FIRST ORDER [10:14]

Consideration of *National House of Traditional Leaders Amendment Bill* [B 15B—2000 (Reprint)] (National Assembly—sec 76) and of Report of Select Committee on Local Government and Administration thereon (Announcements, Tablings and Committee Reports, p 476)

Order disposed of without debate.

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

8. SECOND ORDER [10:15]

Consideration of *Remuneration of Public Office Bearers Second Amendment Bill* [B 23—2000] (National Assembly—sec 76) and of Report of Select Committee on Local Government and Administration thereon (Announcements, Tablings and Committee Reports, p 476).

Order disposed of without debate.

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

9. The Council discussed the following matter in accordance with Rule 74: National Disaster Management.

Debate concluded.

10. The Deputy Chairperson gave a ruling on a point of order raised by Mr A E van Niekerk on 6 June 2000.

11. BUSINESS SUSPENDED AT 11:47 AND RESUMED AT 14:04.

12. THIRD ORDER [14:05]

Review of the policy of the Minister for Provincial and Local Government, as embodied in Vote No 22—Provincial and Local Government, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Debate concluded.

13. FOURTH ORDER [16:27]

Review of the policy of the Minister of Health, as embodied in Vote No 13—Health, *Appropriation Bill* [B 7—2000] (National Assembly—sec 77).

Tuesday, 13 June 2000]

Debate concluded.

14. The Council adjourned at 19:21.

S G MFENYANA,
Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 13 JUNE 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

(1) The following papers are referred to the Portfolio Committee on Trade and Industry and to the Select Committee on Economic Affairs:

- (a) Report and Financial Statements of the Investment South Africa for 1998-99.
- (b) Report and Financial Statements of the National Gambling Board for 1998-99, including the Report of the Auditor-General on the Financial Statements for 1998-99.

(2) The Report of the Auditor-General on the Financial Statements of the National Gambling Board for 1998-99 contained in the Report of the National Gambling Board for 1998-99 is referred to the Standing Committee on Public Accounts for consideration and report:

Report and Financial Statements of the National Gambling Board for 1998-99, including the Report of the Auditor-General on the Financial Statements for 1998-99.

(3) The following papers are referred to the Portfolio Committee on Health and the Select Committee on Social Services:

- (a) Government Notice Number 341 published in the Government Gazette Number 21042 dated 7 April 2000, Correction notice regarding Government Notice No 149 of 11 February 2000 made in terms of Pharmacy Amendment Act, 2000 (Act No 1 of 2000).

- (b) Government Notice Number R.397 published in the Government Gazette Number 21100 dated 14 April 2000, Amendment of regulations, changing deadline for comment as published in the Government Notice R.137 of 18 February 2000, regarding the performance of community service by persons registering in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
 - (c) Government Notice Number R.427 published in the Government Gazette Number 21136 dated 5 May 2000, Amendment of regulations governing Microbiological Standards for mineral water made in terms of Foodstuff, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972).
 - (d) Government Notice Number R.428 published in the Government Gazette Number 21136 dated 5 May 2000, Amendment of regulations governing Microbiological Standards for edible ices and egg products made in terms of Foodstuff, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972).
 - (e) Government Notice Number R.450 published in the Government Gazette Number 21144 dated 5 May 2000, Regulations regarding the performance of community service by pharmacists made in terms of the Pharmacy Act, 1974 (Act No 53 of 1974).
 - (f) Government Notice Number R.498 published in the Government Gazette Number 21178 dated 19 May 2000, Amendment of regulations regarding the performance of community service by persons registering in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
 - (g) Government Notice Number R.497 published in the Government Gazette Number 21175 dated 19 May 2000, Date of commencement of community service by dentists made in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
 - (h) Government Notice Number R.499 published in the Government Gazette Number 21178 dated 19 May 2000, List of approved health facilities for the purpose of performing community service by dentists in the year 2000-2001 made in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
 - (i) Government Notice Number R.547 published in the Government Gazette Number 21237 dated 29 May 2000, Amendment to the list of approved health facilities for the purpose of performing community service by dentists in the year 2000-2001 made in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No 56 of 1974).
- (4) **The following papers are referred to the Portfolio Committee on Finance and the Select Committee on Finance for consideration and report:**
- (a) Supplementary Estimate of Expenditure to be defrayed from the National Revenue Fund during the Financial Year ending 31 March 2001 [RP 4—2000].

(b) Explanatory Memorandum to the Supplementary Estimate for 2000-2001.

- (5) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Arts, Culture, Science and Technology and to the Select Committee on Education and Recreation for information:

Explanatory Memorandum of Vote 4 "Arts, Culture, Science and Technology", Supplementary Estimate 2000-2001.

- (6) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Education and to the Select Committee on Education and Recreation for information:

Explanatory Memorandum of Vote 8 "Education", Supplementary Estimate 2000-2001.

- (7) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Health and to the Select Committee on Social Services for information:

Explanatory Memorandum of Vote 13 "Health", Supplementary Estimate 2000-2001.

- (8) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Labour and to the Select Committee on Labour and Public Enterprises for information:

Explanatory Memorandum of Vote 19 "Labour", Supplementary Estimate 2000-2001.

- (9) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Provincial and Local Government and to the Select Committee on Local Government and Administration for information:

Explanatory Memorandum on Vote 22 "Provincial and Local Government", Supplementary Estimate 2000-2001.

- (10) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Water Affairs and Forestry and to the Select Committee on Land and Environmental Affairs for information:

Explanatory Memorandum on Vote 34 "Water Affairs and Forestry", Supplementary Estimate 2000-2001.

- (11) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio

Committee on Welfare and Population Development and to the Select Committee on Social Services Affairs for information:

Explanatory Memorandum on Vote 35—"Welfare", Supplementary Estimate for 2000-2001.

- (12) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Environmental Affairs and Tourism and to the Select Committee on Land and Environmental Affairs for information:

Explanatory Memorandum on Vote 9—"Environmental Affairs and Tourism", Supplementary Estimate for 2000-2001.

- (13) The following paper is referred to the Portfolio Committee on Finance and to the Select Committee on Finance for consideration and report. It is also referred to the Portfolio Committee on Agriculture and Land Affairs and to the Select Committee on Land and Environmental Affairs for information:

Explanatory Memorandum on Vote 3—"Agriculture", Supplementary Estimate for 2000-2001.

- (14) The following paper is referred to the Portfolio Committee on Housing and the Select Committee on Public Services:

Government Notice Number R.437 published in the Government Gazette Number 21136 dated 5 May 2000, Dissolution of the Pretoria Region Rent Board and extension of the area of jurisdiction of the Southern and Western Region Rent Board to include the Pretoria area, made in terms of sections 2(1) and 2(2) of the Rent Control Act, 1976 (Act No 80 of 1976).

- (15) The following paper is referred to the Portfolio Committee on Provincial and Local Government and the Select Committee on Local Government and Administration:

Report of the Department of Provincial and Local Government for 1999.

- (16) The following paper is referred to the Portfolio Committee on Justice and Constitutional Development and the Select Committee on Security and Constitutional Affairs:

Report of the National Prosecuting Authority for 1998-99 [RP 99—2000].

- (17) The following papers are referred to the Portfolio Committee on Finance and the Portfolio Committee on Transport and to the Select Committee on Finance and the Select Committee on Public Services:

Report of the Executive Officer of the Financial Services Board on the Road Accident Fund for 1998-99.

TABLINGS:

National Assembly and National Council of Provinces:

Papers:

1. The Minister for Justice and Constitutional Development:

- (1) Regulation Number R.14 published in the Government Gazette Number 20997 dated 24 March 2000, Establishment of Investigating Directorate: Corruption, made in terms of the National Prosecuting Authority Act, 1998 (Act No 32 of 1998).
- (2) Regulation Number R.16 published in the Government Gazette Number 21039 dated 31 March 2000, Commencement of certain sections of the Witness Protection Act, 1998 (Act No 112 of 1998).]

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Education on the *South African Council for Educators Bill* [B 26B—2000] (National Council of Provinces—sec 76), dated 12 June 2000:

The Portfolio Committee on Education, having considered the subject of the *South African Council for Educators Bill* [B 26B—2000] (National Council of Provinces—sec 76), referred to it and classified by the Joint Tagging Mechanism as a section 76 Bill, reports the Bill with amendments [B 26C—2000].

2. Report of the Portfolio Committee on Home Affairs on the *Identification Amendment Bill* [B 33—2000] (National Assembly—sec 75), dated 12 June 2000:

The Portfolio Committee on Home Affairs, having considered the subject of the *Identification Amendment Bill* [B 33—2000] (National Assembly—sec 75), referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, reports the Bill without amendment.

3. Report of the Portfolio Committee on Finance on the *Supplementary Estimate* [B 7A—2000] (National Assembly—sec 77), dated 9 June 2000:

The Portfolio Committee on Finance, having considered and examined the *Supplementary Estimate* [B 7A—2000] (National Assembly—sec 77), reports that it has concluded its deliberations thereon.

4. Report of the Portfolio Committee on Public Service and Administration on *Provincial Visits*, dated 23 May 2000:

The Portfolio Committee on Public Service and Administration, having sent delegations to six provinces in March 2000, reports as follows:

A. *Rationale for visits*

In terms of section 197(1) of the Constitution, the Public Service must function, and be structured, in terms of national legislation. In terms of the Public Service Act, 1994, the Public Service is made up of national departments, provincial administrations, provincial departments and organisational components.

In terms of the Act, the Minister for the Public Service and Administration is responsible for determining policy for the

- (d) Programme for attaining goals and targets, with costing, to be described.
- (e) Functions to be contracted out and abolished, to be described.
- (2) *Organisational structure and post establishment*
A detailed organogramme, with an indication of the number of posts for each component and decentralised office, and a description of the activities of each unit.
- (3) *Service Delivery Improvement Plan*
 - (a) As specified in the Public Service Regulations.
 - (b) Publication of Annual Statement of Public Service Commitment.
- (4) *Human Resources Plan*
 - (a) Available resources assessed in accordance with the Public Service Regulations.
 - (b) Needs specified.
 - (c) Shortages/deficiencies/oversupply of staff and skills defined.

In terms of the Integrated Implementation Programme, the Department took an active role in assisting national and provincial departments to develop their management plans. Three Department teams gave focused, hands-on assistance to three provinces (the Eastern Cape, KwaZulu-Natal and the Northern Province), and another Department team assisted the remaining provinces and national departments in developing their plans.

Not all national and provincial departments had completed their management plans by 1 December 1999, and the deadline was extended to 31 March 2000. Information from the management plans and other sources was nonetheless utilised in the drafting of the Department's Personnel Expenditure Review and the draft remuneration policy, which were considered by the Cabinet in February 2000.

2. *Following through on Integrated Implementation Programme assistance*

Following on from the Integrated Implementation Programme was the Interprovincial Support Programme, a partnership between the Department and (initially) three provinces, supported by donor funding from various international donors (with a contribution of R30 million over three years from the UK Department for International Development). Additional provinces have joined the initial partners, and the budget for the three-year programme has expanded, with the assistance of other donors, to R50 million.

A central thrust of the Interprovincial Support Programme was to create a learning network for the sharing of best practices, to be co-ordinated by the Department. Other elements of the programme include funding for technical expertise to assist in the implementation of policies and programmes, including, *inter alia*, performance management systems, Batho Pele, financial management systems and anti-corruption measures.

3. *Batho Pele (service delivery policy)*

The White Paper on the Transformation of Public Service Delivery, subtitled "Batho Pele" (a Sotho adage meaning "People First"), was approved by the Committee in September 1997 and promulgated by the Minister in October of that year. The policy required a radical change in the way departments were required to approach service delivery, an approach that incorporated concepts and processes previously unknown in the Public Service.

The implementation of the policy by departments has been "variable". The Department of Home Affairs, as one of the pilot departments, was the first to launch its service standards in terms of this policy in June 1998. Several departments, including provincial departments and provinces as a whole, have since launched their service standards.

4. *Alternative service delivery mechanisms*

The Department has undertaken to develop an overarching policy framework for alternative service delivery mechanisms. Pressure on personnel costs has already led many departments towards establishing such mechanisms, including outsourcing and public-private partnerships.

C. *Specific objectives of visits*

1. *Management plans*

To be exposed to the practical working of the management plans in provinces in a concrete, focused way. The Committee adopted a sectoral approach, as follows:

Provincial Department.

Output under review.

Economic sector department (specifically finance portfolio).

Strategic plan.

Central co-ordinating department (Office of the Premier/Director-General).

Organisational structure.

Social delivery department (specifically health portfolio).

Service delivery improvement plan.

Infrastructure department (specifically public works portfolio).

Human resource plan.

2. *Interprovincial Support Programme*

To learn to what extent and with what success the follow-up programme to the Integrated Implementation Programme

has been implemented in the provinces that have joined the programme.

3. *Site visits—Batho Pele*

To visit delivery sites in the provinces, and would like to focus on those initiatives that reflect the implementation of the Batho Pele policy in the province (such as “one-stop shops”, welfare paypoints and clinics).

4. *Case studies—alternative service delivery*

To be exposed to the ways in which such strategies have been employed by provinces thus far, and with what success, by means of cases studies or site visits.

D. *Logistical arrangements*

The Committee selected the three provinces that were participants in the Interprovincial Support Programme (the Eastern Cape, KwaZulu-Natal and the Northern Province) and three provinces that were considering becoming participants in the IPSP (the Northern Cape, the Free State and Mpumalanga) for the visits.

Three delegations, encompassing all full members of the Committee who were available, visited two provinces each, as follows:

Eastern Cape and KwaZulu-Natal: Mr J Sitole (leader), Mr R Sikakane, Mr B Mkhize, Mr B Mthembu, Mr A van Jaarsveld, Adv Z Madasa and Ms Z Mene (Committee Secretary).

Northern Province and Northern Cape: Mr R Baloyi, Ms C September, Mr P Mbongo, Mr P de Vos and Mr A Mamabolo (Committee Secretary).

Free State and Mpumalanga: Mr N Nhleko (leader), Mr L Modisenyane, Mr M Kgwele, Ms L Maloney, Mr M Da Camara, Mr Isaac Mfundisi and Mr R Shaw (secretariat).

The delegations visited their provinces during the week of 27 to 31 March 2000. The programmes for the delegations were drafted by the directors-general of the provinces in accordance with the requests made by the Committee regarding its objectives. In most cases, the Premiers of the provinces approved the programmes, and in some cases it was discussed in the province's Executive Council meetings.

The Committee utilised funds from its Department of International Development project funds, which allowed for three full delegations to be sent and therefore for all interested members of the Committee to have the opportunity to be exposed to provincial government management and service delivery issues.

E. *Key findings*

1. The level of compliance with the national requirement regarding management plans appeared to be satisfactory. In one province, the delegation was presented with a full set of

every department's plans as a demonstration of full compliance.

2. The Offices of the Premier in various provinces have almost all undergone restructuring and upgrading recently, and the establishment of some are quite considerable (350 posts). These structures should above all be giving effect to the co-ordinating role of the Premier in terms sec 125(2)(e) of the Constitution and of the Director-General in terms of sec 7(3)(c)(ii) of the Public Service Act, 1994.
3. The finance departments' strategic plans revealed concerns in almost all provinces regarding their ability to raise their own revenue, and a suggestion that opportunities in this regard should be extended. It was further argued that individual departments that raise revenue should be entitled to retain all or a percentage of those revenues.
4. A related issue which emerged in meetings with finance departments and heads of department in one province in particular, was the restriction placed on the borrowing powers of provinces in respect of capital projects. The Committee is not convinced that the requirements of the Loans Co-ordinating Committee are unreasonable, however, especially in view of the high interest rates payable on such borrowing. Where this restriction impacts on public/private partnerships, the public sector should seek to bring some other asset (other than capital for infrastructure development) to the table: Ideally, this would be the contribution of the private sector partner.
5. Many provinces' public works departments exemplify the current Public Service dilemma regarding an overabundance of unskilled staff (at levels 1 to 6, concentrated at levels 1 and 2). Productive work cannot always be found for these workers, and a subsidised transition to a new form of employment as a member of an employee-owned company or a public/private partnership or another form of alternative service delivery would be desirable from the point of view of the government, which can no longer afford such high proportions of personnel expenditure relative to capital expenditure. However, these State workers are paid at a rate that is often 50% higher than their private sector counterparts, making such a transition less easy to negotiate. Where successful transitions have been made, the unions have been involved every step of the way, and very often five-year transitional periods with guarantees have been instituted.
6. The Committee believes that private sector involvement is highly beneficial in projects of a certain nature. The

operation by the government of vehicle fleets for one purpose or another has in many instances proved wasteful, and even a breeding ground for corruption. Systems of leasing or outsourcing, where a private sector partner has a profit-related incentive to ensure that fraud and corruption are minimised and that costs are contained as far as possible, lead to savings for the government, and should be applied.

7. Public works departments also appear to be the locus of an even older problem, namely the failure to integrate the employees of the former homelands with the rest of the provincial workforce. In such cases, under-employed workers are often not so much determined by sector as by geographical location. The problems in dealing with this problem include the lack of a retrenchment tool to serve as a means of forcing employees to choose between redeployment and termination of services. The relatively high cost of living in the urban centres lends a degree of support to claims that redeployment to the bigger cities should take place on favourable terms (i.e. involve a promotion). Primarily, however, the government must have the option, and a retrenchment tool is indispensable.
8. Infrastructure backlogs, particularly backlogs in the maintenance of roads, have reached crisis proportions in many provinces. There is an urgent need to spend more money on construction and maintenance of roads. The obstacles preventing provinces from establishing their provincial roads agencies should be removed.
9. In those provinces where retrenchment and the need for retrenchment tool were discussed, the need for a social plan was also raised. In the poorer provinces, State employment is the sole source of income for many individuals, families and extended families. Retrenchments are likely to exacerbate the problem of poverty in those areas. A social plan, including financial counselling and reskilling, is essential.
10. While there is an oversupply of workers at lower levels, provinces across the board are finding it difficult to attract and retain managers and professionals in Public Service departments. Health professionals and technical professionals are scarce and many vacancies exist for these posts in provincial departments. A strategy is required to provide incentives that provinces may offer to such workers, particularly incentives for working in outlying areas, as opposed to working in the main centres.
11. The Integrated Implementation Programme greatly assisted the provinces in complying (particularly the substantial assistance provided to the Eastern Cape, KwaZulu-Natal and the Northern Province). Compliance is still not 100%. The implementation of the follow-up programme, the

Interprovincial Support Programme, appears to have been subject to certain delays. It is essential that any obstacle to implementation of the Interprovincial Support Programme be removed.

12. Managers who have responsibilities that extend to rural areas or small towns, should be visiting them on a regular basis and interacting with staff there. Greater interaction and co-ordination between departments at small town and rural level could result in the integration of some services, leading to greater efficiency and improvement in the quality of service offered in those areas.
13. The Committee believes that one-stop shops are an exciting development and that they should be replicated where the conditions are appropriate, usually where Public Service offices have large geographical jurisdictions. It is important to develop one-stop shops in close co-operation with the community that uses the facility, and interdepartmental co-operation is indispensable.
14. Another sound practice in provinces with large geographical expanses under their jurisdiction is the "Cabinet Meets the People" programme, in terms of which the Provincial Executive travels to a town or city in the province every second week to hold meetings with the communities. This is a laudable practice, and all strategies aimed at bringing the government closer to the people are in keeping with the letter and spirit of the Constitution.
15. One of the provinces visited, was a full participant with the State Information Technology Agency (SITA), which was established in 1998 to consolidate the State's IT interests. SITA was established to promote savings through bulk-buying and rationalisation of licencing agreements, and to ensure the inter-operability of State IT systems. Wastage has occurred in those government departments who have been relying on outside consultants, owing to their own lack of expertise, and co-ordination has been poor. Those provinces that have not approached Sita, should do so to investigate participation.
16. HIV/Aids was of serious concern in the provinces visited. The treatment of HIV/Aids is placing a strain on the resources of provinces, in particular on the health and welfare budgets. National strategies and campaigns focusing on prevention are required to support provinces' efforts to treat and care for victims of the disease.
17. Departments in those provinces that were affected by the floods in March, expressed dissatisfaction with the level of assistance they received from the government.

F. Recommendations

1. That the Department negotiate a retrenchment tool and social plan to assist provincial departments to address the problem of lower-level staff in excess of operational requirements.
2. That the Department develop initiatives relating to the recruitment and retention of managers and professionals in the provinces, including the introduction of appropriate incentives for skilled personnel to take up posts outside the main centres, and report thereon to the Committee during the third quarter of 2000;
3. That the Department provide a broad overarching policy framework for alternative service delivery, and in addition provide practical hands-on advice and assistance, where feasible, regarding the adoption of alternative service delivery mechanisms by departments and good practices regarding the implementation of such mechanisms.
4. That the Department, in consultation with the Public Service Commission, if necessary, ascertain the whereabouts of certain disciplinary appeal cases, submitted by the KwaZulu-Natal Department of Public Works in September, October and November 1999, ensure that the proper directions and/or relief are given in these matter, and report to the Committee thereon by 31 July.
5. That the Department, through the Steering Committee of the Interprovincial Support Programme ensure the following:
 - (1) That all obstacles to the implementation of the Interprovincial Support Programme are removed as soon as possible, and that the participation of additional provinces is fast-tracked.
 - (2) That the learning network of the Interprovincial Support Programme convene meetings to share information and good practices regarding—
 - (a) the elimination of ghostworkers from the system (other related meetings may focus on ghost pensioners, and the clean-up of the Persal system, in general);
 - (b) the integration of services, specifically the one-stop shop concept (as pioneered in the Northern Cape); and
 - (c) alternative service delivery in the infrastructure and “agriculture and allied” sectors.
 - (3) That the national and provincial co-ordinators of the Interprovincial Support Programme report to the Committee on progress made in respect of the

implementation of the programme, including the establishment of the learning network, by 31 July 2000.

6. That the national Department of Health provide technical assistance and support to the Eastern Cape Department of Health regarding the most effective utilisation of its budget in addressing the increase in the incidence of HIV/Aids in the province.
7. That the Free State Department of Social Welfare table the details of its award-winning welfare pay-out system (and the re-registration procedure that precedes it, now that it is fully implemented in the province, at the Welfare Minmec, and obtain leave to present such details to facilitate a discussion on the relative efficacy of the systems and procedures utilised in the various provinces in the delivery of welfare payments, with a view to sharing knowledge and good practices, within a reasonable period).
8. That the Free State Department of Education table the details of the book-packing project (which provides temporary employment packing books for distribution to schools) at the Education Minmec, and obtain leave to present such details, to facilitate a discussion on the replication of the project in other provinces, in the interests of the promotion of employment in the country, within a reasonable period.
9. That the KwaZulu-Natal Department of Health review the rental of R15 000, paid by the Dabeka Health Centre for the Botha's Hill Clinic, and report to the Committee on the matter by 31 July.
10. That the Eastern Cape Department of Health investigate and rectify inadequate provision of basic equipment and services at the Ndevana Health Centre and the training of its staff to manage budgetary matters, and report to the Committee on the matter by 31 July.
11. That the KwaZulu-Natal Department of Public Works give urgent attention to the renovation of the place of safety in the province visited by the Committee delegation, and report to the Committee on the matter by 31 July.
12. That the KwaZulu-Natal Department of Social Welfare table details of its Siyavuselela Project with the Welfare Minmec, and obtain leave to present such details in order to facilitate a discussion on the good practices which emerged from that project, with a view to sharing knowledge and good practices, within a reasonable period.
13. That Mpumalanga provincial departments, in particular the Department of Public Works, Roads and Transport, prioritise the integration, by redeployment or other means,

- of workers located in former homeland areas, as a matter of urgency.
14. That the Mpumalanga Department of Finance meet with Mpumalanga's revenue-collecting departments to draw up a plan of action, aiming to maximise and optimise revenue collection in the areas where it is currently permitted, and report to the Committee on the matter, by 31 July.
 15. That the Finance Departments of all provincial administrations table proposals at the Finance Minmec regarding—
 - (1) the extension of revenue collection powers for provinces; and
 - (2) the creation of a mechanism that would allow for the retention by a department in certain instances of savings or funds accruing to that department, and obtain leave to present such proposals at the Finance Minmec, to facilitate a multilateral discussion on this matter, within a reasonable period.
 16. That the Mpumalanga Department of Health report to the Committee regarding the state of repair of the X-ray equipment at Rob Ferreira hospital, and on which department/s are responsible for such equipment's repair, by 31 July.
 17. That the Office of the Eastern Cape Premier investigate whether the Eastern Cape Department of Welfare is provided with adequate infrastructural arrangements to carry out its duties effectively and efficiently, and report to the Committee by 31 July on the progress the government has made in furnishing suitable accommodation to that department.
 18. That the Northern Province Departments of Local Government and Housing and of Education give serious consideration to the introduction of a vehicle leasing and maintenance scheme, with private sector involvement, if appropriate, that will avoid the high incidence of misuse of vehicles, which has been highlighted as a result of the successful anti-fraud and anti-corruption campaign in the province.
 19. That the Northern Cape Department of Transport, Roads and Public Works table details of its affirmative procurement plan at the Public Works Minmec, and obtain leave to present such details in order to facilitate a discussion on the replication of the project in other provinces, in the interests of the promotion of SMMEs, within a reasonable period.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

WEDNESDAY, 14 JUNE 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:
 - (1) The Joint Tagging Mechanism (JTM) on 14 June 2000 in terms of Joint Rule 160(3), classified the following Bill as a money Bill:
 - (i) *Taxation Laws Amendment Bill* [B 38—2000] (National Assembly—sec 75)—(Portfolio Committee on Finance—National Assembly).

National Assembly:

The Speaker:

1. The following changes have been made to the membership of Committees, viz:

Communications:

Appointed: Maziya, A M (Alt).
Discharged: Mohai, S J.

Correctional Services:

Appointed: Maziya, A M.
Discharged: Ntuli, S B.

Housing:

Appointed: Douglas, B M; Slabbert, J H (Alt).

Improvement of Quality of Life and Status of Women:

Appointed: Mbuyazi, L R; Ngubane, H (Alt).
Discharged: Vos, S C.

Public Enterprises:

Appointed: Ntshangase, I B (Alt); Martins, B A D (Alt).

Public Service and Administration:

Appointed: Zulu, N E.

Public Works:

Appointed: Middleton, N S (Alt).

Discharged: Slabbert, J H.

Sport and Recreation:

Appointed: Moonsamy, K (Alt).

TABLINGS:**National Assembly and National Council of Provinces:****Papers:**

1. The Minister of Finance:

Explanatory Memorandum on the Taxation Laws Amendment Bill, 2000 [WP 1—2000].

COMMITTEE REPORTS:**National Assembly:**

1. Report of the Portfolio Committee on Health on the *SADC Health Protocol*, dated 14 June 2000:

The Portfolio Committee on Health, having considered the request for approval by Parliament of the *Protocol on Health in the Southern African Development Community*, referred to it, recommends that the House, in terms of section 231(2) of the Constitution, approve the said Protocol.

Report to be considered.

2. Report of the Portfolio Committee on Agriculture and Land Affairs on the *Meat Safety Bill* [B 29—2000] (National Assembly—sec 76), dated 7 June 2000:

The Portfolio Committee on Agriculture and Land Affairs, having considered the subject of the *Meat Safety Bill* [B 29—2000] (National Assembly—sec 76), referred to it and classified by the Joint Tagging Mechanism as a section 76 Bill, reports the Bill with amendments [B 29A—2000].

3. Report of the Portfolio Committee on Home Affairs on the *Local Government: Municipal Electoral Bill* [B 35—2000] (National Assembly—sec 75), dated 12 June 2000:

The Portfolio Committee on Home Affairs, having considered the subject of the *Local Government: Municipal Electoral Bill* [B 35—2000] (National Assembly—sec 75), referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, reports the Bill with amendments [B 35A—2000].

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

WEDNESDAY, 14 JUNE 2000

1. The House met at 11:01.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. The Deputy Chief Whip of the Majority Party moved: That, notwithstanding Rule 81, the time for a declaration of vote today shall not exceed two minutes.

Agreed to.

4. [11:02] The House, at the request of the Minister in The Presidency, discussed the following subject: Commemoration of 16 June 1976.

Debate concluded.

BUSINESS SUSPENDED AT 12:38 AND RESUMED AT 14:07.

5. FIRST ORDER [14:07]

Introduction—*Taxation Laws Amendment Bill* [B 38—2000] (National Assembly—sec 77).

The Minister of Finance delivered his introductory speech.

Bill, together with the introductory speech, referred to the Portfolio Committee on Finance for consideration and report.

6. SECOND ORDER [14:17]

Debate on Supplementary Estimate—*Appropriation Bill* [B 7A—2000] (National Assembly—sec 77).

Debate concluded.

7. THIRD ORDER [15:37]

Decision of Question on Votes and Schedule—*Appropriation Bill* [B 7 and 7A—2000] (National Assembly—sec 77).

Vote No 1—Presidency, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, United Democratic Movement, African

Christian Democratic Party, United Christian Democratic Party, Freedom Front, Minority Front, Azapo and African National Congress.

Division demanded.

The House divided:

AYES—277: Abrahams, T; Abram, S; Arendse, J D; Asmal, A K; Bakker, D M; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Beukman, F; Bhengu, F; Bhengu, N R; Biyela, B P; Blaas, A; Bloem, D V; Bogopane, H I; Booie, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Camerer, S M; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Dowry, J J; Du Toit, D C; Durand, J; Erwin, A; Fankomo, F C; Feinstein, A J; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Gaum, A H; Geldenhuys, B L; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Green, L M; Greyling, C H F; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kekana, N N; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lekota, M G P; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Magashule, E S; Magubane, N E; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathshwa, S; Mkhize, B R; Mlangeni, A; Mnandi, P N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembi-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mufamadi, F S; Mulder, C P; Mulder, P W A; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A H; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Nhlanhla, J M; Nhleko, N P; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, L P M; Olckers, M E; Olifant, D A A; Oliphant, G G; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Pieterse, R D; Pretorius, I J; Rabie, P J; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Schoeman, R S; Scott, M I; Seaton, S A; Sekgobela, P S; September, R K; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Simmons, S; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smit, H A; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Soty, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I;

Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van Deventer, F J; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Viljoen, C L; Woods, G; Xingwana, L M T; Zita, L; Zondi, K M; Zondo, R P; Zulu, N E; Zuma, J G.

NOES—34: Andrew, K M; Aucamp, C; Bell, B G; Borman, G M; Botha, A J; Bruce, N S; Clelland, N J; Cupido, P W; Da Camara, M L; Davidson, I O; Delpont, J T; Eglin, C W; Ellis, M J; Gibson, D H M; Gore, V C; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Leon, A J; Moorcroft, E K; Ntuli, R S; Opperman, S E; Pillay, S; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Singh, A; Smuts, M; Swart, P S; Taljaard, R; Waters, M.

Vote accordingly agreed to.

Vote No 2—Parliament, agreed to.

Vote No 3—Agriculture, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, Azapo and African National Congress.

Vote agreed to.

Vote No 4—Arts, Culture, Science and Technology, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, Azapo and African National Congress.

Vote agreed to (Democratic Party, New National Party and Afrikaner Eenheidsbeweging dissenting).

Vote No 5—Communications, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, United Democratic Movement, African Christian Democratic Party, Freedom Front and African National Congress.

Division demanded.

The House divided:

AYES—270: Abrahams, T; Abram, S; Arendse, J D; Asmal, A K; Bakker, D M; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Beukman, F; Bhengu, F; Bhengu, N R; Blaas, A; Bloem, D V; Bogopane, H I; Booi, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Camerer, S M; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Dowry, J J; Duma, N M; Du Toit, D C; Durand, J; Erwin, A; Fankomo, F C; Feinstein, A J; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Gaum, A H; Geldenhuys, B L; George, M E; Gerber, P-J A; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Greyling, C H F; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hangana, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Magashule, E S; Magubane, N E; Magwanishe, G; Mahlangu, G L; Mahlangu, M J; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwella, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala,

M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Masithela, N H; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Mkhathshwa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mshudulu, S A; Msomi, M D; Mthembi-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mufamadi, F S; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncinane, I Z; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A H; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olckers, M E; Olifant, D A A; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Pieterse, R D; Pretorius, I J; Rabie, P J; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Schoeman, R S; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Simmons, S; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smit, H A; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyru, M M; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van Deventer, F J; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Woods, G; Xingwana, L M T; Zita, L; Zondo, R P; Zulu, N E.

NOES—41: Andrew, K M; Aucamp, C; Bell, B G; Borman, G M; Botha, A J; Bruce, N S; Clelland, N J; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Eglin, C W; Ellis, M J; Gibson, D H M; Gore, V C; Green, L M; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Madasa, Z L; Mayatula, S M; Moorcroft, E K; Mulder, C P; Mulder, P W A; Ntuli, R S; Opperman, S E; Pillay, S; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Singh, A; Smuts, M; Southgate, R M; Swart, P S; Swart, S N; Taljaard, R; Viljoen, C L; Waters, M.

Vote accordingly agreed to.

Vote No 6—Correctional Services, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party, Pan Africanist Congress of Azania and African National Congress.

Division demanded.

The House divided:

AYES—281: Abrahams, T; Abram, S; Ainslie, A R; Arendse, J D; Asmal, A K; Bakker, D M; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Belot, S T; Beukman, F; Bhengu, F; Bhengu, N R; Blaas, A; Bloem, D V; Bogopane, H I; Booi, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Camerer, S M; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T;

Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Dowry, J J; Du Toit, D C; Duma, N M; Durand, J; Erwin, A; Fankomo, F C; Feinstein, A J; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Gaum, A H; Geldenhuys, B L; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Green, L M; Greyling, C H F; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangan, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Joemat, R R; Jordan, Z P; Kannemeyer, B W; Kasiennyane, O R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Magashule, E S; Mahlalela, C C; Mahlangu, G L; Mahlangu, M J; Mahomed, F; Maimane, D S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathshwa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembi-Mahanyele, S D; Mthembu, B; Mtsweni, N S; Mufamadi, F S; Mulder, C P; Mulder, P W A; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncinane, I Z; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A H; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olckers, M E; Olifant, D A A; Oliphant, G G; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Pretorius, I J; Rabie, P J; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; September, C C; September, R K; Serote, M W; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Simmons, S; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smit, H A; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Soty, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van Deventer, F J; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Viljoen, C L; Woods, G; Xingwana, L M T; Zita, L; Zondo, R P; Zulu, N E.

NOES—33: Andrew, K M; Aucamp, C; Bell, B G; Borman, G M; Botha, A J; Bruce, N S; Clelland, N J; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Eglin, C W; Ellis, M J; Gibson, D H M; Gore, V C; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Ntuli, R S; Opperman, S E; Pillay, S; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Singh, A; Smuts, M; Swart, P S; Taljaard, R; Waters, M.

Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Woods, G; Xingwana, L M T; Zita, L; Zondi, K M; Zondo, R P; Zulu, N E.

NOES—52: Andrew, K M; Aucamp, C; Bakker, D M; Bell, B G; Beukman, F; Blaas, A; Borman, G M; Botha, A J; Bruce, N S; Camerer, S M; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Dowry, J J; Durand, J; Eglin, C W; Ellis, M J; Gaum, A H; Geldenhuys, B L; Gore, V C; Gous, S J; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Morkel, C M; Mulder, C P; Mulder, P W A; Nel, A H; Ntuli, R S; Olckers, M E; Opperman, S E; Pillay, S; Pretorius, I J; Rabie, P J; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Simmons, S; Singh, A; Smit, H A; Smuts, M; Swart, P S; Taljaard, R; Van der Merwe, A S; Van Deventer, F J; Viljoen, C L; Waters, M.

Vote accordingly agreed to.

Vote No 9—Environmental Affairs and Tourism, agreed to.

Vote No 10—Finance, agreed to.

Vote No 11—Foreign Affairs, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, United Democratic Movement, African Christian Democratic Party and African National Congress.

Vote agreed to.

Vote No 12—Government Communication and Information System, agreed to.

Vote No 13—Health, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party, Freedom Front, Pan Africanist Congress of Azania and African National Congress.

Division demanded.

The House divided:

AYES—271: Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Bakker, D M; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Beukman, F; Bhengu, F; Bhengu, N R; Biyela, B P; Blaas, A; Bloem, D V; Bogopane, H I; Booie, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Du Toit, D C; Duma, N M; Durand, J; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Gandhi, E; Geldenhuys, B L; George, M E; Gerber, P-J A; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J;

Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabudafhasi, T R; Magashule, E S; Magubane, N E; Mahlangu, G L; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mgidi, J S; Middleton, N S; Mkhathwa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembu-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mufamadi, F S; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A H; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olekers, M E; Olifant, D A A; Oliphant, G G; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Pretorius, I J; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesica, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Schoeman, R S; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Simmons, S; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smit, H A; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van Deventer, F J; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Woods, G; Zita, L; Zondi, K M; Zondo, R P; Zulu, N E; Zuma, J G.

NOES—42: Andrew, K M; Aucamp, C; Bell, B G; Borman, G M; Botha, A J; Bruce, N S; Cupido, P W; Da Camara, M L; Davidson, I O; De Lille, P; Delpont, J T; Eglin, C W; Ellis, M J; Gibson, D H M; Gore, V C; Green, L M; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Mabeta, M E; Madasa, Z L; Moorcroft, E K; Mulder, C P; Mulder, P W A; Ntuli, R S; Opperman, S E; Pillay, S; Rabie, P J; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Singh, A; Smuts, M; Southgate, R M; Swart, P S; Swart, S N; Taljaard, R; Viljoen, C L; Waters, M.

Vote accordingly agreed to.

Vote No 14—Home Affairs, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, United Democratic Movement and African National Congress.

Vote agreed to (Democratic Party, New National Party and United Democratic Movement dissenting).

Vote No 15—Housing, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party and African National Congress.

Division demanded.

The House divided:

AYES—264: Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Bhengu, F; Bhengu, N R; Biyela, B P; Bloem, D V; Bogopane, H I; Booii, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Du Toit, D C; Duma, N M; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; George, M E; Gerber, P-J A; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Green, L M; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hangana, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabudafhasi, T R; Madasa, Z L; Mahlalela, C C; Mahlangu, G L; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathswa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mshudulu, S A; Msomi, M D; Mthembi-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mufamadi, F S; Mulder, C P; Mulder, P W A; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olifant, D A A; Oliphant, G G; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Radebe, B A; Rajbally, S; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Serote, M W; Shabangu, S; Shilubana, T P; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, J F;

Van Wyk, N; Verwoerd, M; Vilakazi, B H; Viljoen, C L; Woods, G; Xingwana, L M T; Zita, L; Zondo, R P; Zulu, N E; Zuma, J G.

NOES—47: Andrew, K M; Bakker, D M; Bell, B G; Beukman, F; Blaas, A; Borman, G M; Botha, A J; Bruce, N S; Camerer, S M; Clelland, N J; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Durand, J; Eglin, C W; Ellis, M J; Geldenhuys, B L; Gibson, D H M; Gore, V C; Gous, S J; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Mabeta, M E; Moorcroft, E K; Nel, A H; Ntuli, R S; Olckers, M E; Opperman, S E; Pillay, S; Pretorius, I J; Rabie, P J; Schmidt, H C; Schoeman, R S; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Simmons, S; Singh, A; Swart, P S; Taljaard, R; Van der Merwe, A S; Van Deventer, F J; Waters, M.

Vote accordingly agreed to.

Vote No 17—Independent Complaints Directorate, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party and African National Congress.

Vote agreed to.

Vote No 18—Justice and Constitutional Development, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party, Freedom Front, Afrikaner Eenheidsbeweging and African National Congress.

Division demanded.

The House divided:

AYES—276: Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Bakker, D M; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Beukman, F; Bhengu, F; Bhengu, N R; Biyela, B P; Blaas, A; Bloem, D V; Bogopane, H I; Booie, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Camerer, S M; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Cronin, J P; Davies, R H; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Du Toit, D C; Duma, N M; Durand, J; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Gaum, A H; Geldenhuys, B L; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Green, L M; Greyling, C H F; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Magubane, N E; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathshwa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J;

Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembi-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mufamadi, F S; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A H; Nene, N M; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olckers, M E; Olifant, D A A; Oliphant, G G; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Pretorius, I J; Radebe, B A; Radebe, J T; Rajbally, S; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Serote, M W; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Simmons, S; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Soty, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van Deventer, F J; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Woods, G; Xingwana, L M T; Zita, L; Zondo, R P; Zulu, N E; Zuma, J G.

NOES—37: Andrew, K M; Aucamp, C; Bell, B G; Borman, G M; Botha, A J; Bruce, N S; Clelland, N J; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Eglin, C W; Ellis, M J; Gibson, D H M; Gore, V C; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Mulder, C P; Mulder, P W A; Ntuli, R S; Opperman, S E; Pillay, S; Rabie, P J; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Singh, A; Smuts, M; Swart, P S; Taljaard, R; Viljoen, C L; Waters, M.

Vote accordingly agreed to.

Vote No 19—Labour, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party, Freedom Front and African National Congress.

Division demanded.

The House divided:

AYES—258: Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Bhengu, F; Bhengu, N R; Biyela, B P; Bloem, D V; Bogopane, H I; Booi, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Du Toit, D C; Duma, N M; Erwin, A; Fankomo, F C; Feinstein, A J; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Green, L M; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N;

Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Mkhathswa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mndende, O N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morobi, D M; Moropa, R M; Morwamoche, K W; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembu-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mufamadi, F S; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olifant, D A A; Oliphant, G G; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Radebe, B A; Radebe, J T; Rajbally, S; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Serote, M W; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Soty, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Woods, G; Xingwana, L M T; Zita, L; Zondo, R P; Zulu, N E; Zuma, J G.

NOES—55: Andrew, K M; Aucamp, C; Bakker, D M; Bell, B G; Beukman, F; Blaas, A; Borman, G M; Botha, A J; Bruce, N S; Camerer, S M; Clelland, N J; Cupido, P W; Da Camara, M L; Davidson, I O; Delpont, J T; Dowry, J J; Durand, J; Eglin, C W; Ellis, M J; Gaum, A H; Geldenhuys, B L; Gibson, D H M; Gore, V C; Gous, S J; Greyling, C H F; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Morkel, C M; Mulder, C P; Mulder, P W A; Nel, A H; Ntuli, R S; Olckers, M E; Opperman, S E; Pillay, S; Pretorius, I J; Rabie, P J; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Simmons, S; Singh, A; Smit, H A; Smuts, M; Swart, P S; Taljaard, R; Van der Merwe, A S; Van Deventer, F J; Viljoen, C L; Waters, M.

Vote accordingly agreed to.

Vote No 20—Land Affairs, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party and Freedom Front.

BUSINESS SUSPENDED AT 19:00 AND RESUMED AT 20:04.

Wednesday, 14 June 2000]

Declarations of vote made on behalf of Pan Africanist Congress of Azania, Afrikaner Eenheidsbeweging and African National Congress.

Vote agreed to (Freedom Front and Afrikaner Eenheidsbeweging dissenting).

Vote No 21—Minerals and Energy, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party and African National Congress.

Vote agreed to (Democratic Party dissenting).

Vote No 22—Provincial and Local Government, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party, Freedom Front, Afrikaner Eenheidsbeweging and African National Congress.

Vote agreed to (Democratic Party, New National Party, Freedom Front and Afrikaner Eenheidsbeweging dissenting).

Vote No 23—Public Enterprises, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party and African National Congress.

Division demanded.

The House divided:

AYES—272: Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Aucamp, C; Bakker, D M; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Belot, S T; Bhengu, F; Bhengu, N R; Biyela, B P; Blaas, A; Bloem, D V; Bogopane, H I; Booie, M S; Botha, N G W; Buthelezi, M N; Camerer, S M; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Dowry, J J; Duma, N M; Durand, J; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Geldenhuys, B L; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Gous, S J; Green, L M; Greyling, C H F; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Lekgoro, M K; Lekgoro, M M S; Lockey, D; Louw, J T; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Magubane, N E; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathshwa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae,

P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembi-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mulder, C P; Mulder, P W A; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A H; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olifant, D A A; Oliphant, G G; Omar, A M; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Pretorius, I J; Rabie, P J; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Simmons, S; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smit, H A; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, A S; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Viljoen, C L; Woods, G; Xingwana, L M T; Zondo, R P; Zulu, N E; Zuma, J G.

NOES—32: Andrew, K M; Bell, B G; Beukman, F; Borman, G M; Botha, A J; Bruce, N S; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Eglin, C W; Ellis, M J; Gibson, D H M; Gore, V C; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Ntuli, R S; Opperman, S E; Pillay, S; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Singh, A; Smuts, M; Swart, P S; Taljaard, R; Waters, M.

Vote accordingly agreed to.

Vote No 24—Public Service and Administration, agreed to.

Vote No 25—Public Service Commission, agreed to.

Vote No 26—Public Works, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party and African National Congress.

Division demanded.

The House divided:

AYES—262: Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Aucamp, C; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Belot, S T; Bhengu, F; Bhengu, N R; Biyela, B P; Bloem, D V; Bogopane, H I; Booie, M S; Botha, N G W; Buthelezi, M N; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Du Toit, D C; Duma, N M; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Green, L M; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro,

M M S; Lockey, D; Louw, J T; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Magubane, N E; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mgidi, J S; Middleton, N S; Mkhathshwa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Montsitsi, S D; Moonsamy, K; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembu-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mulder, C P; Mulder, P W A; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olifant, D A A; Oliphant, G G; Omar, A M; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tshabelalaz-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Viljoen, C L; Woods, G; Xingwana, L M T; Zondo, R P; Zulu, N E; Zuma, J G.

Noes—50: Andrew, K M; Bakker, D M; Bell, B G; Beukman, F; Blaas, A; Borman, G M; Botha, A J; Bruce, N S; Camerer, S M; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Dowry, J J; Durand, J; Eglin, C W; Ellis, M J; Gaum, A H; Geldenhuys, B L; Gibson, D H M; Gore, V C; Gous, S J; Greyling, C H F; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Morkel, C M; Nel, A H; Ntuli, R S; Olckers, M E; Opperman, S E; Pillay, S; Pretorius, I J; Rabie, P J; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Simmons, S; Singh, A; Smit, H A; Smuts, M; Swart, P S; Taljaard, R; Van der Merwe, A S; Van Deventer, F J; Waters, M.

Vote accordingly agreed to.

Vote No 27—SA Management Development Institute, agreed to.

Vote No 28—SA Police Service, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, United Democratic Movement, African Christian Democratic Party, Freedom Front, Afrikaner Eenheidsbeweging and African National Congress.

Division demanded.

The House divided:

AYES—270: Abrahams, T; Ainslie, A R; Arendse, J D; Asmal, A K; Balfour, B M N; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Bhengu, F; Bhengu, N R; Biyela, B P; Bloem, D V; Bogopane, H I; Booie, M S; Botha, N G W; Buthelezi, M N; Carrim, Y I; Cassim, M F; Chalmers, J; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Du Toit, D C; Duma, N M; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Green, L M; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hendrickse, P A C; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kannemeyer, B W; Kasiennyane, O R; Kasrils, R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M K; Lekgoro, M M S; Lekota, M G P; Lockey, D; Louw, J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Magashule, E S; Magubane, N E; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Mashimbye, J N; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Matthews, V J; Maunye, M M; Mayatula, S M; Maziya, A M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathshwa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembi-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mulder, C P; Mulder, P W A; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olifant, D A A; Oliphant, G G; Omar, A M; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Sisulu, L N; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Tshwete, S V; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Verwoerd, M; Vilakazi, B H; Viljoen, C L; Woods, G; Xingwana, L M T; Zita, L; Zondo, R P; Zulu, N E; Zuma, J G.

Wednesday, 14 June 2000]

NOES—52: Andrew, K M; Aucamp, C; Bakker, D M; Baloi, G E; Bell, B G; Beukman, F; Blaas, A; Borman, G M; Botha, A J; Bruce, N S; Camerer, S M; Cupido, P W; Da Camara, M L; Davidson, I O; Delport, J T; Dowry, J J; Durand, J; Eglin, C W; Ellis, M J; Gaum, A H; Geldenhuys, B L; Gibson, D H M; Gore, V C; Gous, S J; Greyling, C H F; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Morkel, C M; Nel, A H; Ntuli, R S; Olckers, M E; Opperman, S E; Pillay, S; Pretorius, I J; Rabie, P J; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Simmons, S; Singh, A; Smit, H A; Smuts, M; Swart, P S; Taljaard, R; Van der Merwe, A S; Van Deventer, F J; Waters, M.

Vote accordingly agreed to.

Vote No 29—Sports and Recreation, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party and African National Congress.

Vote agreed to (Democratic Party dissenting).

Vote No 30—State Expenditure, agreed to.

Vote No 31—Statistics South Africa, agreed to.

Vote No 32—Trade and Industry, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party and African National Congress.

Vote agreed to (Democratic Party dissenting).

Vote No 33—Transport, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party and African National Congress.

Vote agreed to (Democratic Party dissenting).

Vote No 34—Water Affairs and Forestry, agreed to.

Vote No 35—Welfare, put.

Declarations of vote made on behalf of Democratic Party, Inkatha Freedom Party, New National Party, African Christian Democratic Party and African National Congress.

Division demanded.

The House divided:

AYES—248: Ainslie, A R; Asmal, A K; Balfour, B M N; Baloi, G E; Baloyi, M R; Baloyi, S F; Bekker, H J; Bhengu, F; Bhengu, N R; Biyela, B P; Bloem, D V; Bogopane, H I; Booie, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Carrim, Y I; Cassim, M F; Chauke, H P; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Diale, L N; Didiza, A T; Dithebe, S L; Ditshetelo, P H K; Dlamini, B O; Doidge, G Q M; Douglas, B M; Du Toit, D C; Duma, N M; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Gandhi, E; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Grove, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kekana, N N; Kgarimetsa, J J; Kgwele, L M; Kota, Z A; Kotwal, Z; Landers, L T; Lekgoro, M M S; Louw,

J T; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Magashule, E S; Magubane, N E; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Maserumule, F T; Masithela, N H; Masutha, M T; Mathebe, P M; Matsepe-Casaburri, I F; Maunye, M M; Mayatula, S M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathswa, S; Mkhize, B R; Mlambo-Ngcuka, P G; Mlangeni, A; Mnandi, P N; Mingomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mogoba, M S; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morobi, D M; Moropa, R M; Morwamoche, K W; Moss, M I; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mpaka, H M; Mshudulu, S A; Msomi, M D; Mthembu-Mahanyele, S D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mulder, C P; Mulder, P W A; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Neube, N Z; Ndlovu, V B; Ndou, R S; Nene, N M; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, H; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Nhlengethwa, D G; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Oliphant, G G; Omar, A M; Pahad, E G; Phala, M J; Phantsi, E; Pheko, S E M; Phohlela, S; Pieterse, R D; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramodike, M N; Ramotsamai, C M P; Ripinga, S S; Saloojee, E C; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; Serote, M W; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigcawu, A N; Sigwela, E M; Sikakane, M R; Sithole, D J; Skhosana, W M; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smith, P F; Smith, V G; Solo, B M; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, N; Vilakazi, B H; Viljoen, C L; Woods, G; Xingwana, L M T; Zita, L; Zondi, K M; Zulu, N E; Zuma, J G.

NOES—47: Andrew, K M; Aucamp, C; Bakker, D M; Bell, B G; Beukman, F; Blaas, A; Borman, G M; Botha, A J; Bruce, N S; Camerer, S M; Cupido, P W; Da Camara, M L; Davidson, I O; Delpont, J T; Dowry, J J; Durand, J; Ellis, M J; Geldenhuys, B L; Gibson, D H M; Gore, V C; Green, L M; Greyling, C H F; Grobler, G A J; Kalyan, S V; Lee, T D; Madasa, Z L; Moorcroft, E K; Morkel, C M; Nel, A H; Ntuli, R S; Olckers, M E; Opperman, S E; Pillay, S; Rabie, P J; Selfe, J; Semple, J A; Seremane, W J; Sigabi, N B; Simmons, S; Singh, A; Smuts, M; Southgate, R M; Swart, P S; Swart, S N; Taljaard, R; Van der Merwe, A S; Waters, M.

Vote accordingly agreed to.

Schedule, as amended, agreed to.

8. FOURTH ORDER [22:04]

Second Reading debate—*Appropriation Bill* [B 7 and B 7A—2000] (National Assembly—see 77).

Debate concluded.

Question put: That the Bill be read a second time.

Division demanded.

The House divides:

AYES—240: Ainslie, A R; Arendse, J D; Asmal, A K; Balfour, B M N; Baloyi, M R; Baloyi, S F; Bekker, H J; Belot, S T; Bhengu, F; Bhengu, N R; Biyela, B P; Blaas, A; Bloem, D V; Booie, M S; Botha, N G W; Buthelezi, M G; Buthelezi, M N; Camerer, S M; Carrim, Y I; Cassim, M F; Chalmers, J; Chiba, L; Chohan, F I; Cindi, N V; Coetzee-Kasper, M P; Cronin, J P; Davies, R H; De Beer, S J; De Lange, J H; De Lille, P; Dithube, S L; Dlamini, B O; Doidge, G Q M; Douglas, B M; Dowry, J J; Du Toit, D C; Duma, N M; Durand, J; Erwin, A; Fankomo, F C; Feinstein, A J; Ferreira, E T; Fihla, N B; Fraser-Moleketi, G J; Frolick, C T; Gandhi, E; Geldenhuys, B L; George, M E; Gerber, P-J A; Gigaba, K M N; Gogotya, N J; Gomomo, P J; Goniwe, T M; Goosen, A D; Green, L M; Grové, S; Gumede, D M; Gxowa, N B; Hajaig, F; Hanekom, D A; Hangana, N E; Hlangwana, N L; Hlengwa, M W; Hogan, B A; Holomisa, S P; Jana, D P S; Jassat, E E; Jeffery, J H; Joemat, R R; Jordan, Z P; Kalako, M U; Kannemeyer, B W; Kasiennyane, O R; Kekana, N N; Kgarimetsa, J J; Kgauwe, Q J; Kota, Z A; Kotwal, Z; Lockey, D; Lucas, E J; Lyle, A G; Mabandla, B S; Mabeta, M E; Mabudafhasi, T R; Madasa, Z L; Magashule, E S; Magubane, N E; Mahlalela, C C; Mahlangu, M J; Mahomed, F; Maimane, D S; Maine, M S; Makasi, X C; Makunyane, T L; Makwetla, S P; Malebane, H F; Maloney, L; Maluleke-Hlaneki, C J; Malumise, M M; Mangena, M A; Manie, M S; Manuel, T A; Maphalala, M A; Maphoto, L I; Mars, I; Marshoff, F B; Martins, B A D; Masala, M M; Masutha, M T; Matsepe-Casaburri, I F; Maunye, M M; Mayatula, S M; Mbadi, L M; Mbombo, N D; Mbongo, P F; Mbulawa-Hans, B G; Mbuyazi, L R; Mdladlana, M M S; Mfundisi, I S; Mgidi, J S; Middleton, N S; Mkhathshwa, S; Mlambo-Ngcuka, P G; Mnandi, P N; Mngomezulu, G P; Mnumzana, S K; Modise, T R; Modisenyane, L J; Mofokeng, T R; Mogale, E P; Mohai, S J; Mohamed, I J; Mokoena, D A; Molebatsi, M A; Molewa, B G; Moloto, K A; Momberg, J H; Mongwaketse, S J; Montsitsi, S D; Moonsamy, K; Morkel, C M; Morobi, D M; Moropa, R M; Morwamoche, K W; Mothoagae, P K; Motubatse, S D; Mpahlwa, M; Mshudulu, S A; Msomi, M D; Mthembu, B; Mtirara, N Z; Mtsweni, N S; Mutsila, I; Mzondeki, M J G; Nair, B; Nash, J H; Ncube, N Z; Ndlovu, V B; Ndou, R S; Nel, A H; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngculu, L V; Ngubane, B S; Ngubeni, J M; Ngwenya, M L; Nhlanhla, J M; Njobe, M A A; Nkomo, A S; Nkosi, D M; Nonkonyana, M; Nqakula, C; Ntuli, B M; Ntuli, M B; Ntuli, S B; Nzimande, B M; Nzimande, L P M; Olckers, M E; Olifant, D A A; Oliphant, G G; Omar, A M; Pahad, E G; Phala, M J; Phantsi, E; Phohlela, S; Pieterse, R D; Rabie, P J; Radebe, B A; Radebe, J T; Rajbally, S; Rajoo, K; Ramakaba-Lesiea, M M; Ramgobin, M; Ramotsamai, C M P; Ripinga, S S; Schneemann, G D; Scott, M I; Seaton, S A; Sekgobela, P S; September, C C; September, R K; Serote, M W; Shabangu, S; Shilubana, T P; Shope, N R; Sigcau, S N; Sigwela, E M; Sikakane, M R; Simmons, S; Sithole, D J; Skosana, M B; Skweyiya, Z S T; Slabbert, J H; Smith, P F; Smith, V G; Solomon, G; Sonjica, B P; Sosibo, J E; Sotyu, M M; Southgate, R M; Swart, S N; Thabethe, E; Tinto, B; Tolo, L J; Tshabalala-Msimang, M E; Tsheole, N M; Turok, B; Twala, N M; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Wyk, A (Annelize); Van Wyk, J F; Van Wyk, N; Vilakazi, B H; Xingwana, L M T; Zita, L; Zondi, K M; Zulu, N E; Zuma, J G.

NOES—31: Andrew, K M; Aucamp, C; Bell, B G; Borman, G M; Botha, A J; Bruce, N S; Da Camara, M L; Davidson, I O; Delport, J T; Eglin, C W; Ellis, M J; Gore, V C; Grobler, G A J; Heine, R J; Kalyan, S V; Lee, T D; Moorcroft, E K; Mulder, C P; Mulder, P W A; Ntuli, R S; Opperman, S E; Pillay, S; Schmidt, H C; Selfe, J; Semple, J A; Seremane, W J; Smuts, M; Swart, P S; Taljaard, R; Viljoen, C L; Waters, M.

Question accordingly agreed to.

Bill read a second time.

9. The House adjourned at 22:35.

S G MFENYANA.

Secretary to Parliament.

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 15 JUNE 2000

ANNOUNCEMENTS:

National Assembly and National Council of Provinces:

1. The Speaker and the Chairperson:

The following papers have been tabled and are now referred to the relevant committees as mentioned below:

(1) The following papers are referred to the Portfolio Committee on Education and to the Select Committee on Education and Recreation:

- (a) Government Notice No 207 published in Government Gazette No 20945 dated 1 March 2000, National Policy for designing school calenders for ordinary public schools in South Africa, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (b) Government Notice No 208 published in Government Gazette No 20945 dated 1 March 2000, School calender for public schools for the 2001, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (c) Government Notice No 252 published in Government Gazette No 20994 dated 24 March 2000, Appointment of a replacement to serve as a member of the South African Qualifications Authority, made in terms of the South African Qualifications Authority Act, 1995 (Act No 58 of 1995).
- (d) Government Notice No 400 published in Government Gazette No 21093 dated 20 April 2000, Revision of the policy document: Norms and standards for instructional programmes and examination and certification thereof in technical colleges, Report 190 (92/04), made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).

- (e) Government Notice No 401 published in Government Gazette No 21093 dated 20 April 2000, Provisos for the Senior Certificate programme, made in terms of the National Education Policy Act, 1996 (Act No 27 of 1996).
- (f) Government Notice No 402 published in Government Gazette No 21093 dated 20 April 2000, The deletion of the category providing for foreign candidates as contained in the policy document, a Résumé of instructional programmes in public schools, Report 550 (97/06), made in terms of the National Policy Act, 1996 (Act No 27 of 1996).
- (g) Government Notice No 449 published in Government Gazette No 21143 dated 4 May 2000, Appointment of persons to serve as members of the Review Committee to review the National Outcomes-based Curriculum and Progress with its implementation, made in terms of the National Policy Act, 1996 (Act No 27 of 1996).
- (h) Government Notice No 404 published in Government Gazette No 21093 dated 20 April 2000, The inclusion of a continuous assessment component in the final Senior Certificate examination at Grade 12, made in terms of the National Policy Act, 1996 (Act No 27 of 1996).

(2) The following paper is referred to the Portfolio Committee on Education and to the Select Committee on Education and Recreation. It is also referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Women for comment:

Government Notice No 448 published in Government Gazette No 21143 dated 4 May 2000, Call for comments on the draft document—National Curriculum Framework for further Education and Training, made in terms of the National Policy Act, 1996 (Act No 27 of 1996).

(3) The following paper is referred to the Portfolio Committee on Education and to the Select Committee on Education and Recreation. It is also referred to the Joint Monitoring Committee on Improvement of Quality of Life and Status of Children, Youth and Disbaled Persons:

Government Notice No 403 published in Government Gazette No 21093 dated 20 April 2000, Approval of an extension of the Gauteng Youth College Programme, made in terms of the National Policy Act, 1996 (Act No 27 of 1996).

(4) The following paper is referred to the Portfolio Committee on Communications and to the Select Committee on Labour and Public Enterprises:

Report of the Government Communication and Information System for 1999 [RP 58—2000].

(5) The following papers are referred to the Portfolio Committee on Justice and Constitutional Development and to Security and Constitutional Affairs:

- (a) Regulation No R.14 published in Government Gazette No 20997 dated 24 March 2000, Establishment of Investigat-

ing Directorate: Corruption, made in terms of the National Prosecuting Authority Act, 1998 (Act No 32 of 1998).

- (b) Regulation No R.16 published in Government Gazette No 21039 dated 31 March 2000; Commencement of certain sections of the Witness Protection Act, 1998 (Act No 112 of 1998).

National Council of Provinces:

1. The Chairperson:

Message from National Assembly to National Council of Provinces:

Bill passed by National Assembly on 14 June 2000 and transmitted for concurrence:

- (1) *Appropriation Bill* [B 7 and 7A—2000] (National Assembly—sec 77)—(Select Committee on Finance—National Council of Provinces).

COMMITTEE REPORTS:

National Assembly:

1. Report of the Portfolio Committee on Provincial and Local Government on the *Local Government: Cross-boundary Municipalities Bill* [B 37—2000] (National Assembly—sec 75), dated 14 June 2000:

The Portfolio Committee on Provincial and Local Government, having considered the subject of the *Local Government: Cross-boundary Municipalities Bill* [B 37—2000] (National Assembly—sec 75), referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, reports the Bill with amendments [B 37A—2000].

2. Report of the Portfolio Committee on Finance on the *Taxation Laws Amendment Bill* [B 38—2000] (National Assembly—sec 77), dated 15 June 2000:

The Portfolio Committee on Finance, having considered and examined the *Taxation Laws Amendment Bill* [B 38—2000] (National Assembly—sec 77), referred to it, reports that it has concluded its deliberations thereon.

National Council of Provinces:

1. Report of the Select Committee on Finance on the *Appropriation Bill* [B 7—2000] (National Assembly—sec 77), dated 15 June 2000:

The Select Committee on Finance, having considered and examined the *Appropriation Bill* [B 7—2000] (National Assembly—sec 77) and other papers referred to it, reports that it has concluded its deliberations thereon.

2. Report of the Select Committee on Finance on the *Supplementary Estimate* [B 7A—2000] (National Assembly—sec 77), dated 15 June 2000: