(2) Nothing precludes the SAPS from sharing operational information such as the location of flashpoints or the prevalence of a given crime with organisations such as community police forums, neighbourhood watches or the general public. Indeed. This has to do with "crimes of a particular type" and not "current crime statistics".

(3) Yes, Patrols on the N2 between Cape Town and Somerset West will continue indefinitely. It needs to be indicated that various role-players like the South African Police Service, Cape Town City Police, provincial—and local traffic participate in these patrols.

(4) Yes, the public will be informed through community policing forums and external communication.

Right of local authorities to disregard provisions of Business Act, 1979

693. Mr E W TRENT (DA) asked the Minister for Provincial and Local Government:

(1) Whether local authorities have the right to disregard the provisions of the Business Act, Act 71 of 1991, which requires any person who wants to run a business to be the holder of a valid licence; if so, on what grounds; if not,

(2) whether communities can take any action to ensure that the provisions of the Act are implemented where local authorities refuse to act against such unlicensed businesses; if not, what is the position in this regard; if so, what action? N1009E

The MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT:

(1) No. Municipalities (local authorities) have to adhere to the provisions of the Businesses Act, 1991 (Act No. 71 of 1991), to the extent that the Act is applicable to municipalities.

(2) Yes. Communities may through the various mechanisms available for public participation in local government matters, engage with municipalities on the implementation of, for example, the Businesses Act, 1991. The Act also provides for a number of offences, and therefore, the normal legal processes are also available.

QUESTIONS

For written reply:

Date for implementation of system of demerits/endorsements to driving licences of traffic violators

344. Mr M WATERS (DA) asked the Minister of Transport:

(1) Whether a date has been set for the implementation of the system of assigning demerits or endorsements to the driving licences of persons found guilty of speeding or reckless or drunken driving; if not, why not; if so, what date;

(2) whether any additional equipment or infrastructure is required before this system can be implemented; if so, what are the relevant details?N384E

The MINISTER OF TRANSPORT:

(1) No, the date for the implementation of the system of assigning demerits or endorsements to the driving licences of persons found guilty of speeding or reckless or drunken driving has not been set as yet. The process around road traffic infringements has yet to be finalised. Currently there is a provision in the National Road Traffic Act that ensures that a driving licence of a person who contravenes any provision in the Act is suspended or cancelled. In terms of Regulation 115A of the National Road Traffic Regulations, under the National Road Traffic Act, 1996 (Act No 93 of 1996), the Clerk of the Court shall submit to the Provincial Administration the driving licence of a driver whose driving licence has been suspended or cancelled for any contravention relating to the driving of a motor vehicle.

(2) Yes, there is a need to develop a server in which all the issuing authorities will link into to record all the infringements and another system, the National Contravention Register, which will record the contraventions against the transgressors' details. The department is currently formulating the specification for both the server and National Contravention Register System.

Vervanging van stukkende SOS-telefone langs N2 tussen Kaapstad/Gordonsbaai

369. Mnr F BEUKMAN (NNP) vra die Minister van Vervoer:

Of stappe gedoen word om die stukkende SOS-telefone langs die N2 tussen Kaapstad en Gordonsbaai te vervang; so nie, waarom nie; so ja, watter stappe? N436A

(Translation follows):

[Replacement of broken SOS telephones along N2 between Cape Town/Gordon's Bay

369. Mr F BEUKMAN (NNP) asked the Minister of Transport:

Whether any steps are being taken to replace the broken SOS telephones along the N2 between Cape Town and Gordon's Bay; if not, why not; if so, what steps? N436E]

The MINISTER OF TRANSPORT:

Yes, the South African National Roads Agency Limited (Sanral) has a running maintenance contract with a local contractor for repairing the SOS phones. Commissioned SOS phones are monitored and repaired on a daily basis. An amount of R16 900 per month is spent on the maintenance of the system, including the telephone costs.

There are 100 SOS phones along the N1, N2 and R300 and 20 of these SOS phones have been decommissioned, most of which are along the N2, due to continued vandalism

and theft of telephone lines and equipment in the SOS boxes. The cost of this vandalism is approximately R13 000 per month.

With the continuous safety patrols along the N2, Sanral's aim is to recommission/replace ten of the vandalised SOS phones along the N2.

Road signs with the emergency number 946-1646 have also been erected along the N2 as an additional safety measure where SOS phones have been decommissioned.

The utilisation of the SOS telephones is reducing due to the greater usage of cellular phones. The recent date shows that the call centre receives approximately 20 calls per day.

Minibus taxi with 50 vehicle faults impounded by KZN traffic police

413. Prince N E ZULU (IFP) asked the Minister of Transport:

(1) Whether, with reference to the minibus taxi impounded by the traffic police in KwaZulu-Natal with 50 vehicle faults, an investigation was launched to determine (a) when last the vehicle had been tested for roadworthiness and (b) the validity of the driving licence; if not, why not; if so, what are the relevant details;

(2) whether the owner and/or driver of the vehicle will be prosecuted; if not, why not; if so, what are the relevant details? N411E

The MINISTER OF TRANSPORT:

(1) (a) The minibus taxi, bearing the registration number ND127 218, was examined on 1 April 2004 by a certain Mr Gothi, employed at the Verulam Roadworthy Testing Station as an examiner of vehicles.

(b) The validity of the driving licence of the driver of the minibus taxi was checked and it was found that there was nothing wrong with the licence.

(2) With the approval of the Director of Public Prosecutions, the owner of the vehicle in question assisted the State in apprehending the above-mentioned examiner of vehicles, who issued the fraudulent roadworthy certificate. The investigation led to the arrest of the Examiner of Vehicles, namely a certain Mr Gothi, who certified that the minibus taxi is roadworthy. The owner of the vehicle has in terms of section 204 of the Criminal Procedure Act, 1977 (Act No 51 of 1977), turned State witness. The examiner of vehicles, Mr Gothi, now faces charges of fraud, two counts of corruption and defeating the ends of justice. Mr Gothi was granted bail in the sum of R5 000.

Studies *re* volumes of vehicles using Linksfield interchange on N3

465. Mr M WATERS (DA) asked the Minister of Transport:

(1) Whether any studies have been conducted regarding the volumes of vehicles using the Linksfield interchange on the N3; if not, why not; if so, (a) what were the findings of the study and (b) what are the daily traffic volumes;

(2) whether his department, in conjunction with the Gauteng provincial traffic department and/or local government, intends upgrading the interchange; if not, why not; if so, (a) when, (b) at what cost, (c) which sphere of government will pay for the upgrade and (d) when will the upgrade be completed? N626E

The MINISTER OF TRANSPORT:

(1) No. The South African National Roads Agency Limited (Sanral) has informed me that the existing traffic counts (February 2004) do not warrant capacity improvements to the Linksfield interchange on the N3 at this stage.

(a) and (b) Fall away.

(2) (a), (b), (c) and (d)

Sanral is in the process of developing a major road improvement and expansion scheme jointly with the Gauteng province. As part of this scheme, all interchanges will be evaluated to determine upgrading needs. The upgrades will be constructed as required by the traffic, i.e. they will be demand driven. It should, however, be noted that improvements to an interchange cannot be done in isolation. The flow of traffic through an interchange is very dependent on the up and downstream traffic capacity on the crossroad. Therefore, upgrading of an interchange should not be considered in isolation, without considering improvements to the supporting road network.

The Linksfield interchange falls under the jurisdiction of Sanral. The crossroad is the responsibility of the local authority. It is at this stage premature to state which sphere of government will be responsible for the funding and execution of future upgrading at the interchange.

Terminal development at Johannesburg International Airport: timetables

521. Mr I O DAVIDSON (DA) asked the Minister of Transport:

(1) With reference to the terminal development at Johannesburg International Airport, what is the new timetable for the (a) commencement and (b) completion of the (i) international northern pier, (ii) international terminal extension and (iii) commuter terminal;

(2) with reference to the air side development, what is the new timetable for the (a) commencement and (b) completion of the (i) Alfa taxi-lane, (ii) Bravo Apron extension, (iii) three phases of the Echo Apron and (iv) Sierra Apron;

(3) with reference to the land side development, what is the new timetable for the (a) commencement and (b) completion of the (i) the first phase and (ii) second phase of the multistorey car park? N727E

The MINISTER OF TRANSPORT:

According to the Airports Company of South Africa (ACSA), the new timetable for the developments at Johannesburg International Airport is as follows:

(1) Terminal development at Johannesburg International Airport

(i) International Northern Pier

(a) Commencement date: July 2005

(b) Completion date: December 2006

(ii) International Terminal extension

(a) Commencement date: January 2005

(b) Completion date: December 2006

(iii) Commuter terminal

(a) and (b) There are no plans to build a commuter terminal at this stage.

(2) Airside development

(i) Alpha taxi-lane

(a) and (b) Completed in June 2003.

(ii) Bravo Apron extension

(a) and (b) This project is part of Echo Apron

(iii) Echo Apron

(a) Commencement date: November 2004

(b) Completion date: December 2006

(iv) Sierra Apron

(a) Commencement date: June 2008

(b) Completion date: March 2010

(3) Landside development

(i) 2nd multi-storey car park

(a) Commencement date: January 2006

(b) Completion date: March 2007

(ii) 3rd multi-storey car park

(a) Commencement date: June 2011

(b) Completion date: December 2012

Resurfacing of length of R56 between Mount Fletcher/Maclear

622. Mr G Q M DOIDGE (ANC) asked the Minister of Transport:

(1) Whether the entire length of the R56 between Mount Fletcher and Maclear has been resurfaced; if not, (a) when and (b) at what cost will the remainder be completed; if so, (i) at what cost and (ii) when was it done;

(2) whether his department intends rendering any further assistance through the SA National Roads Agency and/or the province to upgrade the same road between Mount Fletcher and Matatiele; if not, why not; if so, when will the work (a) commence and (b) be completed;

(3) whether the upgrading of the R56 is expected to attract investment and tourism to the area; if so, (a) what will be the impact on the local economy and (b) what are the further relevant details? N865E

The MINISTER OF TRANSPORT:

(1) The R56 between Mount Fletcher and Maclear is a provincial road with the Department of Roads and Public Works of the province of the Eastern Cape (DRPW) as the road authority. In the spirit of co-operative governance, the South African National Roads Agency Limited (Sanral) administers the upgrading projects on this road on behalf of the DRPW on an agency basis.

The entire length of 63 km of the R56 between Mount Fletcher and Maclear has not been fully resurfaced, with a section of roughly 23 km south of Mount Fletcher to Ketekete having been resurfaced.

(a) The 21 km section between Maclear and Halcyon Drift is presently under construction with an anticipated completion date of mid 2006. Thus 44 km of the road would be resurfaced. The remaining middle section of roughly 19 km between Halcyon Drift and Ketekete is presently in the process of planning and design for upgrading to surfaced standard, and the surfacing is anticipated to be completed in 2008, dependant on the available funding.

(b) The estimated funding required to complete the unsurfaced section is R308 million.

(i) The value of the 23 km completed section is R126,6 million.

(ii) The 23 km section between Mount Fletcher and Ketekete was completed in June 2004.

(2) Sanral will continue to render assistance to the province in a spirit of co-operative governance.

(a) The planning and execution has commenced.

(b) It is anticipated to be completed in the second quarter of 2004.

(3) (a) and (b) As the hon member will appreciate, roads are the catalyst for development in an area through which it transverses. This road (R56) will provide another choice for the people traveling between KwaZulu-Natal and the Western Cape, particularly when the present upgrading projects between Cala and Lady Frere are also completed. This should realise the tourism and other commercial potential of the area.

Provinces proposing additional taxation to be used for additional regional capital expenditure

663. Mr K D S DURR (ACDP) asked the Minister of Finance:

Whether any provinces have proposed additional taxation to be used for additional regional capital expenditure; if so, (a) which provinces and (b) how much capital is expected to be raised? N905E

The MINISTER OF FINANCE:

No province has submitted any proposals for additional taxation to be used for additional regional capital expenditure.

Ongelukke by kruising van R558/N12 by Lenasia naby Johannesburg

697. Mnr P J GROENEWALD (VF Plus) vra die Minister van Vervoer:

(1) (a) Hoeveel ongelukke by die kruising van die R558 en die N12 by Lenasia naby Johannesburg plaasgevind het (i) in 2002, (ii) in 2003 en (iii) gedurende die tydperk 1 Januarie 2004 tot op die jongste vermelde datum waarvoor inligting beskikbaar is, (b) hoeveel persone in elk van dié jare (i) beseer en (ii) gedood is en (c) wie vir die instandhouding van dié kruising verantwoordelik is;

(2) of daar oorweeg word om spreiligte by die kruising aan te bring; so nie, waarom nie; so ja, wanneer? N1013A

(Translation follows):

[Accidents at R558/N12 intersection in Lenasia near Johannesburg

697. Mr P J GROENEWALD (FF Plus) asked the Minister of Transport:

(1) (a) How many accidents occurred at the intersection of the R558 and the N12 in Lenasia near Johannesburg (i) in 2002, (ii) in 2003 and (iii) during the period 1 January 2004 up to the latest specified date for which information is available, (b) how many persons were (i) injured and (ii) killed in each of these years and (c) who is responsible for the maintenance of this intersection;

(2) whether consideration is being given to installing floodlights at the intersection; if not, why not; if so, when? N1013E]

The MINISTER OF TRANSPORT:

(1) (a) (i), (ii) and (iii)

There are no records for the years 2002 to date of accidents that occurred at the intersection of the R558 and the N12 in Lenasia near Johannesburg on the Gauteng province database, which is compiled from accident records obtained from local authorities in the province. This specific intersection, according to the Local Authorities, is not a high frequency collision location.

(b)(i) and (ii) Fall away.

(c) The maintenance of the road is the responsibility of the Gauteng department of transport, roads and works.

(2) Due to the apparent low frequency of accidents at the specific location, the

local authorities have neither received any request, nor are they considering the installing of floodlights or street lighting at the intersection at this stage.

Opgradering van N12-pad tussen Johannesburg/Potchefstroom tot dubbelpad

698. Mnr P J GROENEWALD (VF Plus) vra die Minister van Vervoer:

Of die hele N12-pad tussen Johannesburg en Potchefstroom tot 'n dubbelpad opgegradeer gaan word; so nie, waarom nie; so ja, wanneer? N1014A

(Translation follows):

[Upgrading of N12 between Johannesburg/Potchefstroom

698. Mr P J GROENEWALD (FF Plus) asked the Minister of Transport:

Whether the entire N12 between Johannesburg and Potchefstroom will be upgraded to a dual road; if not, why not; if so, when? N1014E]

The MINISTER OF TRANSPORT:

The length of the N12 between Johannesburg and Potchefstroom is in the order of 100 km with 41 km in the Gauteng province and 59 km in the North West Province. In both Provinces the sections of the N12 under discussion resort under the jurisdiction of the following relevant provincial roads authorities:

- Gauteng province: department of public transport, roads and works
- North West province: department of transport and roads.

11,1 kilometre of the N12 in Gauteng is already built to a freeway standard. The Gauteng department of public transport, roads and works indicated that the duelling of the 29,9 km single carriageway road under their jurisdiction is not on their 5-year programme. The reason being that the capacity problems experienced on the N12 are not of the scale experienced on other roads in the province, which compete for the available funds and have higher priorities.

The Department of transport and roads of the North West Province is aware of capacity restrictions on certain sections of the 59 km of the N12 between Johannesburg and Potchefstroom under their control. Due to budget constraints no capacity improvements on this section of the N12 appear on their priority list.

QUESTIONS

For written reply:

Number of disabled prisoners in system

451. Mr V C GORE (ID) asked the Minister of Correctional Services:

How many (a) physically, (b) visually, (c) hearing and (d) mentally impaired persons are there currently in the system? N594E

The MINISTER OF CORRECTIONAL SERVICES:

Types of disabilities (offenders)	*Totals*
Physically impaired	160
Visually impaired	66
Hearing impaired	39
Mentally impaired (State President's patients)	10
Total	275

Policy on accommodation of disabled prisoners

452. Mr V C GORE (ID) asked the Minister of Correctional Services:

Whether his department has a policy on the accommodation of disabled prisoners; if not, why not; if so, what is the policy? N595E

The MINISTER OF CORRECTIONAL SERVICES:

The department has a draft policy on prisoners with disabilities which has been endorsed by the department as a working document. I will approve the policy after the finalisation of policy guidelines. The objectives of the policy are to:

- Establish a conducive environment where offenders with disabilities will maintain and/or regain optimum levels of physical, mental, and emotional well-being;
- Develop structures that will enable accessibility;
- Promote equal and humane treatment;
- Encourage participation in the programmes so as to enhance training and development;
- Serve as a policy guideline on managing offenders with disabilities;
- Take into account the specific needs of offenders with different disabilities for service delivery.

Number of awaiting-trial prisoners incarcerated in facilities of department

458. Mr J SELFE (DA) asked the Minister of Correctional Services:

(1) How many awaiting-trial prisoners were incarcerated in facilities of his department as at the latest specified date for which information is available;

(2) how many of such prisoners were (a) remanded in custody and (b) incarcerated because they are unable to pay bail set at (i) under R100, (ii) between R100 and R200, (iii) between R200 and R500 and (iv) more than R500? N619E

The MINISTER OF CORRECTIONAL SERVICES:

(1) As at 30 June 2004, there were 49 373 awaiting-trial prisoners (detainees) incarcerated in facilities of the department.

(2) (a) No statistics are available for prisoners who are being remanded in custody.

(b) Incarcerated because they are unable to pay bail set at:

(i) up to R100 = 62

(ii) between R100 up to R200 = 520

(iii) between R200 up to R500 = 5 076

(iv) more than R500 = 8 859

Temporary permit granted to person in Limpopo to hold endangered wild dogs

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

(1) With reference to a temporary permit granted to a certain person (name furnished) in Limpopo to hold nine endangered wild dogs, including five puppies, in captivity, (a) what were the conditions of this temporary permit, (b) what is the duration of the permit and (c) what is the (i) name and (ii) position of the official that granted the permit;

(2) whether the proposed holding facilities on the permit applicant's property are deemed adequate for the housing of the wild dogs; if not, what steps will be taken to ensure that adequate facilities will be provided; if so, what considerations were taken into account by his department in determining the facilities to be adequate;

(3) whether the means by which the permit applicant came to acquire these wild dogs were deemed to be legal; if not, what steps will be taken to investigate the matter; if so, what considerations were taken into account in reaching this conclusion;

(4) what is the number of (a) captive wild dog breeding projects in South Africa and (b) wild dogs involved in these projects;

(5) whether any measures are being taken to protect wild dogs in the wild; if not, why not; if so, what measures? N631E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) to (4) The questions relate to a provincial competence and should be directed to the relevant provincial MEC.

(5) Yes. Wild dogs are afforded legal protection through the different provincial legislation regulating biodiversity conservation within their areas of jurisdiction

Applications for presidential pardon to obtain clean record

513. Mrs S M CAMERER (DA) asked the President of the Republic:

(1) How many applications for a presidential pardon in order to obtain a clean record have been (a) received, (b) processed, (c) granted and (d) refused by the Presidency since 1 January 2002;

(2) whether there have been any delays in this respect; if so, (a) why and (b) what are the further relevant details? N719E

The PRESIDENT OF THE REPUBLIC:

(1) (a) 1 163

(b) 749

(c) 744

(d) Five

(2) The unprocessed applications are with regard to applications received this year. Factors such as the understaffing and other pressing legal matters have been responsible for the delay. The Legal and Executive Services component in the Presidency is in the process of engaging contract persons and interns to clear up this backlog.

Measures to minimise impact of a mother's imprisonment on her children

544. Mr S N SWART (ACDP) asked the Minister of Correctional Services:

(1) Whether any measures are in place to minimise the impact of a mother's imprisonment on her children, in general, and in particular, in cases of children where the mother has killed an abusive father in the context of domestic violence; if not, why not; if so, what measures;

(2) what role can the application of correctional supervision, in terms of section 276A of the Criminal Procedure Act, Act 51 of 1977, as amended, play in such matters?

N768E

The MINISTER OF CORRECTIONAL SERVICES:

- The Department of Correctional Services has in general some measures in place to minimise the impact of a mother's imprisonment to her children.
- Section 13 of the Correctional Services Act, 1998 (Act 111 of 1998) makes provision for prisoners to have contact with the community.
- The departmental policy on amenities of prisoners also provides for primary amenities as those which are aimed at promotion and maintenance of family ties, in order to, amongst others, facilitate their reintegration into the community. The amenities cover that:
  - — Visits, both contact and non-contact, are allowed to prisoners, including special contact visits under the supervision of social workers, as well as provision for additional visits where need be.
  - — Children have a concession to visit either alone or in the company of adult visitors.
- Section 20 of Correctional Services Act 1998 (Act 111 of 1998) makes provision for mothers of young children to have their young children with them until the age of five years. Furthermore for the establishment of Mother and Child Units, in order to accommodate the incarcerated mothers with their young children.
- According to the new strategic direction of the department the following measures are under consideration:
  - — Continuity of services between incarcerated mothers and their young children after alternative placement of young children
  - — The need for referrals of children to external institutions
  - — Negotiations to explore further options regarding services to children with the other role players, eg the Department of Social Development.
  - — The need for provision of women who have killed abusive fathers in the context of domestic violence, in the Management Information System, in conjunction with other role-players such as the Department of Justice and Constitutional Development

(2) Section 276A of the Criminal Procedure Act, 1977 (Act No 51 of 1977) makes provision for the imposition of correctional supervision, and conversion of imprisonment into correctional supervision.

- In terms of section 276(1)(h) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), the court may sentence the accused person to a maximum of three years of correctional supervision after receiving a report from a probation officer or correctional official.
- In terms of section 276A(3) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), the Commissioner or his/her delegate may apply to the Clerk/Registrar of the court for the sentenced person to appear before a

court a quo in order to reconsider the said sentence.

- Upon receipt of such an application, the clerk/registrar of the court, will after consultation with the prosecutor set the matter down for a specific date on the roll of the court concerned.

- After the court has converted imprisonment term in correctional supervision, the commissioner may subject the person to monitoring, house arrest, obtaining employment, victim compensation and correctional programmes.

New fence erected on outside perimeter of Pollsmoor prison

550. Mr J SELFE (DA) asked the Minister of Correctional Services:

(1) Whether a new fence was recently erected on the outside perimeter of Pollsmoor prison; if so, (a) by whom was the fence erected, (b) what is the value of the contract and (c) when did the contract (i) commence and (ii) end;

(2) whether his department was satisfied with the quality of the fence; if not, (a) why not and (b) what action has been taken to ensure that the fencing is of a satisfactory standard? N798E

The MINISTER OF CORRECTIONAL SERVICES:

(1) Yes. Two sections of fences were erected along the M3 highway at Pollsmoor Prison according to the following specifications: Section 1 is three metres high and Section 2 is two metres high.

(a) The new 3 m high fence was constructed by HR Construction (Pty) Ltd and is valued at R2 148 484,03; construction commenced on 4 June 2001 and was completed on 2 August 2004.

The 2 m high fence was done by Ruwacon (Pty) Ltd at a cost value of R289 512,50. Construction commenced on 19 November, 2004 and was completed on 9 July 2004.

(2) The department has no problem with the erection of the fences and is satisfied with the quality of the fence.

Renovations made to Pretoria Local prison

551. Mr J SELFE (DA) asked the Minister of Correctional Services:

(1) Whether renovations were recently made to Pretoria Local prison; if so, (a) by whom, (b) what was the value of the contract, (c) when did the contract (i) commence and (ii) end and (d) what was the nature of the renovations undertaken;

(2) whether his department was satisfied with the quality of the renovations; if not, (a) why not and (b) what action has been taken to ensure that the renovations are satisfactory? N799E

The MINISTER OF CORRECTIONAL SERVICES:

(1) (a) Consultanis Malani Padayachee & Associates (Pty) Ltd and Kanye Kanye and the contractor was RC Civils.

(b) Contract Value: R17 084 934.45 (incl VAT)

(c) (i) It commenced on 9 December 2003 and

(ii) Completed on 8 December 2004 (repair phase) and the maintenance phase on 8 December, 2006.

(d) The contract involves the repair of structural, domestic plumbing, electrical and intercom installations within Local Prison. Local

prison kitchen, Block G and H were completed under a previous contract. This contract involved the completion of structural repairs to Block G Courtyard and Block H, and the full scope with respect to the remaining blocks, i.e Blocks E/F, D, C, and A/B. To date Blocks E/F and D have been completed.

(2) All blocks completed (in a previous contract) have been handed over to DCS with appropriate practical completion certificates.

Invitation to attend Olympic Games

600. Mr C M MORKEL (DA) asked the Minister of Correctional Services:

(1) Whether (a) he, (b) his Deputy Minister or (c) any officials of his ministry or department were invited to attend the 2004 Olympic Games in Athens; if so, (i) which persons and officials and (ii) at whose invitation in each case;

(2) whether (a) he, (b) his Deputy Minister or (c) any officials accepted the invitation; if so, (i) why and (ii) how many days was each away from work as a result;

(3) whether any costs were incurred by the taxpayer as a result of the trip in respect of each specified person; if not, what factors were taken into consideration in reaching this conclusion; if so, (a) what were the costs in respect of each specified person and (b) in respect of what items was this expenditure incurred;

(4) whether he and/or his Deputy Minister has declared the trip as a gift in terms of the Executive Members' Code of Conduct; if not, why not; if so, what is the estimated value of this hospitality? N851E

The MINISTER OF CORRECTIONAL SERVICES:

Neither (a) I, (b) the Deputy Minister or (c) any officials of my ministry or department were invited to attend the 2004 Olympic Games in Athens.

Questions (2), (3), (4) then become irrelevant.

Tekort aan bewaarders

643. Mnr C H F GREYLING (NNP) vra the Minister van Korrektiewe Dienste:

(1) Of daar 'n tekort aan bewaarders in enige provinsie is; so ja, wat die tersaaklike besonderhede is;

(2) of enige stappe in dié verband gedoen word of gedoen gaan word; so nie, waarom nie; so ja, watter stappe? N949A

(Translation follows):

[Shortage of warders

643. Mr C H F GREYLING (NNP) asked the Minister of Correctional Services:

(1) Whether there is a shortage of warders in any province; if so, what are the relevant details;

(2) whether any steps are being taken or will be taken in this regard; if not, why not; if so, what steps? N949E]

The MINISTER OF CORRECTIONAL SERVICES:

In its new strategic direction since 1990 when the Directorate of Prisons was separated from the Department of Justice, the Department of Correctional Services dispensed with archaic definition of warders and replaced them with correctional officials. A correctional official is thus one who is at the centre of corrections, development and rehabilitation of offenders in our correctional centres (prisons). Every employee in the department is, by this definition, a correctional official.

(1) As of 1 September 2004, the Department of Correctional Services has a total post establishment of 32 880 of which 2 901 posts are vacant.

The following is a breakdown of the 2 901 vacant posts on all salary levels:

- Head Office: 288 vacancies
- Northern Cape and Free State Region: 246 vacancies
- Mpumalanga/Limpopo/North West Region: 555 vacancies
- KwaZulu-Natal Region: 513 vacancies
- Eastern Cape Region: 295 vacancies
- Western Cape Region: 425 vacancies
- Gauteng Region: 579 vacancies

(2) The department is in the process of filling some of the vacant posts that were recently advertised. Furthermore, the department will be advertising all critical vacancies both internally and externally during the month of September 2004.

QUESTIONS

For written reply:

Skills deficit in department

421. Adv C B JOHNSON (NNP) asked the Minister for Justice and Constitutional Development:

Whether her department is currently experiencing any skills deficit; if so, what are the relevant details? N528E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

Yes. A skills audit exercise during 2003 revealed certain skills gaps which have been captured in the department's Workplace Skills Plan. Accordingly, strategies have been devised to address these gaps through skills development programs.

One of the major skills gaps that is being addressed on a large scale throughout the department is information technology. The department has engaged the services of AST whereby a national IT training project called Digital Nervous System Services (DNS) was initiated in 2001. This training targeted all end users in the department and up to date a large number of employees has been trained from introductory to intermediate level on computer skills. This project is due to end this year in October.

Warrant for arrest of certain person issued

456. Mr L T LANDERS (ANC) asked the Minister for Justice and Constitutional Development:

(1) Whether a warrant for the arrest of a certain person (name and details furnished) has been issued; if not, why not; if so,

(2) whether the National Prosecuting Authority (NPA) or the Directorate of Special Operations (Scorpions) has applied for or intends applying for the extradition of the said person who currently resides in Britain; if not, what are the reasons as to why the said person should not be extradited; if so,

(3) whether the British government has agreed to comply with the request for extradition; if not, why not; if so, when will the said person be returned to South Africa;

(4) whether the NPA and/or the Scorpions have any agreement with the said person or with the British government that prevents the said person being extradited; if so, what are the (a) details of such agreement and (b) further relevant details;

(5) whether she will make a statement on the matter? N648E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

Yes, the department is encouraging the use of alternative sentencing in respect of criminals convicted of lesser offences. This should be viewed in perspective.

In terms of the Constitution, the courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice. It states furthermore that no person or organ of state may interfere with the functioning of the courts. In view hereof, the sentencing of offenders in the courts is a matter which is dealt with exclusively by judicial officers based on the facts before the court. The Department of Justice and Constitutional Development is precluded from interfering with the functions of the court or the independence of judicial officers and is thus in no position to prescribe to judicial officers what action must be taken against certain offenders and can therefore not instruct them what sentences to impose.

However, the department can make different forms of sentencing possible in terms of the various legislative provisions relating to possible sentences. Thereafter the sentencing itself is done by the presiding official in a court of law, based on information, evidence or facts placed in front of him or her. In this regard the prosecutor, legal representative, social worker (in terms of pre-sentencing reports) and even the convicted person can play a role.

Notwithstanding the above, training relating to sentencing, through Justice College, as well as guidelines from the higher courts/ Supreme Court of Appeal/Constitutional Court pertaining to apt sentences, do provide guidance to the judiciary in this regard. Regular discussions with the judiciary, prosecution and other role-players also focus on aspects such as overcrowding of prisons and alternative sentencing in general.

In practice, however, it is not always possible to implement alternative sentencing options, particularly in the rural areas. However, in terms of legislation, alternative sentencing can be encouraged as is being contemplated in the Child Justice Bill, 2002, which is currently before Parliament. This Bill, among others, makes provision for the statutory recognition of diversion of children under 18 years away from the mainstream criminal justice system. The Child Justice Bill is at present being considered by the Portfolio Committee on Justice and Constitutional Development. In practice, however, diversion and alternative sentencing, especially regarding children, are already taking place in our child justice courts. We have been hard at work to also put in place diversion programmes to increase diversion of especially children away from the court processes towards more rehabilitative processes.

This Bill was introduced into Parliament in mid-2002 as Bill 49 of 2002. In short, the Bill, as introduced, in broad terms, sought to—

(i) promote crime prevention by dealing appropriately with children (persons below 18 years) when they first come into the criminal justice system;

(ii) protect children charged with less serious offences from the negative effects of courts and prisons;

(iii) promote moral regeneration by bringing families and communities back to the centre of managing the behaviour of children;

(iv) involve victims and communities through an emphasis on *ubuntu* and restorative justice; ("restorative justice" is defined as "the promotion of reconciliation, restitution and responsibility through the involvement of a child, the child's parent, the child's family members, victims and communities");

(v) promote the use of programmes that hold children accountable for their actions in ways they understand;

(vi) reduce the number of trials in which children are involved;

(vii) promote the principle that imprisonment of children is a measure of last resort in appropriate cases;

(viii) ensure the safety of the community by retaining a channel for the prosecution, conviction and, in appropriate cases, the imprisonment of children who commit serious or violent offences; and

(ix) provide for inter-sectoral monitoring that will allow an active, responsive approach to the management of the child justice system by government.

Diversion is a central feature of the new system, and the draft Child Justice Bill sets

out a range of diversion options. Diversion options operated by government departments or NGOs must be registered as prescribed and must conform to certain minimum standards. One of the diversion options is a family group conference which is a restorative justice concept and which is an informal procedure which is intended to bring a child accused and the victim of the crime together, supported by their families and other appropriate persons, at which a plan is developed on how the child will redress the effects of the offence. Failure to comply with a diversion order can result in the child being arrested and being brought to court where the prosecutor can then decide to continue with the prosecution. If the prosecutor decides not to continue with the prosecution, the inquiry magistrate can decide to apply the same diversion option with different conditions or decide on a new diversion option.

It should be mentioned that although there is currently no statutory recognition of diversion, magistrates and prosecutors, working with probation officers and NGOs, do already divert the cases of children in appropriate cases. Since July 1999 — March 2004 some 70 688 cases of children accused were diverted. A number of High Court review judgments have given favourable recognition to this practice. This Bill will bring legal certainty to a practice that is already well advanced.

Assistance to LAB

457. Adv C B JOHNSON (NNP) asked the Minister for Justice and Constitutional Development:

> Whether her department will assist the Legal Aid Board with the extra R93 million needed to provide legal services to the poor; if not, why not; if so, what are the relevant details? N618E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

The department is assisting the Legal Aid Board in its bid to National Treasury for additional funding needed to provide legal services for the poor. The Legal Aid Board is a Schedule 3A Public Entity that forms part of the vote of the department. It receives its funds as a transfer payment through the department. These funds are ring-fenced by National Treasury for the Legal Aid Board and may not be used by the department for any other purposes. The MTEF allocation of the Legal Aid Board is:

2004-05	*2005-06*	*2006-07*
R390 525 000	R414 327 000	R439 187 000

As part of the MTEF process, the Legal Aid Board registered a request ("bid") for additional funding in the amount of R93,3 million over the next MTEF period. This additional funding will allow the Legal Aid Board to complete its court coverage and fully staff its satellite offices (145 additional staff members), to support the department in providing legal aid at the specialised courts such as the Sexual Offences and Community Courts (129 additional staff members), to improve the supervising ratio and training (99 additional staff members), to increase its client accessibility (mobile LAB lawyers, Saturday clinics, etc) (132 additional staff members), and an amount for special appeals, backlogs and Saturday Courts. The Legal Aid Board has subsequently revised its bid upwards and now requests an additional R115 million for the first year of the next MTEF cycle.

The department is fully supportive of this bid and has registered it with National Treasury as part of the MTEF process. The accounting officer and CFO of the department have met their counterparts of the Legal Aid Board to discuss the bid and the Legal Aid Board has been invited to join the department at its MTEC hearing scheduled for 8 September 2004. However, it must be pointed out that the decision to allocate additional funding and the extent of such possible funding to the Legal Aid Board and

the department vest in MinComBud as advised by Treasury and not the department. There is therefore no guarantee that the Legal Aid Board or the department will receive any additional funding.

Exercise of powers over certain company

497. Mr V C GORE (ID) asked the Minister of Labour:

(1) Whether he exercises any powers over a certain company (name furnished); if so, under what legislation and provisions are these powers excercised;

(2) whether any of the claimants who submitted claims to the said company were not paid benefits in the past 12 months; if so, (a) how many in respect of each month and (b) why were the claims not paid? N698E

The MINISTER OF LABOUR:

(1) The Minister exercises his powers over the Rand Mutual Assurance Company Ltd by issuing a licence on the business of insurance of employers against their liabilities to their employees in terms of section 30 and section 84 of the Compensation for Occupational Injuries and Disease Act, 1993, as amended (Coida). The Minister may in terms of section 30 of Coida, from time to time order that additional securities be deposited with the Director-General or his/her nominee to cover the liabilities of the mutual association. The mutual association must apply annually to the Minister of Labour and the licence is granted to them with such conditions as the Minister may determine from time to time.

The Minister reserves the right to withdraw the licence issued to a mutual association if he is satisfied that the association is failing to comply with any of the conditions imposed on them.

(2) Rand Mutual Association registered a total of 47 165 claims for the past twelve months (1 October 2003 to 30 September 2004).

- A total of 45 017 claims were finalised with payment of medical expenses and permanent disablement as relevant.
- The remaining 2 148 claims have not yet been finalised for the following reasons:
  - — The condition of the injured employee has not yet stabilised due to the serious nature of the injury in which case the assessment of permanent disablement may not he done until the condition has stabilised. These employees are still under active treatment.
  - — There are still outstanding (information) reports from either the employee or employer (mining companies) and medical reports from medical providers, which are crucial for the acceptance of claims or payment of compensation benefits.

Procedure followed by certain company when terminating payment of pensions

499. Mr V C GORE (ID) asked the Minister of Labour:

(1) What procedure is followed by a certain company (name furnished) when terminating payment of pensions;

(2) whether this procedure complies with the relevant regulations, legislation and the Constitution; if not, what is the position in this regard; if so, what are the relevant details? N700E

The MINISTER OF LABOUR:

(1) Rand Mutual pensions are terminated at the death of the pensioner. The pension

for employees, widow/widower is paid until his/her death. The children's pensions are terminated when they reach 18 years, or when they die before reaching 18 years or when they get married. Pension is suspended when the annual life certificate is not received and reinstated on receipt thereof; to stop payment to ghost pensioners.

(2) This procedure complies with relevant regulations in terms of Coida and is the same as that of the Compensation Fund in the Department of Labour.

Court buildings accessible to people with disabilities

538. Mr V C GORE (ID) asked the Minister for Justice and Constitutional Development:

(a) How many (i) Magistrates Court, (ii) High Court, (iii) Appeal Court, (iv) Constitutional Court, (v) Equality Court and (vi) Labour Court buildings are there in each province and (b) how many of these comply with section S, dealing with accessibility for persons with disabilities, and associated regulations of the National Building Regulations and Building Standards Act, Act 49 of 1995, as amended?

N702E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(a) (i) The number of magistrates' court buildings in each province are as follows:

Eastern Cape	116
Free State	81
Gauteng	66
KZN	118
Mpumalanga	75
Limpopo	91
Northern Cape	53
North West	64
Western Cape	84
Total	748

(ii) The number of high court buildings in each province are as follows:

Eastern Cape	4
Free State	1
Gauteng	3
KZN	2
Mpumalanga	0
Limpopo	0
Northern Cape	1
North West	1
Western Cape	2
Total	14

(iii) Appeal Court building:

Free State	1

(iv) Constitutional Court building

Gauteng	1

(v) Equality courts are not accommodated in separate buildings

In all provinces 220 equality courts have been established in magistrate's court buildings and 12 at High Court buildings. The jurisdiction of these courts have been spread through the whole country to allow access to these courts by members of the communities. The long term plan is to have an equality court in every magistrates court.

(vi) Labour and Labour Appeal Court

Gauteng	1
Western Cape	1
KZN	1
Eastern Cape	1

(b) The number of magistrates' court buildings that comply with section S are indicated in the table below:

Province	*Fully*	*Partially*	*Not at all*
Eastern Cape	52	25	39
Free State	41	13	27
Gauteng	22	24	20
KZN	41	34	43
Mpumalanga	17	18	40
Limpopo	32	15	44
Northern Cape	19	15	19
North West	9	17	38
Western Cape	39	14	31
Total	272	175	301

— Eight High Court buildings comply with section S.

— The Appeal Court building does not comply with section S.

— The new Constitutional Court building in Braamfontein is fully accessible for the physically challenged.

— Equality courts — see (a)(v) above.

— The four Labour and Labour Appeal Courts comply with section S.

We have conducted an audit throughout the country to establish the needs at each court not compliant with section S and a separate budget submission was submitted to the National Treasury to renovate these courts. We hope to have all these courts compliant within the next five years, funds permitting.

Investigation into allegations of financial mismanagement at HRC

553. Mrs S M CAMERER (DA) asked the Minister for Justice and Constitutional Development:

Whether allegations of financial mismanagement at the Human Rights Commission have been investigated; if not, why not; if so, (a) what were the findings, (b) what is the reason for the suspension of a certain person (name furnished) and (c) what are the further relevant details of such investigation? N801E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

Allegations of financial mismanagement at the South African Human Rights Commission have been investigated thoroughly by an independent external auditing firm appointed independently by the Department of Justice and Constitutional Development. The forensic audit report has been referred to the executive authority (chairman of the commission) as is required by due process. The executive authority has as yet not released a statement on the report.

The person that the hon member is referring to was suspended for alleged non-performance. The disciplinary matter is receiving attention.

Organisations contracted to provide court recording services

637. Mrs S M CAMERER (DA) asked the Minister for Justice and Constitutional Development:

(1) (a) Which organisations have been contracted to provide court recording services, (b) when were the latest contracts concluded, (c) what is the annual cost of each of the current contracts and (d) what was the annual cost of the previous contracts;

(2) whether the appropriate tender procedures were followed in awarding these contracts; if not, why not; if so, what are the relevant details;

(3) whether black empowerment entities were involved directly or indirectly in the organisations that were contracted; if not, what is the position in this regard; if so, what are the relevant details? N943E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(1) (a) The following service providers have been contracted to provide court recording and transcription services in the High Court and transcription services in the lower courts.

High courts: Sneller Digital (Pty) Ltd

Lower courts: Tebo Transcribers and Interpreters; Rainbow Transcriptions CC; Mrs Ria Meyer Transcription Services; Krino Transcription Services; Infotech; LC Pietersen; Paarl Tikdienste; Legal Transcriptions, CC; Veritas Transcription Services; Taxco Transcription Services; Free State Transcription Services; Mugivhi & Company; Verbatim Transcriptions CC; Speedy Transcripts; Phendula Facilities Management; VM & Associates and Sneller Recordings (Pty) Ltd

(b) High court: 2 June 2000, and 1 August 2000 in respect of the High Courts at Johannesburg, Pretoria, Mmabatho and Thohoyandou. (The contractor had to install data cabling, servers and computers in respect of 152 court rooms countrywide and requested that more time be allowed before converting to the new system. The request was considered reasonable and it was allowed).

Lower courts: 1 June 2003

(c) High court:
R21 867 635 (2002-03) — actual expenditure
R23 157 490,87 (2003-04) — actual expenditure

(Prior to the contracting of Sneller Digital's services, the Department of Justice and Constitutional Development (DOJCD) had to appoint 152 stenographers to do recording in the High Court at a remuneration of R31-R65 per hour per stenographer; i.e. ± R5 772 960 per annum).

Lower courts:
R15 596 258,26 (2002-03) — actual expenditure
R20 500 176,06 (2003-04) — actual expenditure

(d) High court:
The financial management system does not provide for expenditure reports for periods longer than three years. The expenditure for the services for High Courts in terms of the previous contract is therefore not readily available.

(2) Yes. The tender procedures and prescripts issued by the Tender Board in the manuals ST36 and ST37 were followed by the DOJCD.

Details:

— In respect of both contracts invitations to tender and the specifications were advertised in the State Tender Bulletin.

— The tenders were placed in a tender box by the tenderers at the Office of the State Tender Board.

— The tender box and the tenders were opened by officials of the office of the Tender Board and the tenders were submitted to the DOJCD for recommendations.

— The tenders were evaluated by the DOJCD's Tender Committee which was duly appointed by the DOJCD's Accounting Officer.

— The Tender Committee submitted its recommendation together with the original tender documents to the Office of the State Tender Board.

— Officials of the Office of the State Tender Board have had several questions/requests in connection with the Tender Committee's recommendations which were answered/adhered to by the DOJCD.

— Officials of the Office of the State Tender Board submitted their recommendations to the State Tender Board.

— The State Tender Board entered into contracts with the service providers mentioned in paragraph 1(a) *supra*.

(3) Yes, the percentages indicated next to each contractor's name indicate historically disadvantaged individuals/black empowerment involvement:

High court:
Sneller Digital 60%

Lower courts:
Tebo Transcribers and Interpreter 100%
Rainbow Transcriptions CC.... 50%
Mrs Ria Meyer Transcription Services 50%
Krino Transcription Services ... 0
Infotech..... 100%
LC Pietersen 0
Paarl Tikdienste..... 20%
Legal Transcriptions, CC 30%
Veritas Transcription Services.. 40%
Taxco Transcription Services .. 66.6%
Free State Transcription Services..... 0
Mugivhi & Company..... 100%
Verbatim Transcriptions CC.... 75%
Speedy Transcripts 100%
Phendula Facilities Management..... 100%
VM & Associates 100%
Sneller Recordings (Pty) Ltd... 48%.

Bargaining councils for retirement funds established under Act 66 of 1995

707. Prof B TUROK (ANC) asked the Minister of Labour:

(a) Which bargaining councils for retirement funds have been established under the Labour Relations Act, Act 66 of 1995, (b) what financial assets do they have and (c) to whom are they accountable?

N1025E

The MINISTER OF LABOUR:

Bargaining Council pension and provident funds established in terms of the Labour Relations Act, 1995 and extended to nonparties in terms of section 32

Name of bargaining council	*Type of fund*	*Assets ie accumulated funds (Date)*	*Accountability*
1. Bargaining Council for the Building Industry (Cape of Good Hope)	Pension fund	R1 193 408	• The bargaining councils are accountable to the parties to the council who also serves as trustees on of the funds.
2. Bargaining Council for the Building Industry (Kroonstad)	Pension fund	R69 533 57	
3. Bargaining Council for the Building Industry (Bloemfontein)	Provident fund	R337 340	

Name of bargaining council	*Type of fund*	*Assets ie accumulated funds (date)*	*Accountability*
4. Bargaining Council for the Building Industry (East London)	Pension fund Provident fund	R656 556 R2 815 888	• The bargaining councils must annually submit financial statements and auditor's reports in respect of all funds of the councils to the Registrar of Labour Relations. If the council fails to comply with the afore-mentioned the Registrar may conduct an enquiry into the affairs of that council
5. Bargaining Council for Building Industry (Southern and Eastern Cape)	Pension	R490 983	
6. Clothing Bargaining Council (Western Cape Region)	Provident fund	R55 289 916	
7. Clothing Bargaining Council (Natal)	Provident fund	R204 044 694	
8. Clothing Bargaining Council (Eastern Province)	Provident fund	R8 390 430	
9. Bargaining Council for Commercial and Distributive Trade (Kimberley)	Pension	R241 166	
10. Diamond Cutting Industry of South Africa	Pension	R3 518 (2002)	
11. Bargaining Council for the Furniture Manufacturing Industry KwaZulu-Natal	Provident fund	R176 629 026	
12. Furniture, Bedding and Upholstery Industry BC (Greater Northern Region)	Provident fund	R224 813 725	
13. Bargaining Council for the Laundry, Dry Cleaning and Dyeing Industry (Natal)	Provident	R22 156	
14. Bargaining Council for the laundry, Cleaning and Dyeing Industry (Cape)	Provident	R979	
15. National Bargaining Council of the Leather Industry of South Africa	Provident fund	R555 628 815	
16. Liquor, Catering and Accommodation Trades South Coast, Natal	Pension	R16 556 215	
17. Metal and Engineering Industries Bargaining Council	Pension fund Provident fund	R823 834 900 R394 640 300	

Name of bargaining council	*Type of fund*	*Assets i.e. accumulated funds (date)*	*Accountability*
18. Motor Industry Bargaining Council (MIBCO)	Motor Industry Provident fund	R2 022 770 000	
	MISA Pension fund	R1 049 123 000	
	Auto Workers Provident fund	R1 512 128 000	
	Auto Workers Pension fund	R1 903 630 000	
	Motor Industry/ MISA Provident fund	R178 115 000	
19. Tearoom, catering and restaurant Bargaining Council (Pretoria)	Provident	R44 642	
	Total:	R9 138 438 535	

QUESTIONS

For oral reply:

THE PRESIDENT

Establishment of united movement of peoples of the world to create a new world order

*1. Ms R K MAGAU (ANC) asked the President of the Republic:

With reference to his call in his state-of-the-nation address on 21 May 2004 for the establishment of a united movement of the peoples of the world to work together to create a new world order, what role does he envisage the Government and the people of South Africa will play in the establishment of such a movement? N1051E

The PRESIDENT: Thank you very much, Madam Speaker and hon members. I do believe that the need for us to mobilise globally to achieve various objectives is indeed a very important question. I think there is general agreement on the African continent, that some of the principal challenges we face include peace and stability on the continent, democracy, economic development and a better life for all our peoples. And indeed, to respond to those challenges requires that all our governments on the continent should respond to all of these in a united manner.

I believe that the processes agreed upon at the African Union, including through Nepad, commit these governments therefore to work together to address these issues. But similarly, it is important that the matters should not just be left to governments. You need a process of popular mobilisation, so that if there are problems of peace, for instance the situation in Darfur, people can be mobilised. But also to mobilise people in our country and elsewhere on the continent to build a peace movement that would support any processes leading to the restoration of peace, democracy and stability in the Darfur region.

So, I am saying that the realisation of these goals of peace, democracy, economic development and a better life for the people, do require joint government action, but also joint popular action within and amongst countries on the African continent. But then with regard to the relationship between Africa and the rest of the world, there are two important issues that link us with the rest of the world, one of which is the matter of the millennium development goals, and the other is the question of the system of global governance.

Now I think everybody in the world has generally agreed that there are some critical matters that the global community needs to address, with regard again to these challenges of peace, democracy, economic development and a better life for the African people. These matters refer to resource transfers from the developed countries to the African continent and other developing countries.

There is the question of debt, which must be addressed. It is obvious that we cannot sustain the discontinued debt burden on the African countries at the same time as we are saying the African countries need to develop. There is a question of development assistance, and you find this comment made very often now that in the developed world there is aid fatigue. So governments are saying that it becomes difficult for them to increase these necessary commitments with regard to development assistance, because their constituencies are fatigued about this matter of aid. But certainly for the purpose of African development, this remains an important issue.

Then there are questions of market accessibility. All of the questions that have been discussed at the World Trade Organisation are those that everybody are familiar with,

for instance, relating to the subsidies on agricultural products in the developed world, and the impact that this has on access into those markets of the developed countries by Africa and other developing countries.

The fifth matter I would like to mention is the question of the democratisation of the global system of governance, whether it is the United Nations, the World Bank, the International Monetary Fund or those bodies which impact on what happens on the African continent. Therefore, I believe that our task is to mobilise governments and to mobilise people on the African continent, in the developed countries and in the rest of the world to act together to achieve those objectives I mentioned of resource transfers, debt, development assistance, and so on. That is a task I think all of us need to join in order to carry out.

Now, hon Magau asked what role we envisage for the government and the people of South Africa. We are talking about a popular movement and obviously, from the point of view of the government, the first thing that the government needs to do is to establish necessary links and contacts with other like-minded governments, so that globally we would pursue a common agenda on all these things.

For instance, these questions were raised and discussed at a recent meeting in Hungary of the Progressive Governance Group, so it is necessary for the South African government to build up these links with other like-minded governments, as I was saying, to ensure that these governments are able to act together. Madam Speaker, what do I do?

The SPEAKER: Your time has actually expired, hon President.

The PRESIDENT: Oh, I see. Okay.

The SPEAKER: The clock shows how much time you have.

The PRESIDENT: I cannot see it you see, because I am looking here, not there. [Laughter.]

The SPEAKER: Oh, I see. I now will allow hon Magau to ask a supplementary question.

Ms K R MAGAU: Thank you, Madam Speaker, and I would also like to thank the hon President of the Republic of South Africa for the response. Since its inception in 1912, the ANC's objective was to unite African people to spearhead the struggle for fundamental political, social and economic change. Clause 10 of its basic document, the Freedom Charter, says that there shall be peace and friendship. And South Africa's role in this regard shall be the maintenance of world peace and the settlement of all international disputes by negotiation not war, hence the call for the creation of the movement of the people of the world.

In the light of the above call, how does the hon President of the Republic of South Africa see this movement uniting people, particularly in the region, and also how does he envisage the particular role that has to be played by the continent and the whole world at large? And how does the hon President see this movement playing a role in realising the ideals of peace, stability, economic development and the creation of a better world, where people of the world are able to relate with one another about issues affecting them without any fear? I thank you.

The SPEAKER: Hon members, may I appeal to you that when you ask follow-up questions, you confine yourself to the question and not ask too many questions, because the President's time is also limited in giving the answers. If you ask too many questions, then you create a problem for him.

The PRESIDENT: Madam Speaker, the hon member in reality is asking me to continue with the answer that I have not finished. [Laughter.] So, in terms of the question that was put, I am saying our government needs to link up with like-minded governments, so

that we put on the global agenda these various questions.

I think this Parliament needs to do the same thing. I think an important start has been made with regard to the unity of the African continent that the hon member mentioned. We will come back to the question of our membership to the Pan-African Parliament. But this is an important institution that needs to link up with the parliaments of the world, so that we can say to the developed countries what indeed we are doing about all of these matters. As the African continent we are not going to succeed on our own, even though we put in a lot of effort. So you need that mobilisation.

I am saying this Parliament should itself build up its own system of relations with parliaments around the world, and of course the Pan-African Parliament, to mobilise the parliaments around the world to be part of this movement.

I think the task also faces our trade unions in this country. Our trade unions have their own links with the trade unions in other parts of the world, in the international trade union movement, and they would do the same. And that goes for civil society as well, such as the faith-based organisations, women's movements, youth movements, and so on. I think it is possible, because if indeed one watches what is happening in the developed countries, you do see that there are a lot of sensitivities to these challenges. Take the example of Jubilee 2000. It was Jubilee 2000, as a popular movement in the developed countries, that actually obliged the developed countries to adopt a programme to deal with the debt of the highly indebted poor countries. I think these interventions — the government ones, the popular ones and parliamentary ones — need to encourage everybody to rally around this common agenda. I think that is what we need to do. I hope that Parliament would play its own role in that regard. Thanks, Madam Speaker.

Mr D H M GIBSON: Thank you, Madam Speaker. Mr President, it is good to see you in the House. South Africa is doing important work in helping to bring peace to the Great Lakes region, but we appear to be doing nothing much about the Swaziland position. We aid, comfort, encourage and even applaud the Mugabe regime, and we seem satisfied about doing little about the greatest humanitarian crises in the world in Darfur. We and our brothers and sisters often choose to hide behind multilateralism to excuse inaction or to protect solidarity.

Mr President, may I ask why the rest of the world should be interested in our proposals for a new world order, when we often fail to assert our moral authority, and leadership on matters of crucial concern to our country and to our continent?

The PRESIDENT: Well Madam Speaker, the hon member is correct to be concerned about these matters, but I think perhaps there is a lack of information about all the matters that he has raised. We have been engaging His Majesty the King of Swaziland and the government of Swaziland on the issues in Swaziland for quite some time. Indeed there is ongoing interaction.

What we were waiting for, which is now being done, was the finalisation of the draft constitution by Swaziland so that we can have a look at that. And as the hon member knows they were working on that together with the Commonwealth Secretariat. We were waiting for that to be published so that we can then see what it says in order to continue that intervention with the government of Swaziland. We will continue that engagement.

The same goes for Zimbabwe, hon member. We are in regular contact both with the government and the opposition party. And, in fact, in the last four weeks we probably had something like four meetings with the leadership of the MDC, to look at issues and what is happening to see in what ways we can take this matter forward. This week I am meeting another delegation of the MDC to look at how far they have gone and what sort

of problems we can help to resolve. So, the engagement with Zimbabwe continues with both of these leading political organisations. I am hopeful that the Zimbabweans will resolve these questions, but we will give them the support that we continue to give.

You know that as far as Darfur is concerned, we have members of the SA National Defence Force in Darfur as part of that observer mission. We have again been engaged with the government of the Sudan about this thing, very repeatedly and very often. And one of the matters that we have been discussing with them quite repeatedly was a need to expand the presence of the African Union in Darfur beyond the 120 observers and the protection unit of 320. And indeed, as you know, in the end the Sudanese government has agreed to a deployment of up to 4 000 people.

We are working with the African Union and also with other countries. I think you would probably have heard the announcement, if it has been made already, of assistance from the United States government, on the logistical side. Again we have been engaging the US government on this matter for quite some time to say that once this decision is taken to expand this presence, it is going to be necessary for the developed world to give that logistical support.

And so, hon member, we have indeed engaged with all of these issues. It may be that people do not issue press statements every day, but the fact of the absence of press statements does not mean we do not engage with them, and we will continue to engage them to the best of our ability. Thank you, Madam Speaker.

Basis of remarks *re* rape in South Africa

*2. Mr R COETZEE (DA) asked the President of the Republic:

(1) Whether, in light of his remarks in a certain publication (details furnished), the Government is in possession of any information which suggests that rape is not pervasive in South Africa and that rape does not, in part, account for the spread of HIV in South Africa; if not, on what did he base the views reported in the media from 2 to 4 October 2004; if so, what are the details of such information;

(2) whether, with reference to his reply to Question 6 for oral reply on 20 September 2000 and in light of the findings of the latest annual HIV/Aids and syphilis seroprevalence report, which shows that 27,9% of women who attend government antenatal clinics are HIV positive, the Government is in possession of any information that indicates that (a) prevailing sexual practices and the attitudes of some men towards women do not account, in large part, for the spread of HIV in the country and (b) HIV does not cause Aids; if not, what information does he use to inform his decisions in providing leadership to the Government on this matter; if so, what are the details of such information;

(3) whether, in light of the above-mentioned report which indicates that the Government's fight against HIV/Aids has not reduced infection rates since his decision to withdraw from the public discourse on how best to deal with the pandemic, he will now play a more active role in leading the fight against HIV/Aids; if not, why not; if so, in what way?

N1054E

The PRESIDENT OF THE REPUBLIC: Madam Speaker, let me start off with some preliminary comments. The remarks to which the hon member refers appeared in a recent edition of the weekly journal, *ANC Today*.

As I stand here, as on previous occasions, I do so as President of the Republic and not as President of the ANC. Ordinarily, when I speak as President of the Republic I would decline to engage any hon member, on behalf of the House, to speak on matters I've raised as a member of the ANC. [Applause.] However, in the light of the important matter at issue, I will, today, somewhat depart from this rule. This is my first preliminary comment.

Secondly, I will only address the central issue raised in the letter in the *ANC Today*, and that matter is the issue of racism. Contrary to this, the hon member wants us to discuss questions that refer to the government's attitude towards or information about various matters that relate to HIV and Aids. Among other things, the hon member wants us to discuss what he describes as "pervasive rape" in South Africa, the prevailing sexual practices and the attitudes of some men towards women, asking whether these do not account, in large part, to the spread of HIV in the country.

The third part of the question asks whether I will. I quote: ... "now play a more active role in leading the fight against HIV/Aids?", whatever that means, Madam Speaker.

I would like to inform the hon member that government has taken no decision to change the manner in which it is handling the challenges of better health for our people, both with regard to HIV and Aids and all other health conditions we have to confront. We will continue to intensify our efforts to ensure that our people have better access to quality health care. That is my third preliminary comment.

As was the case when I was Deputy President of the Republic, with Nelson Mandela as President, the Deputy President, supported by the Minister of Health, the Ministerial Committee on HIV and Aids and the Cabinet, chaired by the President, we'll continue to lead the government's response to HIV and Aids.

In the letter to the *ANC Today*, to which the hon member refers, which discusses the serious, continuing and pervasive challenge of racism, in the context of particular responses to the Annual Report on Crime Statistics, I said that despite the advances we have made, all of us know that the problem of crime persists. Among other things, we must, therefore, use the crime statistics to improve our effectiveness in both areas of preventing and combating crime. And I said that all those of us who are engaged in the fight against crime have to find ways and means successfully to motivate and mobilise even the most depressed communities not to impose additional pain on themselves by allowing for the perpetuation of a permissive atmosphere that encourages members of the community to do crime.

Even a perfunctory study of the annual crime report showed that one of the contact crimes, to which I referred, is the crime of rape. I would like to take this opportunity, once more, to call on all our people to do more work within our communities to combat the terrible crime of rape, as well as violence and all forms of abuse against women and children.

I trust that the hon member Coetzee will also devote time to working among the people to promote the achievement of this objective, which is centred on the fundamental task to improve the safety and security of all our people.

As hon members are aware, and as I've said, rather than discuss the central questions I discussed in the *ANC Today*, the hon member Coetzee wants me to engage in a televised debate that will help some people in our country to perpetuate the dangerous pretence that racism in our country died with the holding of our first democratic elections 10 years ago. I do not agree, Madam Speaker, and neither do many concerned South Africans, both black and white. And neither do many people everywhere else in the world who are deeply troubled about

racism and xenophobia in human society globally.

Whatever the circumstances and regardless of the regularity of Catholic incantations about playing the race card, I for my part will not keep quiet while others whose minds have been corrupted by the disease of racism accuse us, the black people of South Africa, of Africa and the world, as being, by virtue of our Africanness and skin colour, lazy, liars, foul-smelling, diseased, corrupt, violent, amoral, sexually depraved, animalistic, savage and rapist.

The question posed by the hon member, arising out of a letter to the *ANC Today*, about racism, suggests that he believes that this particular matter, racism, is not serious enough to deserve his attention. Accordingly, in the parliamentary question we are now discussing, he does not even raise one query about racism, the subject matter of the letter to the *ANC Today*, to which he refers.

Recently, death robbed us of a distinguished and humble South African, Dr Franz Auerbach, a first-generation citizen of our country who was born a German Jew, and, indeed, may he rest in peace, Madam Speaker. Speaking in 2001, he said: "Beliefs based on fixed impressions we call stereotypes are quite hard to dislodge. If you believe that most young black men are criminals, the experience that the majority of petty thieves and hijackers in your town are, in fact, the young people, young black males, of whom there are in any case six times as many as young white males, quite apart from poverty and unemployment, will make you think that your stereotype of them is correct, even though it's clearly not true.

And referring to two Nineteenth Century Western theoreticians of racism, Count Joseph Arthur de Gobineau and Houston Stewart Chamberlain, Franz Auerbach said: "The racism built on the Gobineau-Chamberlain foundation permeated much economic, social and political thought and practice, particularly during the period 1850–1950." And he also said: "I believe it remains widespread in many heads in many parts of the world." Is my time expired, Madam Speaker?

The SPEAKER: Absolutely, Mr President. [Applause.]

Mr R COETZEE: Madam Speaker, thank you very much. Mr President, this question is not about racism, it's about HIV/Aids. And what you said in the *ANC Today* is that Kathleen Cravero, who's the Deputy Executive Director of UNAIDS, and Charlene Smith, are racist and harbour a stereotype of black Africans as, I quote: "barbaric savages", because they suggested that the pervasiveness of rape accounts in part for the spread of HIV in our country.

Now, Mr President, the fact is that rape is pervasive in our country and there is a lot of evidence that proves that. So in light of this fact and in light of the remarks that you made in the *ANC Today*, do you not agree that your comments did damage to the cause of gender equality in South Africa and to the fight against rape in our country, and that they cause harm to the fight against HIV? And will you not agree to withdraw those remarks in respect of Ms Smith and Ms Cravero? [Applause.]

The PRESIDENT OF THE REPUBLIC: Madam Speaker, clearly the hon member is not listening to what I'm saying. And I'm saying that the *ANC Today* discussed the question of racism, and I'm going to continue discussing the question of racism.

I was saying about Franz Auerbach that in the same year that he made his comments in 2001 about racist beliefs that are widespread in many heads in many parts of the world, including our country, another honest white person, but this time an American, Cynthia Kaufman, published an article in the journal, *Radical Philosophy Review*. And she wrote: "Because of our racist history in the United States, we have a cultural system that often creates the meaning of whiteness as good,

through a complex dialectical dance with the identities of people of colour, constructed in our imaginary worlds as the other."

"Somewhere in our cultural unconscious", says Cynthia Kaufman, "lies the image of the brutal, animalistic, sexual, savage. This image was created long ago as part of the cultural work that was done to make whites feel better about slavery. But even now, with slavery long gone, the images are still part of our cultural system and they impact the cultural meanings of white and black especially. Stereotypes of African Americans as savage lead many whites, often against their conscious intention, to fear blacks and to mistrust them."

The SPEAKER: You still have 22 seconds, hon President.

The PRESIDENT OF THE REPUBLIC: And this year, Madam Speaker, in an article entitled "The Continuing Miseducation of the Negro", an African-American associate professor at the University of Massachusetts, Dr Edward Rhymes, wrote: "We are portrayed as oversexed or lascivious, and yet the porn and adult entertainment industry is dominated by whites. It is African Americans that get accused of being rampant sexual beasts, unable to control our urges, unable to keep our legs crossed, unable to keep it in our pants."

As we, as a community, declare war on irresponsibility, ignorance, crime, poverty and the vast number of concerns that we face, we must be circumspect. I would think that we who live in present-day America would know exactly what it means to declare war on flawed and unproven information. Time must have expired, Madam Speaker.

The SPEAKER: Yes. [Applause.] Hon members, technology is not co-operating, so I will ask you to raise your hands so I can see who wants to ask a follow-up question.

Ms R J MASHIGO: Madam Speaker, the ANC-led government has made great strides, since 1994, in the fight against HIV and Aids. [Interjections.] The point here is that all South Africans should join in the fight against HIV and Aids.

For the DA to ask such questions at this time and day is quite appalling. [Interjections.] It's not just appalling, it's sheer, cheap politics. [Applause.]

Our programme on HIV and Aids, including the comprehensive plan adopted by Cabinet in November 2003, surpass many in the whole world. This shows the kind of leadership of the President and in the country . . .

The SPEAKER: Order! Hon member, your time has expired and, of course, you didn't have a question. But, maybe the President might want to make a comment. But it doesn't prevent the President from taking his time to either continue with his reply or make whatever additional remarks he might want to make.

The PRESIDENT OF THE REPUBLIC: Thank you, Madam Speaker. Indeed, as you say, the hon member didn't ask any question, so I'll continue with what I was saying. And I was saying, Madam Speaker, that in the letter in the *ANC Today*, to which the hon Coetzee refers in his question, I cited two instances of people, one of them a white South African woman, who have written that our cultures, religion and social norms as Africans condition us to be rampant sexual beasts unable to control our urges, unable to keep our legs crossed, unable to keep it in our pants.

The rapists that the hon Coetzee says in large part account for the spread of HIV and Aids . . .

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, can I address you on a point of order?

The SPEAKER: What is your point of order?

The CHIEF WHIP OF THE OPPOSITION: The point of order, Madam, is that it has been ruled in the House before that hon

members and persons addressing the House should avoid trying to inflame racial tensions, and I want to point it to you that the hon President is spreading racial statements.

The SPEAKER: No, hon member. That is your opinion. There is an issue that is on the table and the President is dealing with it. So please take your seat. [Applause].

The CHIEF WHIP OF THE OPPOSITION: He's not dealing with it, Madam, and that is the problem.

The SPEAKER: Please take your seat. Please proceed, hon President.

The PRESIDENT OF THE REPUBLIC: Madam Speaker, let me continue addressing the matter of racism.

I'd like to assure hon Coetzee that the millions of Africans in our country, in Africa and the world, did not fight against apartheid racism and white domination to create space for them to continue to be subjected to dehumanising, demeaning and insulting racism. [Applause].

On the eve of our liberation, in 1993, Frank Meintjies wrote that: "The only way to dismantle our racist system is by working for increased understanding in the society of the insidious and pervasive ways in which racism functions. It calls for a willingness to re-examine what would be regarded as normal and everyday. It presupposes opening up the subject of racism, no longer isolating and alienating those who dare to raise it. It involves listening and creating the spaces to hear the hurt, anger and aspirations of those expressing race oppression. It means dragging racism from the hushed conversations and murmurs and silences, into the arena of public discussion." That was Frank Meintjies.

I pray that one day hon Coetzee and others like him will discover within themselves the intellect, the courage and humanity to hear and understand what Frank Meintjies, Franz Auerbach, Edward Rhymes, Cynthia Kaufman, as well as millions of people in our country and else on the globe are saying about the hurt, the anger and aspirations of those who know the meaning of race oppression, which the hon Coetzee clearly does not.

In the interest of all humanity, including those who are unwilling to free their minds of the stereotypes that Franz Auerbach said are quite hard to dislodge, which encompasses those who believe that the African male is conditioned to create the crime of rape, I do, indeed, pray that sooner, rather than later, all of us, South Africans of all races, will dare to drag racism from the hushed conversations, murmurs and silences into the arena of public discussion, as Frank Meintjies said. When that happens, we will, all of us, at last and in rage confront the insult that K Waillo wrote about, as reported by Shalini Bharat of the Indian Mumbai Tata Institute of Social Sciences, which portrays, she says, non-Euronpean peoples: "... as a social menace whose collective superstitious, ignorance and carefree demeanour stand as a stubborn affront to modern notions of hygiene and advancing scientific understanding; a people best understood as a disease vector." Thank you, Madam Speaker.

Mr L W GREYLING: Madam Speaker, I thank the hon President for the reply. The ID has heard your comments on racism and we agree with you that it needs to be fought in this country and that it is a scourge that needs to be eradicated. But we want to restrict ourselves to the question of HIV/Aids, because it is an issue that is important to us, in fact important to me because I've lost to Aids 10 people close to me.

What I would like you to know is that the ID accepts that we have a collective responsibility to fight against this pandemic. Will the President then consider bringing together all leaders in this House in such a forum to provide collective leadership, so that we can end the cheap politicking that does occur

over HIV and Aids and move forward as a collective body? Thank you.

The PRESIDENT OF THE REPUBLIC: Madam Speaker, I'm quite sure that if the members of the House want to come together in such a forum, they are perfectly capable of doing that. I do not imagine that they would wait for the President before they can do so.

I have said that the government will continue with this programme on this matter of HIV and Aids, and I've got nothing more to add to that. We will continue to do as I have indicated.

I have said before, and I want to repeat it, that I was discussing the question of racism and I am not going to be diverted to other issues simply because some members believe that the issue of racism is a minor question. It isn't a minor question, and we'll continue to discuss it. Thank you, Madam Speaker. [Applause.]

Mr R COETZEE: Thank you, Madam Speaker. I'm going to try to get the President to talk about HIV/Aids.

Mr President, the fight against Aids is being lost. The prevalence of HIV in our country continues to go up. The number of people tested in the past financial year has been 1% of the sexually active adult population of South Africa that uses government services. The number of people on the roll out, according your own Cabinet yesterday, is just under 12 000 people.

The fight is being lost and the missing ingredient — yes, there are policies and programmes — is political leadership from the front. So I would like to ask you, Mr President, whether you would agree to lead from the front? Will you agree to take over the committees? Will you agree to drive through, with the passion and determination you display when dealing with racism, in your leadership of the fight against HIV/Aids in our country?

The PRESIDENT OF THE REPUBLIC: Madam Speaker, I think the hon member is not listening. Let me repeat what I said. What I said was that as was the case when I was Deputy President of the Republic, with Nelson Mandela as President, the Deputy President, supported by Minister of Health, the Ministerial Committee on HIV and Aids and the Cabinet, chaired by the President, we'll continue to lead the government's response to HIV and Aids, and that's all, Madam Speaker. [Applause].

Successes of local government in alleviating poverty

*3. Ms N R NTSHULANA-BHENGU (ANC) asked the President of the Republic:

> With reference to the SA Local Government Association (Salga) conference held on 26 to 30 September 2004 under the then *Ten years of local government striving towards a decade of accelerated delivery*, in what way, in his assessment, is local government succeeding in accelerating delivery and contributing towards poverty alleviation in line with the Government's programme of action and the targets set by him in his state-of-the-nation address on 21 May 2004?
>
> N1052E

The PRESIDENT OF THE REPUBLIC: Madam Speaker, an assessment of the work of local government structures with regard to accelerated delivery and poverty reduction should take into account the fact that in the last decade we have been mainly preoccupied with the challenges of transforming racially based municipalities into nonracial local governments, with central tasks at the delivery of services to all people, as well as playing an important role in pushing back the frontiers of poverty.

In this regard, even as the transition period was underway, there was close collaboration between the sphere of local government with the provincial and national spheres to accelerate service delivery and fight poverty. For

example, whereas in 1995 only 34,9% and 59,3% of poor households had access to electricity and pipe water respectively, by 2003 the number of poor households that now had access to electricity and pipe water had risen to 67% and 78% respectively.

Today, over 27 million, or more than half the population, are receiving free basic services. However, as the hon member knows, while many municipalities are doing their best to provide proper services and implement the free basic services policy, there are some that are still lagging behind. In this regard, together we have a responsibility to ensure that these municipalities also implement all government development policies so that we move even faster towards the attainment of a better life for all.

Again, as you know, we have started rolling out the municipal infrastructure grant with initial allocations having been made already. The grant is an important intervention that would undoubtedly ensure that we accelerate delivery of essential services to poor communities, eliminate backlogs in basic infrastructure and generally improve the squalor and degrading conditions in which many of our people live.

Further, a number of municipalities are actively involved in the rollout of the expanded public works programme, and have adopted labour-intensive constructive methods for appropriate infrastructure projects to create more job opportunities.

The intergovernmental fiscal regime has also been progressively developed over the last decade with a shift towards greater focus on local level. And this is reflected in the equitable share assuming a greater proportion of the overall transfers to local government, thereby greatly increasing the capacity at local government level to provide the much-needed services.

Ward committees have been established in the majority of municipalities, paving the way for greater community involvement at local decision-making. Of course there is no doubt that much still needs to be done to ensure that these structures become vibrant mechanisms for responsive and accountable government.

There has also been notable growth in capital expenditure compared to recurrent expenditure, demonstrating a greater shift towards municipal infrastructure development, particularly for roads, pavements, bridges, storm-water drains, water reservoirs and reticulation, sanitation, electricity and housing. These programmes are in line with the government's programme of action and the targets that we've set in the state of the nation address in May this year.

We also welcome the commitment of organised local government to work towards the realisation of the programme that we have outlined in May. As you may be aware, Salga's newly elected chairperson, Amos Masondo, has said that the central obligation of Salga is to strengthen its organisational capacity so as to give serious attention to commitments government made in May 2004 during the state of the nation address.

I do think that perhaps more time should be found in this House to reflect in greater detail on the progress and the challenges that confront local government given its importance, and I'm certain that the Minister for Provincial and Local Government, Sydney Mufamadi, would be able to elaborate on many of these matters. Thank you very much, Madam Speaker. [Applause.]

Ms N R NTSHULANA-BHENGU: Thank you, Madam Speaker. Mr President, some municipalities have a revenue base that is below the capacity of the service-delivery needs of communities that municipalities are expected to provide services to, and others have weak administration systems. In other areas this situation has resulted in major residential unrest, like we have seen in Harrismith.

What strategies and systems has the government put in place to see to it that the levels of

deliverables speak directly to addressing backlogs in order to intensify our offensive against poverty in time to meet and respond to such targets? I thank you.

The PRESIDENT: Yes, indeed, Madam Speaker, the hon member is correct, and the government has been attending to this. Yesterday, for instance, we were discussing with the Premiers and the chairperson of Salga issues that relate to changing the formula in terms of which local government gets these transfers from central government to address this matter of the weak revenue base of the municipalities. So government is attending to this.

I am sure the hon member is also familiar with initiatives that have already been taken some time in the past by the Minister and Department of Provincial and Local Government to address the matter of weak administrative structures' capacity within the local governments and the funds that were devoted to achieve this objective. So there is work going on now, having identified the weakest of these municipalities; there is work that is going on now indeed to address all of these matters. And, I am quite certain that with those interventions it should be possible to improve performance. Thanks, Madam Speaker.

Ms S RAJBALLY: Thank you, Madam Speaker. Mr President, Angizosho kuthi ukhona la endlini kodwa ngizosho kuthi siyajabula ukukubona. [I will not say that you are here among us, but I am grateful that you are present.] [Applause.]

Hon President, you have answered my question, unknowingly that I am going to ask you about the three spheres of government coming together and working together. The Minority Front's main concern is accelerating delivery towards poverty alleviation.

Hon President, could you expand on the three spheres of government coming together and working together, and how soon will this be? Thank you.

The PRESIDENT: Thanks, Madam Speaker. On Tuesday, this coming week, there is an important workshop that is going to take place that will include national government, provincial government and local government. We are looking at draft legislation that has to do with intergovernmental relations in order to improve the co-operation between these three spheres of government. This is the second workshop we will be having on this matter, out of which ought to come the draft legislation that will be submitted to Parliament. And the reason we thought that we needed to take that route is because the experience over the last ten years, when indeed there has been a very active process of ensuring co-operation between these three spheres of government, has suggested to us that we needed to strengthen that further by actually codifying that system of co-operation in a law, precisely to do what the hon Rajbally is raising, to ensure that we are able to work together.

This is important and it is imperative that we do this, because indeed a lot of the delivery and the development that we're talking about take place at local level; global decisions come from national government, funds are collected by national government and it becomes critically important that these spheres of government should work together.

Therefore, hon member, I am saying that I am sure Parliament will soon be considering this draft legislation, which would be an important step towards actually ensuring better co-operation and co-ordination among these three spheres of government. Thanks, Madam Speaker.

Prince N E ZULU: Thank you, Madam Speaker. Thank you, Mr President. Floor-crossing at local government level tends to detract attention from service delivery and pays more attention to political persuasions such as new mayors, new executive members, new salary adjustments, and sometimes new mayoral houses. All these come with

floor-crossing at municipal or metro level. Will the President consider a time when floor-crossing at local government level will be looked at a second time, or discouraged in favour of uninterrupted service delivery? Thank you.

The PRESIDENT: No, Madam Speaker, the matter hasn't arisen in government at all. What I would presume the government would be obliged to do would be to respect the laws that are passed by this House. [Applause.]

We haven't discussed at all this question of a possible amendment to the legislation. Perhaps, if the House so wishes, it could discuss this matter and I would be interested to hear what, in addition to the hon Zulu, other members of this House think about this. But it is a matter that hasn't arisen and in the meantime we will implement the law as was approved by Parliament.

Rev K R J MESHOE: Recently there was a march by hundreds of residents of Vrede/Thembalihle in the Free State demanding the resignation of the town manager, citing numerous cases of poor service delivery, including dirty tap water, lack of street lights and so on. Two other towns that form part of the Phumelela municipality, Memel and Warden, experienced similar protests by residents over similar complaints, which resulted in damage to property. This example does not confirm or underwrite the theme of ten years of local government, striving towards a decade of accelerated delivery.

Protesters and rioters are trying to say that local councillors must accelerate service delivery. When can these citizens concerned be addressed adequately in order to prevent further riots and protest actions? Thank you.

The PRESIDENT: The challenges that face local government, and the hon Meshoe is familiar with this, or the kind that he spoke of are the same challenges that face government as a whole. Indeed we face the challenges that he indicates, and so all of these programmes that we are talking about, whether it's municipal infrastructure grant or expanded public works, and programmes like these, increases in transfers to local government from the national Budget. All of these things are targeted at improving the capacity of local government to address the matters that he raises.

There will be the obvious resource constraints, so it is not possible for anyone of us to stand up and say that these problems will be solved by 1 January 2000-and-whenever. It is a resource constraint matter, and the question that was raised earlier about capacity is a very important part of this, including capacity of the councillors to understand municipal government and make the necessary intervention, because that is also a problem. I think, if we persist with a combination of things that we are doing: helping to strengthen the revenue base of local government, increasing those transfers from national government, improving the system of co-operation among the spheres of government, and putting all these resources there; that is the only way to go.

And when we will say that all of these streets will be tarred in all of the townships of South Africa, I cannot say. But we are working towards that. Thanks, Madam Speaker.

Growth and Development Summit: honouring of commitments by sectors

*4. Mrs P DE LILLE (ID) asked the President of the Republic:

(1) With reference to the commitments to strengthen the economy and to create jobs made by government, business and labour at the Growth and Development Summit in June 2003, (a) which of these commitments (i) have and (ii) have not been honoured by each of these sectors and (b) what will be the impact on the economy and job creation if any

of these sectors do not honour their commitments;

(2) whether he has taken or intends taking any steps to ensure that all of these commitments are honoured by all the relevant sectors; if not, why not; if so, what steps? N1066E

The PRESIDENT OF THE REPUBLIC: Madam Speaker, the Growth and Development Summit agreement was signed by four constituencies, Government, business, labour and the communities, as the hon member knows.

It was not meant to be a once-off intervention, but was aimed at the process of strengthening the economy and creating employment. I would say that, since the signing of the agreement, much progress has been made on a number of commitments. From the Government side, the Expanded Public Works Programme was launched in May this year, and it has been filtered to all the provinces.

This programme will greatly assist in creating employment, engage in skills training and boosting the economy in general. As the hon member knows, we have set a target over five years, of a million temporary jobs — some permanent — at a cost of, approximately, R15 billion.

To complement that, the Public Works Programme will launch a municipal infrastructure grant, as indicated on 12 August, and those funds are transferred to municipalities responsible for implementing some of the infrastructure programmes which are funded by that grant, in line with the implementation of the guidelines of the Public Works Programme.

The Public Works Programme is also supported by projects initiated by the Labour Job Creation Trust Fund, which has implemented more than 700 projects with a commitment of R74 million. That is about the trade unions. All these initiatives are labour intensive and they have started to make a dent on unemployment in a number of local communities.

The Business Trust has established a facilitation fund to support the implementation of the Expanded Public Works Programme and they have, so far, invested about R15 million during this first year of the Public Works Programme.

The SA Youth Council launched a programme in August 2003 to fence national and regional roads, national parks and railway lines. It involves more than 2 700 young people across the country, over 24 months.

Through the Proudly South African Campaign, we have intensified consumer awareness to ensure that our people buy locally produced goods. The awareness campaign started in December 2003 with all our social partners visiting most major centres around the country. In September this year we, again, intensified that campaign. The effect should be to strengthen the local economy and create employment.

Excellent progress has been made with the learnership programmes. In the agreement, we committed ourselves to ensuring that 72 000 learners would be in learnership programmes by the end of May 2004. This commitment has been accomplished and 75 000 learners were registered in programmes by the end of July 2004.

In the Growth and Development Summit agreement, we also committed ourselves to strengthen the co-operative movement in the country and, again, to try and create jobs. As members are aware, the Co-operatives Development Bill has, recently, been tabled before Parliament for consideration.

Clearly, the strengthening of co-operatives will greatly assist in that task of job creation, and in support of that process, the National Co-operatives Association of South Africa has launched over 400 primary co-operatives.

I think it would be too early to say that their commitments have not been honoured but, of course, we can identify areas where we have been slow in implementing agreements. While all the partners have started work on the commitment of sector partnership strategies, I think the process in that area has been regrettably slow due to slow progress in the development of frameworks and strategies for implementation. However, I strongly believe that once these issues are in place, we shall be able to accelerate delivery.

On the impact of the economy, some of the commitments have not been honoured. I think we would all agree that we couldn't afford a situation where some of the social partners are unable to implement these agreements because, clearly, we would fail, as a country, to achieve the objectives of sufficiently growing our economy and creating the necessary jobs.

At the same time, I would like to say that commitments made by social partners at the Growth and Development Summit must not be regarded as affecting only those who signed the agreement. I think they affect all of us as South Africans and, therefore, we do, indeed, need to take joint responsibility.

Under the sector partnership strategies, the business constituency committed itself to investing billions to assist the economy and, therefore, help to create jobs. As this commitment is honoured, the economy and the campaign to create jobs will considerably be strengthened. We have no reason to expect that any of the commitments will not be honoured.

The Nedlac parties are very close to an agreement at the chamber level, on the implementation of the decision for the private sector, to invest 5% of its invest-able funds. Time is finished, Madam Speaker.

Mrs P DE LILLE: Thank you, Mr President. Based on your answer, it seems that we are making progress and there is momentum to try and reach the targets that we set ourselves at the Growth and Development Summit.

However, the problem seems that the various sectors seem to be moving at different paces and this, obviously, will hinder the overall progress and will also create time lapses in-between the interventions.

Now, the ID would, therefore, like to ask how effective the Nedlac mechanism is, currently, in monitoring the participation of all the sectors in getting some co-ordinated responses; and if that mechanism is not effective enough, would the President consider looking at the mechanism that can ensure that each sector lives up to its commitments and that progress can be made in a co-ordinated manner to benefit the entire country?

The PRESIDENT: Madam Speaker, yes, the hon de Lille is correct. We were also concerned with the difference in pace, to which she refers, and, indeed, the overall speed with which we are implementing these agreements.

So, one of the things that we did after this year's elections was to convene a meeting of all of the social partners, so that we could then, indeed, discuss the matter that she raises. We held that meeting in July and reports were tabled from all of these to see what was happening. Indeed, we raised a number of concerns about the slow pace of the implementation of some of the commitments and, indeed, the very pace at which these matters were moving.

The meeting agreed that these were legitimate concerns and, therefore, there was a need to go back and, indeed, bring everybody together. What has then happened is that Nedlac has now established a task team to monitor the implementation of the agreements. It's a mechanism that then ought to, on a full time permanent basis, keep an eye on all of this and not just depend on occasional meetings.

We are also preparing, in the near future, to convene another meeting of the joint working group with all of the partners, to see what progress we have made to catch up with one another, as agreed in the July meeting. So, we will be holding that meeting again soon so that we can, indeed, interact directly with the principals who are leading all of these various sectors, but I think that, with regard to the implementation matter, we should give the Nedlac task team a bit of time to see whether it is, actually, achieving its objective.

Mr C M LOWE: Mr President, the jobs crisis is the most critical issue in South Africa. At best, unemployment is stagnating and neither the Growth and Development Summit nor the Presidential Jobs Summit before it has met its target nor changed the fact that, for the past three years, unemployment has not dropped below eight million people. Real growth in GDP per capita is, actually, negative, according to statistics from the SA Institute of Race Relations.

One of the biggest obstacles to job creation is our complex, rigid labour law. The question is: What will you do, Mr President? Will you now consider implementing the DA's proposal of a two-tier labour market? The high wage capital-intensive tier would be covered by collective bargaining agreements, while the flexible wage entry level labour intensive tier would not. Both, however, would meet the International Labour Organisation's four key labour standards to prevent worker exploitation while providing health and safety.

A two-tier labour market offers millions of desperate and unemployed South Africans their first chance of a job. What will you tell them, Mr President?

The PRESIDENT: Madam Speaker, I would not say that the Growth and Development Summit has not met its targets. We are talking about a process that is very new and very young, and I think that, clearly, if we had expected that the Growth and development summit partners — business, labour, the Government and so on — would achieve all of these objectives in one year, then, of course, we would then say that we have failed.

I think the hon member knows that it is going to take time for us to address all of these challenges of the growth, development, modernisation and restructuring of the South African economy and increase its capacity to absorb labour. I certainly would not say that the Growth and Development Summit has failed.

With regard to the matter of the two-tier labour market, I think the hon member also knows that Nedlac also considers labour legislation, precisely because it has been the view that the area is important, even with regard to the pointers that the hon member raises that, indeed, we need to have a common view of the social partners, with regard to these matters.

As far as I know, nobody there, whether in business, Government, labour or civil society organisations, has raised this matter that you have raised. Perhaps you might initiate a debate like that in Nedlac and let us see how all of these social partners respond to that proposal.

Mr M J G MZONDEKI: Madam Speaker, hon President in order to give effect to the vision of the Growth and Development Summit, GDS, constituencies committed themselves to lending a hand, which means securing the commitment and active participation of all constituencies in these areas identified for prioritised action. Some of these areas include affordable education to the poor, making sure that eligible poor households have access to basic services and ensuring that communities and constituencies participate in the IDPs.

These areas, hon President, seem to be closer to MPs in their constituency work. How else, Mr President, can we as public representatives strengthen the participation of commu-

nities to assist in the implementation of these agreed upon priorities?

The PRESIDENT: Madam Speaker, obviously one of the important interventions we talked about a bit earlier with regard to the issue the hon member is raising, is the issue of the proper functioning of the ward committees at local government level. The hon Meshoe has raised the question — we will come to it just now — of the functioning of the councillors and the mayors. These councillors and mayors should indeed be in regular interaction with the people so as to get the people themselves involved — as the hon member has just indicated — in this development processes. That clearly is an important part of this.

The imbizo process, which would involve not only the President but also the Ministers and the provincial governments, also seeks to maintain that direct contact with the people in order to encourage people to find and discuss these ways, by ensuring that the people participate in this process of change. And clearly that programme would continue.

I do not know what the members of Parliament do when they go out to do constituency work. I am sure the hon Mzondeki might educate me on that matter. [Laughter.] But I would have imagined, given that members of this House are very familiar or at least should be very familiar with all of these development initiatives in which our country is engaged, that in terms of their constituency work they indeed seek to reinforce the initiatives that would be taken at local government level via the ward committees and seek to encourage the people in their constituencies to join in those sort of processes. I would hope so, because indeed I think that our people accept the members of this House, the members of Parliament, as their leaders. And I think they would be quite responsive to suggestions that might come from this leadership about that matter of involvement. Thank you, Madam Speaker.

Mr W D SPIES: Hon President, the economist Dr Mike Schussler yesterday announced a couple of a quite interesting and rather surprising statistics regarding economic growth as well as growth in employment. He has mentioned, among others, that rates of employment has risen with 2% and that South African productivity is higher than that of Spain, France and Hungary.

The other interesting and rather surprising fact that he has mentioned is that our laws relating to labour are actually more flexible than that of Germany, China, Japan and the Netherlands. [Applause.] I would, however, like to stick to some other statistics which is also relevant to this debate and that relates to statistics announced by the University of South Africa regarding the rise of poverty amongst specifically the nondesignated group, as defined in the Employment Equity Act. Our conclusion is that there are some unintended consequences. [Time expired.]

The SPEAKER: Order! Hon member you don't have time to tell us your conclusions. Your time has expired.

Mr W D SPIES: Can I just ask the President to address the unintended consequences?

The SPEAKER: Hon members must learn to use their minute very economically. If you want to ask a question, prioritise it. Don't make a speech and then try to ask a question after you have made the speech.

The PRESIDENT: Madam Speaker, I am not sure that I can help the hon member. I haven't seen the Unisa study to which he refers. I would like to have a look at that so that I can deal with the matter that the hon member was going to ask a question about — the unintended consequences. I do not know what is in the dots after the words 'unintended consequences'. But I will have a look at it and then we could get together and have a look and see how we should respond. If indeed there are consequences of government actions, which are resulting in greater impoverishment, clearly it is something that

we should address, if I understand the comment he was about to make. Thanks, Madam Speaker.

Call by residents to dismiss certain councillors in Mpumalanga

*5. Rev K R J MESHOE (ACDP) asked the President of the Republic:

(1) Whether, during his visit to Witbank and Thandukukhanya in Mpumalanga, residents called for local councillors to be dismissed for failing to help their communities; if so, what (a) was his response and (b) were the residents' main complaints against the councillors; if not,

(2) whether any such calls were made elsewhere during his three-day visit to Mpumalanga from 30 September to 2 October 2004; if so, what are the relevant details? N1061E

The PRESIDENT OF THE REPUBLIC: Madam Speaker, I would like to say to the hon Meshoe, to the best of my recollection and the recollection of all of us when we were at the imbizo in Mpumalanga, at no time did the people call for the dismissal of councillors.

People did complain about councillors and a number of other things that I will address now, but they did not call on the President to dismiss councillors. Indeed during the imbizo in a township in Ogies in the Nkangala district municipality a number of residents voiced their grievances with regard to the level of service as well as the lack of interaction and communication from councillors.

The Premier of Mpumalanga, various MECs, the mayor of the Nkangala municipality and the councillors were present during this imbizo and responded to the questions and the issues raised by the residents. Residents raised problems mainly with regard to the allocation of housing, water problems, electricity, crime and the maltreatment of farmworkers. Some of these problems do not necessarily fall within the competence of local government, but belong to other spheres of government such as the provincial and national spheres. Such matters are referred to the relevant departments for action.

The mayor of Nkangala and various MECs indeed responded to all those matters which fall within their competence. It was clear that while some councillors were indeed doing their work, there is the possibility that a few are not in touch with their constituencies and are not reporting to communities on a regular basis. It also became clear that in some cases councillors do not have the necessary capacity to deal with the various challenges facing local government.

Our response to these matters is that all public representatives, including those at local government level, should indeed be accountable to the people and should address the problems facing their communities. And indeed, regarding the matter that we discussed earlier, there should be better co-operation and co-ordination between the different spheres of government.

With regard to the second part of the question, the answer is that issues of effective service delivery and poverty eradication were raised in all three districts that we visited, although the emphasis varied. In the Siyanda district and the Greater Tubatse municipalities people raised in the main problems of lack of clean water, working conditions on the farms, bad roads and issues around land. Complaints about councillors were mentioned but to a lesser extent than in the Nkangala district. In all these areas it was clear that there is an urgent need to address local government capacity. I am informed, hon Meshoe, that by 4 October the Mpumalanga MEC for local government had gone back to the areas where people had raised issues related to local government as well as problems with councillors and has already begun a process to address these problems.

The Presidency has worked out a system of following up on the issues that were raised at these imbizos to ensure that the government responds appropriately to the concerns of the citizens. In this regard we will continue to work closely with the provinces and municipalities regarding measures that should be taken to address issues raised at these imbizos so that we are able to improve services to our people.

Hon Meshoe, as I was saying, none of us recall instances where we were asked to remove councillors. Thank you very much, Madam Speaker. [Applause.]

Rev K R J MESHOE: Thank you, Mr President for that reply. The point is taken, but that was what was reported in the media. [Interjections.]

We all agree that it is not possible to solve problems of poverty overnight. What is important is for people who complain about poor service delivery to see that something practical is being done about their concerns. In the case where nothing seems to be done, what recourse do complainants have? And what should be done to make councillors understand that they should interact with their communities and that they are expected by all, including the President, to help the residents they were elected to serve?

Furthermore, the President was reported in the media to have defended councillors who came under heavy criticism during the Mpumalanga imbizo, by saying that councillors were overworked. If that is true, what will be done to help those overworked councillors to do their jobs? And if it is not true, where does the President think this accusation emanated from?

The PRESIDENT: I'm sure the hon Meshoe has been exposed to the work done by some of the best councillors. Indeed one can see quite clearly that they carry a much heavier load of work than the President does.

In Middelburg some people were removed from a farm, because the farmer was harassing them. The municipality put these people up on municipal land that was ready for housing development. All the families we visited knew the councillor in the ward. One could see that this councillor had to have visited as many of these people as were possible. Every one of these families familiarised themselves with the problems and did something about that.

It is indeed a very heavy workload that they have to carry. So you will get complaints, and people will say that they have not seen this councillor in this particular area of this ward. In Ogies, people complained that that was the first time they saw the mayor and that the mayor only came because the President was there. The mayor affirmed that that was indeed the first time that people saw him, and the reason he gave was that the people don't come to the meetings that he calls in Ogies. [Interjections.] [Laughter.] So I caused a bit of a commotion. [Applause.]

So it was not a matter of defending people, hon Meshoe. One can say it in instances where councillors actually do the work expected of them. The load is very heavy and we need to ensure that they get the necessary capacity. One of the matters that we have been discussing therefore is the need to proceed with the matter of the deployment of community development workers. They will come as very strong support, so that the councillor is not asked to handle everything — the politics of the ward, the delivery problems of the ward, problems of people who do not have IDs and so on. We need reinforcement for the councillors so that they are able to do their work.

As I have indicated, in the Presidency we have a system of following up on these imbizos so as to check whether in fact we are responding to the matters that the people raised and whether we are doing the things we commit ourselves to do while the imbizo is on.

National Ministers and provincial governments, when they go around, should then be

doing the same things. The process of better supervision will of course be reinforced by this intergovernmental relations legislation, so that we have better capacity and we don't intervene when there is a crisis. One of the hon members mentioned demonstrations in the Free State. You don't intervene just because there are demonstrations, because the system needs to give you sufficient time — the early warning system. That is part of what we want to achieve.

Mr S J MASANGO: Thank you, Madam Speaker. Mr President, during the election campaign you promised service delivery and accountability by the ANC councillors at local level.

We recently witnessed violent actions by the community in the Free State and Gauteng for poor service delivery. [Interjections.] While people are complaining about service delivery, most municipalities are hosting celebration functions all over South Africa and spending millions of rands in the process. Is the President going to send instructions to all municipalities to focus on service delivery first and celebration later? Mr President, I would like to hear you answer yes to that question.

The PRESIDENT: I think all of us in the House agree on the importance of local government. We have been trying to explain what we are doing as national government to increase the capacity of local government to do the things that it needs to do — all the matters I was talking about regarding changes, sharing of revenues, institution of a municipal infrastructure grant, etc.

They have to do with increasing the capacity of local government in order to deal with the things that it has to address. We are very interested to see that local government functions effectively and that they make the improvements that the local communities obviously need. We will continue to watch this process — Minister Mufamadi is in regular contact with the municipalities in the country — and other interventions of this kind to ensure that we do assist so that local government can do what it needs to do.

I don't know what they are celebrating; they have never invited me to any celebrations. What we certainly want to do is give them the capacity to do the things that they have to do.

Ms H M MPAKA: The President has reminded us about the importance of local governance. Challenges remain for us to address the issue of capacity in administration implementation and financial management.

Whilst the imbizos are important for the people to articulate their views about government, there are other mechanisms available of interaction between the councillors and their communities, such as ward committees, which in our view as the ANC will strengthen the people's contract.

Ngako siyacela kubantu baseNingizimu ukuthi baye ngobuningi kulemihlangano ebizwayo ngabamele imiphakathi. [We request the South African people, in great numbers, to attend these meetings called by the local government leaders.]

Could the hon President inform the House whether the government has a planned framework in attempting to deal with these institutional challenges of local government? If so, could the President elaborate on the impact and success of the plan, and also on the tools to monitor the implementation of the plan?

The PRESIDENT: Perhaps I should temporarily take over as Minister for Provincial and Local Government in order to deal with these detailed questions that the hon member is raising. [Laughter.] What I have been saying is that there are a number of interventions that we have made.

I was saying just now that there is a team from provincial and local government, who have identified the municipalities that are weakest with regard to capacity issues,

financial management and so on, to interact directly with each of these municipalities in order to improve their capacity. This is a continuation of a programme that has been going on to build that capacity.

Where there had been earlier interventions, when we announced the urban renewal and the integrated rural development programmes, it became clear again that there were capacity problems at municipal level, hence people were not able to implement and run with these programmes as had been intended. Interventions were then made to increase capacity.

So we continue to attend to this matter with all of its aspects, so that indeed the capacity of the administration at local government level must improve including those in rural areas where the pressure is greatest. Because all the skilled people are in the towns and cities, it is difficult to retain those people at rural level. Certainly we are attending to this matter, in the way that I've been trying to indicate.

Mr Y WANG: Thank you, Madam Speaker. Mr President, my constituency is in Mpumalanga. [Laughgter.] Yes, Mpumalanga.

Poor service delivery, especially in Mpumalanga, is a problem. In light of that, I would like to know whether the President has considered providing better services in terms of co-ordination by using electronic government frameworks at all government levels.

At the moment departments in cities are doing their own thing. There is no overall framework. I believe this framework will improve efficiency in terms of providing more mobile units to the people in the rural areas and we will also definitely retain our IT skills in the country. Thank you.

The PRESIDENT: I think the hon member is raising an important point. The hon member, I'm sure, would be familiar with work that is being done in Limpopo with regard to the matter of information and communication technology in the rural areas, that is the process of bridging the digital divide.

There is a huge programme in the Mogalakwena area to introduce this information technology and indeed to assist with regard to issues of e-government, the co-ordination of all of these municipalities within the area, training and small business development. This project includes Hewlett-Packard, provincial and local government, and other players. It's a pilot project, hon member, because they are expanding that programme to areas of the municipality where there is no electricity to see how we are able to cope with ICT even in areas where there are no electricity.

The Rand Afrikaans University is part of this project and has developed some very important technology that has to do with solar power, which would radically reduce the cost of solar power and actually make it quite possible. So we are doing all this to bridge this digital divide. And I'm quite certain that with the experience we get there we will be able to attend to the kinds of problems that you have indicated in Mpumalanga and other areas.

That is ongoing work, hon member. I was recently in Limpopo to see what has been happening since I have been there initially. I think good progress has been made and good experience has been accumulated which would enable us to not to have too many hitches when we spread out this technology. Thank you, Madam Speaker. [Applause.]

PAP: contribution towards unity/ development of African continent

*6. Mr M P SIBANDE (ANC) asked the President of the Republic:

Following the recent conclusion of the second session of the Pan-African Parliament, what is his assessment as to whether the Pan-African Parliament is contributing towards unity in and the development of the African continent? N1053E

The PRESIDENT OF THE REPUBLIC: Madam Speaker, you no doubt would be better placed to answer this question than I am, being a member of the Pan-African Parliament. But certainly, from the point of view of the government, we are convinced that the Pan-African Parliament has a very important role to play towards the unity and development of the continent. It's an important structure, which joins the Commission of the African Union, the Peace and Security Council, and Nepad. It will be followed soon by the establishment of the Economic, Social and Cultural Council of the AU, which will then bring in the civil society organisations. It is therefore a critical institution and I think we should continue to pay the kind of attention that we have been paying to it.

I am sure that the hon members are familiar with the agenda of the Second Ordinary Session of the Pan-African Parliament, which was held towards the end of September and the beginning of October, which would indicate the kind of role that the Pan-African Parliament can and must play with regard to these matters of unity and development. For instance, one of the decisions that were taken relates to the Peace and Security Council. I think the parliament, quite correctly, resolved that reports of the Peace and Security Council on conflict resolution should be tabled in the Pan-African Parliament for consideration, observation and recommendations. This would give the possibility for the peoples of Africa to come together and speak with a united voice, with regard to any matter that is of particular conflict in the region. I would hope that the African Union would support this proposal of the Pan-African Parliament because it would be part of this united concerted response of the continent — which I spoke about earlier — to these challenges of peace and development.

Parliament, as an example of what it can do with regard to these matters of peace and development, adopted a resolution on the question of Darfur in the Sudan, and among other things decided to send a fact-finding mission to the region of Darfur to acquaint itself with the realities on the ground and to report to the parliament. Again, I am saying that this indicates what the parliament can and must do in order to promote these purposes of unity and development on our continent.

It asked, with regard to the development side and issues of good governance, and also urged all governments to accede to the African Peer Review Mechanism as a demonstration of their commitment to democracy and good governance. The importance about that is that this was a decision taken by the Pan-African Parliament, which presumably would then go back to the national parliaments, which would then be able to communicate this message to their various governments, to say "Here is a united African voice on the matter of good governance and these are the practical steps that we need to take in order to achieve that particular objective."

We can quote other matters as an issue that was raised. I do not know, Madam Speaker, whether this was within the mandate of the Pan-African Parliament but the decision was taken, and I certainly would support it, where parliament decided that it wanted to facilitate, as it said, the effective implementation of the policy of the African Union to promote the principles of human rights and democracy; to encourage good governance, transparency and accountability in member states; to promote peace, security and stability; and to facilitate co-operation and development. And for this reason, it therefore said that it needed to exercise oversight. It had an oversight function to ensure progress on the objectives stated. Now what that means, presumably, is that, both the African Union and the member governments of the African Union would then need to make it certain that the parliament is properly informed about what is happening so that that oversight function can then be discharged.

I am saying the decisions that were taken at this second ordinary session indicate the direction in which Pan-African Parliament should go. And I think that, indeed, if the Pan-African Parliament does some of these things that have been indicated here, it will play an important role with regard to that matter of unity and development on the continent. Thanks, Madam Speaker.

Mr M P SIBANDE: Thank you, Madam Speaker. Thank you, hon President for your response. The ANC indeed recognises the centrality of Pan-African Parliament and African governments in promoting unity and economic development. However, as we work for the resolution of these and other matters, issues relating to competing international interests and religious diversity come to the fore. Hon President, what role can African intellectuals play to assist Africa to overcome these challenges? I thank you.

The PRESIDENT: Thanks, Madam Speaker. I am sure the hon member is aware that there was a recent meeting in Dakar, in Senegal, of African intellectuals, Africans on the continent and Africans in the diaspora to address precisely this matter that he has raised. What will happen is that that process will continue. We are interested that the African intelligentsia and the diaspora should indeed get together and define for themselves what contribution they should make because we think it's an important contribution.

There is a very interesting initiative that was taken in the United States by a group of African intellectuals who studied in the States and are working in the States. And they cover all specialities such as scientists, biochemists, biotechnologists, mathematicians, historians, lawyers and everybody. They are an interesting group. These African intellectuals in the United States all said the criteria for joining this group were to support Nepad, and to use their skills to promote the various programmes of Nepad.

Regarding membership, they said everybody had to be not older than 40 years of age; had to have qualified in one of the Ivy League universities in the United States; and had to have had a PhD. Those were their basic requirements otherwise you don't join. They come together in order to see what it is that they can do in their various specialities, as I was saying, to promote the programmes of Nepad.

When we met and had a discussion with them, we asked what was going to happen to the 40-year-olds the following year, because they would be 41 years of age. So they have dropped this requirement. [Laughter.] It's an interesting initiative and they understand, for instance, the issues related to the question that was raised by the hon Wang about information technology. There are some of them who are very highly qualified and very highly skilled in this area. They have been saying therefore that, "We are going to pool our intellectual resources, as African intellectuals, to say this is what we can contribute to the development of information and communication technology on the continent, in the context of Nepad."

That's the kind of initiative that we would like to bring in regarding all the African intelligentsia. But it is critically important of course that they themselves, like these Africans in America, should have the possibility to define for themselves what sort of contribution they can make. Thanks Madam Speaker.

The DEPUTY SPEAKER: President, it's the Deputy Speaker who is the Chair now.

The PRESIDENT: Oh, is it the Deputy Speaker? I am terribly sorry to promote you. [Laughter.]

Mr W J SEREMANE: Thanks Deputy Speaker and hon President. To clear the air further, let me also state that the African continent's efforts such as the AU, Pan-African Parliament, Nepad, lack sufficient funding and I quote, "to go it alone". The result is that matters which should attract the support and help of international community

are left to the grossly unresourced AU. This undermines the AU, Nepad and, if we are not careful, the very Pan-African Parliament. Taking also into account South Africa's quest for bilateralism and multilateralism and the often expressed, I quote, "African solutions for African problems," what is the President, as the leading and influential figure in the world, doing to highlight this situation?

The PRESIDENT: Madam Speaker . . .

The DEPUTY SPEAKER: It's the Deputy Speaker, hon President.

The PRESIDENT: Deputy Speaker! Why am I promoting you? I am so sorry. [Laughter.]

The DEPUTY SPEAKER: For the second time in a row.

The PRESIDENT: Deputy Speaker, I am saying the hon Seremane is raising an important question. It's a real problem. The Chair of the Commission of the African Union has made a proposal, which I trust all governments should discuss, and I hope we have started discussing this. What the Chair of the Commission of the African Union is asking is that, in order to meet the challenge that hon Seremane has raised, perhaps we need to find a way by which governments set aside a certain percentage of their national budgets to finance all of these institutions that the hon Seremane was talking about.

He has put forward this idea and mentioned a possible figure of regarding what proportions of national budgets might be committed as a regular thing to the African Union so that at least there is certainty about the resources that are available. As I say, I do hope that governments around the continent are looking at this, including our own government. I will talk to the Minister of Finance afterwards about this.

Hon Seremane, there is, indeed, also a commitment among African countries to try as best as we can to make sure that these African institutions are financed by ourselves. It is a challenge but I think we must ready ourselves to make some contribution to meeting this funding problem. We have been discussing it also with other countries — some of the countries that are better off on the continent to see whether, in addition to what has been done already, these countries cannot make an additional effort to increase its capacity. It is indeed a difficult problem but it is being addressed. Thanks, Deputy Speaker.

Ms S C VOS: Thank you. Mr President, you have eloquently and precisely described the aims and objectives of the Pan-African Parliament. My question really follows on from Mr Seremane's question but it's a different question in its entirety.

Do you not agree that much more work needs to be done by this government, by this House and by its members in popularising the Pan-African Parliament so that indeed we can look to public and private partnerships in developing this vision and indeed doing something about the negative approach by so many people and the media, that is "Pap and gravy" and turning this around so people really understand what we are trying to do? Thank you.

The PRESIDENT: Madam Deputy Speaker, I couldn't agree more. I think the hon Suzanne Vos is quite correct about this. Indeed, I would presume that our delegation to this Second Ordinary Session of the Pan-African Parliament has reported to Parliament about those proceedings. I think it is necessary, as she has indicated, to take the matter further.

Indeed, in our own constituency work we should take the matter further on reporting to our people about the Pan-African Parliament because it is an important institution and it has to make a very critical impact on the matter of addressing these African chal-

lenges. Certainly, I think none of us will be served by any negative attitude towards the Pan-African Parliament. Maybe, in large measure, that is borne out of ignorance about what the Pan-African Parliament does.

So, indeed, I hope, hon Vos, that the hon members heard you. I thought you were appealing to all the members of the House to participate in the process of popularising the Pan-African Parliament. I would certainly support you in that. Thanks, Deputy Speaker. [Applause.]

Adv Z L MADASA: Hon President, indeed I agree that lack of funding is a major issue that is hampering progress in the Pan-African Parliament. But, I would like to know from you what progress has been made with regard to the resolution of the Assembly of the AU, which resolution called for a meeting of the finance experts to come with innovative ways to address this very issue of the lack of funding for the AU, of which the PAP is the integral part; and also funding from the richer countries? I know that there is a forum with regard to supporting Nepad, Northern countries and also Japan. I would like to know from you what progress has been made, and if there is no progress what is the problem?

The PRESIDENT: Deputy Speaker, well, I am afraid I wouldn't be able to say I did know about the special technical committee of the AU financial experts looking at this thing. What I know is that, as I indicated, the chairperson of the commission, on behalf of the commission, presented a proposal about the direction in which we should be moving — all of these institutions including the Pan-African Parliament.

That is a vision which the Pan-African Parliament, I am told, discussed. In that context, it said, "Therefore, if this is where we want to get to, these are the kinds of resources that we are going to need." Out of that then arose the proposal that, "Can't we get the governments, member states, to commit a particular proportion of their budgets to this funding?"

You know, hon member, that there has been a reassessment of the contributions of the member states of the African Union and in particular, there was an agreement that the countries that have larger economies and therefore, in principle, better capacity, that indeed they need to be assessed in a way so that proportionally you increase their contributions. That has affected us; it has affected four or five other countries around the African continent. We accepted that. The matter is coming back again because 1% of 10 produces a different result to 1% of 1 000.

I do not know about the particular committee of financial experts but what I know is that we have then to be responding to work that has been done by the Foreign Ministers so that when we are able to respond to the vision, we agree with this vision; and we agree about where we ought to be including the Pan-African Parliament and therefore make the necessary commitments with regard to funding. [Applause.]

The DEPUTY SPEAKER: Thank you very much, hon President. That concludes Questions to the President. [Applause.]

Thank you, hon members.

We would like to welcome the delegates from the Domestic Services Chamber of the Services Seta. The chamber is currently responsible for the implementation of the R120 million national skills fund project.

To date, more than 12 000 domestic workers in four provinces have received training in the only nationally registered qualification for domestic workers in the world.

The 25 domestic workers you see here today are the Western Cape team who are on their way to compete in the first national domestic skills competition against the teams of the other provinces. You are welcome. Order! We now come to Notices of Motion. Does any member wish to give notice of a motion?

For written reply:

Staatsgrond in Strand/Somerset-Wes vir behuisingsdoeleindes

455. Mnr F BEUKMAN (NNP) vra die Minister vir Landbou en Grondsake:

Of daar enige staatsgrond in die landdrosdistrikte Strand en Somerset-Wes beskikbaar is vir behuisingsdoeleindes; so ja, wat die tersaaklike besonderhede is? N616A

(Translation follows:)

[State Land in Strand/Somerset West for housing purposes

455. Mr F BEUKMAN (NNP) asked the Minister for Agriculture and Land Affairs:

Whether any state land in the magisterial districts of Strand and Somerset West is available for housing purposes; if so, what are the relevant details? N616E]

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

Investigations by the Department of Land Affairs reveal that there are certain portions of state land in the Macassar, Strand and Somerset West areas that are vacant and underutilised. These portions (as detailed in the schedule) are mostly urban residential sites within the Strand area. These sites have, however, already been identified by the Western Cape Regional Land Claims Commissioner's Office (WCRLCC) as suitable sites for restitution purposes.

Schedule vacant and underutilised state land

Urban state land

(1) Macassar

Erf (No/ Ptn) (Ext	*SG Diagram*	*Title deed*	*Extent (ha)*	*User department/ authority*	*Land use*
96		T3549/1957	0.1272	National Department of Public Works	Vacant
152		T24320/1968	2.1281	National Department of Public Works	Vacant

(2) Somerset West

Erf (No/ Ptn) (Ext	*SG Diagram*	*Title deed*	*Extent (ha)*	*User department/ authority*	*Land use*
4311		T4854/1953	0.1523	National Department of Public Works	Vacant

(3) Strand

Erf (No/ Ptn) (Ext	*SG Diagram*	*Title deed*	*Extent (ha)*	*User department/ authority*	*Land use*
1366		T85717/1995	0.0433	SAPS SANDF	Vacant
1369		T19919/1982	0.0388	SAPS SANDF	Vacant
1370		19919/1982	0.0388	SAPS SANDF	Vacant
1371		19919/1982	0.0507	SAPS SANDF	Vacant
6808		85717/1995	0.0433	SAPS SANDF	Vacant

Erf (No/ Ptn) (Ext	*SG Diagram*	*Title deed*	*Extent (ha)*	*User department/ authority*	*Land use*
6809		85717/1995	0.0433	SAPS SANDF	Vacant
7807		T9489/1939	0.4131	SAPS	Vacant
7808		T9489/1939	0.3926	National Department of Public Works	Vacant
8210		T7976/1976	0.0535	National Department of Public Works	Vacant
8211		T12070/1973	0.0053	National Department of Public Works	Vacant
8212		T12070/1973	0.0053	National Department of Public Works	Vacant
8239		T12070/1973	0.0053	National Department of Public Works	Vacant
14443		T31760/1990	2.5974	National Department of Public Works	Vacant
21647		T97949/1993	0.0555	National Department of Public Works	Vacant
21648		T97949/1993	0.0496	National Department of Public Works	Vacant
21650		T97949/1993	0.0496	National Department of Public Works	Vacant
21651		T97949/1993	0.0496	National Department of Public Works	Vacant
21652		T97949/1993	0.0496	National Department of Public Works	Vacant
21653		T97949/1993	0.0496	National Department of Public Works	Vacant
21654		T97949/1993	0.0496	National Department of Public Works	Vacant
21655		T97949/1993	0.0476	National Department of Public Works	Vacant
21656		T97949/1993	0.0476	National Department of Public Works	Vacant
21657		T97949/1993	0.0496	National Department of Public Works	Vacant
21658		T97949/1993	0.0496	National Department of Public Works	Vacant
21659		T97949/1993	0.0496	National Department of Public Works	Vacant

Money received from NAC to write/ publish book

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

(1) Whether the Deputy Chairperson of the National Arts Council (NAC) (name furnished) received R100 000 from the NAC to write and/or to publish a book; if so, what were the conditions of the grant;

(2) whether the book already existed at the time he received the funding; if

not, what is the position in this regard; if so, what was the money subsequently used for;

(3) whether, when the Chairperson of the NAC (name furnished) attributed two MBA qualifications to the Deputy Chairperson, he had verified that information; if not, why not; if so, by what means? N958E

The MINISTER OF ARTS AND CULTURE:

(1) The department has no knowledge either of the alleged R100 000 grant received by the Deputy Chairperson of the National Arts Council (NAC) or the conditions attached to such a grant. The NAC is an autonomous statutory body with its own board and management tasked with the responsibility of distributing arts funding in terms of the National Arts Council Act. The Board allocates funding to projects and organisations based on the recommendations of an advisory panel responsible for a specific art form.

(2) The department is not responsible for the day to day running of the NAC. As a trading entity responsible for public funds, the NAC has its own monitoring and evaluation systems The NAC submits annual reports and financial statements to the department in terms of section 55 of the Public Finance Management Act.

(3) The department has no knowledge of what informed the Chairperson of the NAC when he attributed two MBA qualifications to the Deputy Chairperson. However, the department trusts that the Chairperson and the other members of the board are man and women of integrity who will not just make a public statement without having verified the facts.

Release of final report *re* suspension of senior NAC officials

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

Whether he can confirm the date for the release of the final report arising from the suspension of senior National Arts Council officials on 6 November 2003; if not, what are the reasons for the delay; if so, on what date will the report be released? N959E

The MINISTER OF ARTS AND CULTURE:

(1) No, the department can not confirm the date of the release of the final report as it was not in charge of conducting the hearings and did not even appoint the person who conducted the hearings. The department will receive the final report once the NAC has received the final report from the person who was conducting the hearings.

QUESTIONS

For written reply:

Sanac meetings

51. Mr M WATERS (DA) asked the Deputy President:

(1) Whether the SA National Aids Council (Sanac) met (a) in 2003 and (b) during the period 1 January 2004 up to the latest specified date for which information is available; if not, (i) why not and (ii) when last did Sanac meet; if so, (aa) on what date and where was each meeting held, (bb) who attended each meeting and (cc) what was the total cost of each meeting;

(2) (a) what are the names of the (i) members and (ii) employees of Sanac, (b) what position is held by each employee and (c) what are the duties of each employee;

(3) whether salaries are paid to Sanac (a) members and (b) employees; if so, (i) what monthly amounts are paid in each case and (ii) from which departmental budget are they paid? N53E

The DEPUTY PRESIDENT (*Reply bound in Annexures of House — See QM15/2004.*)

Cost per accused in Boeremag-trial receiving legal aid from LAB

365. Ms M V MERUTI (ANC) asked the Minister for Justice and Constitutional Development:

(a) What is the cost to date pertaining to each accused in the Boeremag-trial receiving legal aid from the Legal Aid Board and (b) what projected cost will be incurred by the Legal Aid Board until the trial is finalised? N421E

The MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT:

(a) The total estimated actual costs to date is R2 028 350. This is based on the accounts submitted by the various practitioners. However, some of these accounts have not yet been taxed and hence this is the Legal Aid Board's best estimate of actual costs. The breakdown per individual practitioner can be seen in the accompanying spreadsheet.

(b) The estimated period for this trial, as provided by the Director of Public Prosecutions concerned is three years. Based on the court sitting on every court day during this period, the total maximum estimated cost will be R9 265 270. The individual breakdown per practitioner is provided in the accompanying spreadsheet.

Legal Aid Board justice for all Boeremag report for period May 2003 to July 2004															
							ESTIMATED ACTUAL COST TO DATE (UNTAXED)				ESTIMATED PROJECTED TOTAL COST TO FINALISE				
Practitioner	Accused	Instruction Date	Trial Day Allowed (Rate/4 hour trial day)	Preparation fee allowed (Rate/ hour)	Travel / Accommodation / subsistence cost per month	Cost per month iro LAB Staff	*Actual Trial days to date*	*Actual hours preparation to date*	*Actual months to date*	*Estimated cost to date per legal practitioner based on actual trial days*	*Anticipated duration (Days)*	*Anticipated duration (months)*	*Hours Prep Allowed*	*Total estimated cost to finalise per legal practitioner*	*Approved Purchase Orders as on 30 July 2004*
R C Lubbe	Thomas Vogel Vorster (11)	20/06/2003 to mid March 2004	R1,600	R180	R0		66	132		R129,360	141		282	R276,360	R53,867
H J Prinsloo	Michael Teshart Du Toit (1)	20/06/2003 to date	R1,000	R180	R0		130	260		R176,800	564		1 128	R767,040	R172,960
Taljaard	Adriaan Jacobus van Wyk (4)	20/06/2003 to July 2003	R1,600	R180	R0		130	260		R254,800	31		62	R60,760	No Record
Bantjes	Jurie Johannes Vermeulen (16)	20/06/2003 to date	R1,600	R180	R6,270		130	260	12	R330,040	564		1 128	R1,331,160	R145,688
Viviers A M	Frederick Johannes Naude (10)	20/06/2003 to date	R2,160	R180	R0		130	260		R327,600	564		1 128	R1,421,280	R242,453
Van Der Walt L	Andre Tibert du Toit (2), Jacobus Christoffel du Plessis (3)	20/06/2003 to date	R1,000	R180	R0		130	260		R176,800	564		1 128	R767,040	R139,159
Paul Kruger	Johan Herman Scheepers (5), Pieter G Van Deventer (9), Frederik H Boltman (15)	11/05/2004 to date	R2,375	R180	R0		30	90		R87,450	376		1 128	R1,096,040	R63,119
P Pistorius	Michiel Adriaan Burger (7), Jaques Olivier (8), Johan Pretorius (13), Jan R Gouws (22)	11/05/2004 to date	R2,375	R180	R0		30	150		R98,250	376		959	R1,065,620	R0
B J Brummer	J D Van Heever (6), Gerhardus P Visagie (17), Dr Johan Pretorius JR (19), Kobus Pretorius (20), Wilhelm Pretorius (21)	11/05/2004 to date	R1,375	R180	R0		30	120		R62,850	376		1 880	R855,400	R0
Danie Kotze	Thomas Vogel Vorster (11)	Mid March 2004 to date	R1,600	R180	R0	R17,000	40	80	3	R129,400	376	3	1 504	R923,320	R67,300
Daan Mosters	Adriaan Jacobus Van Wyk (4)	August 2003 to date	R0	R0	R0	R21,250			12	R255,000		33	0	R701,250	R255,000
Total										R2,028,350				R9,265,270	R1,139,546

Measures to alleviate plight of black Sudanese in Darfur region

419. Adv Z L MADAZA (ACDP) asked the Minister of Foreign Affairs:

(1) Whether the Government has implemented any measures to alleviate the plight of the black Sudanese in the Darfur region, besides the African Union and United Nations processes; if not, why not; what measures;

(2) whether her department has organised any humanitarian aid programme to help the Sudanese refugees; if not, what is the position in this regard; if so, what are the relevant details? N517E

The MINISTER OF FOREIGN AFFAIRS:

(1) Yes. President Mbeki announced on 10 August 2004, that South Africa will be sending trains to Darfur to assist with the transportation of humanitarian aid, after humanitarian organisations working in Darfur cited lack of logistics as hampering the delivery of aid to the region.

DFA is also working with a humanitarian agency, Africa Muslims Agency of Johannesburg, which has requested the department's assistance in transporting about 30 tons of relief goods to Darfur. The 1860 Heritage Foundation of Durban and a private company, Ozone Marketing, have also indicated an intention to donate a substantial amount of food, medicines and other relief items if the Government can transport them to Darfur. It has been recommended to the Minister that the department support these people-to-people humanitarian contributions to the displaced residents of Darfur, through payment of the cost of transportation of the consignment to Darfur. Finally, during the 2003-4 financial year, the department contributed an amount of R222 141 to UNHCR for its work in Darfur.

(2) Yes. The Gift of the Givers Foundation will be transporting three planeloads of food and medicines to the region, at its own cost, on 25 August 2004. DFA has organised authorisation for the delivery of this consignment and DFA officials will accompany the shipment to its point of distribution in El-Geneina on the border with Chad, where thousands of displaced persons have congregated. DFA will also assist in paying for one of the three trips.

Invitation to attend Olympic Games

602. Mr D K MALULEKE (DA) asked the Minister of Water Affairs and Forestry:

(1) Whether (a) she or (b) any officials of her ministry or department were invited to attend the 2004 Olympic Games in Athens; if so, (i) which persons and officials and (ii) at whose invitation in each case;

(2) whether (a) she or (b) any officials accepted the invitation; if so, (i) why and (ii) how many days was each away from work as a result;

(3) whether any costs were incurred by the taxpayer as a result of the trip in respect of each specified person; if not, what factors were taken into consideration in reaching this conclusion; if so, (a) what were the costs in respect of each specified person and (b) in respect of what items was this expenditure incurred;

(4) whether she has declared the trip as a gift in terms of the Executive Members' Code of Conduct; if not, why not; if so, what is the estimated value of this hospitality? N853E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

(1) (a) and (b)

No. Neither I, nor any officials in my

Ministry, nor the Department of Water Affairs and Forestry were invited to attend the 2004 Olympic Games in Athens, Greece.

(i) and (ii) Fall away.

(2) Falls away.

(3) Falls away.

(4) Falls away.

Openbarewerke-programme in Strand/ Somerset-Wes

671. Mnr F BEUKMAN (NNP) vra die Minister van Waterwese en Bosbou:

Of haar departement tans enige openbarewerke-programme in die landdrosdistrikte Strand en Somerset-Wes onderneem; so ja, wat die tersaaklike besonderhede is? N986A

(Translation follows):

[Public Works programmes in Strand/ Somerset West

671. Mr F BEUKMAN (NNP) asked the Minister of Water Affairs and Forestry:

Whether her department is currently undertaking any public works programmes in the magisterial districts of the Strand and Somerset West; if so, what are the relevant details? N986E]

The MINISTER OF WATER AFFAIRS AND FORESTRY:

Yes. The Department of Water Affairs and Forestry's Working for Water (WfW) Programme, which aims to clear invasive alien vegetation in a labour intensive manner, has a project in the Strand magisterial district, ie the Helderberg WfW project. This project is being implemented by the Western Cape Nature Conservation Board through the WfW national office's partnership unit.

The project started in 1997 and currently employs a total of 55 people from the communities in Somerset West, who carry out clearing of invasive alien vegetation in the area and do follow up work. The project employs approximately 60% women and has a budget of R119 000.

Number of trainee nurses in each province eligible for community service in 2005

687. Mr R COETZEE (DA) asked the Minister of Health:

(1) How many trainee nurses in each province will be eligible for community service in 2005;

(2) whether the process of identifying posts for community service nurses has been completed; if not, (a) what stage has this process reached and (b) when is it expected that it will be finalised;

(3) whether trainee nurses have been asked to apply for specific posts yet; if not, when is it anticipated that this will take place; if so, when is it anticipated that the allocation of posts will be finalised? N1002E

The MINISTER OF HEALTH:

(1) 3 465. Table 1 below indicates the provincial breakdown.

Province	*4-Year course*	*Bridging course*
Eastern Cape	287	322
Free State	111	81
Gauteng	362	307
KwaZulu-Natal	305	646
Limpopo	131	216
Mpumalanga	73	142
Northern Cape	21	22
North West	131	81
Western Cape	163	24
SAMHS	40	
Total	1 624	1 841

(2) No.

(a) Provinces are working on the pro-

cess of identifying posts for community service nurses.

(b) The deadline would be set once the Nursing Act is in place.

(3) No. Trainee nurses would be allowed an opportunity to apply for specific posts once a list of gazetted facilities is available.

Allocation of posts would be finalised preferably three months before the commencement date of community service.

Vacancies for health professionals at clinics/hospitals in Alfred Nzo district municipality/Kokstad hospital

699. Mr G Q M DOIDGE (ANC) asked the Minister of Health:

(1) (a) How many vacancies are there for health professionals at clinics and hospitals (i) in the Alfred Nzo district municipality and (ii) at the Kokstad hospital, (b) in which categories are these vacancies and (c) how long have these vacancies existed;

(2) whether her department is experiencing difficulties in recruiting the required personnel; if not, what is the position in this regard; if so, what difficulties;

(3) whether her department has any (a) plans to attract and retain skills in this area and other rural areas and (b) contingency plans to improve the current levels of capacity; if not, why not; if so, what plans in each case? N870E

The MINISTER OF HEALTH:

(1) (a) The total number of vacancies for Alfred Nzo district municipality is 655.

(b) The table below reflects the situation in this regard.

Categories	*Number of vacancies*	*Number of posts*
Medical practitioner (Level 12)	15	21
Middle manager: Health	1	12
Middle manager: Nursing	4	13
Nursing Assistant	104	483
Occupational therapist	4	12
Physiotherapist	3	4
Professional nurse	231	668
Social worker	4	7
Speech therapist and audiologist	3	6
Staff nurse	45	165
Medical technician/ technologist	7	15
Medical practitioner	5	13
Medical specialist	1	2
Psychologist	9	11
Chief pharmacist	3	6
Middle manager: Hospital	2	2
Pharmacist	3	6
Radiographer	4	10
Supplementary diagnostic radiographer	1	6
Chief medical officer	1	8
Dentist	13	9
Principal pharmacist	1	6
Dietician	1	2
Emergency care practitioner	174	345
Environmental health officer	6	33
Dental therapist	8	16
Total	653	1 881

(c) The posts for Alfred Nzo district municipality have been vacant for at least the last six months and more, as the organograms of the institutions have been changed.

(2) The department does experiences difficulties in recruiting the required personnel because the area is deep rural.

Health professionals prefer the less rural areas as long as they will still qualify for the rural allowance.

(a) A policy on retention of health professionals is being developed.

(b) The plan include among other things, the training of students form the local area and contracting them to serve the area for a specific period before they can request a transfer to other institutions.

(3) (a) The total number of vacancies for Kokstad Hospital is 64.

(b) The table below reflects the situation in this regard.

Categories	*Number of vacancies*	*Number of post on establishment*
Nursing	35	172 (includes clinic)
Medical	6	nine
Professional	3	six
Admin/clerical	7	24
Technical	0	four
General	13	93

(c) Medical component has been vacant for approximately two and half years, Nursing component is due to high turnover and general component vacant since beginning of 2004.

Pension fund for each SOE

706. Prof B TUROK (ANC) asked the Minister for Public Enterprises:

Whether each state-owned enterprise has a pension fund; if not, what is the position in this regard; if so, (a) what are the financial assets of each such fund and (b) to whom is each fund accountable? N1024E

The MINISTER FOR PUBLIC ENTERPRISES:

Each state-owned enterprise overseen by Department of Public Enterprises has a pension fund.

(a) Different pension funds invest in various financial instruments as prescribed by the Financial Services Board's Pension Funds Act as well as rules of each fund.

(b) Each pension fund is accountable to its members, through the elected board of trustees.

Attached are the details of pension funds for each state owed enterprise:

Denel (Figures based on financial statements: 31 December 2003)				
	Membership			
Name of fund and type of fund	*Active*	*Pensioners*	*Actuarial value of the fund and the financial assets of the fund*	*Investment patterns of the fund*
Denel Pension Fund Defined benefit plan	76	3 303	R1,2 billion actuarial surplus With net assets value of R2,9 billion	The financial assets are invested as follows: shares (48%), bonds (33%), cash (5%) and foreign assets (14%)

Denel (Figures based on financial statements: 31 December 2003)				
	Membership			
Name of fund and type of fund	*Active*	*Pensioners*	*Actuarial value of the fund and the financial assets of the fund*	*Investment patterns of the fund*
Denel Retirement Fund Defined contribution fund	7 918	702	No actuarial value was provided Net assets value of the fund is R3 billion	Financial assets are invested as follows: shares (22%), loans (5,2%), bonds (8,8%), cash (1,5%), insurance policies (47%), unit trusts (5,4%) and foreign assets (10,5%)
Denel Pension fund's board of trustees 10 trustees, one independent chairman, four representing the employer while the rest represent the pensioners Denel Retirement fund's board 8 trustees — one independent chairman, three representing the employer while the rest represent employees Board Meeting At least once per quarter				
Notes • Actuarial valuation is done every three (3) years Pension's Fund Act • With the exception of Transnet Pension Funds, all other funds are governed by the Pensions' Fund Act 24/1956 (as amended) and are therefore accountable to the employer, employees and the Registrar of Pension Funds (Financial Services Board).				
• While Transnet funds are governed by the Transnet Pensions Funds Act 62 of 1990 (as amended) and therefore accountable to the employer, employees, DPE and National Treasury				

Transnet (Figures based on financial statements: 31 March 2004)				
	Membership			
Name of fund and type of fund	*Active*	*Pensioners*	*Actuarial value of the fund and the financial assets of the fund*	*Investment patterns of the fund*
Transnet Retirement Fund Structured as a defined contribution from 1/12/2000	65 036	642	The actuarial value of the fund not provided The fund has a net asset value of R17,6 billion	The fund's asset allocation is as follows: property (2,5%), bonds (22%), shares (57,9%), cash (10,8%) and unlisted shares (5,2%)
Transnet Pension Fund Closed defined benefit fund/Members are current employees of Transnet	11 153	1 804	R27 million actuarial deficit With net asset value of R4,2 billion	The fund's asset allocation is as follows: property (3,5%), bonds (20.4%), shares (59%), cash (5,9%), and unlisted shares (6,5%)
Transnet Second Defined Benefit Fund Defined benefit plan established for the benefit of pensioners	0	48 068	R5 billion actuarial deficit With net assets value of R13 billion	The fund's assets allocation is as follows: bonds (30,7%), shares (34%), cash (13%), properties (6,5%) and the M-cell trust (6,7%)

Board of Transnet Retirement Fund consists of 14 trustees — 7 representing the board and the other 7 representing the employees Board of Transnet Pension Fund consists of 12 trustees — 5 representing the employer and the rest representing the employees Board of Transnet Second Defined Benefit Fund consist of 6 trustees Board Meeting At least once per quarter
Notes • Actuarial valuation is done every three (3) years, except for Transnet Second Defined Benefit fund whose valuation is done every year • Pension's Fund Act With the exception of Transnet Pension Funds, all other funds are governed by the Pension's Fund Act 24/1956 (as amended) and are therefore accountable to the employer, employees and the Registrar of Pension Funds (Financial Services Board).
While Transnet funds are governed by the Transnet Pensions Funds Act 62 of 1990 (as amended) and therefore accountable to the employer, employees, DPE and National Treasury

Safcol
(Figures based on financial statements: 30 June 2003)

	Membership			
Name of fund and type of fund	*Active*	*Pensioners*	*Actuarial value of the fund and the financial assets of the fund*	*Investment patterns of the fund*
Safcol Pension Fund	554	170	R4,9 million surplus With net asset Value of R123 million	The fund's allocation is made as follows: shares (71,5%), bonds (9,8%) and cash (18,6%)
Safcol Pension Fund linked Provident Fund	415	55	R220 000 actuarial surplus With net asset value of R57 million	The fund's asset allocation is as follows: equity (44,5%), capital markets (17,9%) and money market (37,4%)
Safcol Provident Fund	2 046	0	R70 million actuarial surplus With net asset value of R165 million	The fund's asset allocation is made as follows: equity (25,3%), capital market (10,7%), money market (46,5%) and insurance policies (17,6%)
Safcol Provident Fund for Senior Executives	7	0	R8,3 million actuarial surplus With net asset value of R11 million	The fund's asset allocation is made up as follows: Equity (1,2%), money market (39,4%) and insurance policies (59,3%)

Board of Safcol Pension Fund consists of 6 trustees — with 3 trustees representing the employer and the rest representing employees Board of Safcol Pension-linked Provident Fund consists of 6 trustees — with 3 trustees representing the employer and the other 3 representing employees Board of Safcol Provident Fund consists of 10 trustees — with 4 representing the employer while the rest represent the employees The board of Safcol Provident Fund for Senior Executive consists of 5 trustees Board Meeting At least once per quarter
Notes • Actuarial valuation is done every three (3) years • Pension's Fund Act With the exception of Transnet Pension Funds, all other funds are governed by the Pension's Fund Act 24/1956 (as amended) and are therefore accountable to the employer, employees and the Registrar of Pension Funds (Financial Services Board).
• While Transnet funds are governed by the Transnet Pensions Funds Act 62 of 1990 (as amended) and therefore accountable to the employer, employees, DPE and National Treasury

Eskom
(Figures based on financial statements: 30 June 2003 and 31 December 2003)

Membership

Name of fund and type of fund	*Active*	*Pensioners*	*Actuarial value of the fund and the financial assets of the fund*	*Investment patterns of the fund*
Eskom Pension & Provident Fund Defined benefit fund	31 958	34 006	The actuarial value of the fund is zero With the net asset of the fund standing at R21,5 billion	The fund's asset allocation is as follows: cash (18%), shares (44%), bonds (26%) and property (12%)

Board of Trustees consists of 12 trustees Board Meeting Meets 4 times a year
Notes • Actuarial valuation is done every three years • Pensions' Fund Act With the exception of Transnet Pension Funds, all other funds are governed by the Pensions' Fund Act 24 of 1956 (as amended) and are therefore accountable to the employer, employees and the Registrar of Pension Fund (Financial Services Board).
While Transnet funds are governed by the Transnet Pensions Fund Act 62 of 1990 (as amended) and therefore accountable to the employer, employees, DPE and National Treasury

Alexkor *(Figures based on financial statements: 31 March 2003 and June 2004)*				
	Membership			
Name of fund and type of fund	*Active*	*Pensioners*	*Actuarial value of the fund and the financial assets of the fund*	*Investment patterns of the fund*
Alexkor Group Pension Fund Defined Benefit Defined Contribution sections	386	215	Total assets R150 million	The funds' assets are invested in accordance with the rules of the Funds and the asset allocation is spread around the following assets: Coronation Managers African Harvest Asset Managers Allan Gray Rand Merchant Bank Prescient
Board of Turstees consists of 3 Employer Appointed Trustees 3 Member Elected Trustees Board Meeting At least four times annually				
Notes • Actuarial valuation is done every three years • Pensions Fund Act With the exception of Transnet Pension Funds, all other funds are governed by the Pensions' Fund Act 24 of 1956 (as amended) and are therefore accountable to the employer, employees and the Registrar of Pension Funds (Financial Services Board).				
While Transnet funds are governed by the Transnet Pensions Fund Act 62 of 1990 (as amended) and therefore accountable to the employer, employees, DPE and National Treasury				
Arivia.kom				
Notes • Arivia.Kom does not have its own pension fund. • Members are spread between Denel, Eskom & Transnet Pension Funds				

Disabled persons qualifying for benefits in terms of Act 5 of 2000

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

Whether (a) black and (b) non-black disabled persons qualify for benefits in terms of the Preferential Procurement Policy Framework Act, Act 5 of 2000; if not, why not; if so, for what benefits?

N983E

The MINISTER OF FINANCE:

The 80/20 and 90/10 preference point systems contemplated in the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000) and its subordinate Regulations make provision for the allocation of preference points to an enterprise or business owned by disabled black and non-black persons. These points can be claimed when submitting bids to do business with Government.

QUESTIONS

For oral reply:

Questions not replied to on due date:

Question standing over from 18 August 2004:

Government providing diplomatic assistance to South Africans arrested in Equatorial Guinea/Pakistan

*1. Mr D H M GIBSON (DA) asked the Minister of Foreign Affairs:

(1) Whether it took the Government longer to provide diplomatic assistance to the South Africans arrested in Equatorial Guinea for allegedly plotting to overthrow the government of that country than to those in Pakistan for allegedly being involved in terrorist activities; if not, what is the position in this regard; if so, what are the reasons for this disparity;

(2) on what date did a representative of the Government (a) become aware that South African citizens had been arrested in (i) Equatorial Guinea and (ii) Pakistan and (b) first visit the South Africans held in Equatorial Guinea and Pakistan, respectively? N486E

The MINISTER OF FOREIGN AFFAIRS:

(1) No. Consular assistance to South African citizens arrested abroad is provided uniformly in terms of rules and procedures of the Department of Foreign Affairs.

(a) (i) 9 March 2004, as advised by diplomatic note by the Embassy of Equatorial Guinea in Pretoria. The South Africans were arrested on 8 March 2004.

(ii) 26 July 2004 from media reports in Pakistan. The South Africans were arrested on 25 July 2004.

(b) (i) On 18 March 2004 by a small group of South African Government officials. This was followed by a visit on 19 March 2004 by our Ambassador to Equatorial Guinea, based in Libreville, and other members of the group of Government officials.

(ii) No consular visit has yet been approved by the Pakistani authorities to the two South African citizens.

Question standing over from Wednesday, 8 September 2004:

Consolidation of diplomatic ties with government of Equatorial Guinea

*2. Mr D H M GIBSON (DA) asked the Minister of Foreign Affairs:

Whether, when the decision was taken to consolidate diplomatic ties with the government of Equatorial Guinea, that country's poor human rights record was taken into consideration; if not, why not; if so, what specific factors were considered in this regard? N784E

The MINISTER OF FOREIGN AFFAIRS:

We have diplomatic relations with all African countries, that is the only way we can easily interact with them on any issue.

Questions standing over from Wednesday, 8 September 2004 (transferred for oral reply in accordance with Rule 117):

Possible change in policy of quiet diplomacy towards Zimbabwe

□3. Mr W J SEREMANE (DA) asked the Minister of Foreign Affairs: [Written Question No 349]

(1) Whether her department intends

changing its policy of quiet diplomacy towards Zimbabwe in the light of a request made to the President's office on Wednesday, 23 June 2004, by 20 human rights groups led by Amnesty International for South Africa to place more pressure on Zimbabwe in the light of its human rights record and owing to the groups' assertion that quiet diplomacy is not working; if not, why not; if so, what immediate policy changes will it make;

(2) whether her department intends taking any steps to ensure that the Zimbabwean government addresses the emerging food crisis in the Mashonaland East and Manicaland provinces; if not, why not; if so, what steps;

(3) what progress has been made in talks between Zanu-PF and the MDC in relation to reaching a political settlement;

(4) whether her department has identified any policy alternatives to quiet diplomacy should the situation in Zimbabwe continue to deteriorate politically and economically; if not, why not; if so, what are the relevant details? N389E

The MINISTER OF FOREIGN AFFAIRS:

(1) No.

(2) The department did not receive any request for food assistance from Zimbabwe.

(3) The South African Government and President Mbeki are constantly engaging both the MDC and ZANU (PF) to find an acceptable and sustainable solution to their challenges. President Mbeki had separate meetings with President Mugabe and Mr Tsvangirai in Zimbabwe on 18 December 2003. Both parties undertook to commence preparations towards final talks. On 29 February 2004, President Mbeki invited both parties to South Africa with a view to obtaining a briefing on progress made (based on the promises made in December 2003) and also to encourage both parties to resume formal and structured talks. On March 2004, the two parties met in Harare to assess the situation on talks. This meeting was followed by another meeting in Pretoria on 27 June 2004 where President Mbeki met with the MDC delegation led by the party's secretary-general Welshman Ncube, to assess the progress made.

(4) No.

Government entering into lease agreement with owners of Gallagher Estate in Midrand for hosting of PAP

■12. Mr W J SEREMANE (DA) asked the Minister of Foreign Affairs: [Written Question No 388]

(1) Whether the Government will enter into a lease agreement with the owners of Gallagher Estate in Midrand to use the estate to host the Pan-African Parliament (PAP); if not, what is the nature of the agreement regarding Gallagher Estate; if so, (a) who are the owners of the estate, (b) what is the duration of the lease agreement and (c) what is the total annual cost to the taxpayer of this lease agreement;

(2) whether alterations are planned to the estate for the PAP; if so, (a) what specified alterations, (b) who are the (i) architects and (ii) building contractors hired for this purpose and (c) what is the total estimated cost of these alterations;

(3) whether the owners of the estate will be liable for the costs of alterations; if not, why not; if so, what are the relevant details;

(4) whether it is anticipated that Gallagher Estate will become the permanent home of the PAP; if not, (a) why not, (b) where will the permanent home be located and (c) what is the estimated total cost of creating a new permanent home for the PAP;

(5) whether all member states will be required to contribute towards the cost of constructing a permanent home for the PAP; if not, (a) why not and (b) who will pay for this; if so, (i) what total amount is (aa) each member state and (bb) South Africa required to pay, (ii) by what date is each state required to pay its contribution towards these costs and (iii) what action will be taken if any of these states fail to pay its contribution by the deadline? N459E

The MINISTER OF FOREIGN AFFAIRS:

(1) Yes.

(a) Johnnic Inc.

(b) Five years.

(c) R18 696 plus VAT (R2 617 440) increasing by 8% per annum.

(2) The lease signed with Gallagher Estate specifies that they will provide:

(a) a purpose-built chamber, offices and committee rooms. This may require alterations to existing infrastructure.

(b) Gallagher Estate will appoint the necessary architects and building contractors to do the alterations.

(c) The cost associated with these proposed renovations is for the account of Gallagher Estate.

(3) Yes.

(4) No.

(5) No.

Expenses incurred by Government for exile of former Haitian president, Mr Jean-Bertrand Aristide

15. Ms R TALJAARD (DA) asked the Minister of Foreign Affairs: [Written Question No 402]

(1) Whether the Government has (a) incurred any expenses and/or (b) undertaken any expenditure in accordance with the provisions of the Public Finance Management Act, 1999 (Act No 1 of 1999), and the 2004-05 Budget Appropriation for the exile of former Haitian president, Mr Jean-Bertrand Aristide; if not, why not; if so, what are the relevant details;

(2) whether she will make a statement on the matter? N473E

The MINISTER OF FOREIGN AFFAIRS:

(1) Having taken a decision to host President Aristide, the South African Government has used resources and facilities largely and already at its disposal. It is therefore not easy to provide an accurate costing of these inputs.

(2) No.

For written reply:

Calls to reopen debate on term limits of President/Mayor of Durban

420. The LEADER OF THE OPPOSITION (DA) asked the Deputy President:

(1) Whether the Presidency has taken note of calls by a senior member of a certain political organisation (name furnished) in the Durban city council, calling for the debate on term limits to be reopened, specifically with regard to the President and the Mayor of Durban; if so, what is the response of the Presidency to this call;

(2) whether the issue of removing term limits for such positions has been discussed by the Presidency; if so, (a) on what date or dates, (b) what factors were taken into consideration during such discussions and (c) what conclusions were reached;

(3) whether the Presidency intends re-opening any discussion on term limits; if so, why? N519E

The DEPUTY PRESIDENT:

The matter has never been discussed by the Presidency and, in any case, there is a constitutional position on this matter.

Social workers resigning from employ of department

467. Mr M WATERS (DA) asked the Minister of Social Development:

Whether any social workers resigned from the employ of his department over the past 12 months; if so, (a) how many in each province, (b) what is the current vacancy rate in each province, (c) what is the optimum complement of social workers for each province and (d) how many social workers are currently employed in each province? N628E

The MINISTER OF SOCIAL DEVELOPMENT:

Yes, Social workers resigned from the Department of Social Development over the past twelve months starting 1 April 2003 to 31 March 2004.

This reply is based on the information on current financial year for the period 1 April 2004 to 31 July 2004.

For detail, please see tables 1 and 2 below.

Department of Social Development

Table 1: Period 1 April 2003 to 31 March 2004

Note: **Vacancy rate = $\frac{\text{Total number posts}}{\text{Total number of approved posts}} \times 100$

***The ratio of social workers to the population figures is an established international and national norm of 1:5000 (1 social worker: population served). This is an ideal norm (refer to annexure B).

Name of province	*Number of social workers resigned*	***Vacancy rate*	*Optimum complement of social workers as per approved posts*	****Optimum complement of social workers as per norm*	*Total number of social workers employed during this period*
KwaZulu-Natal	22	55%	720	1 885	325
Gauteng	26	33%	556	1 767	372
Eastern Cape	35	62%	1 293	1 287	493
Limpopo	5	56%	670	1 055	296
Western Cape	12	12%	312	905	276
North West	0	78%	485	734	106
Mpumalanga	5	43%	323	625	183
Free State	6	25%	252	541	188
Northern Cape	3	28%	120	165	87

Department of Social Development

Table 2: Period 1 April 2004 to 31 July 2004

Name of province	*Number of social workers resigned*	***Vacancy rate*	*Optimum complement of social workers as per approved posts*	****Optimum complement of social workers as per norm*	*Total number of social workers employed during this period*
KwaZulu-Natal	6	43%	720	1 885	413
Gauteng	12	32%	556	1 767	381
Eastern Cape	25	64%	1 293	1 287	468
Limpopo	47	49%	670	1 055	342
Western Cape	4	11%	337	905	274
North West	10	78%	485	734	105
Mpumalanga	5	44%	323	625	181
Free State	0	20%	252	541	202
Northern Cape	7	21%	120	165	95

Annexure A

1 April 2003 to 31 March 2004

Name of province	*Total No. of vacant post*	*Total no. of vacant posts filled during the period*	**Additional social workers required per approved post*	***Additional social workers required per norm*
KwaZulu-Natal	395	103	395	1 560
Gauteng	184	41	184	1 395
Eastern Cape	800	0	800	794
Limpopo	374	25	374	759
Western Cape	36	19	36	629
North West	379	71	380	628
Mpumalanga	140	31	140	442
Free State	64	107	64	353
Northern Cape	33	21	33	78

1 April 2004 to 31 July 2004

Name of province	*Total no. of vacant posts*	*Total no. of vacant posts filled during this period*	**Additional social workers required per approved post*	***Attitional social workers required per norm*
KZN	307	94	307	1 472
Gauteng	175	21	175	1 386
Eastern Cape	825	0	825	819
Limpopo	328	71	328	713
Western Cape	38	2	63	631
North West	380	9	381	625
Mpumalanga	142	29	142	444
Free State	50	14	50	339
Northern Cape	25	8	25	70

* Additional required social workers per approved posts is the difference between Total number of approved post and Total number of social workers employed during the period.

** Additional required social workers per norm is the difference between Total number of social workers per norm in each province and Total number of social workers employed during the period.

Annexure B

Name of province	*Total population per province*	*Ratio of social workers: Population served 1:5000*
KwaZulu-Natal	9 426 000	1:1885
Gauteng	8 837 000	1:1767
Eastern Cape	6 437 000	1:1287
Limpopo	5 274 000	1:1055
Western Cape	454 000	1:905
North West	3 669 000	1:734
Mpumalanga	3 123 000	1:625
Free State	2 707 000	1:541
Northern Cape	823 000	1:165

Source: Statistics SA Census 2001

* Additional required social workers per approved posts is the difference between total no. of approved post and total no. of social workers employed during the period.

** Additional required social workers per norm is the difference between total no. of social workers per norm in each province and total no. of social workers employed during the period.

Classification of persons as being disabled

468. Ms H WEBER (DA) asked the Minister of Social Development:

(a) Who is qualified to classify a person as being a disabled person and (b) who sits on the panel to classify a disabled person as being profoundly or severely disabled? N629E

The MINISTER OF SOCIAL DEVELOPMENT:

(a) A medical practitioner or members of the assessment panel appointed in terms of Regulations 2(4)(a) of the Social Assistance Act, Act No 59 of 1992, promulgated in November 2001, are qualified to classify a person as being a disabled person.

(b) The following persons sit on the panel to classify a disabled person as being profoundly or severely disabled:

- A senior social security official;
- Any rehabilitation therapist namely a nurse, social worker, physiotherapist, psychologist, occupational therapist or audio-visual therapist;
- A representative from the disability sector or a reputable member of the community namely a priest, chief, magistrate or any other reputable person who is familiar with the community and its circumstances;
- Any additional persons as it may be deemed appropriate for a particular application.

School girls deliberately falling pregnant to receive child-care grants

493. Mrs C DUDLEY (ACDP) asked the Minister of Social Development:

(1) Whether the reported allegations that school girls are deliberately falling

pregnant in order to receive the R170 per month child-care grants have been investigated by his department; if not, why not; if so, what were the findings;

(2) whether his department has taken or intends taking any action to address this matter; if not, why not; if so, what action? N660E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) Yes, the department has undertaken a number of initiatives to investigate the allegations. For instance, an analysis of the administrative data is constantly undertaken and a preliminarily exploratory study was carried out internally to set a foundation for a large-scale investigation on this matter. The findings from the administrative data, which are consistent with the preliminary field research, suggest that there are few teenagers currently in receipt of the child support grant, which to a greater extent contradicts the reported allegations. A relative small proportion of teenagers (1%) out of over 3,3 million beneficiaries are in receipt of child support grant. There is no correlation between the dates of commencement of the child support grant and actual birth dates of the children; therefore there is no evidence at this stage to support the notion of perverse incentive for teenagers to fall pregnant.

(2) The department would, however follow-up on this exploratory study to build a more comprehensive scientific investigation on population scale and fertility trends of teenagers and establish the causes of teenage pregnancy, and whether there is a causal effect between teenage pregnancy and child support grant.

Communities visited to complete applications for grants

531. Mr M WATERS (DA) asked the Minister of Social Development:

(1) Whether his department and the Department of Home Affairs have worked together in visiting communities in order to facilitate the completion of applications for grants; if not, why not; if so, (a) on which dates, (b) in which areas, (c) how many people were assisted, (d) how were these areas selected and (e) which (i) grants and/or (ii) documents were applied for;

(2) whether officials went door to door or sat in an office in each of these areas;

(3) whether these joint exercises help reduce the waiting period for (a) grants and (b) documentation; if not, what is the position in this regard; if so, what is the average number of days by which the waiting time is reduced;

(4) whether his department intends conducting more joint ventures with the Department of Home Affairs; if not, why not; if so, (a) when and (b) which areas are to be targeted? N738E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) Yes, my department and the Department of Home Affairs regularly undertake extensive marketing drives to the provinces to promote and expedite the grant registration campaigns.

This process is an integrated approach where not only the Department of Home Affairs was involved, but also the Department of Health and the SA Police Services. These are not once-off

collaboration initiatives but takes place throughout the year in rural and urban areas. In some instances the initiatives are part of other programmes such as the food distribution or imbizos.

Some of the joint interventions are as follows:

Provincial visits — 2003

Programme	*(a) Date*	*(b) Province*	*(c) Number of people assisted*
1. Launch of the Integrated Food Security and Nutrition Programme	March 2003	Free State Trompsburg Township, nodal point	15 households received food parcels worth R1 500
2. Launch of the Integrated Food Security and Nutrition Programme	16 March 2003	North West Madibogopan Village, nodal point	400
3. Launch of the Integrated Food Security and Nutrition Programme	3 January 2004	Free State Qwa-Qwa, nodal point	2 000
4. Launch of the Integrated Food Security and Nutrition Programme	17 January 2003	North West Ramokgolela Village, nodal point (Bojanala District)	400
5. Launch of the Integrated Food Security and Nutrition Programme	3 January 2003	North West Boskuil Village, nodal point (Southern District)	400
6. Launch of the Integrated Food Security and Nutrition Programme	21 March 2003	Northern Cape Galeshewe Township, nodal point	15 households were identified.
7. Launch of the Integrated Food Security and Nutrition Programme	April 2003	Eastern Cape Bityi Village, nodal point — Umtata	2 400
8. Jamborees with Soul City 6, ACCESS, Home Affairs and South African Police Services. Child Support Grant Registration Campaign. Other grant types were also considered.	25 January 2003	Free State province Qwa-Qwa, nodal point	500 beneficiaries were registered on the day
9. Collaboration with Independent Electoral Commission, South African Police Services and Home Affairs for ID registration and Child Support Grant. Other grant types were also considered.	5 September 2003	Western Cape Mandlenkosi and Rustdene, nodal point townships	Door-to-door campaign

Integrated ID and birth certificate campaigns are ongoing initiatives that continuously takes place at the provincial level.

(d) The visited areas were selected based on the needs analysis conducted in consultation with the local structures and other role-players.

(2) I undertook door-to-door visits to various organisations and communities whilst officials undertook door-to-door visits and also assisted at imbizos etc.

(3) (a) Yes, the joint exercises reduce the waiting period of a grant and it has increased access to grants, ie. once people have obtained IDs and children's birth certificates they could apply for grants.

(b) Yes, by the Department of Home Affairs and the Department of Social Development jointly reaching out to the communities more people and children obtain their

relevant ID and birth certificate documents.

(4) Yes, the department is in a process of conducting a joint workshop with the Department of Home Affairs during the month of September. The workshop seeks to enhance co-operation and co-ordination of services in a structured manner. The output of the workshop is to develop costed business plans and a Memorandum of Understanding between the two departments would be signed. This will promote continued collaboration between the two departments and increase access to grants.

Invitation to attend Olympic Games

591. Ms H WEBER (DA) asked the Minister of Social Development:

(1) Whether (a) he, (b) his Deputy Minister or (c) any officials of his ministry or department were invited to attend the 2004 Olympic Games in Athens; if so, (i) which persons and officials and (ii) at whose invitation in each case;

(2) whether (a) he, (b) his Deputy Minister or (c) any officials accepted the invitation; if so, (i) why and (ii) how many days was each away from work as a result;

(3) whether any costs were incurred by the taxpayer as a result of the trip in respect of each specified person; if not, what factors were taken into consideration in reaching this conclusion; if so, (a) what were the costs in respect of each specified person and (b) in respect of what items was this expenditure incurred;

(4) whether he and/or his Deputy Minister has declared the trip as a gift in terms of the Executive Members' Code of Conduct; if not, why not; if so, what is the estimated value of this hospitality? N842E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) (a) The Minister did not receive any invitation to attend the Olympic Games in Athens.

(b) The Deputy Minister did not receive any invitation to attend the Olympic Games in Athens.

(c) No official received any invitation to attend the Olympic Games in Athens.

(i) and (ii) Fall away.

(2) Since there had been no invitation neither the Minister nor the Deputy Minister nor the staff accepted any invitation; consequently none of them were absent from work as a result of attending the Olympics during the time of the Olympics.

(3) Since no invitation was received nor accepted no costs were incurred by the taxpayer nor any member of the public.

(4) Since no trip was undertaken by either the Minister or Deputy Minister and officials no declaration was recorded.

Invitation to attend Olympic Games

603. Mr C M MORKEL (DA) asked the Minister of Minerals and Energy:

(1) Whether (a) she, (b) her Deputy Minister or (c) any officials of her ministry or department were invited to attend the 2004 Olympic Games in Athens; if so, (i) which persons and officials and (ii) at whose invitation in each case;

(2) whether (a) she, (b) her Deputy Minister or (c) any officials accepted the invitation; if so, (i) why and (ii) how many days was each away from work as a result;

(3) whether any costs were incurred by the taxpayer as a result of the trip in respect of each specified person; if

not, what factors were taken into consideration in reaching this conclusion; if so, (a) what were the costs in respect of each specified person and (b) in respect of what items was this expenditure incurred;

(4) whether she and/or her Deputy Minister has declared the trip as a gift in terms of the Executive Members' Code of Conduct; if not, why not; if so, what is the estimated value of this hospitality? N854E

The MINISTER OF MINERALS AND ENERGY:

(1) (a) No, the Minister did not attend the 2004 Olympic Games in Athens.

(b) (i) However, the Director-General attended the 2004 Olympic Games in Athens

(ii) as an accompanying spouse to his wife who was formally invited.

(2) (a) She did not accept any invitation to the 2004 Olympic Games in Athens.

(b) Her Deputy Minister also did not accept any invitation to the 2004 Olympic Games in Athens.

(c) Yes, the Director-General did accept the invitation through his wife because—

(i) he was invited as the spouse to his wife who was formally invited and

(ii) he was on vacation leave for the period 11 to 18 August 2004.

(3) I did not approve nor did the department incur any expenditure in this regard.

(4) Not applicable as neither of them went to Athens.

Beneficiaries in Alfred Nzo District Municipality receiving state grants

610. Mr G Q M DOIDGE (ANC) asked the Minister of Social Development:

(1) How many beneficiaries in the Alfred Nzo District Municipality are currently benefiting from (a) old age pensions and (b)(i) disability, (ii) child support and (iii) foster-care grants;

(2) whether there are any backlogs in registering potential candidates for these grants; if so, what are the (a) relevant details and (b) reasons for such backlogs;

(3) whether there are currently any programmes running between the Department of Health, the Department of Home Affairs and his department in order to capture all unregistered but eligible candidates; if not, why not; if so, (a) what programmes and (b) what has been the impact of such programmes? N861E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) The following beneficiaries are currently benefiting from access to grants in the Alfred Nzo District Municipality:

Grant type	*Number of beneficiaries*
(a) Old age grant	81 761
(b) (i) Disability grant	32 335
(ii) Child support grant	110 502
(iii) Foster-care grant	2 824

(2) Yes.

(a) Based on information available, not all eligible potential beneficiaries who are entitled to receive a social security grant has registered.

(b) This is on the one hand due to a lack of knowledge or an inability

to obtain the required documentation such as ID books and birth certificates.

(3) Yes.

(a) Collaboration between the Department of Social Development, Health and Home Affairs are ongoing. These initiatives involve extensive marketing drives through public communication, imbizos, door-to-door registrations, deployment of mobile units and working together on the Integrated Food Security and Nutrition Programmes.

(b) These joint programmes have resulted in increased ID registration and grant registration campaigns that in turn have increased awareness about grants increased access to grants and expedite issuing of documents required to apply for grants.

Investigation into alleged irregularities at NDA

667. Prof B TUROK (ANC) asked the Minister of Social Development:

(1) Whether an investigation has been launched into alleged irregularities by senior management members of the National Development Agency (NDA); if not, what is the position in this regard; if so, (a) when will the investigation be completed and (b) what interim arrangements are in place to ensure the continued smooth running of the NDA;

(2) whether the results of the investigation will be made public; if not, why not; if so, when? N977E

The MINISTER OF SOCIAL DEVELOPMENT:

(1) Yes, a forensic investigation was launched into the irregularities by senior management members of the National Development Agency (NDA).

(a) The investigation was completed on 20 April 2004 and the final report handed over to the new NDA Board and tabled at its meeting held on 19 May 2004 for consideration and further action.

(b) Following the precautionary suspension of the chief executive officer (CEO) and the chief operations officer (COO) at the NDA, I appointed an envoy comprising two senior officials from my Ministry to assist the management of NDA, on a part-time basis, with the running of the organisation. The new board, following its appointment in December 2003, resolved to continue making use of the services of the envoy pending the outcome of the disciplinary cases against the CEO and the COO. The board is now finalising arrangements for the appointment of a full-time acting CEO to take over from the envoy.

(2) The decision to make the results of the investigation public rests with the board of the NDA. However, the board feels it is premature and inappropriate to make this report public at this stage since the disciplinary steps taken against both the CEO and COO are still in progress. This report forms part of the crucial evidence against these two officials and is treated as highly confidential at this stage.

QUESTIONS

For written reply:

Economic studies undertaken on Maputo Corridor

227. Ms H WEBER (DA) asked the Minister of Transport:

Whether any economic studies have been undertaken on the Maputo Corridor to determine the extra costs incurred by having to use the toll road, as opposed to the railway line, to the Port of Maputo; if so, what (a) were the findings and (b) percentage of freight is currently transported by road? N261E

The MINISTER OF TRANSPORT:

No, the Department of Transport (DOT) has not conducted any studies on the relative costing and pricing of various supply chains on the Maputo Corridor. There is no definitive study that we are aware of that answers the questions that had been raised by the hon member.

The information that is available to my department is anecdotal and contains commercially sensitive information that is specific to a single company.

My department is currently in the process of implementing a freight database research project in Mpumalanga that will assess the traffic volumes along some components of the Maputo Corridor. This study will, however, not analyse the pricing and costing of the various supply chains.

The DOT will, as a component of the National Freight Logistics Strategy and 2014 demand forecasting, be assessing the pricing and costing structures of various supply chains throughout the country. This assessment will not be concentrating on the micro costing and pricing in this study.

However, the Eastern Corridors Projects will, as part of its corridor strategy and implementation processes, be assessing supply-chain micro level costing and pricing as part of the logistics corridor optimisation and infrastructure planning.

It is expected that the aggregate supply chain costing and pricing analysis should be available by the end of the second quarter of the 2005 calendar year, with the micro level costing and pricing information from the Eastern Corridor analysis becoming available towards the end of the third quarter of the 2005 calendar year.

(a) and (b) Fall away.

Consultation *re* cost of relocating Durban International Airport

345. Ms R TALJAARD (DA) asked the Minister of Transport:

Whether a certain company (name furnished), the strategic equity partner of the Airports Company of SA (ACSA), has been consulted about the (a) construction cost implications of relocating Durban International Airport and (b) listing of ACSA; if not, why not; if so, what are the relevant details? N385E

The MINISTER OF TRANSPORT:

(a) There are currently discussions with the strategic equity partner, Aeroporti di Roma (ADR) on the construction of the new airport in Durban, but not on the actual construction costs. The discussions relate to a number of issues between the shareholders, including the construction of the Dube Trade Port that will incorporate the King Shaka Airport. Other issues that the shareholders are engaging on are the exercising of a share option by ADR. The shareholders are still engaging on these matters. A decision has therefore not been made to relocate Durban International Airport to La Mercy hence the discussions referred to above. This decision will be guided, *inter alia*, by

the feasibility studies that are still under way.

(b) The discussions referred to above include the exercising of the share option by ADR, which entails considering an appropriate method of exercising the said option. The option is about ADR acquiring an additional stake in the Airports Company South Africa Limited (ACSA). The shareholder's agreement refers to the listing, which may be triggered by either party. The ongoing discussions are considering the effectiveness and the environment of listing alternatively of a trade sale.

Contracts awarded without having gone on tender

376. Mr M WATERS (DA) asked the Minister of Transport:

(1) Whether any contracts worth over R500 000 were awarded without having gone on tender (a) in 2001, (b) in 2002, (c) in 2003 and (d) during the period 1 January 2004 up to the latest specified date for which information is available; if so, (i) why were they not put out to tender, (ii) who took the decision to award the contracts, (iii) which organisations were awarded contracts in each case, (iv) who were the directors of each of these organisations, (v) what was the value of each contract and (vi) what were the (aa) terms of reference, (bb) starting date and (cc) completion date of each contract;

(2) whether the awarding of each of these contracts adhered to the Public Finance Management Act, Act 1 of 1999; if not, which ones did not;

(3) whether any action has been taken against officials and/or politicians who awarded the contracts; if not, why not; if so, what action? N445E

The MINISTER OF TRANSPORT:

(1) (a) 2000-01:

An existing contract with Telkom was re-negotiated at a cost of R36 234 470 for the first two years of the contract.

(b) 2001-02:

A contract was awarded to Herdbuoys McCann-Erickson for an amount of R1 692 034,53.

Although a contract was not awarded by the Department of Transport, the department paid the Elangeni Hotel an amount of R754 012,50 to accommodate delegates to the National Taxi Conference.

(c) 2003:

No contracts worth over R500 000 were awarded without having gone on tender.

(d) 1 January 2004 up to 13 September 2004:

No contracts worth over R500 000 were awarded without having gone on tender.

(i) Telkom contract

Telkom was the only available supplier of the required services at the time and enjoyed protected status under its licence, which granted Telkom exclusive rights to provide the required services.

Herdbuoys McCann-Erickson contract

The contract was awarded in terms of an existing contract between Herdbuoys McCann-Erickson and Government Communications and Information System (GCIS), which was

awarded by the State Tender Board.

Elangeni Hotel contract

A National Conference Preparatory Committee (NCPC) that was created by Provincial Administrations to arrange the National Taxi Conference awarded the contract.

(ii) Telkom contract

In a letter to Telkom, the Legal Manager (Mr C Briesch) and Financial Manager (Ms J Trahms) of the South African Maritime Safety Authority (Samsa), who managed the contract on behalf of the Department of Transport, authorised Telkom to proceed with the acquisition of the equipment and provision of the services. This was done after the in principle approval of the Minister of Transport and Director-General at the time.

Herdbuoys McCann-Erickson contract

It was alleged that the Manager: Arrive Alive Communications at the time awarded the contract. No written contract existed.

Elangeni Hotel contract

The National Conference Preparatory Committee (NCPC).

(iii) Telkom

Herdbuoys McCann-Erickson

Elangeni Hotel

(iv) Telkom

N Mtshotshisa — Non-Executive Chairman, S Nxasana, S McKenzie, C K Tan, C Valkin, T Vilakazi, R Menell, T Sekano, P Moyo, T Mansor and J Klug.

Herdbuoys McCann-Erickson

Veejay Archary, Geoff Biehler (British), Mike Ellman-Brown (British), Lauren Hook, Ann Muthuma — Deputy Managing, Happy Ntshingila — Managing, Wayne Parry, Dick Payne, Dimpape Serenyane — Deputy Executive Chairman, John Smeddle (British), B Peter Vundla — Non-Executive Chairman and Helle Wagner (Danish).

Elangeni Hotel

R J Stringfellow (Executive Chairman), H R Pereira (Managing), L Clur, W Gallagher, J A Mabuza, A S Maclaurin, K S Page, Q V Scorgie, L F Smith, R F Weilera and M Wilsher.

(v) Telkom — R36 234 470 for the first two years.

Herdbuoys McCann-Erickson — R1 692 034,53.

Elangeni Hotel — R754 012,50

(vi) Telkom contract

(aa) The contract was awarded for the ongoing provision of the reception and transmission of maritime safety information, which encompasses, amongst others, full-time listening watch by coastal radio stations, the receipt and transmission of navigational warning, distress and urgency signals, as well as the receipt and transmission of weather observations from and to stations at sea.
(bb) The contract started on 1 April 1999 for (cc) an initial period of two years.

Herdbuoys McCann-Erickson contract

(aa) The contract was for the flighting of Arrive Alive advertisements from (bb) November 2000 to (cc) January 2001.

Elangeni Hotel contract

(aa) The payment was made for accommodation of delegates to the National Taxi Conference from (bb) 10 September to (cc) 16 September 2001.

(2) Telkom contract

The contract was awarded before its approval by the State Tender Board. The State Tender Board subsequently approved the contract. However, retrospective approval was not granted. The contract therefore did not adhere to the Public Finance Management Act, 1999 (Act No 1 of 1999).

Herdbuoys McCann-Erickson contract

The Department of Transport did not have the authorisation to contract directly with a contractor to GCIS. The contract therefore did not adhere to the Public Finance Management Act, 1999 (Act No 1 of 1999). An application was made to the State Tender Board for *ex post facto* approval, but no response has been received from the State Tender Board as yet.

Elangeni Hotel contract

The Department of Transport paid costs on behalf of the NCPC on the assumption that the costs would be recovered from the NCPC. Sponsorships that were promised did not materialise and the money could not be recovered. No agreement was reached to recover the money. The payments that were made therefore did not adhere to the Public Finance Management Act, 1999 (Act No 1 of 1999).

(3) Telkom contract

No action has been taken against officials who awarded the contract. The Office of the Auditor-General was contracted to conduct a forensic investigation to, amongst others, advise on disciplinary action to be taken. The initial report that was received was inconclusive and the matter will be further investigated.

Herdbuoys McCann-Erickson contract

No action has been taken against officials who awarded the contract. The service should have been requested from GCIS, who would have contracted Herdbuoys McCann-Erickson to perform the work under their existing contract. The service provider was, however, verbally contracted directly to flight advertisements for the Arrive Alive campaign. The service was rendered, but it could not be proven who placed the verbal order. It was ascertained that the work was required in terms of the Arrive Alive business plan and was done to the satisfaction of the department. The Director-General at the time approved that the supplier should be paid. The department's Advisory Committee on Financial Irregularities concluded that a prolonged legal process would have to be followed in an attempt to take disciplinary action. No loss occurred to the State and the committee recommended that the matter should be condoned.

Elangeni Hotel contract

No action has been taken against officials who awarded the contract. The Office of the Auditor-General was contracted to conduct a forensic investigation to, amongst others, advise on disciplinary action to be taken. The initial report that was received was inconclusive and the matter will be further investigated.

Inquiries into fraudulent credit card driving licences

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

(1) Whether he intends instituting an inquiry into the credit card driving licence system with a view to establishing (a) how many fraudulent credit card licences have been issued, (b) why it is still possible to obtain fraudulent licences despite the security measures introduced, (c) what additional security measures are required, (d) how to link the licensing system to the Department of Home Affairs' database for purposes of cancelling licences issued to persons who have died or emigrated and (e) the affordability of obtaining the credit card licence; if not, why not; if so, what action has been taken in this regard;

(2) whether any steps are being taken against drivers who failed to convert their licences to credit card licences; if not, why not; if so, (a) what steps and (b) with what results? N470E

The MINISTER OF TRANSPORT:

(1) (a) According to the records of the Department of Transport, no fraudulent credit card driving licences (the document) has ever been issued, so there is no intention to conduct an enquiry in this regard.

However, the processes of issuing the driving licence may be fraudulent. There is currently an enquiry or investigation being conducted on the processes of issuing the driving licences.

(b) Whilst security measures are in place, it is just not always possible to prevent fraud and corruption, especially in the context of the interaction between the examiner (officer) and the applicant who is being tested for a driving licence.

(c) The department has established a Fraud and Corruption Unit that is investigating the fraudulent issuing of driving licences at all driving licence testing centres. The department is currently deploying technology called the Live Scan Unit that will minimise the fraudulent issuing of the driving licences. The Unit will be completely deployed across the country before the end of December 2004. The technology minimises human intervention.

(d) The Department of Transport is providing the ID number of all drivers to the Department of Home Affairs and the latter identifies from the list provided all the deceased drivers and marks the list. The list is then applied on the records of the Department of Transport. Only the deceased drivers are marked, but not people that have emigrated. The department still confirms the driving licences of citizens that have left the country for various reasons.

(e) No, the department has already made sure that the manufacturing of the driving licence card is affordable. The department believes that the amount charged for the privilege to drive for a period of five years is affordable.

(2) Yes, the department has cancelled all the driving licences of those drivers who failed to convert to the new credit card format driving licence, excluding licences of drivers exempted by the legislation. Those drivers whose licence has been cancelled had to obtain a learner's licence again, prior to the final qualification to drive.

Complaints from commuters using Metrorail

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

(1) Whether he or his department has received any complaints from the rail commuting public and/or any employers regarding the service levels of Metrorail in the Western Cape with regard to (a) late arrivals, (b) overcrowding during peak hours, (c) the condition of carriages and vandalism, (d) unannounced cancellations and (e) high crime levels on trains; if so, (i) what steps have been taken to rectify these problems, (ii) over what specified period have these complaints been received and (iii) when is it anticipated that these problems will have been overcome;

(2) whether these problems have led to any reduction in the number of commuters using Metrorail; if not, how has this been measured; if so, (a) what are the relevant details and (b) what steps are being taken to attract passengers back to the service;

(3) whether any costing has been done as to what amount is needed to provide a safe, efficient and attractive service to commuters in the Western Cape; if not, why not; if so, (a) what is the cost estimate and (b) how long will it take to make the necessary changes to provide such a service;

(4) whether he intends implementing these changes; if not, why not; if so, when? N550E

The MINISTER OF TRANSPORT:

(1) (a), (b), (c) and (d)

The following is a summary of complaints (categories and quantity) received during the past thirteen months in the Western Cape Region.

Previous thirteen months		
Top five complaint categories over the period July 2003 to July 2004		
Category	*Complaints*	*% of total complaints*
Train operations (Punctuality)	1 993	24.54
Safety and security of passengers	1 492	18.37
Station facilities (PA announcements/barriers)	1 318	16.23
Fare aspects (ticket checking/ticket windows)	1 057	13.02
Train facilities (windows/overcrowding)	978	12.04
Personnel behaviour (on station)	652	8.03
Personnel behaviour (on train)	396	4.88
Infrastructure	234	2.88
Total category complaints	8 120	100

(e) Schedule 1 Offences

Malicious damage to property

April 2003 to March 2004 — 886 offences with an average of 74 per month.

Common crime (common assault)

April 2003 to March 2004 — 1 412 offences with an average of 118 per month.

Schedule 1 Offences

Malicious damage to property

April 2004 to August 2004 — 636 with an average of 53 per month (28% reduction).

Common crime

April 2004 to August 2004 — 516 with an average of 43 per month (60% reduction).

Steps taken to rectify the problems

(1) (a) (i) Late arrivals

Revision of the timetable to take into account the amount of rolling stock removed from service for safety reasons. The purpose of the revision is to bring a greater degree of reliability and predictability to the service.

(b) (i) Overcrowding during peak hours

Overcrowding was experienced when services were removed. However, the services were reinstated and the issue of overcrowding has not been experienced thereafter.

(c) (i) The condition of rolling stock

To address the problems at regional level related to rolling stock, special exceptional projects have been embarked upon aimed at improving fleet reliability and availability. The first project valued at R4,62 million was embarked on in October 2003 and the second project valued at R26 million is under implementation. These projects focus on the following:

- Overhauling, undertaking extensive repairs and upgrading components in various systems that have been prone to failure.
- Subcontracting the repair of both coaches and components to contractors outside of Metrorail where the immediate in-house capacity is not adequate.
- Investigating and applying products that are not attractive to vandals. In excess of R20 million has been spent on vandalism repairs to rolling stock between April 2003 and August 2004, with notable expenditure on windows replacements.
- Implementing measures that augment internal capacity as well as those aimed at addressing the loss of skilled artisans to the general engineering industry.

In parallel to this an intensive condition assessment with specific attention to safety critical items has been implemented and necessary repairs are being undertaken.

In addition, the rolling stock recurrent maintenance budget adjustments have also been implemented with the effect an increase by 30% of the budget for 2004-05 financial year.

(d) (i) Unannounced cancellations

The PA systems are being upgraded to improve announcements, including announcements on cancellations.

(e) (i) Crime

The number of security guards will be increased from 794 to 969 in the current financial year and the SAPS will be reintroducing policing on the commuter rail system in the next financial year.

(1) (a), (b), (c), (d) and (e)

(ii) Period in which the complaints have been received

A summary of complaints (categories and quantity) received during

the past thirteen months in the Western Cape region is contained in the table above.

(iii) Period to overcome the problems

The Department of Transport, together with the South African Rail Commuter Corporation (SARCC) and Metrorail has embarked on a programme to address all the issues raised. However, given the huge capital requirement for rolling stock a longer-term approach has been adopted in accordance with the response to part 3 of the question below.

(2) No, Metrorail average passenger journeys per month (from ticket sales) over the last two years has increased on an average of 4% per month year-on-year.

(a) and (b) Fall away.

(3) Yes.

(a) The rolling stock is a primary part of the commuter rail business to provide a safe, attractive and reliable service. We have developed medium and long-term strategies that are necessary to ensure a sustainable business.

The recently completed "Rolling Stock Back On Track" programme has estimated the refurbishment of the 4 500 coaches at R14,5 billion or R1,45 billion per year over the next ten years, subject to the availability of capital funding.

(b) Assuming the full capital funding requirement is provided, the GO/ upgrade numbers will increase as follows:

383 (2004-05), 400 (2005-06) and 450 for the following ten years.

The 450 coaches per year are considered the near optimum in terms of the long-term (ten-year) programme.

The National Infrastructure requirement is estimated at R450 million per annum over the next ten years. This includes perway, electrical, signals, telecommunications and stations. No provision is made, in these figures, for new extensions to the network.

(4) Yes, the implementation of the changes has commenced in the 2003-04 financial year and will continue in terms of the abovementioned programme. Review of these initiatives is on a continued basis to ensure that capital-funding respond to commuter needs.

Motorists not renewing driving licences

503. Mr C B HERANDIEN (NNP) asked the Minister of Transport:

How many motorists had not renewed their card driving licences as at the latest specified date for which information is available? N708E

The MINISTER OF TRANSPORT:

Statistics drawn on 31 August 2004 for the period 1 March 2004 to 31 July 2004 indicate that a total of 184 221 driving licence cards expired and have not been renewed. This figure represents approximately 2,45% of the 7,5 million drivers in South Africa.

Invitation to attend Olympic Games

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

(1) Whether (a) he or (b) any officials of his ministry or department were invited to attend the 2004 Olympic Games in Athens; if so, (i) which persons and officials and (ii) at whose invitation in each case;

(2) whether (a) he or (b) any officials accepted the invitation; if so, (i) why and (ii) how many days was each away from work as a result;

(3) whether any costs were incurred by the taxpayer as a result of the trip in respect of each specified person; if not, what factors were taken into consideration in reaching this conclusion; if so, (a) what were the costs in respect of each specified person and (b) in respect of what items was this expenditure incurred;

(4) whether he has declared the trip as a gift in terms of the Executive Members' Code of Conduct; if not, why not; if so, what is the estimated value of this hospitality? N839E

The MINISTER OF TRANSPORT:

(1) (a) Neither the Minister, nor (b) any officials of the Ministry or Department of Transport were invited to attend the 2004 Olympic Games in Athens.

(i) and (ii) Fall away.

(2) (a) and (b) (i) and (ii) Fall away.

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

(4) Falls away.

Towing of boats with full catch of fish aboard

662. Mr K D S DURR (ACDP) asked the Minister of Transport:

(1) Whether it is lawful for a fishing boat with a full catch of fish aboard to be towed on public roadways; if not, what fine can be imposed in this regard;

(2) whether any procedure can be followed or waiver obtained to allow this practice; if not, what is the position in this regard; if so, what are the relevant details? N904E

The MINISTER OF TRANSPORT:

(1) Yes, it is lawful for a fishing boat to be towed on a public road with fish aboard. However, it is important to point out that the trailer upon which the fishing boat is loaded should be registered and licensed in terms of the National Road Traffic Act, 1996 (Act No 93 of 1996). Secondly, the goods loaded in or on top of any trailer operated on a public road must be securely fastened to such a trailer or securely contained within the body of such trailer.

(2) There may be no waiver in this regard as the practice does not transgress any provision of the National Road Traffic Act, 1996.

Increase of cross-border transport permits for trucks from Botswana

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

(1) Whether he was party to any bilateral negotiations with the Botswanan government in regard to its recent increase of cross-border transport permits by almost 500% for truck and trailer combinations; if so,

(2) whether the impact of this increase on South African transporters with existing transport contracts to Botswana was taken into account; if not, why not; if so, what will be the impact of this increase on South African cross-border transporters;

(3) why was a reciprocal increase in permits not made for Botswanan trucks entering South Africa? N1004E

The MINISTER OF TRANSPORT:

(1) No. The fees that the government of Botswana has increased are the road user charges for foreign vehicles entering their country. The matter only came

to the attention of the Department of Transport after the fees were promulgated in the Botswana *Government Gazette*. The matter is a subject of discussion between the transport authorities of the two countries.

(2) My department is aware of the impact of the sudden increment of the fees by the Botswanan government on the South African transporters. During a bilateral meeting with the Botswanan government, the South African Government raised its concern regarding the manner in which the increment was effected and the impact that such increment will have on the South African transporters. We were informed during the deliberations that the Botswanan Parliament approves such increments and as such in order to revisit the decision, the matter will have to be tabled in the Botswanan Parliament.

(3) The South African Government is not in a position to apply a reciprocal increase, due to the fact that the system used in South Africa is not the road user charge system as in the case of Botswana. There is a study underway to determine how road user charges can be uniformly applied by all SADC member states. The study also looks at the current toll fees applied in South Africa *vis-à-vis* the road user charges as applied in Botswana.

Renovation of N5 between Harrismith/Winburg

724. Mr R JANKIELSOHN (DA) asked the Minister of Transport:

Whether, in light of the N5 road between Harrismith and Winburg being incorporated into the National Road Network in 2003, the whole road and/or parts thereof will be renovated in order to bring it up to the same standard as other national roads; if not, why not; if so, (a) when and (b) what amount has been budgeted for this? N1072E

The MINISTER OF TRANSPORT:

Yes, according to the South African National Roads Agency Limited (Sanral), the upgrading work will be carried out as shown in the table below.

Route/ section	*Location*	*Intervention*	*(a) Commencement date*	*(b) Budget*
N5/1	N3 I/C to Harrismith North I/S	Upgrade	April 2005	R27 million
N5/1	Harrismith North I/S to Industriqwa	Reseal	October 2004	R12 million
N5/3	Bethlehem to Vals River	Reseal	August 2005	R10 million
N5/3	Vals River to Paul Roux	Reconstruction	April 2007	R42 million
N5/3	Paul Roux to Senekal	Reconstruction	January 2005	R75 million
N5/4	Senekal to Winburg	Reconstruction	April 2007	R100 million

The commencement date is a target as per Sanral's programme.

Questions for oral reply

Contents to questions for oral reply:

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(Cluster 3)

*75. Ms R J MASHIGO (ANC) — Transport. [col 1457]

*82. Mr J P I BLANCHÉ (DA) — Public Works. [col 1462]

*60. Rev K R J MESHOE (ACDP) — Minerals and Energy. [col 1468]

*54. Dr S E M PHEKO (PAC) — Agriculture and Land Affairs. [col 1472]

*78. Mr M I MOSS (ANC) — Environmental Affairs and Tourism. [col 1478]

*80. Mr S B FARROW (DA) — Transport. [col 1484]

*63. Prince N E ZULU (IFP) — Labour. [col 1488]

*72. Mr R P Z VAN DEN HEEVER (ANC) — Science and Technology. [col 1495]

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*59. Mr K D S DURR (ACDP) — Agriculture and Land Affairs. [col 1505]

*69. Mr N H MASHITELA (ANC) — Agriculture and Land Affairs. [col 1511]

*94. Dr S M VAN DYK (DA) — Finance. [col 1515]

*49. Ms S RAJBALLY (MF) — Transport. [col 1520]

*67. Mr T R MOFOKENG (ANC) — Minerals and Energy. [col 1521]

*96. Mrs J A SEMPLE (DA) — Minerals and Energy. [col 1522]

*53. Prince N E ZULU (IFP) — Labour. [Question standing over.]

*76. Mr F BHENGU (ANC) — Public Works. [col 1524]

*65. Adv A H GAUM (NNP) — Public Works. [Removed]

*77. Ms E THABETHE (ANC) — Environmental Affairs and Tourism. [col 1526]

*89. Mr M J ELLIS (DA) — Environmental Affairs and Tourism. [col 1527]

*66. Ms N F MATHIBELA (ANC) — Minerals and Energy. [col 1527]

*81. Mr C M LOWE (DA) — Labour. [col 1529]

*61. Ms E CHANG (IFP) — Agriculture and Land Affairs. [col 1530]

*68. Mr N H MASHITELA (ANC) — Agriculture and Land Affairs. [col 1532]

*58. Mr A HARDING (ID) — Trade and Industry. [col 1533]

*70. Mr B A MNGUNI (ANC) — Finance. [col 1535]

*83. Mr S B FARROW (DA) — Transport. [col 1536]

*71. Mr K A MOLOTO (ANC) — Finance. [col 1538]

*84. Mr M J ELLIS (DA) — Environmental Affairs and Tourism. [col 1539]

*47. Dr R RABINOWITZ (IFP) — Agriculture and Land Affairs. [col 1540]

*73. Ms L N MOSS (ANC) — Transport. [col 1542]

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*74. Mr O M MOGALE (ANC) — Transport. [col 1547]

*85. Mr G R MORGAN (DA) — Environmental Affairs and Tourism. [col 1548]

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*86. Mr C M LOWE (DA) — Labour. [col 1552]

*62. Ms C N ZIKALALA (IFP) — Environmental Affairs and Tourism. [col 1554]

*57. Ms F BATYI (ID) — Labour. [col 1555]

*87. Dr P J RABIE (DA) — Finance. [col 1557]

*88. Mr A H NEL (DA) — Agriculture and Land Affairs. [col 1558]

*48. Dr R RABINOWITZ (IFP) — Agriculture and Land Affairs. [col 1559]

*56. Mr A HARDING (ID) — Trade and Industry. [col 1561]

*90. Mr J P I BLANCHÉ (DA) — Public Works. [col 1562]

*91. Mrs J A SEMPLE (DA) — Environmental Affairs and Tourism. [col 1564]

*55. Mr V C GORE (ID) — Minerals and Energy. [col 1565]

*92. Mr J SELFE (DA) — Agriculture and Land Affairs. [col 1565]

*93. Mr G R MORGAN (DA) — Environmental Affairs and Tourism. [col 1566]

*50. Mr V C GORE (ID) — Finance. [col 1568]

*95. Dr E NKEM-ABONTA (DA) — Trade and Industry. [col 1568]

*51. Mr L W GREYLING (ID) — Environmental Affairs and Tourism. [col 1570]

Questions transferred for oral reply in accordance with Rule 117:

▪1. Ms H WEBER (DA) — Transport. [Written Question No 227] [Removed]

▪2. Ms R TALJAARD (DA) — Transport. [Written Question No 345] [Removed]

▪3. Ms R TALJAARD (DA) — Trade and Industry. [Written Question No 346] [col 1571]

▪4. Mr M WATERS (DA) — Transport. [Written Question No 376] [Removed]

▪5. Mr S B FARROW (DA) — Transport. [Written Question No 399] [Removed]

▪6. Mr S B FARROW (DA) — Transport. [Written Question No 440] [Removed]

▪7. Mr C M MORKEL (DA) — Minerals and Energy. [Written Question No 442] [Question standing over.]

▪8. Mr J P I BLANCHÉ (DA) — Public Works. [Written Question No 446] [Removed]

▪9. Ms R TALJAARD (DA) — Trade and Industry. [Written Question No 478] [col 1578]

▪10. Mr I O DAVIDSON (DA) — Public Enterprises. [Written Question No 482] [col 1579]

▪11. Mr I O DAVIDSON (DA) — Public Enterprises. [Written Question No 483] [col 1582]

▪12. Mr I O DAVIDSON (DA) — Public Enterprises. [Written Question No 484] [col 1583]

▪13. Adv H C SCHMIDT (DA) — Minerals and Energy. [Written Question No 514] [col 1585]

▪14. Adv H C SCHMIDT (DA) — Minerals and Energy. [Written Question No 515] [col 1587]

▪15. Mr I O DAVIDSON (DA) — Public Enterprises. [Written Question No 654] [col 1587]

▪16. Mr K D S DURR (ACDP) — Transport. [Written Question No 662] [Removed]

QUESTIONS

For oral reply:

ECONOMICS
(Cluster 3)

Co-ordinated road traffic enforcement on SA roads during festive season

*75. Ms R J MASHIGO (ANC) asked the Minister of Transport:

Whether his department has taken or intends taking any steps to ensure co-ordinated and high profile road traffic enforcement on South Africa's roads during the approaching festive season; if not, why not; if so, what steps? N1179E

The MINISTER OF TRANSPORT: Thank you, Deputy Chair. The answer is yes, steps have already been taken to ensure co-ordinated and high-profile road traffic enforcement on our roads during the approaching festive season. Although the Arrive Alive road safety campaign is an all-year-round campaign, a detailed business plan for the approaching festive season has been prepared. This plan covers the months of September 2004 to January 2005. It incorporates the activities of all stakeholders and role-players in the campaign. The programme will use the elements that were effective last year and include some new projects, which were suggested through the consultation process. Some of the main messages and activities include emphasis on the responsibility of all road users, the "Niyabonwa" — you are seen — campaign, the Lights On campaign, vehicle fitness aspects, seatbelts, visibility of pedestrians and traffic officers.

The enforcement activities, which will be supported by a strong communications programme and special events, will encompass Operation Juggernaut. This operation will consist of regular roadblocks at which drivers and vehicle fitness aspects will be checked. Checks on drivers will also include drivers' licences and professional driving permits; the wearing of seatbelts; fitness aspects relating to tyres, lights, brakes, steering; roadworthy status documentation; and whether motor vehicle licences have been paid or not. Roadblocks will also be supported by high visibility, the patrolling of roads and the apprehension of drivers who are committing moving offences, such as overtaking across barrier lines and driving through red robots.

The department has also appointed a manager to interact with provincial and local traffic authorities to ensure effective planning and scheduling of enforcement operations and to promote co-ordination and co-operation between the various agencies. The card verification device, the CVD and not the DVD, will be rolled out as a countrywide project. These devices will be used to scan driving and vehicle licences and transfer queries to the National Traffic Information System, NaTIS. All queries will be recorded and the information utilised to evaluate the use of these CVDs. Thank you.

Ms R J MASHIGO: Thank you, Deputy Speaker. The Arrive Alive campaign really reduced the number of motor fatalities on our roads. However, the question has to do with the awareness of pedestrians, as we are aware that they do not observe the road traffic rules — such as at the robots, on the highways and along the main roads crossing the main streets in towns. So, we would really appreciate it if the hon Minister could outline the programmes in place to make pedestrians aware.

Also, another appeal is to do with headlights. The hon Dullah Omar really came up with a good campaign regarding using headlights. We would appreciate it if this could be slotted in for a certain period during the festive season. Would you kindly outline the programme for pedestrians and the one on the switching on of headlights? Thank you, Madam.

The MINISTER OF TRANSPORT: Thank you, hon member. As we indicated, the

Arrive Alive campaign is not only directed at the drivers of vehicles, but at all road users including pedestrians. Therefore, safety on our roads is the responsibility of all road users to ensure that we lower the accident rate in South Africa. When the late Minister Omar started the Lights On campaign about a year ago, statistics showed that it significantly reduced the instance of accidents in our country. As we saw in 2003, compared to other years, the accident rate actually went down. We appeal therefore to all South African road users to take the responsibility on their own shoulders for the safety of everybody, including themselves. Thank you.

Mr S B FARROW: Thank you, Deputy Speaker. Minister, it is a well-known fact that the number of traffic officers required to effectively police our roads falls short of international norms. In fact, a figure quoted by your predecessor was that one traffic officer was needed per 11 000 of the population. It is also well known that visible policing has a marked impact on those motorists wishing to take the law into their own hands.

In recognising the problem, the Minister's predecessor announced to much acclaim that he was going to introduce a national highway patrol unit. An amount of R5,9 million in the expenditure of the department for last year was spent on a feasibility study. What has become of that feasibility study? And, in view of the estimate and shortfall of thousands of traffic cops, is the Minister going to consider utilising the services of the SAPS or the SANDF? Bankruptcy in the RAF is related to accidents, as you well know. More visible cops, fewer accidents and fewer claims would be a far more effective way to try to get this message across. The fact is that we spent over R700 000 in the Minister's department just on television advertisements last year, and I wonder whether that should not have been more readily invested in visible policing. Thank you, Chair.

The MINISTER OF TRANSPORT: I agree with the hon member that law enforcement is one of the critical strategies of dealing with the issue of reducing fatalities on our roads. So, ensuring law enforcement and the safety of road users is the primary focus. One of the things that is being done is to reactivate the Road Traffic Management Corporation that is going to co-ordinate all traffic management system operations in South Africa, so that the safety of road users, not the generation of revenue by provincial and local transport authorities, is the motivator for enforcing the law in our country.

But, as I said earlier on, despite the law enforcement that must be accelerated, all road users in South Africa must have the consciousness of taking care of themselves for the safety of all people who use our roads in South Africa. We have not yet concluded the issue of highway patrols in South Africa. As soon as all relevant information is available, we will be able to take the appropriate decision on whether we will proceed with national patrols or not.

Mr S N SWART: Thank you, Deputy Chair. Hon Minister, the ACDP is similarly concerned with the high rate of accidents and fatalities during the Christmas holidays and supports all attempts to reduce the carnage on our roads. There can be no doubt that stricter law enforcement, particularly relating to unroadworthy vehicles, tired and drunk drivers and speeding will assist in this regard. We need more traffic officials in this regard as well. We also need to change the behaviour of motorists, as you correctly pointed out. We fully support Arrive Alive's Lights On campaign, as you indicated.

Hon Minister, will this also include the campaign to encourage drivers to drive at speeds five kilometres below the speed limit? A major concern of ours is also the heavy freight trucks driving at night. We appreciate the need for them for our economy, but are steps taken to limit heavy trucks driving at night, particularly during

those very busy public holidays? Thank you very much.

The MINISTER OF TRANSPORT: Well, I agree with the comments by the hon member. On the last question, the hon member would recall that the Minister of Public Enterprises, Alec Erwin, mentioned an infrastructure roll-out for rail in South Africa, which would, if implemented, alleviate the congestion on our roads by trucks so that we could effect a significant shift of freight from road to rail. When that process eventually happens, we are going to see what the hon member is suggesting in terms of alleviating the congestion on our roads by trucks. This is because much of the freight on our roads in South Africa could effectively be transported by the rail system. This is a process that is going to be attained.

Prince N E ZULU: Thank you, Deputy Speaker. The IFP is as concerned as anybody else with regard to the road carnage in South Africa, especially as we are approaching this festive season. We appreciate the steps and the enforcement plans the Minister has just highlighted. On top of that, we know that there is visible acceleration of police activity during all festive seasons that has a curbing effect on road accidents. Now we ask, Minister: Would you consider, if budgets allowed, maintaining the same activism throughout the year until a culture of safe driving was instilled in the minds of road users? Thank you.

The MINISTER OF TRANSPORT: Thank you, hon member. If you had listened carefully to my initial response, I indicated that Arrive Alive was a yearlong event, focusing not only on the festive season. So the campaign of Arrive Alive must happen each day of the year, whether it is Christmas Day or 27 October 2004. I agree with you that the Arrive Alive campaign should take place every day of the year. Thank you.

Capacity of local authorities to implement EPWP

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

Whether, prior to launching the Expanded Public Works Programme, the Government carried out any investigation to ensure that local authorities had sufficient capacity to (a) implement the programme and (b) appropriately spend the funds provided to them for that purpose; if not, (i) why not, (ii) what measures have been put in place to ensure that the programme is properly implemented and funds spent on the correct items and (iii) how will these measures be monitored; if so, (aa) what are the relevant details of the investigation and (bb) what were the findings in respect of the capacity of local authorities to properly manage this programme?

N1187E

The DEPUTY MINISTER OF PUBLIC WORKS: Thank you, Deputy Speaker. The answer to this question is as follows:

The Department of Provincial and Local Government is continually investigating and monitoring the capacity of municipalities. The EPWP infrastructure projects at municipal level are funded from municipal budgets and involve infrastructure that is, constitutionally, the responsibility of the municipal sphere of government.

The Constitution does make provision for mechanisms to allow provincial governments to intervene in local authorities where they proved to be unable to carry out their constitutional responsibilities. There are capacity challenges at all levels of government and, indeed, in society as a whole. The fact that these challenges exist does not warrant the withdrawal of constitutional responsibilities from local authorities. What the government is doing is focusing on developing the capacity of all spheres of government to deliver services in an efficient and effective manner.

The funds for municipal Expanded Public Works Programme infrastructure projects had been allocated to municipalities through the municipal infrastructure grant. The conditions governing these transfers have been published in the Division of Revenue Act of April, Annexure B, page 14. These conditions are in the mechanisms that have been put in place to ensure that the programme is properly implemented and that funds are spent on the correct items.

The Auditor-General will be auditing compliance with the Dora conditions. Three of the Dora conditions affect the national department directly. The first is that the national Department of Public Works must produce guidelines agreed to by National Treasury and Salga for the use of labour-intensive construction methods by municipalities. The guidelines have been produced and agreed to by the National Treasury and Salga and have been distributed to all municipalities. The second condition, which affects the national Department of Public Works, is that the department must provide training to municipalities to enable them to implement the projects in terms of the guidelines. Prior to June 2004, the department organised one workshop in each province to which all municipalities were invited. During this workshop the guidelines mentioned above were presented and explained.

On the basis of this interaction, the department identified a need for a more detailed course on the use of the guidelines. A two-day training programme was developed, and training service providers were appointed and trained to provide this two-day programme to municipalities. This training is currently being provided to all municipalities during October and November 2004. This training is funded by the national Department of Public Works.

Furthermore, on the request of the national Department of Public Works, the local government Seta has recently approved an allocation of R30 million over two financial years to fund further training of municipal officers on the use of labour-intensive construction methods. This will be implemented in conjunction with the construction Seta, and registered training providers will be appointed to provide NQF Levels 5, 6 and 7 skills programmes in labour-intensive construction to municipal officials. The local government Seta recently advertised for providers to apply to be appointed to provide training. [Time expired.]

The DEPUTY SPEAKER: Order, Deputy Minister.

The DEPUTY MINISTER OF PUBLIC WORKS: Is my time up?

The DEPUTY SPEAKER: Yes. The rest of that response will be forwarded to the hon members.

The DEPUTY MINISTER OF PUBLIC WORKS: Thank you very much. But, otherwise, they have the answer. [Laughter.]

Mr J P I BLANCHÉ: Madam Speaker, although the President announced the Expanded Public Works project a year ago, no deputy director-general has taken charge of the project yet. On top of that, local governments have accumulated arrears to the astronomical amount of at least R28 billion. Because of this cash flow problem, many local authorities have cut back essential services. In Limpopo, Public Works is building the local roads. In Gauteng, the housing department is replacing the bucket system with modern latrines. In KwaZulu-Natal, Public Works is doing roadside maintenance with workers who only work for about four weeks a year.

We believe that this was an election ploy to catch votes. The portfolio committee requested a meeting with Public Works MECs in the past week, and only four of them turned up. If the MECs have not got people in place yet and the Minister has not got a project leader yet, can the Minister name us one local authority where these people have been appointed to take charge of it? If there

are people appointed to take charge of it, does that mean now that the Expanded Public Works Programme will pay their salaries, or is this again something that the local authorities would have to pay? [Interjections.]

The DEPUTY MINISTER OF PUBLIC WORKS: I think the best answer is that I will give you the information that you require. At this moment I do not have the information. I want to be honest with you. You will get the information very soon — the information on who has been appointed to lead this. You'll get that, but I don't have it with me.

Mnu L D MADUMA: Enkosi, Sekela-Somlomo. I-ANC iyakwamkela okuthethwe nguSekela-Mphathiswa wezeMisebenzi yoLuntu yaye sinethemba lokuba lo msebenzi uza kuqhubela phambili. Kambe singathanda ukwazi ukuba ngaba apha kwiNkqubo yeMisebenzi yoLuntu eNatyisiweyo sele zimile na iziseko zokujongana nokuphunyezwa komsebenzi lo ukuze kuqinisekiswe ukuba oko kwakuthethwe nguMongameli welizwe malunga nokuba kufuneka siphumeze izinto ezithile ngexesha elithile elimisiweyo kuza kwenzeka?

Kwakhona, singathanda ukwazi ukuba lukho na unxibelelwano phakathi kwesebe eli namanye nanjengokuba imisebenzi yoluntu ikho nakwamanye amasebe? Kukwabalulekile ukuqinisekisa ukuba unxibelelwano olunjalo lukho naphakathi kwekomiti yesebe kunye nesebe ngokwalo ukuze ihlale isazi ngenkqubela ekhoyo mayela nale nkqubo. Enkosi.

(Translation of isiXhosa paragraphs follows):

[Mr L D MADUMA: Thank you, Deputy Speaker. The ANC welcomes what the Deputy Minister of Public Works said, and we hope that this work will proceed. However, we would like to know whether there are any strategies in place in the Extended Public Works Programme to ensure that the task is fulfilled? This is to ensure that what the President of the country said regarding the fulfilment of certain agendas within a certain time-frame does happen.

Furthermore, we would like to know if there is any co-ordination between this department and the others, as the work done by Public Works also affects other departments? It is also crucial to have this co-ordination between the department and its committee, so as to ensure that it is mindful of the progress made in this programme. Thank you.]

The DEPUTY MINISTER OF PUBLIC WORKS: Thank you, the only word that I could understand was "communication". So, I have a problem replying to this question, because it was in a language that I cannot understand. Apparently, there is a complaint that there is no communication among people . . . [Interjections.]

The DEPUTY SPEAKER: Hon Deputy Minister, that is not fair to the House, because all languages . . .

The DEPUTY MINISTER OF PUBLIC WORKS: Well, unfortunately, this was the first time. So, you'll pardon me if I did not know that I should use the earpiece.

The DEPUTY SPEAKER: Hon Deputy Minister, will you please use the gadget, and will the hon member pose the question once more. [Interjections.]

Deputy Minister, will you please take your seat. Make sure that you understand everything, including "communication".

Mnu L D MADUMA: Enkosi, Sekela-Somlomo. I-ANC iyakwamkela okuthethwe nguSekela-Mphathiswa wezeMisebenzi yoLuntu yaye sinethemba lokuba lo msebenzi uza kuqhubela phambili. Kambe singathanda ukwazi ukuba ngaba apha kwiNkqubo yeMisebenzi yoLuntu eNatyisiweyo sele zimile na iziseko zokujongana nokuphunyezwa komsebenzi

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The DEPUTY MINISTER OF PUBLIC WORKS: Head-hunting is taking place, and an appointment will be made very soon with regard to the other matter. The COO is currently the acting head of the EPWP. That is the answer to the other question. Otherwise, as he spoke, he was so loud that what I was listening to here didn't make sense. [Laughter.] [Interjections.]

The DEPUTY SPEAKER: Hon Dudley, will you please ask your question in English.

Mrs C DUDLEY: Certainly. Thank you, hon Deputy Minister. The ACDP believes early childhood development facilities are an urgent priority, especially in view of the ever-increasing dangers facing even the youngest members of our society. Has adequate funding been made available specifically for early childhood development, and will early childhood development projects be able to access assistance and funding to adequately provide services in their communities through municipal offices; or who must they approach?

The DEPUTY MINISTER OF PUBLIC WORKS: Yes. As we are all aware, the municipalities and the provinces budget for these projects. The project you are talking about is budgeted for in the province and in the municipality. As we moved around launching the Expanded Public Works Programmes, there were areas where they had already started. Obviously, if they had started there was money available. They cannot start with a project if there is no money. So they are budgeted for.

Determination of price of minerals by non-producing countries

*60. Rev K R J MESHOE (ACDP) asked the Minister of Minerals and Energy:

(1) Whether the price of minerals such as platinum, gold and diamonds is determined by non-producing countries; if so, (a) why and (b) which countries determine the price of South Africa's minerals;

(2) whether South Africa has a say in determining the price of the minerals; if not, why not; if so, what influence does it have over the price of the minerals produced by it?

N1162E

The MINISTER OF MINERALS AND ENERGY: Thank you very much, Deputy Speaker. The answer to the question is that the price of a mineral, such as gold or platinum, is determined by market forces

and not by countries. South Africa does not have a say in determining the price of minerals. The spot price of gold and of platinum is fixed twice daily in London by the stock markets.

Rev K R J MESHOE: Thank you, Deputy Speaker and hon Minister. With most commodities on the market, the producers have a say in the pricing of their products. The pricing of oil, for example, is not only influenced by market forces or by supply and demand, but also by structures such as Opec, which often raise or lower the prices of oil, by either increasing or reducing production. As producers, the oil-producing countries have a direct impact on the pricing of their commodity to the benefit of their people.

Africa is rich in minerals, yet those minerals do not benefit the impoverished, suffering people of Africa. What should be done to enable our country to rectify this so that the minerals extracted from our soil also benefit us here as well? Is government planning to encourage the creation of essential beneficiation infrastructure, so that South Africans can benefit from their own mineral resources? This is because, at this stage, our minerals benefit nonproducing countries much more than the poor South Africans who produce them.

The MINISTER OF MINERALS AND ENERGY: Hon member, of course one can pray for the price to favour South Africa. But, on a serious note, what some of the companies do on an individual company basis is sell their products forward. This is risky because after they have committed themselves to a particular price, the price could go up and they would lose. So there is an element of risk, whether you depend on the spot in the market or whether you make a specific arrangement. The development you referred to — how Opec has evolved, which is a cartel — is very problematic in this day of the WTO. I know that when many of the producer countries have been together, including ourselves, we have tried different ways to co-operate, but the rules of the markets are very tight right now.

On beneficiation, hon member, you will be glad to know that very soon we will be bringing an amendment to the Precious Metals Act and to the Diamond Act, aimed at enhancing possession of both diamonds and precious metals, as well as at ensuring that people who work in with those metals have a better dispensation. In the Act we have already passed — the Mineral and Petroleum Resources Development Act — we have already addressed that aspect somewhat, but we feel that it hasn't gone far enough so we are enhancing it. The details of that legislation will be presented to this House in a few weeks' time. Thank you.

Mr E N MTHETHWA: Thank you, Minister. In view of your response, what role do the mining companies play in influencing prices, given the fact that most of these commodities are produced by African countries on the African continent, and yet the prices are determined in London? What can the African countries do jointly to influence pricing?

The MINISTER OF MINERALS AND ENERGY: Hon member, the answer is the same as the answer I gave to the hon Meshoe in that we are governed now by WTO rules, and price fixing is a problem. As I indicated, it is when individual companies make their own individual arrangements that they sometimes get a better price. But this can also work the opposite way. So this is not a nice picture, I am afraid, hon member.

Adv H C SCHMIDT: Madam Deputy Speaker, clearly the hon Kenneth Meshoe does not have knowledge as to the way the prices of precious metals such as gold, platinum and diamonds are determined. Hon Minister, the government should definitely not be seen to be interfering in the free-market system in the determination of the price of precious metals.

Does the hon Minister agree that any attempt by government to interfere will create a

negative perception and have a negative impact on the international market and indeed on the international sphere, with the same possible dire consequences as when the value of the shares of many mining companies plummeted as dramatically as 20% in a very short time as happened with the initial leaking of the mining charter? I thank you.

The MINISTER OF MINERALS AND ENERGY: I have no comment, sir. [Laughter.]

Mr L W GREYLING: As a follow-up to an earlier question, it is clear that most of the value that is added to the minerals is in the beneficiation processes. And, most of Africa's minerals such as coal tar are, in fact, essential in the production of high-technology goods.

One particular mineral I am interested in is platinum, seeing that the Southern African region has 84% of the world's reserves. Given that, are we actually developing any technology in this country to take advantage of the fact that platinum is used in fuel cells, which could be the energy of the future? What processes do we have to develop this technology and are we putting research and development money into that?

The MINISTER OF MINERALS AND ENERGY: Both the CSIR and Mintek have extensive research programmes on fuel cells, and we are part of other global networks where this research is being conducted. In fact, part of our beneficiation legislation in relation to the platinum metals is also linked to a strategy to find different ways in which we can add value to platinum. The other area we are looking at is that of autocatalysts, given that we are also a car-manufacturing country.

The DEPUTY SPEAKER: Thank you, hon Minister. I do see that there are other hands of members who want to participate, but we have reached the maximum number of supplementary questions.

Land speculators exploiting land reform programme by selling farms to Land Claims Commission at inflated prices

*54. Dr S E M PHEKO (PAC) asked the Minister for Agriculture and Land Affairs:

> Whether, with reference to a newspaper article (details furnished) reporting that white land speculators are exploiting the land reform programme by systematically selling farms to the Land Claims Commission at inflated prices, the Department of Land Affairs has taken or intends taking any steps to stop such exploitation; if not, why not; if so, what steps? N967E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Hon Deputy Speaker, the hon Pheko is not in the House. I am not sure whether he has a representative here.

The DEPUTY SPEAKER: Hon Likotsi, is there an arrangement by the party? Yes.

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Okay, thank you very much. I hope next time Dr Pheko will come and get his answers. The answer to the question asked is: We have noted the article in *City Press* that reported on some irregularities or collusion in the way in which land prices have been inflated in the Mpumalanga province.

As such, we have taken steps as the Department of Land Affairs and appointed an independent professional valuer who will give us a report. His task is to investigate whether or not indeed what was alleged in the newspaper is true, and whether or not any role was played by the farmers concerned or by the commission officials. That report will be made available and be made public.

We are also conducting a forensic audit of the management of the land transactions within the area of jurisdiction of the Mpumalanga Regional Land Claims Commission. Thank you very much.

Mnu M T LIKOTSI: Sinoloyiko olukhulu, lokuba xa kunokuvunyelwa ukuba kwenzeke izinto ngolu hlobo, siya kugqibela ngokuba singabi nayo indawo yokuqhubela phambili umbandela wokubuyiselwa komhlaba ephantsi kolawulo lukaRhulumente.

[Mr M T LIKOTSI: We have a fear that if things were to be allowed to be like that, we would find ourselves in an awkward situation where the Government's programme of land restitution might be compromised.]

UNGQONGQOSHE WEZOLIMO NEZOMHLABA: Ngiyabonga nami lungu lePhalamende, yingakho nathi singuhulumeni sikhathazekile nje ngalesi simo esisizwile ukuthi siyenzeka laphaya eMpumalanga. Yize-ke kungamahlebezi lokhu, sethemba ukuthi uphenyo luyocacisa kabanzi ukuthi ngabe kwenzekani. Kuyoba yihlazo uma kuwukuthi lokhu okushiwoyo emaphepheni kuyiqiniso ngoba kuyosho ukuthi iningi labantu okuyibona esifuna kubo, kumbe esithenga kubo umhlaba abakakholelwa ngempela kulolu hlelo lokubuyiselwa kwemihlaba, nanokwazi ukuqonda kokubaluleka kwakho okuyokwenza ukuthi mhlawumbe kuphakamise imimoya ngendlela engafanele. Ngiyabonga.

(Translation of isiZulu paragraph follows):

[THE MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you, hon member, that is why we as Government very much concerned about what we have heard to be taking place in Mpumalanga. Though these are rumours at this stage. We hope that the investigation would clarify as to what is happening. It would be disgraceful should such reports in papers become true. It would meant that the people from whom we buy or need land have not been compensated in land restitution programme as well as understanding the importance of it which might cause unnecessary tension. Thank you.]

Ms E NGALEKA: Thank you, Deputy Speaker. We in the ANC appreciate the speedy response by your department, Minister, to the mentioned alleged irregularities. However, we want to call on our communities to raise issues like this in future directly with the relevant department. We believe that in so doing, the Minister — or whoever — can respond more quickly and curb whatever irregularities are happening. My question, Minister, is: What mechanisms are in place in your department to ensure that this practice does not spread to other areas in our country? I thank you.

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, hon member. I agree with your statement earlier that it would actually help if members of the public would sensitise us about such occurrences. Be that as it may, we all know that there is legislation that protects whistle-blowers. They don't necessarily have to come through the department. They can also do this through telephonic information or by sending relevant information without mentioning their names, if they fear that they might be victimised in one way or the other. What we have at the moment are land restitution offices in the provinces and nationally, which are places at which such reports can be made. This also means that our communities need to be vigilant so that they actually assist in monitoring that such practices don't occur in future. Thank you very much, hon member.

Mnr A H NEL: Dankie, Mevrou die Speaker. Die Minister was netnou so vriendelik met die Minister van Finansies. Ek wonder of hulle oor geld gepraat het. [Tussenwerpsels.] Is jy by? Is hy nou reg? Is jy op die Amerikaanse nuus?

[Mr A H NEL: Thank you, Madame Speaker. The Minister just had such a pleasant exchange with the Minister of Finance. I wonder whether they spoke about money. [Interjections.] Are you with us? Is it [the headphone] working now? Are you switched on to the American news?]

The DEPUTY SPEAKER: You have taken 20 seconds of your time, hon member.

Mr M J ELLIS: Madam Deputy Speaker, can we just make sure that he has not been penalised. He was being very polite by waiting for the Minister to be able to tune in.

Mnr A H NEL: My vraag aan die Minister is of sy bewus is van ander gevalle waar spekulante sulke dinge gedoen het? Of sy weet dat Agri SA en sy filiale ook hierteen beswaar gemaak het? Dit is definitief volgens ons nie die regte manier nie.

Ek wil ook 'n ander ding weet van die Minister: Stem sy saam met die vraesteller, dr Pheko — en hy is ongelukkig nou nie hier nie, maar miskien moet die PAC dit maar vir hom oordra — sy opmerking oor die beweerde uitbuiting van die grondhervormingsproses deur spekulante, waar hy in rasseterme gesê het dat dit hoofsaaklik wit spekulante was? Ons weet mos nou dat amptenare van die departement ook hierby betrokke is. As ek nou gesê het dit is swart mense wat daarby betrokke is, dan was ek 'n rassis. Ek dink net 'n mens moet ook aan hierdie goed aandag gee en ek wil graag by u weet of u saamstem met dr Pheko wat al hierdie gebeure in terme van ras beskou?

(Translation of Afrikaans paragraphs follows):

Mr A H NEL: My question to the Minister is whether she is aware of any other cases where speculators have acted in this way? And whether she knows that Agri SA and its subsidiaries have also objected to this? In our opinion, that is definitely not the right way.

I would also like to ask the Minister something else: Does she agree with the remark by the questioner, Dr Pheko — he is unfortunately not here at the moment, but perhaps the PAC can convey this to him — regarding the alleged exploitation of the land reform process by speculators, when he claimed, in racial terms, that these were mainly white speculators? After all, we now know that officials of the department are also involved. If I had said that these are black people who are involved, then I would have been branded a racist. I think one should also pay attention to these matters, and I would gladly hear from you whether you agree with Dr Pheko, who considers all these matters in terms of race?]

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Hon Nel, you will appreciate that I cannot speak, unfortunately, on behalf of the hon Pheko. There is a representative of the PAC. I am sure that he listened carefully to the statement you made.

One does know that Agri SA is equally concerned. The National African Farmers Union is concerned, and I would say that all South Africans should be concerned, if indeed these allegations that we have seen in the *City Press* and which we are currently investigating, reflect the truth. This is because it would be a sorry state of affairs if, in trying to redress the imbalances of the past, we actually wanted to enrich ourselves out of that process. That does not contribute towards reconciliation, which all of us seek to achieve.

I am sure as members of this House, while we acknowledge the challenges of land reform and how we need to deal with them, it is in our interests that this process is undertaken in a manner that will create political stability and economic stability. I think all of us should really be concerned if such practices are happening in our country. However, we have not yet heard of any occurrence of this nature in any part of the country, except the incident that was mentioned in Mpumalanga.

Dr A I VAN NIEKERK: Thank you, Deputy Speaker. Minister, every year about 4% to 6% of the farmland in South Africa comes onto the market, with much of that land at times at inflated prices. But that usually gets levelled off on the marketplace and through negotiation. Through the effort of the Department of Land Affairs to obtain land for land reform purposes, is it not as such the

shortage of funds, and not the question of inflated prices that hampers the progress of the department?

In your own words, Minister, the department needs R13 billion to reach the targets set by government for reform purposes. The department's budget supplies only a fraction of this, and yet the Minister of Finance only made an additional R200 million available in the appropriation budget. Isn't it with the lack of funds that the problem lies, and not with the prices as such? How are you going to deal with this matter, Minister? Are you going to expropriate land due to the lack of funds?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Hon Van Niekerk, thank you very much. As you know, the question you are asking is indeed a new question, which I am very prepared to answer — but maybe next time. As a courtesy I will answer it today. It does not arise from the question you have raised. In terms of the issue of the appropriation budget, as tabled by the Minister yesterday, this relates to the adjustment estimate from now until the end of March. This will indeed help us to deal with the challenges that we are facing in terms of the resources that are required for land restitution.

Because we have opted for a market-based land reform process, all of us as a country will appreciate that obviously the negotiations and the levelling of the prices, as you explained, cannot necessarily be dictated by government. It is the market that does so. If the prices are higher, which could be from a combination of many factors, there is very little that we can do.

It is for that reason that in the meeting of the working group, Agri SA and Nafu cautioned in that they said: We are supporting government in ensuring that we fast-track land restitution. We remove it from our table, if need be, because it is necessary to have confidence in our system as a country and it will also assist investment. At the end they said: However, we do note that there are many competing interests in the fiscus, which may create a little bit of a challenge.

I thought that was very pragmatic, because all of us as we sit here are concerned, on the one hand, about land reform, as we should be, but are also concerned, on the other hand, about social development and water services, and about the reality that you and I pay tax which must make sure that those things happen. We know the challenge that we also face in terms of job creation. Inevitably, we may not all get what we want at the end of the day. But what is important is to be combined in our commitment to making sure that the process does happen and that it is sustainable.

So I don't want to debate the issue about whether the money is a small or big amount. However, in the context I have explained, I think all of you would agree with me — because every Minister, if he or she were to stand here, would all want 100% of what they have asked for. The reality is, however, how much would we have to do to get those resources — get into debt, and what will happen in the future? More tax is not something that we can sustain. My colleague Minister Manuel and all my colleagues in Cabinet do understand that the challenges we have to deal with and the resources we require may not necessarily satisfy us at all times. Thank you very much.

Allocation of long-term fishing rights/ permits

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

> Whether his department is ready for the envisaged long-term fishing rights/permits allocation process scheduled for early in 2005; if not, why not; if so, what are the relevant details? N1182E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Madam Deputy Speaker, the answer is yes; the process for

preparing for the allocation of long-term commercial fishing rights officially commenced in July last year with the preparations for the allocation of long-term commercial fishing rights in the abalone fishery. Our department is currently involved in the allocation of ten-year commercial rights in the large pelagic fishery, being the second fishery of 20 in which long-term commercial rights are to be allocated.

With regard to the remaining 18 commercial fisheries, in which rights revert to the state on 1 January 2006, our department has, firstly, begun a discussion with industry on the economic and transformation status of each of the large commercial fisheries, such as hake trawl, pelagic fishing and squid. The information obtained from the economic and transformation questionnaire will significantly influence the duration for which commercial rights are allocated.

Secondly, we have begun preparing for public comment a general fisheries policy, which will inform the 18 separate commercial fisheries' policies. This document is a substantial one, and it will lay the foundations upon which each of the fishery's specific policies will premise its respective detail regarding issues such as transformation, investment, sustainability, compliance, etc.

Thirdly, we have appointed specialist project managers and forensic auditors to oversee and manage the administrative and allocation processes, which will involve thousands of applications. Both companies — the first one is Resolve and the forensic auditors will be Deloitte once again — successfully advised our department during the medium-term commercial process, which resulted in the department successfully defending over 48 review applications by unsuccessful applicants.

In addition, we have commenced with a comprehensive consultation process with the local fishers and the different communities. A series of imbizos have been held along our coastline, all of which were extremely well attended, and two more are scheduled for the Northern Cape and Mossel Bay.

What is significant about these processes is that our department will invest a substantial amount of resources to ensure that consultation and receipting processes, application forms, policies and fees will be tailored to suit all the different fisheries. One process will not be made to fit all.

Mnr M I MOSS: Agbare Minister, ek het sommige van die imbizo's bygewoon en duidelik het u vir uself bewys dat u beslis nie 'n bangbroek is nie. U is 'n kampioen vir transformasie.

(Translation of Afrikaans paragraph follows.)

[Mr M I MOSS: Hon Minister, I attended some of the imbizos and clearly you proved to yourself that you are definitely not a coward; you are a champion of transformation.]

In light of the changes that have taken place in South Africa over the past ten years, how will the new fishing allocation policy benefit transformation as a whole, and what mechanisms are available to historically disadvantaged applicants to assist them and to ensure that they grow and are successful? Thank you.

Die MINISTER VAN OMGEWINGSAKE EN TOERISME: Baie dankie, Adjunkspeaker. Ek wil die agb lid Moss bedank, asook baie ander parlementslede wat van die imbizo's bygewoon het.

(Translation of Afrikaans paragraph follows.)

[The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Thank you, Deputy Speaker. I would like to thank the hon member Moss as well as other members of Parliament who attended some of the imbizos.]

First of all, if we compare the ownership of fishing rights with ten years ago, there are now almost 4 000 fishing rights, whereas ten years ago there were only 350 that were all owned by people from the white community. At present 66% of the rights are owned by people from previously disadvantaged communities.

What the long-term rights will do is empower and enable people to approach the financial institutions — the banks — and really enable them now to negotiate financing for their ventures.

Thirdly, with regard to the criteria, we tried to balance two broad categories: people who have been involved in the fisheries for decades, years — a long time — with the new entrants. In terms of the criteria, there are specific provisions for women. For instance, in certain fisheries a woman will get two or three points extra; and extra points for those from previously disadvantaged communities. It is an effort to balance those two broad categories.

Mr M J ELLIS: Thank you, Madam Deputy Speaker. It is quite clear that Mr Moss and I must have watched the same television programme last night. I must say the Minister's performance today is certainly far better than his nonperformance on television last night, although perhaps not quite as entertaining. [Interjections.]

The issuing of fishing permits is a task that is filled with difficulties, and the last time around many mistakes were made, certainly not all intentional, in determining who was eligible and who was not. Certainly, we all know that part-time fishermen were in many instances issued with permits at the expense of those who are full-time fishermen and who rely on fishing for a living.

I would like to ask the hon Minister whether an exercise has in fact been undertaken by his department to determine if permits issued the last time around were abused in any way by those to whom they were issued, and can the Minister assure this House that only those who fully qualify for permits will be successful, and that those who do not will be denied permits this time around? Thank you.

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Thank you, Deputy Speaker. I would have liked to return the compliment with regard to the hon member's performance this afternoon, but unfortunately I can't. [Laughter.]

First of all, with regard to the abuse of rights, yes, it is true that some people misrepresented themselves. I announced a week or two ago that we were actually revoking many of those rights and that we were giving them to people who were law-abiding, honest citizens and who did not misrepresent themselves.

Then, some of the colleagues of the hon member's party can testify to the fact that at the imbizo I announced that we were considering at certain fisheries — especially where subsistence fishermen and women made up a large percentage of the people there — publishing the lists to make sure that the public, the fishermen and the fisherwomen could comment on those lists that they were *bona fide* fishermen and fisherwomen, and not people with other income streams — lawyers, businessmen, teachers, etc. [Applause.]

The DEPUTY SPEAKER: We now come to Question 80. The question asked . . . Oh, Mr Greyling, I didn't see your hand up.

Mr L W GREYLING: Thank you for the opportunity to squeeze this question in.

Minister, I was also one of the members that attended your imbizo, and at that imbizo you recognised that there were faults in the previous policy and in the way it was implemented. It is vitally important that we really get it right this time, because we are talking about long-term rights, and we are talking about people's livelihoods for the next ten to 15 years.

Now, on 7 June of this year the Deputy Director-General, Horst Kleinschmidt, attended the committee meeting and said that he was going to have full consultation with the committee and with other interested parties, and that those processes would be run from October this year. Can you explain why the delay has taken place, and whether those processes will still be run? This is because we, as the ID, have been the first to recognise the problems in the previous policy and we really want to take part in identifying those problems and in trying to sort them out in this term. Thank you.

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: First of all, Madam Deputy Speaker, there is a division between the legislature and the executive arm of government. It is not the task of members of Parliament to get involved in that process.

What I think the hon member actually meant is that the department is on standby at all times to brief the members of the portfolio committee. The chairperson, the hon member Thabethe, has approached MCM. I don't know if a date has been set for a briefing on a number of these issues. I know that a date was decided on previously, and that that had to be postponed.

However, on the first issue that the hon member raised — on mistakes made previously — the one problem and, I believe, mistake that was made in the past, is that we did not apply geographic justice. People from the coastal provinces will know, as will the MPs from the Northern Cape, that Hondeklipbaai, Paternoster on the West Coast and other places literally did not receive the number of fishing rights that they were supposed to receive.

So, this time around we will apply the principle of geographic justice to ensure that we have a proper spread of fishing rights.

Re-awarding of tender for supply of credit card licences

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

(1) Whether the tender for the supply of credit card licences has been re-awarded to a certain company (name furnished) for a further five years; if not, what is the position in this regard; if so, (a) what factors were taken into consideration when deciding to re-award this contract and (b) who took the decision to re-award the contract to the said company;

(2) whether new tenders were invited from the public on expiry of the second phase of the original contract; if not, why not; if so, how many tenders were received;

(3) whether the criteria and requirements for this contract were expanded to overcome the shortcomings exposed in the first contract; if not, why not; if so, what are the relevant details;

(4) whether, in taking the decision to re-award the contract to the said company, his department took into consideration the fact that this company is currently being investigated by the Scorpions for possible corruption of one of his predecessors when the original tender was awarded; if not, why not; if so, why was it decided to re-award the contract to the said company? N1184E

The MINISTER OF TRANSPORT: Thank you, Deputy Speaker. The answer is yes, the department took into consideration the fact that any major changes, including the option to terminate the contract during the period of conversion of licences, would have resulted in a stoppage in the production of credit cards and would have seriously undermined the completion of the conversion process, as well as the fact that the information on the

card is of a high security nature. This was vital in avoiding fraud and corruption. The answer to part (b): The State Tender Board extended the contract.

The answer to part 2 of the question is: No, owing to the extension of the original contract for a further period of five years, new tenders could only be invited at the expiry of the extended period. The answer to part 3 of the question is: No, the criteria and requirements of the original contract, which were fully met by the contractor, were not revised or expanded in any way.

The answer to part 4 of the question is as follows. The Department of Transport is aware of the said investigation by the Scorpions. However, no decision could be made until such time as the investigation is concluded.

Mr S B FARROW: Madam Deputy Speaker, through you to the Minister, thank you very much. I am still a bit concerned, despite your answer. There is a lot of public concern out there, in particular in terms of my oversight role, in that as part of the portfolio committee we never had any report from your department in respect of tender criteria, which I requested as early as November last year.

It is very obvious to all of us that there are a number of flaws in the present credit card licence that is being issued. There was a report to say that they were no longer a valid means of identification, which is of concern. In other words, the security process is, in fact, incorrect or there is something wrong with it. The fingerprinting that takes place is miniaturised to the point that it blurs and does not actually allow for verification of those fingerprints. And, as far as the affordability is concerned which is another big concern of the public, it is a very costly exercise for some of our poorer communities, particularly because the delay of nearly three months in issuing means you have to get a temporary licence.

The other thing that is a concern to me is that this licence, ultimately, is going to be linked to the Hanis system — the Home Affairs system. Those criteria not being changed now might affect this further down the line when we eventually get our so-called supercard. I would like to consider, Minister, that that whole process needs to be looked at again, particularly in light of the last part of my question, in terms of which R650 million is going to a company about whose credibility there are already doubts, particularly in light of the Scorpions' investigation and the fact that . . . [Time expired.]

The MINISTER OF TRANSPORT: I thought he was making a comment, Deputy Chair.

The DEPUTY SPEAKER: No, he was making a long speech.

The MINISTER OF TRANSPORT: As I said, in terms of the contract between the department and this company, everything is going fine. There have been challenges in terms of the scanning device that have been addressed now, and it is being distributed to all the provinces. They are on the ball as far as we can see. The issue of the Scorpions is a completely different matter. We shall await the outcome of their investigation.

Mr J P CRONIN: Thank you, Deputy Speaker. My question is slightly more general. I think just to follow up, Minister, Mr Farrow is right to say that there are some practical problems. I don't think that was really in his original question. His original question was going in a different direction. We should note that there are practical problems related to the credit card licence, which I think can be addressed and which are not connected to the tender. Could I ask a more general question? Is the Minister satisfied that when it comes to large tenders of this kind, that there are processes in place in the department to ensure that there is not abuse and that officials, particularly middle-ranking officials, are not subject to undue influence by external private-sector players?

The MINISTER OF TRANSPORT: Well, I am satisfied that there are measures in place in the department, especially now that we have begun a process of employing high-level individuals to be responsible for some of these major expenditure items. With a contract like this, which is worth about R750 million, the decision to award such a contract or recommendation must be taken at a high level, in terms of the protocol of the department. So, as we proceed with the implementation of the new organogram of the department, I think we will also be better able to deal with many of these big contracts in the Department of Transport.

Mr V C GORE: Thank you, Madam Deputy Speaker. Hon Minister, my question relates to the last part of your answer. Any organisation, whether it be private or public, should not tolerate corruption and should also eliminate to the best of its ability any perception of corruption. Has your department initiated any special investigations into the company mentioned, particularly in the light of the possible charges being investigated by the Scorpions? If so, what are the details in this regard, and, if not, why not?

The MINISTER OF TRANSPORT: I thought I had already answered that question, hon member. It is the Scorpions that are doing this investigation. As soon as they have completed the investigation, they will obviously report to us and, if there is anything, then appropriate steps will be taken at that stage. Right now the ball is in the Scorpions' hands.

Mr L M GREEN: Thank you, Deputy Speaker. Minister, I think that your answers have been very reassuring. I brought my credit card licence to the House to make the point. If you look at the credit card licence, it is a licence of good quality and made of strong plastic. My question is: Are you satisfied as the Minister that the company, which has been reawarded the contract, will continue to produce this kind of credit card licence for money? If so, how would you and your department ensure that the quality of the card remains acceptable and that sub-standard card licences are not to be produced once the contract has been secured? Thank you.

The MINISTER OF TRANSPORT: Because of the mere fact that the State Tender Board, after receiving information in terms of the performance of the contractor from the department, was satisfied that the terms and conditions of the original contract had been met by the contractor, it goes without saying that the quality of the product, as specified in the original tender, had been satisfying. We think, going forward, that the standard will be maintained. Thank you.

Responsibility of labour centres to inform/advise farm workers about their rights

*63. Prince N E ZULU (IFP) asked the Minister of Labour:

(1) Whether labour centres have the responsibility of informing and advising farm workers about their rights; if so, what are the relevant details;

(2) what is the role of trade unions in this regard;

(3) whether he will make a statement on the matter? N1167E

The MINISTER OF LABOUR: Ndabezitha! Amaziko ezabasebenzi ngumsebenzi wawo ukuba amkele izikhalazo zabantu kwakunye nabasebenzi. Ikwangumsebenzi wawo ukuba abazise ze abacebise ngamalungelo abo, ngakumbi abasebenzi basezifama. Umsebenzi omkhulu ufanele ukuthathwa ziimanyano zabasebenzi, kodwa ndiqinisekile ukuba sobabini siyazi ukuba abasebenzi basezifama ngabona batsala nzima kakhulu, nangona beyinxalenye yeemanyano zabasebenzi, ngenxa yeemeko abasebenza phantsi kwazo.

Ngoko ke, bekumele, ngokomthetho, ukuba baqale kwimanyano phambi kokuba baye

kwii-ofisi zeSebe lezaBasebenzi. Eyona nto iza kubanceda ngamandla kukuba imanyano le babhatala kuyo, ngoko ke imele ukuba yenze umsebenzi wayo wokukhusela abasebenzi ekuphathekeni kakubi kwiindawo abasebenza kuzo. Ngoko ke, akukho nto iyenye endiya kuphinda ndiyithethe engaphezulu kwale ndiyithetha ngoku. Ndabezitha!

(Translation of Xhosa paragraphs follows.)

[THE MINISTER OF LABOUR: Ndabezitha! It is the responsibility of the labour centres to attend to grievances of people and workers. It is also their responsibility to inform and advise them about their rights, especially farm workers. Most of this responsibility should be handled by the labour unions though, but I am sure that both of us are aware that farm workers are the ones who are suffering the most although they are members of labour unions because of their working conditions.

Therefore, according to proper procedures, they are supposed to start with the unions before coming to the offices of the Department of Labour. This will help them because they pay their contributions to the unions therefore unions should do their job and protect the workers from exploitation in their jobs. There is nothing further other than what I have just said, Ndabezitha!]

Prince N E ZULU: Deputy Speaker, for the information of the House, what the Minister has said does not warrant any follow-up.

Mhlonishwa, ngalokhu osukushilo usuqedile, ukuthi abasebenzi kufanele ngabe baqala ezinyunyaneni zabo ngaphambi kokuba baye laphaya ezikhungweni zezemisebenzi. Okuke kwenzeke nje mhlonishwa emapulazini ngapha ngasemakhaya ukuthi umuntu uye athi uma ebona abasebenzi basemapulazini adabuke bese ethi:

(Translation of isiZulu paragraph follows.)

[Hon member, you have said it all with your statement that workers should consult their unions before they go to the labour offices. What often happens, hon member, is that in the farms in rural areas when one sees farm workers, one becomes sad and says:]

These are the people for whom 1994 has not yet come in terms of knowing their rights. That is the situation on some of the farms.

Kodwa kwamaningi-ke amapulazi, mhlonishwa, igama lakho selivele likhona futhi kukhulunywa ngawe, nemisebenzi yakho isiyaziwa khona njengoba namanje ngithi nje: Siyabonga kakhulu mhlonishwa. [Ihlombe.]

[However, in many farms, hon member, your name is already known and people are talking about you. Your good work is known there and, as I have been saying, today we wish to thank you very much, hon member. [Applause.]

UNGQONGQOSHE WEZABASEBENZI: Ndabezitha! Wena owakhula silibele! Bengazi mina ukuthi uyinkosi nje, uzongibingelela kahle njengoDlamini, oSindw'ezama baphaya phesheya koThukela. Ngiyabonga Ndabezitha. [Uhleko.]

(Translation of isiZulu paragraph follows.)

[The MINISTER OF LABOUR: Your Majesty! The one who grew up while we were still loitering! I knew that you as a King would greet me well, just as a Dlamini who tries to carry a heavy load beyond the Tugela would do. Thank you, Your Majesty. [Laughter.]]

Nk N D NGCENGWANE: Mhlonishwa uNgqongqoshe, siyabonga ngempendulo yakho.

[Ms N D NGCENGWANE: Hon Minister, thank you for your response.]

As we all know, part of the objective of the Department of Labour is to protect vulnerable workers by eliminating inequality and discrimination in the workplace. Would the Minister agree with me when I say that it is

important for us as public representatives to visit the farm workers in our constituencies as part of our oversight role, and to assist them with information on their rights as workers? Also, we could encourage our PCOs to be part of the labour forums, which are co-ordinated by the labour centres, as these include all the stakeholders at regional and provincial levels.

The MINISTER OF LABOUR: Siyavumelana nelungu elihloniphekileyo, ukuba amalungu ePalamente ngumsebenzi wawo ukuba abe ziindlebe namehlo ukuze nawo athabathe inxaxheba ekukhuseleni amalungelo abasebenzi. Ndiyavuya kakhulu ngokuba ilingu elihloniphekileyo liwubeke ngokwalo ngokuthe gca ngolu hlobo lo mba, wokuba kufanele ukuba amalungu ePalamente, ngexesha lokuya kusebenza phaya kweza ndawo ahlala kuzo, ajonge ukuba ngaba abasebenzi baphathwa njani. Kaloku iya kusinceda nathi loo nto kuba asinakukwazi ukuba kuzo zonke iindawo abantu abasebenza kuzo. Ngoko ke siyawacela amalungu ePalamente ukuba ancedisane nathi ngokusinika ulwazi ngezi ndawo asebenza kuzo.

(Translation of isiXhosa paragraph follows.)

[The MINISTER OF LABOUR: We agree with the hon member that it is the duty of members of Parliament to listen and observe so that they can also participate in protecting the rights of labourers am very happy because the hon member has put this manner clearly and in this manner, that the members of Parliament during the constituency weeks should look at how the laborers are treated. This is going to assist us because we cannot be at all working places of the labourers. We therefore plead with the members of Parliament to assist by furnishing us with information about the constituency.]

Mr C M LOWE: Minister, good afternoon and thank you. The DA is heartened and in fact joins you in your efforts to protect the rights of farm workers. But surely the labour laws that were written with the interests of workers at heart were not intended to prevent the poor from getting jobs? And that is the crux of the South African unemployment problem. Labour laws are shutting the jobless out of work and causing unimaginable social and economic harm. In South Africa, eight million people — that is equivalent to the combined population of Johannesburg and Cape Town — are without any jobs and, increasingly, without hope.

The labour laws that protect the fortunate employed have the unintended consequence of preventing the unemployed from getting jobs. They have simply been priced out of the market. How will you, Minister, protect the rights of the unemployed in South Africa in the same way as we need to protect the workers like the farm workers? What will you do to give more people hope and jobs in the future?

The MINISTER OF LABOUR: Chapter 2 of our Constitution in this country protects the rights of all people, whether you are employed or unemployed. In fact, even you are now more protected than you were before 1994. [Applause.] What you must also remember is that people may be poor, they may be unemployed, they may be penniless, but they still have rights. Worker rights are human rights. In fact, on Monday and Tuesday I visited farms in Kuruman and Upington, where I was told by the farmers themselves that South African law was helping them to participate in the international economy. This is because we are being told in this regard that we must have international standards. As long as we implement and comply with South African law, we are very, very comfortable in participating in the international economy. Therefore, sooner or later, you are going to find that you are alone and it will be a very lonely death. [Applause.]

The DEPUTY SPEAKER: In the absence of any other hand, I recognise Mr Lowe.

Mr C M LOWE: Thank you, Madam Deputy Speaker. Hon Minister, perhaps this time

round you'd like to try to answer my question. Unlike farm workers — and nobody argues that they have rights, of course they have rights — the unemployed surely have rights too in this country? And the total cost of the wages of the unemployed plus labour law compliance costs are simply greater than the value of their labour to prospective employers. That is why we have eight million unemployed people in this country. Mr Minister, how will you act to protect the rights, be they human rights or whatever rights they are, of eight million unemployed people in this country, in the same way as we need to protect the rights of domestic workers, farm workers and everybody else? That is the question, sir. I'd like you to answer it. Thank you.

The MINISTER OF LABOUR: Any person, whose rights have been violated, whether unemployed or employed is protected by the Constitution of the country. If an unemployed person's rights are violated, either by yourself or by me, you can go to the police station, or we can even visit, for that matter, his or her home and assist as members of Parliament. I am sure members of the ANC will be only too willing to assist those people and inform them about their rights, whether they are unemployed or not.

It is not correct that the labour law causes unemployment in this country. I am saying that your death is going to be lonely, because you are not even reading, hon member. For that matter, even the World Bank says that South Africa is one of the countries where people can come and do business, precisely because our labour law is sufficiently flexible. I don't know what you are talking about, honestly. [Interjections.] [Applause.]

Ms S RAJBALLY: Siyabonga, Minister. Minister, the Portfolio Committee on Labour, on its recent oversight visit to some of the farms, held meetings with some of the farm workers to determine whether they were aware of their rights. Yes, many of them were definitely aware, but some of them were not aware of their rights owing to illiteracy. Could the Minister kindly advise the House whether his labour centres are taking any initiatives in introducing some sort of literacy classes for those that need them?

The MINISTER OF LABOUR: Ndiyabulela kakhulu Mama. Iyinyaniso yona le nto uyithethayo, yokuba uninzi lwabasebenzi bethu, ngakumbi phaya ezifama, alufundanga. Ulwazi lwabo ke ngoko luthande ukunqongophala.

Ngumsebenzi wethu, sisebenzisa la maziko ezabasenzi, ukuba sibambe iisemina kunye neendibano zocweyo, ii-workshops. Ndide ndithi kumafama, kulula kakhulu xa esebanzisa la maziko ezabasebenzi kunokusebenzisa ii-labour brokers eziye ziwahlawulise umyinge weshumi ekhulwini, xabiso elo eliphezulu kakhulu, kuba ezethu iindibano zocweyo zizinyaswa felefele.

(Translation of Xhosa paragraphs follows.)

[The MINISTER OF LABOUR: Thank you very much Madam. It is indeed true what you are saying, that many of our workers, especially the farm workers, are illiterate. Therefore their knowledge is mostly limited.

It is our duty, to hold seminars, and workshops, using these labour centres. I even say to the farmers, it is much easier when they make use of these labour centres, rather than making use of labour brokers, who charge them an amount of ten percent, which is a high amount, as to compare to our workshops, which are of course free of charge.]

We will provide officials to go to any farm in this country and run workshops for the farmer together with his or her workers so that workers will be informed of their rights. In the event of illiteracy, there is adult basic education and training courses run by the Minister of Education who is sitting behind me. We support her in that regard, because that it would be very difficult for any person who is illiterate to understand his or her rights.

Development of projects to facilitate access to basic resources

*72. Mr R P Z VAN DEN HEEVER (ANC) asked the Minister of Science and Technology:

Whether his department is succeeding in developing projects that will facilitate adequate access to basic resources, as well as create sustainable jobs and reduce poverty; if not, what is the position in this regard; if so, what are the relevant details? N1176E

The MINISTER OF SCIENCE AND TECHNOLOGY: Madam Deputy Speaker, the Department of Science and Technology has been successful in its mandate to transfer technologies that assist in improving the livelihoods of poor communities through projects in agroprocessing, the production of medicinal products, beekeeping, aquaculture, hydroponics, alternative energy and technologies for the making of jewellery at 152 sites across the country.

These technologies have been applied in community projects that manufacture indigenous foods and in the growing of mushrooms in standardised sanitary conditions. Both of these products are being sold to supermarkets. Essential oils are also extracted and sold or used in the production of secondary products such as mosquito repellents. Examples of medicinal plant projects are the pilot processing of immune modulators that stabilise HIV and Aids symptoms and products that promote general wellness, such as devil's claw. The manufacturing of paper products and ethanol fuel gels and the production of honey and wax products are also being supported. Ethanol fuel gel requires special mention in that it has the potential to reduce fires currently caused by paraffin spillages, particularly in informal settlements.

Although the emphasis is to demonstrate and encourage the uptake of technologies that improve the livelihoods within communities with knowledge and skills, short-term and long-term employment opportunities have been created, particularly for the economically vulnerable sections of communities, namely women, the youth and the disabled who numbered 5 088 in the last financial year.

To build sustainability, demonstrate the success of technologies, the potential for expansion and to ensure that these projects do improve communities' livelihoods, business enterprises are established to generate income. This process entails the transfer of technical skills and business skills and the formation of partnerships between concerned communities and private industry and local economic development offices. This is a process that enables the marketing of products. Thank you, Madam Deputy Speaker.

Mr R P Z VAN DEN HEEVER: Thank you for the answer, Minister, which clearly suggests that the Department of Science and Technology and job creation are not in conflict with one another, but are indeed complementary. Your answer also clearly dismisses the fallacy that mechanisation, which accompanies technological advances inevitably, leads to job losses.

However, there is another aspect of job creation through science and technology, and this is that we need to encourage our people to develop the necessary skills and qualifications to take up the many jobs in scientific research and technological innovation. Now, are we advancing sufficiently with regard to skilling our people in maths and science proficiency and technical know-how to meet the demands of science and technology?

The MINISTER OF SCIENCE AND TECHNOLOGY: Madam Deputy Speaker, we are certainly making progress as far as that is concerned. Obviously, this is happening at different levels — at school level, at tertiary level — and also in the world of work. In as far as equipping our youngsters

in maths and science is concerned, that is obviously the responsibility of the Minister of Education. But we do collaborate as far as the advancement of that project is concerned. We wouldn't say that we are happy with the numbers that we have got, but we are definitely making progress.

Similarly, at tertiary institutions, in the science councils, in industry, programmes are under way to train as many people as we can find. What is required is that as a nation we have to go out to particularly encourage our youth to do maths and science at school; particularly mathematics, because that is the key subject that will enable our youngsters to be educated in an area for which there is such a need. However, I believe that the majority of us sitting in this House are not capable — we are already damaged in as far as maths and science are concerned. If only we could encourage our kids to do mathemathics in particular, this problem we are talking about would be a matter of the past. Thank you very much.

Mr B J MNYANDU: Thank you, Deputy Speaker. Minister, this is actually a follow-up question. Your passion for science and mathematics, of course, is well-known and recorded. My focus is on the following. You might have noticed that criminals have now become smarter with ATM technology. They can easily tell which numbers one is busy punching and thus start defrauding pensioners and other people of their money. Along this line of focus, apart from engagement with the eradication of poverty, what you have done in the six months in office as Minister of Science and Technology that you believe has benefited ordinary people?

The MINISTER OF SCIENCE AND TECHNOLOGY: Madam Deputy Speaker, in the main body of the response we gave we talked about the many things that the Department of Science and Technology was doing to interact with the problem of poverty in our communities. So those are the kinds of things that we have been doing. However, in terms of various technology orientations that need to be pursued, including the one he was talking about, it is an ongoing activity within the department to ensure that research is conducted into all manner of things that will assist the uptake of technology in our communities and improve the lives of our people.

In as far as the ATM robberies are concerned, we are collaborating with those who are doing research in order to improve access to facilities that dispense cash through technology. As we speak, there are researchers in various universities who are trying to use voice identification to help people who are unable to read, or who do not speak English but indigenous languages, to use their own voices and their own languages in order to interact with ATMs and computers of other descriptions so that they may be able to access their resources in a much more secure fashion.

Mr N T GODI: Thank you, Deputy Speaker. Hon Minister, I think that in your initial response you touched on this aspect in some way. However, I just want to ask the following in a pointed way. As you know, hitherto the approach to science and technology has been a lot more elitist. What programmes do you have to take the study or the understanding of science and technology out of the ivory tower to the ordinary people, so that it is able to serve everybody and does not remain the preserve of a few but is accessed by the majority of our people? Thank you.

The MINISTER OF SCIENCE AND TECHNOLOGY: Well, different levels of science and technology are elitist. Those levels that are cutting edge and very sophisticated can, obviously, only be used by a certain class of people who are sufficiently trained. The manufacturing and repairing of ATMs and cellphones, for example, is a kind of technology that only a certain group of people will manage. The use of technology, like the use of phones, cellphones or ATMs,

is probably simply functional technology. The ability to interact with that technology is not elitist.

However, we are trying our best as a country — the education system and ourselves — to ensure that as many of our people as possible can interact with technology at the level that is required. Also, many others engage in training and in getting the education that will enable them to interact with technology at a much more sophisticated level. The programmes are many and varied and all of them need to be pursued. Thank you very much, Madam Deputy Speaker.

Mr L W GREYLING: Thank you, Deputy Speaker. Hon Minister, the ID is heartened by the fact that you are doing research in ethanol fuel gels, particularly in the light of the SABS finding that most paraffin stoves in South Africa are in fact unsafe. What I would like to know though is: At what stage is this research and development at currently? Have you been marketing the ethanol fuel gels within the informal areas in South Africa? What steps will you be taking in terms of distribution of the ethanol fuel gel?

The MINISTER OF SCIENCE AND TECHNOLOGY: There is no marketing yet. Once this research has reached a certain stage, it will probably be the responsibility of the Department of Minerals and Energy to take the matter forward. As we speak, we are at the level of research only. I believe that as soon as matters have reached a stage at which it is important that other people come in, the Ministry of Minerals and Energy will decide how to take the issues forward.

Appeals *re* abalone quotas

*52. Mr L W GREYLING (ID) asked the Minister of Environmental Affairs and Tourism:

(1) How many appeals in respect of abalone quotas have been (a) received and (b) rejected over the past year;

(2) whether he considered these appeals himself; if not,

(3) whether he delegated his power to another authority; if so, what are the relevant details;

(4) whether any steps will be taken to alleviate the poverty of the people whose appeals were rejected; if not, why not; if so, what steps;

(5) whether the applicants whose appeals were rejected will be allowed to apply for long-line fishing rights; if not, why not? N885E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Chairperson, the answer to part 1(a) is 333; and to part (1)(b) is 245. The answer to part 2 of the question is yes; I considered all the appeals myself. Part 3 of the question falls away. The answer to part 4 of the question is: No. The unsuccessful appellants ranged from persons who are not reliant on abalone for their livelihoods to those who currently hold other valuable fishing rights. Those divers reliant on abalone fishing for their livelihoods were accommodated in the fishery. The answer to part 5 of the question is yes; any person is free to apply for any fishing right he or she so chooses.

Mr L W GREYLING: Thank you, Chair. Minister, the reason why I asked this question is that we are particularly concerned that there might have been problems in the appeal process. And, in fact, I have one particular case in which it seems likely that the appeal was turned down on the wrong grounds. It seems that MCM don't have the power to be able to overturn this decision. In fact, the only way in which we can do that is through the courts. We are now asking eight poor families to take hard-earned money to go to the courts to get this decision rescinded. What I am asking for — and, in fact, pleading for — is that we do not make the same mistakes in future appeal processes. What will you be putting in place to

make sure that we don't make these mistakes in future?

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Chairperson, I am not quite sure what example the hon member is referring to. Certainly, if a mistake has been made during the appeals process we must look at that. I believe that the hon member is mistaking this for another fishery, and that this is not a mistake that was made by the department or by me — but certain mistakes made during the application process by the people who applied, such as not signing the cheque and other mistakes. This is because he referred to eight families. However, he should please bring this specific incident that he referred to to my attention, and I will look at it.

Mr G R MORGAN: Thank you, Chair. The abalone populations along the South African coast are in a critical condition mainly owing to poaching and uncontrolled harvesting in the past. Thankfully, the environmental science that we use to manage our abalone populations has improved. But, of course, this means that many very needy fishermen that have relied on harvesting abalone in the past have now been denied quotas, a reality in places like Gansbaai and Hermanus.

If indeed the long-term aim is to increase the number of abalone quotas once abalone populations have recovered therefore further benefiting local fishermen, would you be prepared to swiftly expand the antipoaching operations along all relevant parts of our coastline, and, if need be, increase the resources you have currently allocated to existing operations in order to have a greater impact on stabilising abalone populations, thus benefiting local fishermen in the long run? Further, would you be prepared to involve fishermen that have been denied quotas in these antipoaching initiatives?

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Chairperson, first of all, Friday a week ago, we announced exactly the kind of operation that the hon member is referring to. It is a partnership between ourselves, the Western Cape government and the Overberg municipality. We are doubling the amount of money that we spend on antipoaching incidents — up from R8 million, I think, to just under R16 million. We are also increasing the number of marine patrol officers. That is where we will involve the kind of people that the hon member is referring to. We will also base vessels there on a permanent basis, and the SA National Defence Force is also willing to support us with certain helicopter patrols in that area.

However, we have a problem. As the hon member may know, the West Coast rock lobster is moving around the south point to the abalone area, the Gansbaai-Kleinmond area. Any fisherman would know that when crayfish moves into the same area — Mr King knows that area very well — what happens to abalone. So we are trying our best to crack down on the antipoaching activities, but I am extremely concerned that if this trend continues, it will become more and more difficult for us not to give more abalone rights, but actually to start taking rights away. I hope that will not be the case.

Mr K D S DURR: Minister, all of that must cost an absolute fortune. I wonder whether we are making any money out of abalone in South Africa. The Minister will know what the linkage is between tourism and food. We are currently exporting unprocessed abalone at low value, compared to the value that is added abroad. Will the Minister not consider making either all or part of the wild abalone available to our depressed coastal villages where tourists can come and have beneficiated, cooked abalone? That is going to solve his problem of exports — no exports of wild abalone but only abalone grown by mariculture.

Would the Minister not consider that? Then we will have real benefit from abalone, and the local people will be involved in tourism, processing and beneficiating this abalone,

instead of it being beneficiated in Hong Kong at huge prices, while we spend a fortune of public money trying to prevent . . . [Inaudible.] [Time expired.]

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Thank you, Chairperson. First of all, it will be interesting to members of the House to know that we are now exporting more abalone cultivated from mariculture than wild abalone. The proposal from hon member Durr has also been raised with me by the Premier of the Western Cape. I have asked MCM to look into that possibility, because it may be a good idea to link that with tourism. We will take a decision on that soon, and we will inform the parliamentary committee also on that issue.

Mnr J D ARENDSE: Baie dankie, Voorsitter. Minister, toe die nuwe regulasies vir die hantering van kwotas van perlemoen aan die komitee bekend gestel is, het u departement aan die komitee verduidelik dat die fokuspunt daardie gemeenskappe aan die kus sou wees wat aangrensend is aan die bepaalde gebied. Dié gemeenskappe sou dan saam met u departement die bron bestuur. Indien dit onder die aandag van die minister gebring sou word daar dat gemeenskappe is wat op die kusgebied aangrensend die bron woon en 'n geskiedenis in die perlemoenbedryf het, maar wat nie baat gevind het met die uitdeel van perlemoenkwotas nie, sou u bereid wees om iets in verband hiermee te doen? Watter alternatiewe is op die tafel om te verseker dat diegene wat nie gebaat het nie, wel in die nabye toekoms daarby sal baat vind?

Die MINISTER VAN OMGEWINGSAKE EN TOERISME: Voorsitter, ja dit is 'n groot debat in die visbedryf of ons net kwotas moet gee in bepaalde visserye vir die mense wat in daardie gebied woon. Die agb lid Arendse is heeltemal reg, want ons het in sekere gevalle gepoog om dit te doen. Byvoorbeeld, in Gansbaai is sekere visserye net vir die mense van Gansbaai en in Kleinmond was dit dieselfde vir die mense daar. Dit is die beginsel van geografiese geregtigheid waarna ek verwys het. Ons kry dan ook dat die mense hulle eie bron baie beter beskerm as hulle voel hulle het eienaarskap daarvan. Maar as daar enige gevalle is, waar die agb lid voel dat mense oorgesien is op maniere waarop dit nie moes plaasvind nie, dan sal ek dit graag in heroorweging neem.

(Translation of Afrikaans paragraphs follows.)

[Mr J D ARENDSE: Thank you, Chairperson. Minister, when the new regulations for the management of quotas for abalone were introduced, your department explained to the Committee that the focus would be on those communities at the coast, adjacent to that specific area. These communities would then manage the resources, together with your department. However, if it should be brought to the Minister's attention that there are communities living in the coastal area adjacent to the resource that have a history in respect of the abalone industry, but did not benefit through the quota distribution, would you be prepared to do something about this? What alternatives are on the table to ensure that those who did not benefit would be beneficiaries in the very near future?

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM: Chairperson, yes, it is a big debate in the fishing industry whether we should limit the quotas in respect of specific fisheries to persons residing in that area. Hon member Arendse is quite correct, because we have tried to do that in certain cases. For instance, in Gansbaai certain fisheries have been allocated specifically for the Gansbaai community and in Kleinmond we did the same for community there. This is the principal of geographic justice that I referred to. It is also a fact that there is a higher level of protection of the resource, if the community has taken ownership of it. But, if there are any cases in which the hon member feels people were overlooked, in a way that is unacceptable, I shall gladly reconsider the matter.]

Oversight to inform EU of status of avian flu amongst SA ostriches

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

(1) Whether, in light of the European Union's extention of its ban on South African ostrich meat imports for a further three months until March 2005, the Government failed to inform the relevant European and international authorities of the fact that the avian flu outbreak had been brought under control; if not, what is the position in this regard; if so, who was responsible for the oversight;

(2) whether the oversight can be rectified; if not, why not; if so, what are the relevant details;

(3) whether the EU ban can be reverted to January 2005 as was originally intended; if not, why not; if so, what are the relevant details;

(4) what steps is the Government taking to rectify the current situation and to ensure that it does not happen again;

(5) whether the Government will pay compensation to farmers and other stakeholders in the ostrich industry who will suffer losses as a result of the extended ban; if not, why not; if so, what are the relevant details?

N1161E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, Chairperson. Before I give an answer to the question I must preface it by saying: Hon Durr and hon members, there hasn't been any negligence on the part of the South African government, particularly the Department of Agriculture, in reporting the incidence of avian flu to the OIE.

We are a member of the international organisation that is responsible for the world animal health systems. So any notification of any disease that is notifiable must be given when an outbreak occurs, which we have done. This is not just to notify but also to indicate what measures have been taken to eradicate or contain the disease. That we also did. All members of the OIE, including member countries of the European Union, had access to that information. I just wanted to clarify that in terms of the question you have asked, there is nothing to rectify. We had done that in any way.

Secondly, it is important for me to indicate that the EU did nothing untoward. They actually followed the OIE regulation, which states that in a country where there has been an outbreak of avian flu, you must have a six-month period to determine that no other outbreak has occurred, after which the ban on exports can be lifted.

In terms of what the European Union meeting in the committee of agriculture in Brussels, nothing new was actually said. As South Africa we have also been in contact with the EU, because, as you would recall, when the outbreak happened, we actually put in place a voluntary ban as South Africa. So it wasn't the EU banning our products. Even at the time, the EU accepted all treated meat, meat cooked at 100 degrees per minute, as well as treated feathers and treated skins. The ban was not a total ban on ostrich products. Some products were allowed, and are still allowed even today. So the answers to parts 2 and 3 of the question, I think, have been given.

With regard to the steps taken by government to rectify the current situation, as I have said, there is nothing to rectify. We have cleaned the areas that were affected and we are working with the industry to ensure that we can resume our exports after the eradication period has lapsed. Thank you.

Mr K D S DURR: Thank you very much, Minister, for that complete answer. I do appreciate it. Could the Minister tell us when she expects exports of ostrich meat to be resumed, in the light of the current known circumstances; and what is being done to

keep the ostrich farmers in production in order to survive this interregnum so that when they are able to resume exporting, they are in a to do so?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Hon Durr, as you know, in terms of the Animal Disease Control Act, when there has been an outbreak of disease and the state has taken initiatives to eradicate that disease — where culling happens — that we do actually compensate the farmers. Those farmers who had a problem have been compensated already. As the state we have already taken initiatives to actually disinfect those farms in order to ensure that we prepare them for restocking.

It is also necessary for me to explain to the House that after the outbreak was identified, we actually did serious surveillance work in all the provinces of the country. The results that have come out show — except for those farms in the Blue Crane Municipality and three farms in the Grahamstown area where some of the farmers in the Blue Crane Municipality sourced their products, particularly small ostriches or eggs — that there hasn't been an outbreak anywhere in the country or a positive strain identified anywhere in the country. So we are confident that the disease has been confined.

But what we are doing at the moment is to actually trace the source. As much as we have contained it, it is important for us to understand where we got this problem in order for us to actually ensure that we protect the industry collectively and strengthen our regulatory system. Regarding the question he asked about when, as I said, even with the minimal ban in place treated meat can be sold. It is sold in the country and can be exported.

In terms of the OIE regulations, as you know the outbreak was reported to government in August. It is only at the beginning of March that the total ban will be lifted, provided nothing happens in the meantime. Thank you very much.

Dr E A SCHOEMAN: Thank you, Mr Chairman. Hon Minister, arising from the reply, the ANC and the affected farmers would like to thank both the national and provincial departments of agriculture for the swift and effective manner with which the outbreak of avian flu amongst ostriches in the Eastern Cape was dealt with. As with the outbreak of foot-and-mouth disease a few years ago in KwaZulu-Natal, effective quarantine and culling measures averted a potential catastrophe.

My question to the hon Minister is: As it seems to be a prerequisite from the EU, when does she intend to extend an invitation to the EU to do physical inspections in South Africa with a view to resuming exports of animal products from this country?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you, very much, hon Schoeman. Indeed, as you rightly say, the EU does regular checks when it comes to any export of animal products, whether by invitation or by requesting an invitation themselves. As is normal practice, we will have to invite the EU to come to do the inspection in terms of the regulations for their exports. That would cover not only the areas that have been affected by avian flu, but also along the border of Limpopo where there have been some challenges in terms of foot-and-mouth disease. So they would do this as normal practice.

Dr A I VAN NIEKERK: Thank you, hon Chair. Minister, regarding your answer in terms of tracing the source of the problem, during the last couple of years we have had a number of outbreaks among our domestic livestock of foot-and-mouth disease and now avian flu. Every time reflects on our exports, and this is costing the country a lot.

Now what is going on, Minister? What is happening in the Department of Agriculture? Is everything under control? I hope so.

Could it be that the shortage of veterinarians and the outflow of the scientists from the Agricultural Research Council have caught up with the ability of the department to take the necessary preventative actions? [Interjections.] Isn't that a possibility, because I am worried about that? It is one thing to control it — and you have done that — but another to prevent it, which is actually the real action of the department. I would like you to comment on these issues. Isn't the shortage of real expertise in a sense to the detriment of your efforts to contain these diseases?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, hon Kraai. You would know yourself from your time as the Minister — and I was your first Deputy Minister during the Government of National Unity — that one of the challenges is particularly in terms of animal disease control with regard to veterinarians working in the public sector. Part of the challenge has been the salary levels, which make veterinarians prefer to go into private practice.

Secondly, as you know, the challenge that we both started to deal with, which we have to continue dealing with, is the transformation of the SA Veterinary Council in terms of standards and whether their rules can accommodate expatriates who come to work in the country. There are many vets on the African continent, but sometimes our own standards prevent them from coming to work in South Africa, even at the salary levels that we offer in the public sector. I think those are the challenges you know quite well yourself. What we should probably be asking ourselves is: What is happening in the agricultural sector? Let us not be one-sided and ask: "What is happening in the Department of Agriculture?"

If one were to be very specific about the challenge we faced in the Eastern Cape, farmers were very quiet. They identified the problem in April 2004. They preferred to go to a private vet who prescribed Arethromycin; and they never took blood from the animals to test in a laboratory. It was hush-hush in the industry. Nobody wanted to talk, until such time as one farmer could not be quiet any longer. He decided to go to the state vet, which was at the end of July. Confirmation came in early August. What does that story tell us? Is it a problem in government or is it a problem in the industry?

Going back to 2000: Again, there is the problem of foot-and-mouth disease. An individual entrepreneur got galley waste from a ship and gave it to a friend who had pigs. Foot-and-mouth disease started. Quiet. No information to the public-sector vet. Hush-hush, until the problem gets bigger, and then a report is done. What that says, for me — and this is what we must discuss with the livestock industry — is: How do we build trust between this industry and government? It is not in anybody's interest to actually have the outbreaks as we are having today. I don't think shifting the blame — whether to blame government or the private sector — helps us in any way. This is about how we resolve this problem. If one has to be very specific in this case, the problem was in the industry and the farmers in particular who kept quiet until we had the problem that we have. [Applause.] [Time expired.]

Ms E S CHANG: Thank you, Chair. Hon Minister, you just said that treated meat had been sold. How can you ensure that contaminated meat does not get onto the market and that the consumer can feel secure?

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, hon member. As part of our regulatory services we have to ensure that the standards of safety are kept so that contaminated products do not get onto the market. That task is done by both the Department of Agriculture and the Department of Health. We do everything possible to ensure that our system is in place and compliance does take place.

Percentage of agricultural land available to farm workers for agricultural use ito AgriBee framework

*69. Mr N H MASHITELA (ANC) asked the Minister for Agriculture and Land Affairs:

(1) Why only 10% of agricultural land will be made available to farm workers for their agricultural use in terms of the Agriculture Black Economic Empowerment (AgriBee) framework;

(2) whether she will request the steering committee to increase this target to ensure that farm workers have significant participation; if not, why not; if so, what are the relevant details? N1173E

UNGQONGQOSHE WEZOLIMO NEZEMIHLABA: Sihlalo, ngithi nje kwilungu lePhalamende, uSihlalo weKomidi lezoLimo nezemiHlaba: umbuzo wakho umayelana nodaba olusaxoxwa, mnumzane. Njengoba wazi ukuthi kulo mhlahlandlela owabekwa nguhulumeni ngomhla ka-26 Julayi, oshoyo ukuthi ngabe ukuvuleleka kokuthi abantu bakwazi ukungena kwezomnotho wezolimo kungenzeka kanjani na ngalolu hlelo esilubiza ngeAgriBEE, sasho ukuthi thina ngokwethu, singuhulumeni, sibona kungaba yisincomo esihle ukuthi abalimi banikezele umgamu obalelwa ku-10% ukuze ukwazi ukutshenziswa ngabasebenzi babo basemapulazini khona bezokwazi ukuthi badle futhi benze odanariyu abancane ngaleyo ndlela.

Kodwa-ke, njengoba wazi nawe ukuthi wudaba lolu olusezithebeni futhi olusaxoxwayo, umsebenzi wamalungu e-steering committee ukuthi akhulume nabo bonke abantu abathintekile kumbe abazothinteka ngalolu hlelo lokuguquguqula isimo sezolimo. Akukathathwa-ke sinqumo okwamanje, kuseyizingxoxo kumbe izingxoxompikiswano phakathi kwalabo abathintekile. Ngiyabonga.

(Translation of isiZulu paragraphs follow):

[THE MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Chairperson, Hon Member, Chairperson of the Portfolio Committee on Agriculture and Land Affairs I would say your question is about the issue that is still under discussion. You're aware of the Government strategy of 26 July, which state as to how people could access agricultural economic participation in BEE programme. We stated our position as government that we would recommend farmers giving their farm employees 10% of land so that it could be use by them for growing crops and get money in the process, however as you're aware that such matter is under discussion.

The duty of the Steering Committee members is to consult all stakeholders and those who might be affected in this programme of agricultural transformation. The decision has not been taken yet, it's still discussions and debates between stakeholders. Thank you.]

Mong N H MASITHELA: Ke ya leboha Letona ka karabo eo o faneng ka yona. Empa ho bhlokwa hore ke hlahise hore na hobaneng ke botsa potso ena. Basebetsi ba mapolasing ke bona ba hlophehileng ka ho fetisisa nakong tsa ho feta mme, le kajeno entse e le bona ba hlophehang ka ho fetisisa.

Ke ka hoo ke reng, ke a tseba hore taba ena e sa ntsane e sekasekwa ke Steering Committee. Empa ho bolokwa hobae ka hare ho Steering Committee kamoo, ho na le baemedi ba mmuso, ba tsebang tlhopheho ya batho ba sebetsang mapolasing. E tlare taba ha e fihla ho rona, ho tla ba bohlokwa hore rona re le Palamente, hore re fetole ditaba tse etswang ke Steering Committee.

Jwale re re pele di etla mona komiting ya Palamente, e ebe e le hore moemedi wa mmuso ka mmo o kgona ho hlalosa hare na taba ena ya hore re qhelele basebesi ba mapolasing ka thoko, e ke ke ya thusa. Taba eo le e entseng ya hore e be 10% e amohelehile, empa ho bohlokwa hore le bone hore le e nylollela pele haholo. Ha ke na potso ho fetas mona, ke ne ke mpa ke etsa

tlhahiso eno hobane baahi ba rona ba tlameha ho tseba hore mmuso wa ANC o sebetsana le ditokwelo tsa basebetsi le batho bohle ba sebelesang mmuso. Ke a leboha. [Ditlatse.]

(Translation of Sesotho paragraphs follows):

[Mr N H MASITHELA: Thank you, hon Minister, for your reply. However, it is important that I should explain why I am asking this question. Farm workers were the poorest people in the past and, even now, they are still the poorest.

That is why I say that, I know that this matter is still in the hands of the Steering Committee. However, the fact that it is in the Steering Committee is of importance because there are government officials who know about the poverty of farm workers. When the matter reaches our hands, it will be important for us, as Parliament, to change what is done by the Steering Committee.

Before it reaches the committee in Parliament, the government official here should be able to explain why it can never work to discriminate against farm workers. Making it 10% is acceptable, but it is important to make sure that you raise it even higher.

I do not have any further questions; I just wanted to make that suggestion because our citizens should know that the ANC government deals with workers' rights and those of all the people who work for the government. Thank you. [Applause.]]

UNGQONGQOSHE WEZOLIMO NEZEMIHLABA: Ngiyabonga lungu elihlonipheki leyo ngesincomo sakho. Sihlalo, kodwa uma ngingasika kwelijikayo ngingathi abantu abatolikayo bangasisiza batolike kahle ngoba ukungatoliki kahle kwenza ukuthi amalungu eNdlu angakuzwisisi okushiwoyo. Ngiyethemba-ke ukuthi leso sincomo siyokwedluliselwa kubaphathi bePhalamende.

Ngibonga kakhulu Mnu Masithela ngesincomo osenzile ngoba nathi, ekuzameni ukuvikela amalungelo abasebenzi basemapulazini, ngikhuluma nje sesicele amalungu abasebenzi basemapulazini ukuthi nawo abe yingxenye yale steering committee ukuze abhekele izinjongo nezimfuno zabasebenzi basemapulazini. Ngiyabonga. [Ihlombe.]

(Translation of isiZulu paragraphs follows.)

[The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you, hon member, for your accolades. Chairperson, if I could comment on the issue in question, the interpreters should interpret correctly, because misinterpretation makes members not understand what is being said. I hope that those accolades will be forwarded to the presiding officers.

Thank you very much, Mr Masithela, for your accolades. We are trying to protect the rights of the employees, because even as I speak we are trying to get people from the farming industry to become members of the steering committee, so that they can represent the interest of farmworkers. Thank you. [Applause.]]

The HOUSE CHAIRPERSON (Mr G Q M Doidge): We will certainly take that up, hon Minister. Thank you very much. I did pick that up. The interpreting wasn't as good as it should have been.

Dr A I VAN NIEKERK: Thank you, hon Chair. The 10% of land that which should be made available for farm workers has a practical problem and it has a financial implication. This is owing to the risk in the farming enterprise of making 10% of a farm available.

It's not always easy because you have small farms, big farms, different practices in agriculture. Wouldn't an equity scheme be far better than the lease proposition? This is a practical suggestion, and I'd like your comments on that because people in the agricultural sector want to support land reform, but

they have problems with this 10% lease of a farm in which one has to cut up the farm. It's not practical and it's not applicable and, in most cases, it's not even viable. An equity scheme in place of that would be far better.

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS: Thank you very much, hon member for what I would say is a proposal. As you know, these are the matters of debate and discussion with the various stakeholders regarding what would be the best mechanism of addressing a question that we all regard as important. As you all know, and yourself in particular, part of the challenge — which I am sure was a teething problem in land reform in the earlier stages with regard to share-equity schemes — was that while it allowed workers to participate in an enterprise, it did not change the power relations that much, and neither did it address the issues of tenure for farm workers.

I think, as we deliberate on this question as part of the Agri BEE discussion document, which will result in a charter, we will all find a better solution of addressing all these challenges that farm workers do face.

Compliance with a certain section of Act 56 of 2003

*94. Dr S M VAN DYK (DA) asked the Minister of Finance:

(1) Whether, in terms of section 5(2)(e) of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the National Treasury monitors and investigates whether the MFMA has been complied with; if not, why not; if so, (a) what does the monitoring and investigation process entail and (b) what steps have been taken to assist municipalities that were on the brink of collapse due to poor financial management;

(2) whether the National Treasury has stopped the transfer of any municipality's share of the local government equitable share or any conditional grant where that municipality failed to comply with any conditions relating to the allocation of funds; if not, what steps will be taken by the National Treasury to save those municipalities from financial and service delivery deterioration; if so, what are the relevant details? N1199E

The MINISTER OF FINANCE: Thank you, Chairperson. The Local Government: Municipal Finance Management Act was proclaimed to take effect on 1 July 2004. The focus is currently on ensuring that municipalities have the capability to implement.

What the hon Dr Van Dyk is asking us is to take a heavy hand and beat up municipalities. Our view is that we'd be much better placed to ensure that there is long-term capability. There have been a number of training courses on the Bill in general, of mayors and of members of mayoral committees, of senior officials in municipalities across the length and breadth of the country. Now we are dealing with issues of detail such as supply-chain management, public-private partnerships and so on.

Ensuring that the Local Government: Municipal Finance Management Act takes effect will take a long time. In fact, if the hon Dr Van Dyk is familiar with the Constitution, he'd also be aware that in the first instance it is the responsibility of provincial government, through section 139 of the Constitution, to deal with instances in which there is a failure of executive management by municipalities. The Treasury comes in much later.

I think that we should be refer Dr Van Dyk to the Constitution and the MFMA and ask him to understand how one would do much better by organically rolling out the capacity in local government. Thank you.

Dr S M VAN DYK: Thank you, Chairperson.

Miskien moet ons vir die Minister daarop wys wat die Grondwet presies bepaal. Die

Grondwet van 1996 bepaal dat die Nasionale Tesourie verantwoordelik is vir die maatreëls ten opsigte van munisipaliteite se uitgawebeheer. Die Openbare Finansiële Bestuurswet van 1999 bepaal dat die Tesourie finansiële kontrole oor alle vlakke van regering moet uitoefen. Nou het ons die Plaaslike Finansiële Bestuurswet waarna die Minister verwys het. Nou hoe het die Tesourie dan toesig gehou, agb Minister? Hoekom het dit dan gebeur dat binne agt jaar vanaf al bogenoemde wetgewing, waar die Tesourie 'n primêre verantwoordelikheid het, die meeste van die munisipaliteite in Suid-Afrika op die rand van finansiële ineenstorting staan?

Tweedens, kan die agb Minister vir ons ook aandui dat, in ag genome dat hy die politieke hoof is van die Tesourie, hoekom daar dan 'n politieke wil by die Tesourie in sy moniteringsfunksie ontbreek om toe te sien vir maatreëls dat munisipaliteite gesonde finansiële administrasie handhaaf?

(Translation of Afrikaans paragraphs follows.)

[Maybe we should call the Minister's attention to exactly what the Constitution states. The Constitution of 1996 states that the National Treasury is responsible for the measures relating to the municipalities' expenditure control. The Public Finance Management Act of 1999 stipulates that the Treasury should exercise financial control over all levels of government. Now we have the Local Finance Management Act that the Minister referred to. Now how did the Treasury manage to exercise oversight, hon Minister? How was it possible that within eight years of the passing of all the pieces of legislation mentioned above, where the Treasury has a primary responsibility, that most of the municipalities in South Africa are on the verge of financial collapse?

Secondly, could the hon Minister also indicate to us, that taken into account that he is the political head of the Treasury, why then is there a lack of a political will in the Treasury's monitoring function to see to it that municipalities maintain sound financial administration?]

The MINISTER OF FINANCE: Chairperson, may I ask a service officer to give the hon Van Dyk a copy of the Local Government: Municipal Finance Management Act. What the Constitution asks in support of section 139 is that there be appropriate legislation. The legislation is there. It is complex. It was a detailed undertaking of this Parliament, and it will be implemented with the passage of time. You are not going to ripen this orange by squeezing it. If the hon Van Dyk does not understand that now, he never will. It is too late in his life to teach him now. [Laughter.]

Dr R H DAVIES: Chairperson, I think the Minister has already partly answered my question in that he has pointed out that the implementation of the MFMA is a process and that there is a lot of training and preparation going on. I would just like to ask the Minister whether he can give us some indication of the extent to which he is confident that municipalities are already in shape to begin implementing the necessary reforms that the MFMA will put in place, and does he anticipate any difficulties in this regard, or is the process on track?

The MINISTER OF FINANCE: Thank you very much, hon Davies. Chairperson, municipalities have now been categorised as having high, medium and low capability. The focus of training is designed to support the equalisation of the base of capability. It is a process. We will, in the course of the next week, cause the first set of regulations to be published in terms of the Local Government: Municipal Financial Management Act. Those regulations would in fact require immediate compliance by the stronger municipalities, largely the metros — July next year for the medium-capability municipalities and 2006 for the low-capability municipalities. It is a process. It is going to be driven as a process and, I think, until such

time, we will have the Division of Revenue Act and the terms and conditions of that Act apply. The hon Davies would be aware that implementation of the municipal sections of the Division of Revenue Act reside, of course, with the Department of Provincial and Local Government.

Mr E W TRENT: Chair, the hon Minister does make funds available for capacity-building at local level and for that reason I am sure he would be interested to be au fait with the progress that has been made.

To the best of my knowledge the last report that was tabled in this House by the Auditor-General dealt with 2001–02 statistics. When one reads these statistics it is rather a dismal scene. A total of 82% to 100% of municipalities had not tabled their financial statements and audits by 30 September. By 2002 this had reduced to 78% roughly, so that was progress. But what is shocking is the fact that the unqualified reports at that stage . . .

The HOUSE CHAIRPERSON (Mr G Q M Doidge): What is your question, hon member?

Mr E W TRENT: The unqualified reports at that stage had reduced from 29% to 26%. Now these are old stats.

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Hon member, your time has expired.

Mr E W TRENT: My question, Chair, is: Could the hon Minister inform us whether there has been any substantial improvement in the situation; and, if so, to what extent has the situation improved? If not, what steps does he intend taking to improve the situation and the level of competence with the MFMA?

The HOUSE CHAIRPERSON (Mr G Q M Doidge): Hon member, you are way over time, but I'll ask the Minister to respond to you.

The MINISTER OF FINANCE: Chairperson, that is an entirely new question. Let me repeat that the Local Government: Municipal Finance Management Act was agreed to by Parliament last year. The President assented to it at the end of last year. It has been in effect since July this year, and a piece of legislation as complex as this requires a roll-out. The hon Trent should, in his spare time, read the more recent report of the Auditor-General, which was released about two months ago. I am sure that if he hasn't read it yet, it is probably still in his pigeonhole.

I'd advise him to read it and there he will find that there has been significant improvement. There are six municipalities that are out of line and there are still issues, and amongst the concerns is the ability of local authorities to collect debts. There is too high a percentage of debt in too many municipalities that is aged, but I cannot now deal with the latest report of the Auditor-General, because it was not in the original question. Thank you.

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

Measures to make public transport safer

*49. Ms S RAJBALLY (MF) asked the Minister of Transport:

Whether his department, together with the SA Police Service, has taken any measures to make public transport safer; if not, why not; if so, what are the relevant details? N747E

The MINISTER OF TRANSPORT:

After the disbandment of the South African Railway Police in 1989, railway operators assumed the responsibility of providing security for commuters and assets. However, given the high level of train violence and crime that engulfed the country in the late 90's, the need for the re-introduction of transit police was underlined. On 11 June 2003, Cabinet resolved that a dedicated

transit-policing unit should be established within the SA Police Services.

Following this decision, the SA Police Services, in consultation with the Department of Transport, initiated a pilot project in Cape Town where 400-transit police cadets are currently being trained and are scheduled for deployment as from 1 January 2005. It is envisaged that the success of this pilot project will provide the necessary momentum to ensure the rollout of transit police to the rest of the country. Government has committed R70 million over two years for this initiative.

In the meantime, planning for the rollout is gradually gaining momentum. A national steering committee comprising role-players from different stakeholders is currently being formulated. The SAPS on its side has already appointed Directors who will be responsible for managing the various regions. It is estimated that 2 400 cadets will undergo training next year (2005) for deployment in Wits (1 000), Tshwane (1 000) and Durban (400).

Amendment of schedule to Constitution to establish REDs

*67. Mr T R MOFOKENG (ANC) asked the Minister of Minerals and Energy:

(1) Whether, in light of concern that the establishment of regional electricity distributors (REDs) will not be possible without amending Schedule 4, Part B, to the Constitution which assigns electricity reticulation powers to local government, she will make a statement on the matter;

(2) whether this concern poses an obstacle to the establishment of the first RED; if not, what is the position in this regard; if so, what are the relevant details? N1171E

The MINISTER OF MINERALS AND ENERGY:

The Department of Minerals and Energy and Salga reached an agreement in 2002 that they will cooperate with each other on matters concerning the restructuring of the electricity industry. It was again agreed that each municipality will sign a cooperative agreement to ensure that restructuring takes place without hindrance. This cooperation was again endorsed at the Salga conference held in Cape Town at the end of September 2004. Because of the commitment of all the stakeholders to the restructuring of the electricity industry, it is my view that Constitutional amendment may not be necessary.

(2) There is no obstacle towards the establishment of the first RED.

Time period for cleaning-up operations to start once mining operations have stopped

*96. Mrs J A SEMPLE (DA) asked the Minister of Minerals and Energy:

(1) Whether there is a specific time period within which a mining company must commence cleaning-up operations once it has ceased mining operations; if not, why not; if so, what is the time period;

(2) whether there are any circumstances exempting mining companies from cleaning up when ceasing mining operations; if so, what are the relevant details? N1202E

The MINISTER OF MINERALS AND ENERGY:

(1) The term "cease of mining operations" applies to the following scenarios:

(a) When the holder of a prospecting or mining right applies for a retention permit in terms of section 31 of the Mineral and Petroleum Resources Development Act, 2002 when he, she or it can prove that the mining of the relevant mineral would be uneconomical due to prevailing market conditions;

(b) When the holder of a prospecting or mining right has prepared its operation for decommissioning and closure, applied for a closure certificate and the Minister has issued a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002; and

(c) When the holder of a prospecting or mining right has been liquidated.

With reference to:

(a) When a retention permit has been granted (therefore the operation has been temporarily "mothballed"), the implementation of environmental management requirements, as contemplated in the approved Environmental Management Programme, must be maintained.

(b) When the holder of a prospecting or mining right has applied for a closure certificate and the Minister has issued closure, cleaning up should have been completed. Should the risk of any residual environmental impacts remain, the holder must continue managing such impacts should they occur with the adequate financial provision being provided for or the holder may transfer such risks or liabilities to a competent person. The transfer of such liabilities goes along with adequate financial provision and with the approval of the Minister that the competent person can manage the remaining risks or impacts, should they occur.

(c) The department can take possession of the mine's assets and use the financial provision accumulated throughout the life of the mine to clean up operations and to remediate environmental damage.

(2) No exemption is provided in any circumstances.

*53. Prince N E ZULU (IFP) asked the Minister of Labour. [Question standing over.]

Amalungiselelo okuqinisekisa unxibelelwano phakathi kwe EPWP

*76. Mnu F BHENGU (ANC) ubuza uMphathiswa weMisebenzi yoLuntu:

Malungiselelo mani awenziweyo nazicwangciso zini ezenziweyo lisebe lakhe ukuqinisekisa unxibelelwano olusebenzayo kwisebe lakhe, namanye amasebe karhulumente kunye nabo bonke ababandakanyekayo kwiNkqubo Yemisebenzi Yoluntu Enatyisiweyo ukuzama ukwandisa impumelelo yalenkqubo kunye nokuqinisekisa utyalo lwemisebenzi? N1180X

(English translation follows):

[Plans to ensure effective communication/liason between role-players in EPWP

*76. Mr F BHENGU (ANC) asked the Minister of Public Works:

What arrangements have been made and what plans have been put in place by her department to ensure effective communication and liaison between her department, other departments in all spheres of government and all the relevant role-players in the Expanded Public Works Programme in order to maximise the success of the programme and ensure even distribution of work? N1180E]

The MINISTER OF PUBLIC WORKS:

At the national level, an EPWP Directors-General Steering Committee is in place and meets monthly. Representatives of the Presidency and the Departments of Public Works, Environmental Affairs and Tourism, Labour,

National Treasury, Social Development, Trade and Industry, SALGA, and the Development Bank sit on the committee. The role of the committee is to provide for overall co-ordination and monitoring of the implementation of the EPWP.

There is also a sectoral co-ordinating committee for each of the four sectors of the EPWP, ie the infrastructure, environment, social and economic sectors. These committees are led by the Departments of Public Works, Environmental Affairs and Tourism, Social Development, and Trade and Industry respectively, and include representatives of the relevant departments working in each of the sectors.

Another committee focused specifically on EPWP training is also in place and meeting monthly. It is led by the Department of Labour, with representation of the Departments of Public Works, Social Development, Trade and Industry and Environmental Affairs and Tourism, and the relevant SETAs. This committee is co-ordinating and monitoring the implementation of training related to EPWP programmes.

A quarterly EPWP programme managers' forum has also been established, with the aim of enabling managers of specific EPWP programmes, such as Working for Water and Land Care, to share experiences and raise issues of concern that need to be addressed.

Each province has established an EPWP steering committee, with the aim of co-ordinating and driving the implementation of the EPWP by the relevant provincial government departments. These provincial committees meet regularly and a representative of national DPW sits on each of these committees.

As far as EPWP projects involving municipal infrastructure are concerned, DPW is working very closely with dplg to engage with municipalities. dplg is engaging frequently with municipalities to co-ordinate and monitor the implementation of the Municipal Infrastructure Grant (MIG). Officials from DPW participate in these engagements, and provide inputs focused on implementing MIG-funded projects in terms of the EPWP.

DPW is also participating in an EPWP reference group which has been established by the SA Cities Network, involving the nine largest cities in the country.

*65. Adv A H GAUM (NNP) — Public Works. [Removed]

Measures to ensure SA enhances potential of being major tourist destination

*77. Ms E THABETHE (ANC) asked the Minister of Environmental Affairs and Tourism:

> In light of the important role of tourism in boosting the economy and alleviating poverty through job creation, what measures have been put in place by his department to ensure that South Africa enhances its potential of being a major tourist destination? N1181E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

Amongst the measures that have been put into place is the launch and roll-out of our new global marketing brand; the new domestic tourism campaign; the appointment of the tourism BEE Scorecard Steering Committee; the completion of Phase 1 of the Tourism Competitiveness Study; the funding of the Tourism Enterprise Programme until 2007; the expansion of our voluntary Star Grading System both to more accommodation amenities and to other tourism facilities; the hosting of the Third Annual Tourism Conference focusing on Tourism Gearing up for 2010; the addition of a further 66 000 hectares of new land to our National Parks; the proclamation and opening of new national parks like the Blyde River Canyon and Mapungubwe; as well as the next steps towards the expansion of our transfrontier conservation areas.

Reassessment of total 4x4 vehicle ban on SA's beaches

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

(1) Whether he intends reassessing the total 4x4 vehicle ban on South Africa's beaches in view of various research papers and requests from concerned organisations, including those involved with tourism; if not, why not; if so, (a) what factors will be taken into consideration as part of this reassessment and (b) when will this reassessment be done;

(2) whether interested parties will be allowed to participate in this process; if not, why not; if so, what are the relevant details? N1194E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) There is not a total ban on 4x4 vehicle use in the coastal zone, but rather controlled access. The present regulations will be amended by year-end subsequent to a significant consultation process which has already been concluded.

(2) Interested parties have already participated in the consultation process in terms of the Promotion of Administrative Justice Act when the draft amendment regulations were published for public comment in April 2004.

Cause of fire in Northern Platinum mine

*66. Ms N F MATHIBELA (ANC) asked the Minister of Minerals and Energy:

(1) Whether the cause of the fire in the Northern Platinum mine that killed nine mineworkers has been established; if so, what was the cause;

(2) whether her department has taken or intends taking any steps to ensure that such accidents are prevented or to reduce the incidence of accidents in the platinum mines; if not, why not; if so, what steps?

N1170E

The MINISTER OF MINERALS AND ENERGY:

(1) Provisionally, yes. At the inspection *in loco* it was observed that the bearing/s on the tension carriage have failed causing them to overheat and the conveyor belt caught alight. The investigation is still in progress and is currently awaiting the expert report on the performance of the bearings and the characteristics of the belt from the CSIR. More detail will be available from this investigation report.

(2) Yes, steps have been taken and more instructions are likely to be issued to all mines once the investigation report has been completed. Instructions have been issued to date for mines to re-assess conditions related to the following (listed below). Mines have also been instructed to report to the regional offices where similiar working conditions that at Northam exist, in order to do inspections.

Refuge chambers
Provision of second outlets
Emergency procedures
Self-contained self-rescuers
Ventilation
Conveyor belt slip detectors
Trackless equipment
Electrical installations
Identification of hazards and introduction of precautionary measures on mines where similar working conditions exist
Appropriateness of available fire extinguishers
Overheat sensors on bearings
Early fire detectors

Number of Seta learnerships created *re* all Setas

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

(1) What was the total (a) forecast and (b) actual number of Seta learnerships created in respect of all Setas in the latest specified financial year for which information is available;

(2) whether, in light of the latest estimate of Statistics SA that there are 8,4 million unemployed people in South Africa, it has been found that the Government's skills and development policy is making a significant contribution to addressing South Africa's skills deficit and reducing unemployment to meet the targets of the Growth and Development Summit; if not, (a) why not and (b) what further steps will be taken to meet these targets; if so, what factors were taken into consideration in reaching this conclusion? N1186E

The MINISTER OF LABOUR:

(1) (a) In the National Skills Development Strategy 2001 to 2005, that I launched in February 2001, our proposed target was to have by March 2005, learnerships available to workers in every sector and that precise targets were to be agreed with each Seta. We did not set annual targets for learnership programmes.

(b) The total number of learnership programmes registered by all Setas by end of March 2004 was 666 and of these, 335 already had active learners engaged in these programmes. A detailed breakdown of these learnerships is available on the Department of Labour web site.

(2) I did address your question regarding levels of unemployment on 27 Augsut 2004 in detail and would only confine myself to addressing unemployment challenges:

(a) Already the numerical GDS target has been met, and we are well on track to exceed the National Skills Development Strategy target of 80 000 set for March 2005.

(b) I have already made available R700 million additional resources under the National Skills Fund to those Setas that have committed themselves to achieve and/or exceed the agreed targets. In addition we have also made available R260 million under the National Skills Fund for post and undergraduate bursaries in support of studies in areas of scarce skills. I am on the verge of setting new targets, for a second National Skills Development Strategy, and will be launching it in February next year which will certainly stretch our contribution to building the skills base in our country. Skills development is but one element of the broader strategy to reduce unemployment and I am committed that our skills development strategy is actively supporting these other strategies.

Reasons for EU extending ban on import of SA ostrich meat

*61. Ms E CHANG (IFP) asked the Minister for Agriculture and Land Affairs:

(1) What are the reasons for the European Union (EU) extending its ban on the import of ostrich meat from South Africa from 1 January 2005 to 31 March 2005;

(2) whether any talks have been or will be conducted with the EU in order to try to avert the extension of the ban; if not, why not; if so, what are the relevant details;

(3) (a) how many jobs have been lost as

a result of the ban, and (b) what financial impact has the ban had on the industry;

(4) whether it is anticipated that the extension of the ban will lead to additional job and revenue losses in the industry; if not, what is the position in this regard; if so, what are the relevant details?

N1164E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) The EU is not extending a ban on the import of meat from South Africa. This means it is a misinterpretation of the facts by the Ostrich Industry. The EU is following the OIE (Office International Epizootes) animal health code. The length of the ban on the exports of ostrich products from South Africa by the EU is determined by how fast all cases of Avian Influenza (AI) in South Africa are detected and destroyed. The first date, 1 January 2005, was used at a stage when the Department of Agriculture in South Africa was aware of only two farms on which AI occurred. Since then, ten ostrich farms were to be positive for AI in the Blue Crane Route Municipality Area near Somerset East and three farms were found to be positive in the Grahamstown Municipality Area in the Eastern Cape Province.

(2) The EU has already been contacted on the matter by the Department of Agriculture. The EU is following the OIE animal health code and as soon as we are sure that there are no cases, we will inform the EU as agreed. We will negotiate with the EU as soon as:

- The necessary guarantees can be supplied by the Department of Agriculture that Highly Pathogenic Avian Influenza (HPAI) in ostriches has been eradicated in South Africa;
- The 21 days disinfection period as prescribed in the Animal Disease Code of the OIE has been completed;
- The countrywide national survey for HPAI in ostriches and other poultry has been completed; and
- No new cases of Avian Influenza have been found.

(3) The impact on the ostrich industry is dependent on the duration of the outbreak. The manager of the South African Ostrich Business Chamber claims in a fax message to the Director-General of the Department of Agriculture that, should the ostrich industry in South Africa collapse, at least 60 000 people will be affected. We have not verified these figures.

(4) No information on this matter can be supplied by the Department of Agriculture at this stage. The South African Ostrich Business Chamber might be able to supply more information.

Reports on implementation of CASP from provincial departments to monitor progress

*68. Mr N H MASHITELA (ANC) asked the Minister for Agriculture and Land Affairs:

(1) Whether the Department of Agriculture, while taking cognisance of Schedule 4 to the Constitution, will receive regular reports on the implementation of the Comprehensive Agriculture Support Programme (CASP) from provincial departments so as to monitor progress; if not, what is the position in this regard; if so, what criteria will the department use to measure progress;

(2) whether the department intends putting any mechanisms in place to ensure that provincial departments of

agriculture utilise all the funds allocated to CASP; if not, why not; if so, what mechanisms? N1172E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) The Department of Agriculture has formats for monthly and quarterly reports as prescribed by section 14(4) of the Division of Revenue Act (Act 5 of 2005). The reports are received from all the provincial co-ordinators on the 15th of every month for co-ordination and submission to the National Treasury on the 20th. Provinces also report to the 10x10 that is a sectoral committee for agriculture and National Treasury and to the ITCA and Minmec.

(2) The Department of Agriculture has a CASP project management unit (PMU) that monitors progress on implementation. This PMU works with the national chasers appointed to monitor spending of the funds. If provinces do not spend the allocated funds, section 21(c) of DORA 2004 stipulates that the department is allowed to delay the transfer of funds for a period of 30 days to ensure compliance. If there is further persistence of noncompliance, section 22 of DORA stipulates that the funds can be withheld until the department determines compliance. To ensure compliance, the department plans provincial visits to meet with the heads of departments, chief financial officers and provincial co-ordinators during the latter half of October and early November 2004.

BEE fronting occurring in tender procurement applications

*58. Mr A HARDING (ID) asked the Minister of Trade and Industry:

Whether it has been found that black economic empowerment (BEE) fronting is occurring in tender procurement applications; if so, what is (a) his department doing to address the matter and (b) being planned to discourage such activities? N1057E

The MINISTER OF TRADE AND INDUSTRY:

Although there are no accurate statistics on the prevalence of fronting, the department is conscious of the fact that there is a growing concern about this practice (within the state).

(a) The regulations of the Preferential Procurement Policy Framework Act make provision for the application of penalties should it be discovered that a contractor has obtained the contract on a fraudulent basis; this includes fronting. The penalty includes cancelling the contract, a claim for damages, and the imposition of a financial penalty more severe than the theoretical financial preference associated with the fraudulent claim that was made in the tender. The contractor and its shareholders, or the persons purported to be shareholders, are then restricted (blacklisted) from doing business with government for a period not exceeding ten years.

The list of restricted suppliers is managed and maintained by National Treasury's Office of Supply Chain Management. The National Treasury procurement guidelines to government departments require that departments must ensure that neither the recommended bidder nor any of the directors are listed as companies/directors/persons restricted to do business with the public sector. The status of the companies tendering for government business has to be verified through an audit before awarding a contract.

The verification/audit process prior to award includes checking the shareholding status at the registry of companies and where suspicious, physical

inspection of the company and the audit of the shareholding is conducted, either by the DTI or the relevant government department.

In addition, the Anticorruption Act empowers the court of law to rule that the contractor has committed a criminal offence in relation to tenders, and be listed on a register for tender defaulters for restriction from conducting business with the public sector for a period of not less than five years and not more than ten years.

(b) The Codes of Good Practice on Broad-based Black Economic Empowerment will give further definition to the concept "fronting". Guidelines will be developed on how to detect fronting and on how to restrain it through the process of the codes of good practice.

Publication of Financial Services Sector Charter

*70. Mr B A MNGUNI (ANC) asked the Minister of Finance:

(1) Whether the Financial Services Sector Charter is ready to be published in the *Gazette* and promoted by the Government, as envisaged in section 9 of the Broad-Based Black Economic Empowerment Act (Act 53 of 2003); if not, what remains to be concluded;

(2) (a) when is it anticipated that the council of the Financial Services Sector Charter will become operational and (b) what role does the Government intend playing on the council? N1174E

The MINISTER OF FINANCE:

(1) The Financial Sector Charter has not yet been published in the *Gazette*. The National Treasury has undertaken a holistic approach to the gazetting process. There are currently various issues around the charter targets that are still under discussion. It would therefore be premature to publish the charter while there are still outstanding issues. These include empowerment financing and employment equity targets.

The scorecard of the charter will be published in the *Gazette* as a code of good practice in terms of section 9 of the Broad-Based Black Economic Empowerment Act of 2003 (BEE Act), and the charter as a transformation charter in terms of section 12 of the BEE Act.

(2) (a) The Financial Sector Charter Council had its inaugural meeting on 14 October 2004 at the National Treasury. I chaired this inaugural meeting. The council is composed of 21 members with the following representation: six from industry bodies; three from the Association of Black Securities and Investment Professionals (ABSIP); and four members each from community, labour and government. The council is currently working on a constitution that will guide the operations of the council.

(b) There are four representatives from government on the council, that is, one from the Presidency, 1 from the Department of Trade and Industry and two from the National Treasury. Government's role is to ensure that decisions made are in line with government's overall black economic empowerment strategy and government's objective of extending access to financial services to the broader community.

Taxi Recapitalisation Scheme: escalating costs

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

Whether, in light of the delay in implementing the Taxi Recapitalisation

Scheme, he has considered scrapping or revising the original plan because of escalating costs and affordability; if not, (a) what progress is being made with the scheme and (b) what are the (i) latest target dates for, and (ii) estimated cost of, implementing the scheme; if so, (aa) what other proposals are being considered for subsidising the taxi industry and (bb) what are the implications of implementing such changes? N1188E

The MINISTER OF TRANSPORT:

(a) and (b) (i) and (ii)

The taxi recapitalisation tender evaluation process had been concluded and the finalisation of this important exercise has highlighted the affordability issues facing both Government and the taxi industry. The report on the outcome of the evaluation process is currently before Cabinet for consideration. However, Government is not considering scrapping the taxi recapitalisation programme. In fact the need for the replacement of the current taxi fleet has grown even more urgent. The implementation of the taxi recapitalisation programme will be managed along the new policy review for public transport that the department is currently involved with. The central feature of the public transport policy review is aimed at public transport modal integration that will see more consolidation of the public transport system. Included in this review is the need to start introducing the taxi industry into the broader formal public transport arena. The department still intends managing the taxi recapitalisation programme within the Cabinet approved budget, taking into cognisance the escalation from the period of project approval to project inception in 2005. The department is considering the involvement of the taxi industry participating in the subsidised public transport regime, based on modal efficiencies. The targeted dates for the roll-out of the taxi recapitalisation programme is scheduled to commence with the putting in place of the necessary institutional arrangements and logistics for proper law enforcement and regulation during the year 2005.

Policy on ownership of major commercial banks in SA

*71. Mr K A MOLOTO (ANC) asked the Minister of Finance:

(1) What is the official policy on the ownership of the major commercial banks in South Africa;

(2) whether this policy is currently under review; if not, why not; if so, (a) what are the relevant details and (b) how does the Government intend ensuring that any CHANGe in the policy does not negatively affect efforts to transform the financial sector and to increase access to affordable services by low-income people? N1175E

The MINISTER OF FINANCE:

(1) The current policy is a four-pillar model. This policy is informed by the view that four major banks is the minimum number necessary to ensure a certain level of competition in the market. This policy was formulated in response to the proposed merger of Nedcor and Stanbic in 2000, at a time when all the major banks were locally-owned. As such, the four-pillar model referred to a minimum of four domestic banks.

(2) The four-pillar policy remains. However, Government will give consideration to reviewing its policy on the ownership of the four pillars in the light of changing circumstances. The Minister of Finance will take into account all the costs and benefits of foreign ownership in arriving at a policy position. Such a policy position will be guided by what is in the best interest of South Africa. This includes ensuring a contin-

ued commitment to transformation and improved access to affordable financial services for low-income people. Compliance with the empowerment and access targets of the Financial Sector Charter would be a minimum requirement in this regard.

Investigation into holders of commercial line-fishing permits

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

(1) Whether his department has undertaken an investigation into all persons or organisations issued with commercial line-fishing permits to confirm that the criteria for the granting of such permits were being correctly adhered to; if not, (a) why not and (b) how does his department ascertain that no irregularities have taken place; if so, what were the findings of such investigation;

(2) whether any recipients of such permits were found to have defaulted on the terms of the permit; if so, what action was taken against them;

(3) whether any commercial line-fishermen who received permits had been issued with forms in terms of section 28 of the Marine Living Resources Act, Act 18 of 1998, as amended; if so, how many;

(4) whether those found guilty of breaching the criteria laid down in these permits will be considered for permits in the future; if so, why? N1189E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) No.

(a) Investigations are undertaken only if a complaint determined to have merit is lodged with the department.

(b) Ten complaints lodged have resulted in the revocation of ten rights to date.

(2) One right holder who breached his permit conditions on three separate occasions has had his right revoked.

(3) 178.

(4) This will only be determined once the policy for long-term rights for this fishery has been finalised in consultation with stakeholders.

Tracking system to monitor GM foods used in SA for animal/human consumption

*47. Dr R RABINOWITZ (IFP) asked the Minister for Agriculture and Land Affairs:

Whether any tracking system exists for the monitoring of genetically modified foods used in South Africa for animal and human consumption; if not, why not; if so, (a) what method is used to identify GM products in animal and human food from local or international sources, (b) where is such identification done, (c) how are records kept of the source of these foods and their point of sale or consumption and (d) what are the relevant details with regard to (i) labelling and (ii) other methods currently used to inform the public of the presence of GM products in animal and human food? N690E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) No, there is no tracking system currently as all modified crops imported or planted in South Africa have been determine to be safe prior to planting or importing. To date, permits issued have been for genetically modified crops, not food. However, each event has been determined to be safe for use as food or feed products. All activities with genetically modified organisms, includ-

ing the products, ie food, derived from GMO's are regulated under the Genetically Modified Organisms Act, 1997 (Act No 15 of 1997). Before any GM foods in South Africa can be made available for human and animal consumption, the GM foods must have been approved for use as food and feed.

(a) To identify GM products in human food and animal feed, one must be able to detect the GM material, ie protein or DNA these products. Methods available to detect proteins or DNA are ELISA (enzyme-linked immunosorbent assay) and PCR (polymerase chain reaction) testing.

(b) The CSIR (Council for Scientific and Industrial Research) and the ARC (Agricultural Research Council).

(c) All products derived from GM crops available in SA have been approved as being as safe as conventional foods, and may therefore be sold and consumed anywhere in SA. Records pertaining to the source of any GMO in SA, including GMOs imported or locally authorised for commercial use, are kept with Department of Agriculture.

(d) (i) The Department of Health published regulations governing the labelling of foodstuff obtained through certain techniques of genetic modification, in terms of the Foodstuffs, Cosmetics and Disinfectant Act, 1972 (Act No 54 of 1972), on 16 January 2004 (*Government Gazette* Notice R. 25 of 2004). These regulations provides or mandatory and voluntary labelling options in accordance with specific conditions. (ii) The public is also informed with regard to the presence of GM products on the market through the public understanding of biotechnology programme.

Metrorail discontinuing commuter trains in Cape Town

*73. Ms L N MOSS (ANC) asked the Minister of Transport:

(1) Whether Metrorail has discontinued any commuter trains in Cape Town as a result of the recent rescheduling of the train timetables; if so, (a) how many and (b) what are the reasons for these cut-backs;

(2) whether his department intends taking any steps to remedy the current situation; if not, why not; if so, what steps? N1177E

The MINISTER OF TRANSPORT:

(1) (a) Metrorail has indeed discontinued commuter trains in Cape Town, the number of which can be quantified as follows:

Required train sets*	86
Current scheduled train sets	78
Discontinued train sets	8

*A train set according to the norm is the configuration of 12 coaches (three motor coaches and nine plain trailers).

(b) The reasons for the cut-backs emanate from the condition of the rolling stock, which, in its life cycle, has reached a stage which compromises the safety of commuter aspects of rail service, and inevitably calls for it to be overhauled, hence a programme for general overhaul that has been instituted by the department in consultation with Metrorail. This programme requires that coaches in the age of 12 years and above be

instantly removed from the service and be taken through the overhaul process.

(2) In order to alleviate the negative impact of the Rolling Stock General Overhaul Programme backlog on the service reliability, the department has instructed the Chief Executive Officers of the South African Rail Commuter Corporation (SARCC) and Metrorail to develop a strategic plan to address the current situation covering the intermediate, short, medium and long-term. To date the following actions have been taken:

- An amount of R768,336 million has been set aside for the general overhaul programme to improve the required availability of coaches.
- A decision in consultation with commuter rail forums has been taken to align the service provided to the available good condition rolling stock so as to provide a more predictable service.
- The regions are currently taking stock of the available train sets that can be utilised more predictably within the service. Once this exercise has been concluded a new train schedule will be introduced based on the available fleet. Commuters will then be informed accordingly to allow them opportunity to revise their travelling patterns to fit in with the new schedules.
- Whilst the above is being done, coaches that are above twelve years old are being removed and taken to suppliers (suppliers who are requested to utilise their full capacity) to refurbish it according to a predetermined programme with clear delivery milestones.
- Refurbished coaches will be taken back to service as they become available and this will be communicated to commuters before the coaches are deployed back to attain the ideal required service level.
- A Service Review Communication Campaign that covers all the steps outlined above to improve the services will be dealt with by the SARCC and Metrorail through relevant media to various parties of interest, in particular commuters, with effect on an *ad hoc* basis.

Nasionale/provinsiale regerings op koers met grondhervorming

*64. Adv A H GAUM (NNP) vra die Minister vir Landbou en Grondsake:

Of die nasionale en provinsiale regerings op koers is met grondhervorming; so nie, waarom nie; so ja, (a) wat die tersaaklike besonderhede in elke geval is en (b) wat die Regering se oogmerke en plan van aksie in dié verband oor die kort, medium en lang termyn is? N1168A

(English translation follows):

[National/provincial governments on course with land reform

*64. Adv A H GAUM (NNP) asked the Minister for Agriculture and Land Affairs:

Whether the national and provincial governments are on course with land reform; if not, why not; if so, (a) what are the relevant details in each case and (b) what are the Government's objectives and plan of action in this regard in the short, medium and long term? N1168E]

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

Yes, national and provincial government departments are on course with land reform.

(a) The Department of Land Affairs (DLA) and various national and provincial government departments are jointly re-

sponsible for some of the land reform programmes. In addition these spheres of Government form part of certain task teams put in place by the Department of Land Affairs (DLA) to ensure participation by all stakeholders.

The tenure programme is primarily focused on securing the land rights of people living in communal areas without registered rights and with people living in farming areas without tenure security. The department led the drafting of and moved through Parliament the Communal Land Rights Act, which was signed by the President in July this year. Once the effective date of the Act is declared by the President the Provincial Land Reform Offices will take the lead in ensuring that institutional links with other provincial government departments are in place.

The department is also responsible for ensuring that people living in rural areas, primarily on farms, have protection against arbitrary and illegal evictions and access to secure tenure. The department is on course in its plans to deliver to Parliament amendments to the Extension of Security of Tenure Act (Act 62 of 1997) and the Land Reform (Labour Tenants) Act (Act 3 of 1996) next year.

The Land Redistribution for Agricultural Development sub-programme is a joint programme between the Department of Agriculture (DoA) and the Department of Land Affairs (DLA).

The national Department of Agriculture through the newly established Comprehensive Support Packages has transferred grants to Provincial Departments of Agriculture to provide support to beneficiaries with regard to production, marketing, infrastructure and training and capacity building.

(b) The primary objectives and plan of action of the aforementioned land reform programmes are:

Short Term

— To develop and finalise a collaborative implementation strategy for land reform.

— To finalise the consolidation of the Extension of Security of Tenure Act (Act 62 of 1997) (ESTA) and the Land Reform (Labour Tenants) Act (Act 3 of 1996) (LTA).

— To review the existing commonage and farm equity scheme programmes.

— To finalise the fiscal and economic analysis of land and agrarian reform to implement the LRAD Review recommendations.

— To design a roll-out plan for the land reform implementation strategy.

Medium Term

— To monitor implementation of the Communal Land Rights Act (Act 11 of 2004) and make adjustments to the legislation, regulations and the systems and procedures. To strengthen the capacity of the DLA to properly implement the legislation. To provide tenure security to people living in communal areas through legal registration of those rights.

— To strengthen the capacity of the DLA to implement the Consolidated ESTA and LTA so that the rights of farm dwellers are adequately protected with the new legislation.

Long Term

— Through provision of legally secure tenure in terms of the Communal Land Rights Act (Act 11 of 2004), to provide incentives for investment and economic growth in communal areas.

— To ensure that farm dwellers have tenure security and access to productive land.

— To ensure that 30% of white-owned agricultural land is redistributed by 2015.

Workers/students in SA relying on walking/nonmotorised transport

*74. Mr O M MOGALE (ANC) asked the Minister of Transport:

(a) How many workers and students in South Africa are estimated to rely entirely on walking or on nonmotorised transport to get to their places of work and study and (b) what programmes are envisaged to more adequately meet the needs of pedestrians and cyclists? N1178E

The MINISTER OF TRANSPORT:

(a) Approximately 2,35 million workers (23,8% of the 9,85 million workers) who travel are estimated to utilise nonmotorised modes. This includes 2,26 million workers who walk. Nonmotorised travel to work (mostly walking) is dominant in rural areas — over 52% of rural workers. It is substantial in the nonmetropolitan urban areas (26% of workers) and is also evident in the metropolitan municipalities at 9% of workers (over 400 000). Over 40% of workers in the Northern Cape, Free State and Limpopo use nonmotorised modes to work.

With regard to students, 76% (12 million) of the 15,7 million learners walk to places of study. 91% of rural learners walk, compared to 55% of metropolitan learners. Broken down by educational institution, 68% of the 1,5 million pre-school learners walk, 83% of the 8,3 million primary school learners walk, and 75% of the 5,2 million high school learners walk. This drops to 17% of the 620 000 post-matric learners who walk.

From the above it is evident that nonmotorised transport (especially walking) plays an important role in South Africa. Nearly 15 million learners and workers use nonmotorised modes on a regular basis. In contrast, 4,6 million people use a car to work and places of education (3,2 million workers and 1,4 million learners).

(b) The Department of Transport's (DOT) programmes dealing with the needs of pedestrians and cyclists include the pedestrian elements of the Road to Safety Strategy and Arrive Alive and the Shova Kalula Bicycle Programme. The Shova Kalula Bicycle Programme is a bicycle pilot project aimed at promoting cycling in the needy areas in all the provinces. The main beneficiaries to this project are students. The forthcoming rural transport strategy also prioritises nonmotorised transport. Our passenger transport policy is beginning to recognise the importance of nonmotorised transport.

Establishment of corruption hotline in department

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

Whether, with reference to his reply to Question 431 on 29 September 2004 and in light of the fact that officials who blow the whistle on corruption are more likely to lose their jobs than the officials accused of corruption, the establishment of a corruption hotline will, in his assessment, be adequate to prevent corruption in his department; if not, what additional measures does he intend implementing to ensure that no improper incentives are given to departmental officials; if so, (a) what factors did he take into consideration in reaching this conclusion, (b) how many substantiated calls has his department

received on the corruption hotline, (c) how many officials have been suspended pending enquiries as a result of these tip-offs and (d) in respect of what date is this information given? N1190E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

No single intervention or series of interventions will ever fully prevent the possibility of corruption. The establishment of the "tip-off" reporting hotline facility since March 2002 has however helped the department to address and to curb corruption and unacceptable behaviour.

The hon member's generalisation about dismissals is fallacious as the hotline facility established by the department provides callers (i e whistle blowers) with the opportunity to either withhold or to reveal their identities willingly. To date no person within the department has lost his/her job as a result of "blowing the whistle".

(a) The "tip-off" reporting hotline facility is independently managed by a third party service provider. The location of their offices is both remote and secured. The facility affords the callers anonymity, and confidentiality is guaranteed. The Whistle Blowing Act is also implemented to the letter.

(b) A total of 235 calls have been received since 1 April 2004 — 100 of which have been deemed necessary to forward to the department for further action.

(c) 0.

(d) 1 April 2004 to date.

Kugcinwa kwemazinga lemukelekile ekuvikeleka/etempilo lekahle emakhaya asePhalamende

*79. Ms P S SEKGOBELA (ANC) utawubuta iNdvuna Yetemisebenti Yemphakatsi:

Kungabe ikhona yini imibandzela lemiswe litiko lakhe lekuciniseksa kutsi ayagcinwa emazinga lemukelekile ekuvikeleka, etemphilo lekahle, nekuhleleka kahle kwebantfu kulamakhaya asePhalamende; nakute, kwentiwa yini; natikhona, tintfo tini? N1183siSw

(English translation follows):

[Maintenance of acceptable levels of security/hygiene/public order in parliamentary villages

*79. Ms P S SEKGOBELA (ANC) asked the Minister of Public Works:

Whether any measures have been put in place by her department to ensure the maintenance of acceptable levels of security, hygiene and public order in the parliamentary villages; if not, why not; if so, what measures? N1183E]

The MINISTER OF PUBLIC WORKS:

Levels of security have indeed been put in place by my department and the following has been achieved:

Part A: Security

— Installation of a new perimeter fence together with the upgrading of security lights along the perimeter fence has been completed.

— The installation of a razor-wire on top of the perimeter fence has also been completed.

— Seven CCTV cameras have been installed at the main gate of the village.

— An intruder alarm system has been installed to all units.

— The project for the installation of burglar bars is in progress and will be finalised by the end of October 2004.

— The department is issuing access cards to all dependants residing with the legal tenants at the village.

Part B: Measures in place for hygiene

For gardening the following is in place and the frequencies may vary according to the size of the village:

(1) Mowing and trimming — weekly

(2) beds clean — daily and as and when required

(3) pool maintenance — weekly (samples of water taken and corrective action taken weekly)

(4)i Irrigating — as and when required

(5) weed and pest control — weekly, as and when required

(6) pruning and thinning out — as and when required

(7) composting — as and when required

(8) fertilising — as and when required

(9) raking and sweeping — daily

(10) garden refuse removal — weekly minimum.

(11) upgrading — winter

(12) littering is picked up — daily.

Domestic cleaning is the responsibility of the occupant. Upon request however, an intense deep cleaning is instituted.

Deep cleaning consists of cleaning interior building fabric (carpets, tiles, baths, etc), appliances and windows.

Domestic cleaning of public areas (community hall) is done per ad hoc request.

Domestic refuse is collected per fixed schedule, ie it varies from once to twice a week depending on the size of the park. Additional refuse removal is implemented when required.

Part C: Public order

In terms of the Parliamentary Villages Rules, Conditions and General Information paragraph 2.19 and paragraph 4 (which is attached for ease of reference) stipulate that peace and quiet must be observed by all residents after 22:00 on weekdays, Sundays and after midnight on Fridays and Saturdays.

Any resident may complain to the Residence Committee of any contravention of the rules.

The complaint must be in writing and must state

(a) the name and address of the complainant;

(b) the name and address of the person who allegedly contravened the rules, if known;

(c) the date, time, place and nature of the alleged contravention.

The committee must investigate the complaint and if the name of the person who allegedly contravened the rules is known, give that person, or if the person is a minor, the parents or legal guardian, an opportunity to respond to the allegation, and thereafter the parliamentary villages rules and general conditions of stay will apply.

Assistance to certain companies to meet Government's equity targets

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

(1) Whether the intended prosecution by his department of eight KwaZulu-Natal companies (names furnished) for alleged violation of the Employment Equity Act (Act 55 of 1998) will assist in meeting the Government's equity targets; if not, what does his department intend achieving through this prosecution; if so, what factors were taken into consideration in reaching this conclusion;

(2) whether the punitive impact of a probable fine of R500 000 for each company on each company's ability to create jobs and develop skills has been taken into consideration; if not, why not; if so, why are jobs and skills training considered to be of less value in these cases;

(3) whether, prior to pursuing prosecution, consideration was given to any

alternative ways of encouraging entities to improve their employment equity in a way which also reduces unemployment and improves employees' skills; if not, why not; if so, why were these options disregarded in favour of his department's current course of action? N1191E

The MINISTER OF LABOUR:

(1) It will assist in meeting the employer's employment equity targets, and improve interaction between the employer and employees in the workplace. This prosecution will maximise compliance with the legislation, thereby promoting equity in the workplace.

The department considered the employers' continued noncompliance after it had secured written undertakings from the employers in question and progress made by employers of the same size in the same region. It is also imperative to highlight that the department has an administrative obligation to ensure compliance with all legislation under its supervision. The action is, therefore, as a consequence of not complying with the Act

(2) The punitive impact of a probable fine was, through the consultation process, taken into consideration when the Act was due to be promulgated.

At this stage we should concern ourselves with whether employers are implementing employment equity and what are the benefits of complying or the challenges they are facing. The punitive fine will not render any employer incapable of creating jobs and improving employees' skills because employment equity takes into account issues of training and skills development in order to advance employees from I1 om designated groups.

The enforcement process gives the employer enough time to comply. The initial step in enforcement is advocacy. The second step in the process is securing a written undertaking from the employer (inspectors negotiate a reasonable time-frame within which they can comply). The third step entails serving a compliance order (of which the employer has a right to object). If noncompliance persists, the inspector can apply to the Labour Court for the order to be made an order of the Labour Court. The Labour Court will then decide on the appropriate fine. The enforcement process is thus sustaining the employers' ability to create jobs and improve employees' skills by ensuring that employers discharge the statutory responsibility, which fosters the development of skills and job creation through the implementation of the Skills Development Act.

(3) Yes, employers were encouraged to improve employment equity through advocacy, written undertakings and compliance orders (which allow them time of not less than two months to correct the situation). When securing a written undertaking, the department's inspectors negotiate the time-frame with the employer who indicates the reasonable time within which the employer will comply. The Act also allows employers to object to the compliance order.

Reasons for proposal to allow hunting of ten black rhino per year

*62. Ms C N ZIKALALA (IFP) asked the Minister of Environmental Affairs and Tourism:

Whether the recent lifting of the global ban on the hunting of black rhino is an indication that this animal, which was once on the brink of extinction, is now out of danger; if not, (a) what were the reasons for South Africa's proposal to allow ten of these animals to be hunted per year and (b) what method was used in

deciding on the number of black rhino to be hunted per year; if so, what are the relevant details? N1165E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

No, although the southern central black rhino (*Diceros bicornis minor*) is no longer on the brink of extinction, it is still considered vulnerable.

(a) South Africa amended its proposal at the thirteenth meeting of the Conference of Parties (CoP) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Cites) from ten male black rhino to five male black rhino, in line with the proposal submitted by Namibia.

The South African proposal aimed to address a specific management problem relating to excess male black rhino and to address the ratio of male to female black rhino, so that breeding rates can increase.

(b) The data used to determine the number of black rhino that can be removed per annum was:

- The population estimate for black rhino in South Africa is 1 200.
- The population has increased at a rate of 6,7% per annum since 1990.
- 1% of the current population (1 200) equates to twelve animals.
- The removal of less than 1% of the population will not have a negative impact on the population growth.
- The proposal adopted by the thirteenth CoP to Cites was for five male black rhino and that equates to the removal of less than 0,5% of the population.

Steps to clamp down on unregistered labour brokers who do not comply with labour legislation

*57. Ms F BATYI (ID) asked the Minister of Labour:

Whether his department has taken or intends taking any steps to clamp down on unregistered labour brokers who do not comply with labour legislation relating to contracts, unfair working conditions and late payment or nonpayment; if not, why not; if so, what steps? N1017E

The MINISTER OF LABOUR:

(1) The Labour Relations Act (No 66 of 1995) replaced the term "labour brokers" with "temporary employment services" and discarded the requirement for labour brokers to register as temporary employment services with the Department of Labour.

Section 198 of the Labour Relations Act, 1995, defines "temporary employment services" and specifies that the temporary employment service is regarded as the employer of the persons it procured for a client. Also, the temporary employment service and the client are jointly and severally liable if the temporary employment service, in respect of its employees, contravenes terms and conditions of employment regulated by a collective agreement concluded in a Bargaining Council, a binding arbitration award the Basic Conditions of Employment Act (No. 75 of 1997) or a determination made in terms of the Wage Act (No. 5 of 1957).

The Department of Labour regards all temporary employment services as any other employer, and therefore liable to comply with our labour laws.

The Department of Labour is "clamping down" on noncomplying employers — including temporary employment services — through the enforcement of our various labour laws, to ensure compliance. I am happy to announce that my department has already had successes in bringing culprits to book.

The Department of Labour also assists big companies who utilise the services of a temporary employment service to ensure that such temporary employment service complies fully with our labour laws. The department has already secured voluntary commitment from organisations such as Eskom, Sasol, Platinum Mines and Phalaborwa Mining Company.

The Department of Labour is constantly observing trends in the labour market so as to enable itself to respond to and address emerging labour market challenges. In my budget speech in June this year, I touched on the important need to firstly gather accurate information in the labour market and then address the challenges brought about by the changing nature of employment in our labour market environment. My department commissioned a study in collaboration with research institutions to seek such information in order to address challenges of regulation in terms of the current provisions of our laws.

In conclusion, I must emphasise that the Department of Labour will continuously strive to improve the effective implementation of our labour laws in line with current needs and developments in the labour market.

Reduction in/removal of exchange controls

*87. Dr P J RABIE (DA) asked the Minister of Finance:

> Whether any reduction in or the removal of exchange controls can be expected in the foreseeable future; if not, what is the position in this regard; if so, what are the relevant details? N1192E

The MINISTER OF FINANCE:

As stated in the Medium Term Budget Policy Statement on 26 October 2004, Government remains committed to a gradual approach to exchange control liberalisation in line with progress in achieving relevant preconditions such as macroeconomic stability, strengthening of the balance of payments and financial sector development.

In the MTBPS we announced further steps to support the global expansion and international competitiveness of South African companies, including the abolishment of exchange control limits on new outward foreign direct investments by South African corporates and to retain foreign dividends offshore.

We have also seen announcements of imminent inward listings of foreign companies on the JSE Securities Exchange in line with the announcement in the 2004 Budget that foreign companies, governments and institutions may list on South Africa's bond and securities exchanges. This aims to promote foreign investment into South Africa and to support the positioning of South Africa as a regional financial centre better able to cater for the capital raising needs of the continent. To further support these aims, it was announced in the MTBPS that South African private individuals will now be able to invest, without restriction, in inward listed instruments on South African exchanges.

Uitwerking van sekere Appèlhof-uitspraak op grondherstelproses

*88. Mnr A H NEL (DA) vra die Minister vir Landbou en Grondsake:

> (a) Hoe die Appèlhof-uitspraak in die saak van die eiser Nicolaas Mahlangu namens die Litho Ndzundza-gemeenskap die huidige grondherstelproses raak en (b) watter uitwerking dié uitspraak het op artikel 42E van die Wet op die Herstel van Grondregte (Wet 22 van 1994)? N1193A

(English translation follows):

[Effect of certain Appeal Court judgment on land restitution

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

(a) How does the Appeal Court judgment in the case of claimant Nicolaas Mahlangu on behalf of the Litho Ndzundza community affect the current process of land restitution and (b) what effect does this judgment have on section 42E of the Restitution of Land Rights Act (Act 22 of 1994)? N1193E]

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(a) The Supreme Court of Appeal has simply confirmed what has already been held in the "Farjas Judgment", namely that the Commission on the Restitution of Land Rights cannot adjudicate on the validity of claims. This function should and has always been performed by the Land Claims Court. The commission can only determine whether a claimant based on the evidence before it, has a *prima facie* right to restitution of a right in land before it decides on the course of action to be taken.

Should the claimant not be happy with the decision taken by the Regional Land Claims Commissioner concerned, such claimant can take that decision on review. The Supreme Court of Appeal has thus referred this matter back to the Land Claims Court for adjudication on the merits.

(b) This judgment does not have any effect on section 42E of the Restitution of Land Rights Act (22 of 1994), as amended, as expropriation or the acquisition of other land, is not mentioned.

Health assessments done on GM maize/soya crops produced/consumed in SA

*48. Dr R RABINOWITZ (IFP) asked the Minister for Agriculture and Land Affairs:

(1) Whether any health assessments are being done on genetically modified maize and soya crops currently being produced and consumed in South Africa; if not, why not; if so, (a) what tests are performed, (b) how are tests for allergies done and (c) what degree of certainty do these tests provide against possible unintended and unfavourable consequences to health;

(2) whether the impact of novel proteins and introduced genes on ribose nuccleic acids (RNA), prions, gene expression and protein function form part of the health safety assessment; if not, why not; if so, how? N691E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) No, the Department of Agriculture does not conduct health assessments on genetically modified maize and soya crops that are currently being produced and consumed in South Africa, because health assessments are conducted by the Department of Health prior to issuance of any permit.

(a) During the assessment of a GM crop, one compares the molecular, toxicological, nutritional and compositional properties of the GM food to the non-GM counterpart. The assessment focuses on the new gene product(s), including intentional and unintentional effects of genetic modification, and examines any compositional changes, including whether the genetic modification has the potential allergenicity and toxicity of the food.

(b) The novel (new) protein is compared to all known allergens to determine whether there are any similarities between the new protein and the known allergens. The more similar an unknown protein is to an allergenic protein, the more likely it will also cause allergic reaction. Another component of allergenicity analysis is an evaluation of the digestive stability of the introduced protein. This

informs whether the introduced protein is going to be stable or unstable in the digestive tracts of people consuming the protein. This procedure is in accordance with international guidelines of Codex.

(c) The degree of certainty is based on the comparison of the genetically modified crop plants with conventional counterparts, with reference to all possible elements. In addition toxicological tests and feeding studies are conducted to assess any food and feed risks. The food and feed that are currently on the market are as safe as their conventional counterparts.

(2) Yes, the safety assessment includes all possible aspects of the introduction of the new gene and the expressed product. There are several commonly accepted tests available, viz. PCR (polymerase chain reaction), ELISA (enzyme-linked immunosorbent assay), as well as toxicological tests such as those described by the organization for Economic Co-operation and Development (OECD)

Launch of SEDA

*56. Mr A HARDING (ID) asked the Minister of Trade and Industry:

(1) (a) When will the new Small Enterprise Development Agency (Seda) be launched and (b) how will its operating functions differ from other entities such as Khula;

(2) whether there are any cost implications arising from the fact that the Seda is a merger between Ntsika and Namac; if not, what is the position in this regard; if so, what are the relevant details? N1016E

The MINISTER OF TRADE AND INDUSTRY:

(1) (a) The Small Enterprise Development Agency (Seda) will be launched on 13 and 14 December 2004. This is in line with President Mbeki's announcement in the state of the nation address of 21 May 2004.

(b) Seda is a product of the integration of Ntsika and the National Manufacturing Advisory Centre (Namac). Seda will provide nonfinancial support to small enterprises. The support includes:

- developing a network of service providers,
- mentorship programmes,
- facilitating and co-ordinating access to technology,
- support in terms of franchise; tender and business plan advice, and
- training and capacity building in terms of export orientation and project management.

In addition, Seda will provide manufacturing advice and business referrals. Seda will also focus on support for new programmes such as cooperatives.

Seda offers nonfinancial support, whilst Khula is a wholesale financial institution, which facilitates access to finance for small, medium and micro enterprises (SMMEs).

(2) The budgets for Ntsika and Namac for the current financial year are R40m and RS0m respectively. Costs for the establishment of Seda are included in this budget.

Department requesting updated account for water supplied to Laboria Park

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

(1) Whether, with reference to her reply to Question 555 on 29 September

2004, her department has requested from the City of Cape Town an updated account for water supplied to Laboria Park; if not, what action does she intend taking in this regard; if so, (a) on what date, (b) what was the response and (c) what is the estimated amount owed to the City of Cape Town since 1997;

(2) in light of the fact that there are only 31 housing units on Groote Schuur Estate, why are the electricity and water accounts for this estate significantly higher than for any of the other parliamentary villages;

(3) whether any steps are being taken to reduce water and electricity consumption at this estate; if not, why not; if so, what steps? N1195E

The MINISTER OF PUBLIC WORKS:

(1) (a) On 5 September 2004 the department requested the City of Cape Town to investigate the Laboria Park water account and to supply an updated account.

(b) The municipality immediately started with the compilation of the water account and has advised this office that the compilation will take time to complete.

(c) To date the municipality has not yet supplied the requested information and the department is not in a position to provide an estimated amount yet.

(2) The department has commissioned a technical investigation into the expenditure and will provide feedback once a report is furnished, by Friday, 19 November 2004.

(3) In light of the response to Question 2, Question 3 will be addressed once the findings of the report are made known.

Decline in number of tourists visiting SA

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

(1) Whether there has been a decline in the number of tourists visiting South Africa in the past 24 months; if not, what factors were taken into consideration in reaching this conclusion; if so, what are the relevant details;

(2) whether the rand exchange rate has been a factor in discouraging tourists from coming to South Africa; if not, what is the position in this regard; if so, what are the relevant details;

(3) whether SA Tourism has taken or intends taking any steps to counteract the decline in tourism; if not, why not; if so, what are the relevant details? N1196E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) Yes. Total tourist arrivals have decreased marginally by 1,3% over the past 24 months to July 2004, indicating that South Africa has held on to its earlier gains in a hostile global market. At the same time total foreign direct spend in South Africa by foreign tourists has increased by 10,5% from R48,8 billion in 2002 to R53,9 billion in 2003.

(2) The Rand exchange rate is mentioned by tourism role-players as one of the factors negatively influencing arrivals, but the results of the first phase of the Global Tourism Competitiveness Study indicate that being seen as a "value for money" destination is viewed by tourists as the most important deciding factor.

(3) Yes. SA Tourism is currently engaged in a portfolio review that will assess the current core, tactical, and watch-list markets. SA Tourism has also invested in new markets, and has recently

opened an office in Mumbai, India. Regional workshops aimed at more effectively selling South Africa as a value-for-money destination are also being undertaken, and the focus on domestic tourism as an important hedge against international uncertainty has been enhanced.

Disabled persons qualifying for benefits ito Mining Sector Charter

*55. Mr V C GORE (ID) asked the Minister of Minerals and Energy:

Whether (a) black and (b) non-black disabled persons qualify for benefits in terms of the Mining Sector Charter; if not, why not; if so, for what benefits? N981E

The MINISTER OF MINERALS AND ENERGY:

The Broad-Based Socioeconomic Empowerment Charter for the South African Mining Industry (the Charter) does not refer directly to disabled people, black or non-black but to Historically Disadvantaged South Africans (HDSAs), which includes the disabled.

Claim for land restitution received from certain person

*92. Mr J SELFE (DA) asked the Minister for Agriculture and Land Affairs:

(1) Whether a claim for land restitution has been received in respect of a certain person (details furnished); if so, when was this claim lodged;

(2) whether this claim has been settled; if not, why not; if so, (a) what was the outcome of the claim and (b) when was this information communicated to the claimant;

(3) whether she or her Deputy Minister has received any representations in respect of this claim; if so, (a) from whom and (b) what action has she and/or her Deputy Minister taken in respect of these representations? N1197E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) A claim has been received from Mr L R Brocker, which has been lodged on 20 April 1995.

(2) This claim has not been settled due to the following reasons:

- The claimant opted for the land that was dispossessed from him, but this is not a feasible option as a housing project has been developed on this land. The claimant has also indicated that he seeks agricultural land, the commission is thus in the process of finding alternative land for the claimant.

(3) The Commission on Restitution of Land Rights is not aware of any representations to the Minister or Deputy Minister.

Progress made since the release of Cooke Report in prohibiting hunting of canned lions in SA

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

(1) Whether progress has been made by his department since the release of the Cooke Report in 1997, in prohibiting the practice of canned lion hunting in South Africa; if not, how will the situation be rectified; if so, what are the relevant details;

(2) whether he or his department will facilitate an extensive public participation process on the National Principles, Norms and Standards for the Sustainable Use of Large Predators in South Africa; if not, why not; if so, what are the relevant details;

(3) whether there are any measures in place to monitor the welfare of lions in captive breeding projects; if not, why not; if so, what are the relevant details? N1198E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) Yes. Subsequent to the release of the Cook Report in 1997, the nine provincial conservation departments placed a voluntary moratorium on the granting of permits for the establishment of new lion holding and breeding facilities to limit the chances of canned hunting resulting from these facilities. Some of the provinces lifted the moratorium over the last few years as they developed provincial policies relating to this issue.

Canned lion hunting is a harmful practice where it does occur. I have also requested our department to prepare a special report for me to determine the extent and severity of the problem.

The department has also, in consultation with other government departments, drafted policies on professional hunting and the sustainable use of large predators. These policies address canned hunting as an unacceptable hunting practice, which will not be condoned. Minmec has approved the policy on the sustainable use of large predators, and the policy on professional hunting is already in the process of being discussed at political level.

The National Environmental Management: Biodiversity Act (Act 10 of 2004) has also been promulgated earlier this year and provides the department with the legislative mandate to publish the abovementioned policies for public participation and to incorporate them in regulations under the Act.

(2) Yes. An extensive public participation process will be embarked upon during November 2004 through the publication of the policy in the government gazette for public comment. National workshops will also take place and the public will be informed regarding the dates through the media.

(3) Yes. The Animals Protection Act (Act 71 of 1962), administered by the Department of Agriculture, is the accepted measure to monitor the welfare of animals.

Disabled persons qualifying for benefits ito Financial Services Sector Charter

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

Whether (a) black and (b) nonblack disabled persons qualify for benefits in terms of the Financial Services Sector Charter; if not, why not; if so, what benefits?

N880E

The MINISTER OF FINANCE:

The Financial Sector Charter does not make any specific provision for (a) black and (b) nonblack disabled persons.

I am not aware of the rationale for the lack of specific provisions for disabled persons in the Financial Sector Charter.

However, since the Charter seeks to satisfy the requirements of the Broad-Based Black Economic Empowerment Act, disabled black persons will qualify for the same benefits as any other person in terms of the Financial Sector Charter.

Strategic plans lacking strategic measurement system: difficulties in assessing progress in achieving strategic goals/outcome

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

(1) Whether the fact that his department's strategic plans are not supported by a strategic measurement system, as a result of which much of the department's reporting has been limited to activity and input-based measures, has caused difficulties in assessing the department's progress in achieving its stated strategic goals and outcome; if not, what is the

position in this regard; if so, (a) why does his department not have a strategic measurement system in place and (b) by when will such system be in place;

(2) (a) why has no strategic plan for the Apex Fund been introduced to date and (b) when will such plan be published? N1200E

The MINISTER OF TRADE AND INDUSTRY:

(1) and (2) The department's strategic plans are supported by a strategic measurement system. As the establishment of the Apex Fund is one of the department's flagship projects, it is accommodated within the strategic measurement system.

The DTI has developed and is implementing the basic elements of a Monitoring and Evaluation system as one of its priority projects for the current financial year. The DTI's monitoring and evaluation system is results-orientated (outcomes-based) and therefore focuses on measuring the performance and achievement of planned outputs, outcomes and impact. As part of the monitoring and evaluation system, the DTI has developed a set of 56 core key performance indicators to measure the progress in achieving intended outcomes within the medium term.

The first annual assessment, which will evaluate the DTI progress in achieving its set objectives, will be conducted in April 2005. This assessment will in essence measure the strategy that came into effect on the 1 April 2004, which is for the medium term 2004-05 to 2006-07.

The monitoring and evaluation system has been internationally benchmarked and valuable lessons incorporated as part of the system, to enhance its effectiveness.

One of the key international best practices noted suggests that it is not useful to measure impact frequently. Impact is effected in the long term and thus substantial time must lapse prior to conducting impact evaluations studies on processes/projects/programmes/products to determine the extent to which the anticipated outcomes of these interventions were indeed produced. Therefore the operating principles adopted by the DTI in this regard is that impact evaluations will be conducted every three to five years on various economic development interventions.

It is however noteworthy to cite one of the key limitations that pose a universal challenge with regards to measuring economic outcomes is the assumptions that there is a causality relationship with implementing planned inputs and outputs, intended outcomes, and desired impact. This is because this causality relationship weakens with the progression towards achievement of outcomes and impact, for the reason that multiple economic factors, including external events outside the control of the DTI, for example oil prices, directly or indirectly influence the achievement of the economic development outcomes.

The annual assessment, which forms part of the DTI monitoring and evaluation system and which will evaluate the DTI performance and progress in achieving its set objectives, must therefore take note of this qualifying factor.

Department's policy on incineration

*51. Mr L W GREYLING (ID) asked the Minister of Environmental Affairs and Tourism:

(1) Whether his department has a policy on incineration; if so, what are the relevant details; if not,

(2) whether his department plans to develop such a policy, particularly in light of the National Environmental Management: Air Quality Bill [B 62D — 2003]; if not, why not; if so, what are the relevant details? N883E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) The department's approach to incineration is informed by the provisions of the Integrated Pollution and Waste Management policy of 2000.

(2) No. The National Environmental Management: Air Quality Bill [B 62B — 2003] gives effect to most of the provisions of this policy. The proposed Waste Management Bill will give effect to the remaining provisions of this policy.

Questions transferred for oral reply in accordance with Rule 117:

■1. Ms H WEBER (DA) — asked the Minister of Transport. [Written Question No 227] [Removed]

■2. Ms R TALJAARD (DA) — asked the Minister of Transport. [Written Question No 345] [Removed]

SOEs under investigation/fined for anti-competitive conduct/predatory pricing

■3. Ms R TALJAARD (DA) asked the Minister of Trade and Industry: [Written Question No 346]

(1) Whether any state-owned enterprises have been under investigation and/or fined for anti-competitive conduct and/or predatory pricing and/or any other form of monopoly abuse by the Competition Authorities since 1999; if so, (a) which state-owned enterprises were involved in each instance in (i) 1999, (ii) 2000, (iii) 2001, (iv) 2002, (v) 2003 and (vi) 2004 and (b) what was the outcome of the case in each instance;

(2) whether any fines have been imposed and/or paid in each case in each year; if so, what are the relevant details;

(3) whether he will make a statement on the matter? N386E

The MINISTER OF TRADE AND INDUSTRY:

(1) The Competition Commission conducted 27 investigations for various alleged infringements of the Competition Act by Transnet, Eskom, Alexkor, Safcol, and ACSA.

(i) 1999

MKH Bell and Shoprite Checkers lodged two complaints against SAA in 1999 respectively. The complaints were investigated and non-referred, meaning that the commission did not find any anti-competitive conduct that requires prosecution by the Competition Tribunal.

(ii) 2000

Three investigations were conducted in the year 2000. In April 2000, Berry and Donaldson launched an urgent application for interim relief before the Tribunal to annul an agreement between South African Airways (SAA) and Rand Forwarding regarding the transport of fish on SAA line flights to London and Paris. The parties reached a settlement prior to the tribunal making a ruling.

Nationwide lodged two complaints against South African Airways. The first complaint was lodged in August 2000 and the second was lodged in October 2000 for various alleged infringements of the Competition Act. The complaints were investigated and non-referred.

(iii) 2001

Three investigations were conducted into SAA in 2001. The first investigation pertained to alleged collusion between SAA and Comair, trading as British Air-

ways, which was non-referred. The second investigation was in response to a complaint lodged by Nationwide regarding the alleged anti-competitive nature of the voyager loyalty programme. Zambia Skyways lodged a similar complaint, stating that the voyager programme violated a codeshare agreement between Zambia Skyways and SAA on the Johannesburg/Nodola route. A notice of non-referral was issued on both matters. The Competition Commission further conducted an analysis of the travel industry in South Africa, specifically on the route between Johannesburg and Cape Town, for any anti-competitive practices in the market.

In 2001, Richards Bay Minerals (RBM) lodged an application for investigation against Portnet in terms of section 8 of the Competition Act (No 89 of 1998), alleging that Portnet is using its dominant position to the Port of Richards Bay in order to charge an excessive price for the services, which it is offering to RBM. The Competition Commission deemed the matter as non-referral. Southern African Fruit Terminals also lodged an application for investigation against Portnet for access to essential services in key ports, which was later withdrawn.

Three applications were also lodged against Eskom in 2001. The applications of FFS Refiners and Electrical Research Facility were non-referred. In the John Thompson application, Eskom agreed to the terms and conditions determined by the Commission in respect of anti-competitive conduct, and the matter was settled.

An application by York Timbers against Safcol in February 2001 was non-referred and the application lodged by C J Rance against Safcol in December 2001 was addressed by changes in the market.

Thus ten investigations into state-owned enterprises were conducted in the year 2001.

(iv) 2002

Four investigations into parastatals were conducted in the year 2002. In March 2002, the Commission in terms of sections 8 and 9 of the Competition Act initiated an investigation against South African Port Operations (Sapo), alleging that Sapo is using its dominant position to the Port of Richards Bay in order to charge an excessive price for the services, which it is offering RBM. The matter was investigated and declared a non-referral.

In January 2002, the Competition Commission supported the commission of the European Communities (EC) with the examination of the nature and scope of the commercial agreement between De Beers and Alexkor. The purpose of the investigation was to assess the compatibility of the agreement with the EC rules on competition, in particular Articles 81 and 82 of the EC Treaty. On 7 April 2004 Alexkor was informed that the agreement between De Beers and Alexkor is not likely to affect trade with the European Community.

In July 2002, the Competition Commission investigated SAA's activities arising from all Codeshare Agreements entered

into by SAA and 20 other international airlines. No anti-competitive conduct was found and the matter was declared a non-referral.

In 2002-03 FFS Refiners (Proprietary) Limited lodged a complaint with the Competition Commission alleging, in the main, that Eskom is abusing its dominant position and that its conduct is anti-competitive. The said allegations emanated from Eskom's Negotiated Pricing Agreement with EB Cochrane South Africa (Proprietary) Limited, which is involved in the provision of steam generation services. The Competition Commission ruled that Eskom neither abused its position nor engaged in anti-competitive conduct. FFS Refiners (Proprietary) Limited then referred the matter to the Competition Tribunal, and after the parties had exchanged documentation, FFS withdrew its complaint and tendered costs to Eskom.

The Airlines Association of South Africa (AASA) and the Board of Airline Representatives (BARSA) lodged a complaint against Airports Company (ACSA), Air Traffic and Navigation Services Company (ATNS) and the ACSA/ATNS Regulating Committee relating to alleged excessive pricing for the use of airport and navigation services and facilities. The complaint was analysed in terms of section 8(a) of the Competition Act. However, there was no evidence that suggested contravention of the Act. The investigating team found that the regulating committee is succeeding in regulating these firms properly by employing the correct measures and tactics to ensure that tariffs of airport and navigation services and facilities are not excessive.

(v) 2003

In 2003 John Thompson Africa (Proprietary) Limited lodged a complaint with the Competition Commission alleging that Eskom was abusing its dominant position and that its conduct was anti-competitive. The complaint also related to Eskom's Negotiated Pricing Agreement with EB Cochrane South Africa (Proprietary) Limited. John Thompson has since lost interest in pursuing the matter.

During September 2003, the Competition Commission notified SAA that the Commission had received a complaint from Comair. The complaint related to the incentive schemes offered by SAA to various travel agents. The matter was investigated and no anti-competitive conduct was found.

Three complaints were also lodged against Safcol. In the Mondi complaint, the complaint was changed to a case of restrictive practice and both parties entered into a consent agreement. Cachecorp lodged a complaint against Safcol for competition malpractices. The Cachecorp investigation has been finalised and the complaint was dismissed. Cachecorp has now lodged their complaint with the Competition Tribunal at their own cost. No fines have been imposed or paid by Safcol. The complaint lodged by Pearce Lister was also deemed a non-referral.

(vi) 2004

In June 2004, the Competition Commission notified SAA that the Commission was investigating possibilities of collusion between SAA and other airlines. The alleged collusion related to the fuel levy, which was introduced by SAA on 14 June 2004. The matter was investigated and no anti-competitive conduct was found.

A complaint was also lodged by Comair in July 2004 related to:

- SAA's Voyager programme
- The Corporate Discount Agreements entered into by SAA and various companies in South Africa

The matter is still under investigation.

(2) No fines were imposed as most cases were non-referred meaning that the commission did not find any anti-competitive conduct that required a prosecution by the Competition Tribunal. The case between SAA vs Nationwide is currently being prosecuted in the Competition Tribunal. Furthermore, the case between ACSA and ATNS over excessive pricing was referred back to the Regulatory Committee.

(3) The Minister of Trade and Industry will from time to time make a statement on policy pertaining to regulation as it is the role of the department to facilitate access to sustainable economic activity by creating a fair and competitive environment for business to operate.

■4. Mr M WATERS (DA) — Transport. [Written Question No 376] [Removed]

■5. Mr S B FARROW (DA) — Transport. [Written Question No 399] [Removed]

■6. Mr S B FARROW (DA) — Transport. [Written Question No 440] [Removed]

■7. Mr C M MORKEL (DA) — Minerals and Energy. [Written Question No 442] [Question standing over.]

■8. Mr J P I BLANCHÉ (DA) — Public Works. [Written Question No 446] [Removed]

Deadline for assessment of obligations *re* NIP/DIP of suppliers in SA's arms deal

■9. Ms R TALJAARD (DA) asked the Minister of Trade and Industry: [Written Question No 478]

(1) Whether the deadline for assessment of industrial participation obligations (in respect of (a) national industrial participation (NIP) and (b) defence industrial participation (DIP)) of suppliers in South Africa's arms deal is approaching in respect of specific milestone assessments in 2004; if so, (i) what NIP and DIP projects have been (aa) agreed to and (bb) implemented and (ii) what is the target weighting attached to each specific project;

(2) whether any suppliers are considered to be in breach of their milestone obligations; if not, what is the position in this regard; if so, (a) which suppliers and (b) what steps are being taken to extract penalties from these suppliers;

(3) whether he will make a statement on the matter? N639E

The MINISTER OF TRADE AND INDUSTRY:

(1) The Department of Trade and Industry is in the process of finalising the report on the performance review of all companies with national industrial participation obligations. This review includes the Strategic Defence Procurement package milestones reached in 2003 and 2004, as per agreements made with suppliers. The report will be tabled to the Portfolio Committee on Trade and Industry towards the end of Octo-

ber or early November depending on the parliamentary programme.

In respect of the national industrial participation, the first contractual milestones for Agusta, Thales BAE/SAAB, and the German Frigate Consortium (Thyssen Krupp) were reached in April 2004. All the assessments, except for Ferrostaal, have been conducted. Ferrostaal's assessment will be conducted at the end of 2004;

(i) In total, 76 projects have been approved and are in various stages of implementation. A list of projects already implemented or definitely to be implemented within the next six months will be included in the review report;

(ii) size of investments and estimated sales for each project will also be included.

The Department of Defence and Armscor are responsible for direct industrial participation (DIP) and are better positioned to answer any DIP related questions.

(2) The assessment to date has not revealed any breach of milestone obligations. Should a shortfall from contractual milestones be detected, it will be dealt with in terms of the NIP terms and the specific contracts between the government and each of the obligors.

(3) We do not anticipate any breach of milestone obligations; therefore no statement will be made.

Loss recorded by Denel

■10. Mr I O DAVIDSON (DA) asked the Minister for Public Enterprises: [Written Question No 482]

(1) (a) What was the actual loss recorded by Denel for the year ended 31 March 2003, (b) what was the (i) budgeted loss and (ii) expected actual loss for the year ended 31 March 2004, (c) what were the annual personnel costs at its corporate office over the past five years and (d)(i) how many additional positions have been created over the past five years, (ii) when were they created and (iii) what were the costs in respect of each of these positions;

(2) whether these posts were advertised; if not, why not; if so, (a) where and (b) when;

(3) (a) by whom were the posts filled and (b) what are the (i) qualifications and (ii) experience of each appointee?

N643E

The MINISTER OF PUBLIC ENTERPRISES:

(1) (a) Actual loss for year ended 31 March 2003 — R72,6 million.

(b) (i) Budgeted profit for year ended 31 March 2004 — R2,3 million

(ii) Actual loss for year ended 31 March 2004 — R377,5 million

(c) Personnel cost of corporate office:

2000 — R28,2 million

2001 — R35,4 million

2002 — R41,2 million

2003 — R53,6 million

2004 — R52,7 million

(d) (i) Twenty-four additional positions have been created over the past five years.

(ii) 1999 Deputy CEO, internal auditor, private secretary
2000 General Manager Finance, Two Secretarial positions and an Administrative position
2001 General Manager Countertrade, Treasury officer and an Assistant Manager

2002 Group Manager Transformation, Social Plan co-ordinator, information Technology Manager and two Administrative positions
2003 General Manager Projects, Chief of Staff, Group Executive Director Procurement, Private Secretary, Forensic Auditor and a Procurement Officer
2004 Legal Advisor, Personal Secretary and an Administrative position

(iii) The costs involved pertain to negotiate salaries for each position, the cost of internal and newspaper adverts, and personnel agency commissions where applicable.

(2) All positions were advertised internally and some externally with the exception of the Deputy CEO position, as in keeping with Denel's employment policy and the Labour Relations Act.

(a) Posts were advertised internally in Denel, national newspapers, and personnel agencies, where applicable.

(b) The posts were advertised during the years mentioned in (1)(d)(ii) above.

(3) This information required is voluminous. The 24 CV's in question are on record with the Human Resources Department of Denel.

Suspension of Denel's senior executives

■11. Mr I O DAVIDSON (DA) asked the Minister for Public Enterprises: [Written Question No 483]

(1) Whether any of Denel's senior executives at the level of general manager or higher have been suspended this year; if so, (a) how many, (b) what is the (i) name and (ii) age of each such person, (c) what was the area of responsibility of each person, (d) what were the reasons for the suspension of each person and (e) how far has disciplinary action proceeded against each of the suspended persons;

(2) whether any disciplinary inquiries have been concluded; if not, when is it anticipated that they will be concluded; if so, what was the result of such disciplinary inquiries;

(3) whether any appeals have been noted; if so, what are the relevant details;

(4) what has been the cost to date of the suspensions and related investigations? N644E

The MINISTER OF PUBLIC ENTERPRISES:

(1) (a), (b), (c), (d) and (e)

The following table describes the current status of suspensions and internal disciplinary procedures in respect of Denel senior management. No personal details are disclosed in respect of those disciplinary hearings that have not been concluded to protect their rights and dignity, as it is an established labour practice to deem an employee innocent until proven guilty.

No	*Position*	*Allegations*	*Status*
(i)	Group Executive Director: Denel Land Systems (50 years)	Abuse of authority Misappropriation Damage and misuse of company equipment and sabotage Forgery and/or fraud and security Breach of fiduciary duty	Matter part heard.
(ii)	General Manager: Pretoria Metal Pressings (PMP) (54 years)	Racial discrimination Abuse of authority Misappropriation Breach of fiduciary duty	Matter part heard.
(iii)	Acting General Manager: Lyttelton Engineering Works (LIW) (52 years)	Loss through negligence Conflict of interest Misappropriation Work output Leave Insubordination Breach of fiduciary duty	Matter part heard.
(iv)	Mr J J Barnard (50 years), General Manager: Specialised Protein Products (SPP)	Work output offences Forgery and fraud Gross dishonesty Unauthorised action/s	Matter concluded. Employee dismissed Appeal has been processed and confirmed dismissal.

(2) Denel expects to complete the part heard disciplinary hearings before 23 December 2004. Disciplinary hearings are, however, fraught with delays as the suspended employees often submit medical certificates that declare them unfit for periods of up to 45 days.

(3) As in line 4 of the table above.

(4) The cost associated with these hearings and investigations include the cost of the suspended employees, forensic auditors, independent chairpersons and recording equipment. It is our estimate that the cost incurred to date is in the region of R1,5 million.

Suspension of Denel senior executive secretaries

"12. Mr I O DAVIDSON (DA) asked the Minister for Public Enterprises: [Written Question No 484]

(1) Whether any of Denel's senior executive secretaries have been (a) suspended, (b) required to take leave, (c) removed from office or (d) placed in a different position this year; if so, (i) what are their names, (ii) for whom did they work and (iii) what were the reasons for such action in each case;

(2) whether all these secretaries have returned to work in their former positions; if not, (a) which secretaries have not returned to work and (b) which secretaries have returned to work in their (i) former positions and (ii) different specified positions; if so, on what date in each case?

N645E

The MINISTER OF PUBLIC ENTERPRISES:

(1) and (2)

The following table describes the current status of the senior executive secretaries and none of the mentioned secretaries were suspended as a consequence of their executive's suspensions. To protect the rights of privacy and dignity of the individuals concerned, names will not be mentioned.

No	*Position*	*Reason and status*
(i)	Secretary to Group Executive Director: Denel Land Systems	Redeployment: The secretary was retrenched after a period of special leave and no alternative redeployment options could be found.
(ii)	Secretary to General Manager: Pretoria Metal Processings (PMP)	Redeployment: The secretary was redeployed to a different department without any adverse effect on her position.
(iii)	Secretary to Acting General Manager: Lyttelton Engineering Works (LIW)	Redeployment: The secretary was redeployed to a different department without any adverse effect on her position.
(iv)	Secretary to General Manager: Specialised Protein Products (SPP)	The secretary maintains her current position.

Establishment of REDS

13. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy: [Written Question No 514]

In light of the intended implementation of the first regional electricity distribution system (REDS) in Cape Town, (a) when is it expected that the co-operative agreements with all the stakeholders in respect of the other five REDS to be established will be signed and (b) what will be the content of these agreements? N720E

The MINISTER OF MINERALS AND ENERGY:

The interim non-grid energy service providers' contract has been entered into between the Non-grid Concessionaires and the Department of Minerals and Energy (DME). The programme has been migrated from the NER to the DME when the contract between the former and the Non-grid Service Providers expired on 31 March 2004. The new two-year contract, which was entered into, between the DME and the non-grid service providers, commenced on 1 April 2004 and expires on 31 March 2006. The following concessionaires have signed the contract/agreement:

(1) Nuon Raps;

(2) Kwa-Zulu Energy Services; and

(3) Solar Vision.

Two of the concessionaires have not signed the contract. These are Eskom-Shell (withdrew and has filed a notice to liquidate) and Renewable Energy Africa.

A break-even of installations of 8 000 systems has been allocated to each concessionaire. This equals to 24 000 for the currently operational service providers as indicated above.

The criteria for the renewal of contract is based on performance and the need for additional installation of Solar Home Systems.

The cost per unit would be around R4 000. including VAT.

Geographic areas

Nuon Raps: KZN	*Solar Vision: Limpopo*	*KES: KZN*
Hluhluwe Ingwavuma Jozini Mkhuze Mbazwana Mangozi	Polokwane Thulamela Thohoyandou Makhado Mutale	Tugela Pomeroy

Renewal of contracts with NER

14. Adv H C SCHMIDT (DA) asked the Minister of Minerals and Energy: [Written Questions No 515]

Whether, in light of non-grid energy service providers entering into interim non-grid energy contracts with the National Energy Regulator (NER), all the existing contracts will be renewed on the date of the contract lapsing; if not, what is the position in this regard; if so (a) what criteria will be used in determining whether to renew these contracts, (b) what will be the cost per unit to be contracted and (c) for which geographic areas or permission areas will these contracts be renewed or requested? N721E

The MINISTER OF MINERALS AND ENERGY:

(a) The Electricity Distribution Industry Holdings Company (EDIH) is responsible for the planning and implementation of the restructuring process. They are in the process of signing cooperative agreements with each of the current distributors and all municipal entities. Five metros have already signed the agreement, while nine municipalities are in the negotiation stage. The process is on going.

(b) The agreement binds parties to participate in the restructuring of the electricity industry, before and after the enactment of enabling legislation.

*The contents of the agreement include:

Acceptance of the RED model

Approval of the EDI implementation plan

Approval of the ongoing consultation with stakeholders such as municipalities, NER, Eskom organised labour

Order for aeroplanes from Airbus: option of operating lease agreement

15. Mr I O DAVIDSON (DA) asked the Minister for Public Enterprises: [Written Question No 654]

(1) Whether, at the time the order for 38 aeroplanes from Airbus was placed, any costing was done to evaluate the preference of the purchase agreement over the option of an operating lease agreement; if so, (a) what were the findings, (b) why was the decision made to convert the purchase agreement to an operating lease, (c) how much is the conversion of the agreement costing Transnet and (d) where is this cost reflected in Transnet's Annual Report of 2004;

(2) what was the nature and extent of the packages paid to each of the outgoing members of the (a) Transnet Board and (b) SA Airways Board? N960E

The MINISTER OF PUBLIC ENTERPRISES:

(1) (a), (b) and (c)

This matter is under review at present and is commercially sensitive I will make a statement at the appropriate time.

(d) Operating lease costs for all aircraft are included in operating expenses as reported under the "Notes to the financial statements", note 2 on page 66 of the Transnet 2004 annual report.

(2) SAA Board members are not paid packages when removed from the board.

16. Mr K D S DURR (ACDP) — Transport. [Written Question No 662] [Removed]

For written reply:

Policy goals of Government in pursuing equity target approach to BEE

525. Ms R TALJAARD (DA) asked the Minister of Communications:

(1) Whether the exemption of multinational corporations (MNCs) from the provisions of the revised Information and Communication Technology Charter (ICT) reflects a realisation on the part of the Government that tension exists between the policy goals of the Government in pursuing an equity target approach to Black Economic Empowerment (BEE) and the requirement to push South Africa's share of Foreign Direct Investment (FDI) to a GDP ratio above 2; if not, how does the Government intend to strike a balance between the intentions of BEE strategy and the imperative of attracting FDI; if so,

(2) whether this exemption for MNCs applies across sector charters; if not, why not; if so, what are the relevant details;

(3) whether she will make a statement on the matter? N731E

The MINISTER OF COMMUNICATIONS:

(1) Firstly, there is a need to clarify that the 'exemption' of MNCs is not a blanket one but is conditional. The conditions put are such that the MNCs shall not just be exempted from contributing to the transformation of the South African economy.

Secondly, we are conscious of the fact that the transformation of the economy should not necessarily lead to diminishing investments in the economy. In fact, meaningful transformation can only be realized in a growing economy.

Thirdly, we recognise the fact that there are other elements that are significant in the transformation of the economy as listed in the scorecard. The equity is but one such element.

The agreement with the MNCs as represented by the American Chamber of Commerce should be understood in the context outlined above. The principle that prevails in this process is that all companies operating in South Africa shall be subjected to all the provisions of the charter except if there are compelling reasons that could affect the business models.

This agreement is a win/win situation where South Africa attains the objectives of transforming the industry while MNCs still find the conditions are still amenable to operate.

(2) The agreement with the MNCs in the ICT sector was reached in the context of the unique conditions of the ICT sector. The agreement is therefore specific to those conditions.

Any other sector would have to deal with unique conditions that prevail and strike an agreement concomitant to them.

(3) The ICT Charter will be discussed in full when it is presented to Cabinet and a full statement in that regard will be made accordingly.

Males/females in management/ directorship positions in trade and industry sector in 2002–2003

540. Ms S RAJBALLY (MF) asked the Minister of Trade and Industry:

How many (a) male and (b) female persons held (i) management and (ii) directorship positions in the trade and industry sector in 2002 and 2003, respectively? N745E

The MINISTER OF TRADE AND INDUSTRY:

A major focus of the DTI over the past few years was to transform the composition of staff in the department to reflect the demographics of the country in a manner that promotes gender equity. To date the depart-

ment has exceeded national targets in respect of both racial and gender equity.

In the year 2002, the DTI had 110 senior managers, of which 70 were male and 40 were female. Thus 36% of the total senior managers were women, which was 6% more than the national target. In the year 2003, the number of women in senior management increased to 47 out of a total of 122 senior managers. A breakdown of the composition of the DTI senior management establishment is tabled below.

Establishment of Department of Trade and Industry senior management

Year	*Category*	*The DTI*				*National targets*	*Variance*
		Black	*White*	*Total*	*%*		
2002	Black persons in senior management	78	32	110	71%	50%	21%
	Women in senior management	29	11	40	36%	30%	6%
2003	Black persons in senior management	88	34	122	72%	50%	22%
	Women in senior management	36	11	47	39%	30%	9%

SABS retracting RCCs on low-voltage MCCBs/ACBs

618. Mr V C GORE (ID) asked the Minister of Trade and Industry:

(1) Whether the regulatory affairs and consumer protection division of the SA Bureau of Standards (SABS) has retracted or intends retracting its Regulatory Certificates of Compliance (RCCs) on low-voltage moulded case circuit breakers (MCCBs) and air circuit breakers (ACBs) from 125 A to 1000 A; if so, (a) why and (b) when;

(2) how many RCCs on low-voltage MCCBs and ACBs from 125 A to 1000 A have been issued based on proof of compliance with (a) IEC 60947-2, 2003 and (b) SANS 156, 1977;

(3) how many low-voltage MCCBs and ACBs from 125 A to 1000 A that previously complied with IEC 60947-2, 2003 will have to be retype-tested to prove compliance with SANS 156, 1977;

(4) whether the National Electrical Test Facility (SABS-NETFA) can type-test (a) circuit breakers in the 125 A to 1000 A range, (b) short circuit ratings above 50 kA and (c) rated voltages up to 1000 V AC range to the relevant South African national safety standard SANS 156 or IEC 60947-2; if not, why not;

(5) what economic impact will the retype-testing of low-voltage MCCBs and ACBs from 125 A to 1000 A that previously complied with IEC 60947-2, 2003 and must now be retype-tested in order to prove compliance with SANS 156, 1977, have on end-users in commerce and industry? N755E

The MINISTER OF TRADE AND INDUSTRY:

(1) The Regulatory Affairs and Consumer Affairs Division of the South African Bureau of Standards had identified that some regulatory certificates of compliance (RCCs) were issued erroneously. The wiring code requires that moulded-case circuit-breakers (MCCBs) and air circuit-breakers (ACBs) with a current rating of 125 amps to 1000 amps comply with standard code SANS156. However the RCCs for the above product categories were issued against another standard, namely IEC 60947-2. Therefore the erroneously issued RCCs were retracted on 6 July 2004, with effect from 01 October 2004. The

decision to retract the erroneously issued RCCs is legally correct and based on due consideration of its impact on all stakeholders.

(2) (a) Zero RCCs were issued based on the IEC 60947-2: 2003 Edition. However, 16 RCCs based on IEC 60947-2: 1995 Edition, were erroneously issued by this division, and therefore retracted.

(b) Two RCCs were issued correctly, based on SANS 156: 1977 Edition.

(3) No RCCs based on IEC 60947-2: 2003 Edition were granted, thus retype testing is not required.

(4) The ability of the National Electrical Test Facility (Netfa) is as follows:

(a) SABS-Netfa can only test MCCBs and ACBs with a current rating not exceeding 250A.

(b) SABS-Netfa can only test MCCBs and ACBs with a short-circuit rating not exceeding 50kA, at any voltage.

(c) SABS-Netfa can only test MCCBs and ACBs with rated voltages less than 1000V.

The above limitations are due to test equipment being outdated. This matter is currently being addressed.

(5) There is no adverse economic impact as zero MCCBs and ACBs complied with IEC 60947-2: 2003 Edition.

Complaints *re* delay in payment after completion of contracts

666. Dr S E M PHEKO (PAC) asked the Minister of Trade and Industry:

(1) Whether, in light of complaints from disadvantaged or poor people that they wait a long time for payment after completing their contracts, with the result that the intention of economic empowerment for such people is not achieved, his department has taken or intends taking any steps in this regard; if not, why not; if so, what steps;

(2) (a) what is the Government's policy in regard to payment of contractors after completion of work and (b) why does it take so long for contractors to be paid after completion of a job? N968E

The MINISTER OF TRADE AND INDUSTRY:

(1) The DTI is following a management process to ensure that all payments to contractors and suppliers are processed as soon as possible after receipt of invoices or claims. In this regard, the majority of payments to contractors and suppliers are finalised within 30 days of receipt of invoices or claims and in most instances much earlier than 30 days from date of receipt.

To ensure continuous improvement in terms of service delivery, certain initiatives have been implemented or are in the process of being implemented to improve on turnaround times. In this regard, the DTI has implemented a Chief Financial Office Help Desk on 01 February 2004 to ensure a one-stop service point for contractors and suppliers to submit claims, or to enquire on the status of payments. The help desk currently receives approximately 100 enquiries monthly. A process has commenced to introduce electronic processing and approval of incoming documentation, inclusive of claims and invoices, which is expected to be finalised by 31 March 2005.

(2) (a) The Public Finance Management Act, Act 1 of 1999, requires that departments finalise payments within 30-days of receipt of invoices and/or claims.

All requests for payments are however subjected to management controls to ensure that value was received for amounts that are claimed, and that payment requests, such as invoices and claims, meet the minimum legal and contractual requirements.

(b) Delays are typically caused, by the late submission of invoices. Certan payment transactions, such as incentive scheme payments, are subjected to additional controls related to performance indicators, i.e. whereby the deliverables of projects are measured against the originally approved service commitments made.

The average turnaround time of the actual payment process of five working days is maintained, of which three working days relate to the electronic transfer of funds to designated bank accounts of contactors and other suppliers. It is envisaged that such delays will to a large extent be addressed by the electronic documentation processing project that is currently being implemented.

Impact of eastward enlargement of EU on EU-SA Trade and Develop Cooperation Agreement

1678. Ms R TALJAARD (DA) asked the Minister of Trade and Industry:

(1) Whether the recent eastward enlargement of the European Union is expected to have any impact on the EU-SA Trade and Develop Cooperation Agreement; if so, what are the relevant details;

(2) whether he will make a statement on the matter? N993E

The MINISTER OF TRADE AND INDUSTRY:

(1) Yes, the recent eastward enlargement of the European Union (EU) is expected to have significant impact on the SA-EU Trade and Development Cooperation Agreement. New members will also form part of the Trade Development and Co-operation Agreement between South Africa and the EU. These central and eastern European countries (the Czech Republic, Cyprus, Estonia, Hungary, Lithuania, Malta, Poland, Slovenia, and Slovakia) will now have to accord South African duty free and quota free access to their markets. Likewise, South Africa will have to provide duty free and quota free access to imports originating from these countries.

The obvious threat that the new members will pose for South Africa is the access that they will have to our market as a consequence of being party to EU-SA Free Trade Agreement. However, it is unlikely that the new members to the EU will focus on a sustained market access drive into South Africa. The EU has free trade agreements with many other countries and regions and any market access drive is likely to be spread to other regions as well. Furthermore, over the short to medium term, companies in these countries are likely to focus on the impact of domestic adjustments and integrating in the broader EU.

Another factor in SA's relations with the EU is that the latter is a principle donor in terms of development cooperation and an investor in economic co-operation. There is an expectation that new member states will support the objectives and instruments of the EU's development policy and its development cooperation commitments with South Africa and the region.

(2) Government is constantly monitoring developments in the EU and its implications for trade in South Africa. Although no official statements are being made with regard to these developments, action is being taken where appropriate.

Recreational fishing licences/permits issued: total revenue collected

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

(1) In each of the latest specified five financial years for which information is available, (a) how many recreational fishing licences or permits were issued and (b) what was the total revenue collected in respect of such licences or permits;

(2) whether money collected in respect of fishing licences or permits is reserved for expenditure related to the management of resources and activities related to recreational fishing; if not, (a) why not, (b) how is this money spent and (c) how does this benefit the sustainability of recreational fishing; if so, on what specified items is this money spent by his department;

(3) (a) how many inspectors were employed by his department in each of the above five financial years to patrol recreational fishing areas and ensure that people collecting bait and shellfish, or fishing, were in possession of a valid fishing licence or permit and (b) what was the total cost to his department of providing these inspection services in each specified year;

(4) whether these fishing licences or permits for recreational fishing have proved to be a cost-effective way of managing recreational fishing in South Africa; if not, (a) what is the position in this regard and (b) what action is his department contemplating as a result; if so, what factors were taken into account in reaching this conclusion? N1007E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) Information available is as follows:

(a)	*(b)*
1999-2000 — 240 536 multiple permits	R12 451 693,38
2000-2001 — 249 705 multiple permits	R13 026 558,41
2001-2002 — 253 589 multiple permits	R14 116 663,38
2002-2003 — 236 006 multiple permits	R14 736 301,72
2003-2004 — 223 426 multiple permits	R15 232 215,00

(2) (a) Yes. Money receipted is spent on research, fisheries management and fisheries compliance.

(b) and (c) Fall away.

(3) (a) The department currently employs 121 fishery control officers who control commercial, recreational and subsistence fisheries.

(b) The cost of employing fishery control officers has averaged approximately 13 million rand per annum over the past five years.

(4) Yes. Compliance levels are increasing and stocks are generally recovering.

Implementering van omskakeling van kontantgrondslag van rekeningkunde na toevallingsgrondslag

694. Dr S M VAN DYK (DA) vra die Minister van Finansies:

(1) (a) Wanneer die omskakeling van die kontantgrondslag van rekeningkunde na die toevallingsgrondslag ingevolge die Wet op Openbare Finansiële Bestuur, Wet 1 van 1999, na verwagting in die openbare sektor geïmplementeer sal wees en (b) watter staatsdepartemente geraak word;

(2) of enige maatreëls ingestel gaan word vir staatsdepartemente wat nie aan bogenoemde vereistes voldoen nie; so nie, waarom nie; so ja, watter maatreëls;

(3) of die Nasionale Tesourie, in die lig daarvan dat slegs 57% van staatsdepartemente hul geld ingevolge hul kontantvloei-projeksies bestee (besonderhede verstrek), stappe gedoen het of stappe beoog in dié verband; so nie, waarom nie; so ja, watter stappe? N1010A

(English translation follows):

[Implementation of conversion from cash basis of accounting to accrual basis

694. Dr S M VAN DYK (DA) asked the Minister of Finance:

(1) (a) When is the conversion from the cash basis of accounting to the accrual basis in terms of the Public Finance Management Act, Act 1 of 1999, expected to be implemented in the public sector and (b) which state departments will be affected;

(2) whether any measures will be introduced for state departments which do not meet the abovementioned requirements; if not, why not; if so, what measures;

(3) whether, in light of the fact that only 57% of state departments are spending their money according to their cash flow projections (details furnished), the National Treasury has taken or intends taking any steps in this regard; if not, why not; if so, what steps? N1010E]

The MINISTER OF FINANCE:

(1) (a) It ought to be noted that the PFMA itself does not require the implementation of accrual accounting and is silent on the definition of Generally Recognised Accounting Practice (GRAP). The Minister may, in terms of the Act, prescribe the Standards set by the Accounting Standards Board (ASB), which is based on accrual accounting.

The National Treasury is in the process of developing a position paper as suggested in paragraph 20.5.3 of the Report to Scopa; to foment discussion on the appropriateness of accrual accounting in the public sector. The document will also set out the strategy, time frames and resource requirements implicit in the move to GRAP. The document is expected to be completed by the end of the current financial year.

(b) All reporting departments and reporting entities will be affected, although certain departments may be exempted during the transition process.

(2) Measures to monitor and deal with departments that do not comply with the relevant requirements will more appropriately be considered in the context of the position paper being developed as discussed in paragraph (1)(a) above.

(3) As funding for national departments is appropriated, the amounts drawn from the National Revenue Fund are agreed upon prior to the start of the financial year. Accounting Officers are obliged to provide the National Treasury with a projected schedule of draw downs and this has to be approved by National Treasury. Departments then manage their spending within these approved limits, and can approach the Treasury for deviations.

In considering requests for deviations on the drawings schedule, the Public Finance division of the National Treasury plays an advisory and supporting role to departments. This advice seeks

to encourage more efficient spending patterns and to improve cash flow management in general. In addition, the Public Finance division is responsible for monitoring expenditure against the budget. The monthly reporting requirement (section 32 reports) includes a schedule that allows departments to report their cash flow projections and any revisions. Departments are supposed to provide an explanation for deviations larger than 5%. The Treasury is then able to follow up on serious deviations and propose corrective actions. The National Treasury is therefore working with CFOs of departments on an ongoing basis to improve both cashflow projections and monthly adherence to agreed schedules.

During the 2003-04 financial year, in-year monitoring efforts uncovered trends where savings generated by departments which represented material variances, were being maintained in Paymaster General Accounts of the departments. Departments were then required by the National Treasury to surrender such savings to the National Revenue Fund (NRF). Where the departments in accordance with their appropriations again required the funds, they could approach the National Treasury for the allocation.

Number of tourist beds allocated to certain national parks

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

(1) (a) How many tourist beds are currently allocated to the (i) Kruger National Park, (ii) Addo Elephant National Park, (iii) Golden Gate Highlands National Park, (iv) Augrabies Falls National Park, (v) Mountain Zebra National Park, (vi) Marakele National Park and (vii) Karoo National Park and (b) what has been the increase in allocated tourist beds in each of the these parks since 1 January 2000;

(2) whether SANParks plans to increase the number of tourist beds allocated to the above-named parks; if so, what are the relevant details;

(3) whether SANParks has set a ceiling on the number of allocated tourist beds that each of the above-named parks can reasonably accommodate; if not, why not; if so, what are the relevant details? N1011E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) and (b)

Park	*At 31/08/2004*	*Increase*
Kruger	4 531	304
Addo	301	129
Golden Gate	445	42
Augrabies	226	0
Mountain Zebra	78	0
Marakele	56	0
Karoo	138	30

(2) Yes. Plans for each park are approached in terms of their development potential.

(3) No. A conservation development framework (CDF) is being compiled for each park and will, inter alia, set thresholds relating to guests.

Plans to address backlog in providing water to all households in Alfred Nzo/Sisonke district municipalities

701. Mr G Q M DOIDGE (ANC) asked the Minister of Water Affairs and Forestry:

What (a) plans and programmes are in place to address the backlog in providing water to all households in the Alfred Nzo and Sisonke district municipalities, (b) are the envisaged time-frames in this regard and (c) budgetary allocations have been made available to these local government structures? N872E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

The particulars relating to the two Municipalities are as follow:

Sisonke District Municipality

An estimated 408 500 people reside in the five local municipalities within the area of jurisdiction of the Sisonke District Municipality. According to the district municipality's Water Services Development Plan that was adopted in December 2003, 67% (274 000 residents) of this predominantly rural population do not have access to adequate water supply, and 64% (261 000 residents) have below acceptable sanitation facilities.

The district municipality anticipates that the cost to serve all its people with water will require an estimated R528 million, while the cost to provide its people with sanitation will require R83 million. In addition to the provision of basic services, the district municipality requires R170 million for planning, urban water and sanitation service upgrades, refurbishment and replacement.

The budget allocated to the district municipality for water and sanitation services for the next three financial years is shown in the table below.

Year	*Water*	*Sanitation*
2004-05	R17 100 000	R 6 110 000
2005-06	R22 400 000	R 6 560 000
2006-07	R25 000 000	R 6 060 000
Total	R64 500 000	R18 730 000

The cost to address the current backlogs is in excess of the anticipated grant funding allocated through the Municipal Infrastructure Grant (MIG) and the district municipality is considering alternative sources of funding such as the Development Bank of Southern Africa. An estimated additional R67 million per annum is required to meet Government's commitment of eradicating water services backlogs if water is to be provided to all people in the district municipality by 2008 and sanitation by 2010.

The district municipality is also conducting a regional study for bulk water provision to inform medium and longer term delivery options.

Alfred Nzo District Municipality

An estimated 660 000 people reside in the two local municipalities within the area of jurisdiction of the Alfred Nzo District Municipality. According to the District Municipality's draft Water Services Development Plan, a total of 44% (290 400 residents) of this predominantly rural population do not have access to adequate water supply, and 99% (653 400 residents) have below acceptable sanitation facilities.

The district municipality anticipates that the cost to serve all its people with water will require an estimated R436 million, while the cost to provide its people with sanitation will require in the order of R456 million.

The budget allocated to the district municipality for water and sanitation services for the next three years is shown in the table below.

Year	*Water*	*Sanitation*
2004-05	R 34 720 000	R 36 420 000
2005-06	R 30 500 000	R 50 340 000
2006-07	R 51 410 000	R 20 000 000
Total	R116 630 000	R106 760 000

The cost to address the current backlogs is in excess of the anticipated grand funding allocated through the MIG and taking the current funding trends into account, an additional amount of R319 million will be required to address the water backlog by 2008, while an additional amount of R349 million will be required to address the sanitation backlog by 2010.

Completion of certain market feasibility study

709. Mr V C GORE (ID) asked the Minister of Communications:

(1) Whether the market feasibility study as envisaged in section 32A of the Telecommunications Act, Act 103 of

1996, as amended, has been completed; if not, why not; if so, when was it completed;

(2) whether the market feasibility study has been published; if not, why not; if so, (a) where and (b) what are its key findings;

(3) whether the study recommends the licensing of additional public switched telecommunications services (PSTS) operators; if not, what is the position in this regard; if so, what are the relevant details?

N1027E

The MINISTER OF COMMUNICATIONS:

(1) Yes, the feasibility study was completed in December 2003.

(2) The department is not required, in terms of the Act, to publish the study (a) however the study has been made available and accessible through the website of the department (b) some of the key findings of the study have been published in a *Government Gazette* of 3 September 2004 as Notice No 26763.

(3) The study does not necessarily recommend the licensing of additional PSTS, but recommends different ways of liberalising the market further.

Establishment of telecommunications museum

711. Mr V C GORE (ID) asked the Minister of Communications:

Whether a telecommunications museum as envisaged in section 90A of the Telecommunications Act (Act 103 of 1996) has been established; if not, why not; if so, (a) where is the museum situated and (b) what was the cost of the museum?

N1031E

The MINISTER OF COMMUNICATIONS:

No, the museum has not yet been established, discussions are still underway with Telkom.

Conditions attached to permit to mine marine shale/shingle

736. Mr S B FARROW (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether the permits issued to a certain person (name furnished) to mine marine shale and shingle allows for this to be carried out with tractors and trailers on the beach; if so, (a) why and (b) what are the particulars of the permits; if not,

(2) whether any steps have been or will be taken to stop this contravention of current legislation restricting or preventing the use of vehicular traffic on beaches; if not, why not; if so, what steps?

N1034E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) No.

(2) No. The individual in question is authorised to carry out research on behalf of Bayworld Aquarium which is located in Port Elizabeth.

Permit issued for beach travel to tag sharks

737. Mr S B FARROW (DA) asked the Minister of Environmental Affairs and Tourism:

(1) Whether his department has issued a special permit to any person or organisation to travel on the beach between Hamburg and East London to do tagging of various shark species; if so, (a) to which person or organisation and (b) when was the permit issued; if not,

(2) whether his department will investigate why a certain vehicle (details furnished) was on the beach, allegedly fishing for sharks for research purposes; if not, why not; if so, what are the relevant details?

N1035E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) The person concerned has been authorised to collect shell grit (ie, not "shale and shingle") from the beach between Hamburg and Birha, for the purpose of using it as brick-making material for a local community-based building project.

(b) The person concerned may use one tractor and one trailer to load the shell-grit from the beach and to transport it to their brick-works. There are a number of additional conditions that apply.

(2) Falls away.

Bait traps found outside perimeter of Kruger National Park

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

(1) (a) How many bait traps have been found outside the perimeter of the Kruger National Park, (b) what is the estimated number of (i) lions, (ii) wild dogs, (iii) leopards, (iv) cheetahs and (v) hyenas that have been lost from the park as a result of bait trapping, and (c) how many perpetrators of bait trapping have been (i) caught and (ii) prosecuted, since 1 January 2003;

(2) whether any measures are being taken by SA National Parks to (a) recapture animals that are lured out of the park and (b) reduce the incidence of bait trapping; if not, why not; if so, what measures? N1108E

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM:

(1) (a) 75 since 1995

(b) Statistics available are as follows:

(i) 63

(ii) 0

(iii) 3

(iv) 0

(v) 30

(c) (i) 0

(ii) 0

(2) (a) Yes.

(b) Yes.

- Observation posts.
- Listening posts.
- Vehicle and foot patrols.
- Night patrols.
- Fence repairs.
- Liaison with provincial conservation authorities.
- Use of and cultivation of informants.
- Thorough investigations into all reported incidents, and prosecution where possible.
- Liaison with concession holders in hunting concession areas outside the park.

Problems *re* sewage flowing from Bloubosrand pump station in Gauteng into Klein Jukskei River

761. Mr D K MALULEKE (DA) asked the Minister of Water Affairs and Forestry:

Whether any feedback is available on the finding in 2000 which indicated that the local metropolitan council was responsible for sewage flowing unabated from the Bloubosrand pump station in Gauteng into the Klein Jukskei River, polluting the river all the way to the Hartebeespoortdam, which situation still prevails at present; if not, why not; if so, what are the relevant details? N1111E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

The sewage pollution from the Bloubosrand Pump Station in Gauteng into the Klein Jukskei River, which was reported in 2000 was investigated by the Department of Water Affairs and Forestry. In 2001, following the intervention of my department, the local authority concerned allocated funds for the installation of a five kilometre (km) sewerage pipeline on the property known as Mushroom Farm within the Bryanston area, which action showed the local authority's seriousness to address the pollution problems. In addition to the installation of the pipeline, the Northgate Sewer Pump Station was replaced with a new 3,2 km sewer line within the North Riding area and a new pump station at Bloubosrand was built.

Since the replacement of the pump station at Bloubosrand, no serious spills of sewage in the Klein Jukskei River were reported, and samples taken at point (DWJ 22) downstream of Kya Sands indicate a tremendous improvement in the water quality of the river. Monitoring is done in conjunction with the local authority. Occasionally some unacceptably high e-coli values are encountered, which could be attributed to informal settlements in the area.

The population influx into the urban areas without integrated development plans leads to the settling of people on the riverbanks and flood plains. The river systems become the source for potable water use, discharge of solid waste and wastewater.

The local authority has undertaken an environmental framework investigation, which identified some stretches that will need rehabilitation.

Survey *re* rivers polluted owing to negligence/violations by industries/local government water treatment plants

762. Mr D K MALULEKE (DA) asked the Minister of Water Affairs and Forestry:

Whether her department has conducted a survey throughout the country in order to find out how many rivers are polluted owing to (a) negligence and/or (b) violations by industries and/or local government water treatment plants; if not, why not; if so, what were the results? N1112E

The MINISTER OF WATER AFFAIRS AND FORESTRY:

The National Water Act, 1998 specifically mandates the Minister of Water Affairs and Forestry to establish national monitoring systems that monitor, record, assess and disseminate information on water resources. In this respect South African water resources are continually monitored by the Department of Water Affairs and Forestry. This is undertaken in a number of ways.

For all water use authorisations in terms of section 21 of the National Water Act, 1998 conditions are included that ensure monitoring of the treated water containing waste discharged back to the resource, the surface waters up and downstream of the discharge and where appropriate monitoring of the ground water. Reports then need to be submitted monthly to the regional offices of my department. These authorisations cover both industrial discharges and local government sewage works. The monitoring includes both chemical and biological monitoring. The regional offices of my department also do compliance monitoring.

The results of the monitoring programmes are continually examined so that problems can be addressed.

QUESTIONS

For written reply:

Aanvalle op motoriste op N2 tussen Kaapstad/Gordonsbaai

424. Mnr F BEUKMAN (NNP) vra die Minister vir Veiligheid en Sekuriteit:

Of daar gedurende die tydperk 1 Januarie 2004 tot op die jongste vermelde datum waarvoor inligting beskikbaar is enige aanvalle op motoriste op die N2 tussen Kaapstad en Gordonsbaai was; so ja, wat die tersaaklike besonderhede is? N531A

(English translation follows):

[Attacks on motorists on N2 between Cape Town/Gordon's Bay;

424. Mr F BEUKMAN (NNP) asked the Minister for Safety and Security:

Whether during the period 1 January 2004 up to the latest specified date for which information is available there were any attacks on motorists on the N2 between Cape Town and Gordon's Bay; if so, what are the relevant details? N531E]

The MINISTER FOR SAFETY AND SECURITY:

As from 1 January 2004 to 31 July 2004 the following incidents took place:

Stone-throwing — six

Attack on motorist — one

Armed robbery/shooting — one

Status/level of development/usage of plant-based fuels in SA

625. Mr K D S DURR (ACDP) asked the Minister of Minerals and Energy:

(1) (a) What is the (i) current status, level of development and usage of plant-based fuels (ethanol) in South Africa and (ii) cost per litre premium over available fossil fuels and (b) what crops are currently being used or contemplated for use;

(2) whether her department and/or the Council for Scientific and Industrial Research (CSIR) has taken or intends taking any steps to explore the potential of alternative fuels; if not, why not; if so, what steps;

(3) whether the use of alternative fuels has a future in the long term; if so, what are the relevant details? N901E

The MINISTER OF MINERALS AND ENERGY:

(1) (a) (i) Bio-ethanol for vehicle fuel purposes is not used in South Africa. A number of producers are establishing a niche market for bio-ethanol gel fuels for use in stoves. The level of market penetration is not measured by the department but is believed to be tiny.

(ii) Bio-ethanol over petrol — not applicable.

Bio-ethanol gel over paraffin — R1,81 per litre (estimate on 31/8/04).

(b) Currently bio-ethanol is manufactured from sugar cane. Cassava, sugar beet and maize are used in other countries.

(2) Yes. The CSIR has produced a research report for the department in conjunction with the Department of Science and Technology on biodiesel. The Department of Minerals and Energy is currently investigating the potential and the costs and benefits of bio-ethanol gel fuel as a substitute for paraffin.

(3) Yes. The ability of such fuels to compete with crude oil-based fuels will depend upon:

(a) the effects of climate change on agricultural production

(b) the costs of production

(c) the international crude oil price

(d) the rand/US $ exchange rate

(e) the price offered for the agricultural crop in other uses (for example international sugar price)

(f) the delivery technology (for example stove efficiency)

(g) Government incentives — the Minister of Finance announced in 2002 a 30% reduction in the fuel levy on biofuels.

Lesotho Highlands water scheme: evaluation of potential of generating more power

626. Mr K D S DURR (ACDP) asked the Minister of Minerals and Energy:

(1) Whether any evaluation has been done on the potential of generating more power using the impounded capacity of the Lesotho Highlands water scheme for power generation and peak power generation; if not, why not; if so, what potential total power could be generated by this scheme;

(2) whether there are any plans to harness this potential; if not, why not; if so, (a) what plans, (b) what is the estimated cost and (c) what are the time-frames involved? N902E

The MINISTER OF MINERALS AND ENERGY:

(1) Phase one of the Lesotho Highlands water scheme: There is a power station with three installed units consisting of 24 MW each. The total installed capacity is 72 MW. This power station belongs to Lesotho. There is no further potential that could be explored, the initial design of the phase one of the project had a potential of 72 MW as installed.

(2) Phase two of the Lesotho Highland water scheme: The Lesotho government will commence a feasibility study in April 2005. The study will be done together with Eskom, to investigate the potential capacity. The estimated potential generation capacity for phase two is about 110 MW. The feasibility study will give indication on cost and the correct figure on the available capacity.

Intention to recommission power stations

627. Mr K D S DURR (ACDP) asked the Minister of Minerals and Energy:

(1) Whether Eskom or the Government intends recommissioning any power stations; if so, which power stations;

(2) whether a prerequisite will be that adaptions are made to such power stations to bring pollution levels from these stations in line with internationally accepted levels; if not, why not; if so, what are the relevant details;

(3) whether new power stations to be built will conform to international best practice; if not, what is the position in this regard; if so, what are the relevant details? N903E

The MINISTER OF MINERALS AND ENERGY:

Eskom has a plan to raise its overall installed capacity by 10 000 MW by 2014. This will be achieved by the demothballing of its Simunye plant, which includes Camden, Komati and Grootvlei power stations.

A new and more efficient technology will be installed. The technology will enable more environment-friendly running of the stations

and will include the latest particulate-emission control systems. A further environment-friendly improvement is that the plants will be returned to adhere to Eskom's zero liquid effluent discharge policy. This means that water will be recycled and reused, with no discharges into the environment. Eskom has put a number of initiatives in place to reduce emissions from its power stations, and constantly monitors ambient air quality off-site.

Police officer seriously wounded: not issued with bulletproof vest despite repeated requests

673. Adv C B JOHNSON (NNP) asked the Minister for Safety and Security:

(1) Whether he has been informed of the case of a police officer who was seriously wounded in the line of duty as he had not been issued with a bulletproof vest, despite having repeatedly applied for such protection (details furnished); if so, what are the relevant details;

(2) whether he will make a statement on the matter? N988E

The MINISTER FOR SAFETY AND SECURITY:

(1) Yes, on 19 September 2000, 0439225-6 Sergeant C de Villiers of the Johannesburg Dog Unit, requested to be issued with a bullet-proof vest. He was offered a size XXXXL vest on 16 October 2000, but due to his physique, the vest did not fit him.

On 1 November 2000, a quote was obtained from a private company for the provision of a special size bullet-proof vest.

On 16 November 2000, Sergeant de Villiers was requested to report to National Logistics in order for his physical measurements to be taken. The measurements were taken on 22 February 2001.

Sergeant de Villiers was shot whilst on duty on 23 February 2001, before the special measurement vest could be issued.

A Board of Inquiry in terms of the employees injury on duty was convened on 11 February 2002. The board of inquiry determined that Sergeant de Villiers' period of absence as a result of the injury on duty be considered a special sick leave with full pay.

Sergeant de Villiers resumed duties on 22 October 2001. On medical advice that the employee perform light duties, he was placed at the logistics section where he performed administrative duties.

During December 2002, Sergeant de Villiers' commander became concerned about his well-being and arranged a consultation with psychological services. A consultation took place on 18 December 2002.

Sergeant de Villiers voluntarily resigned from the SA Police Service on 31 December 2002.

The outcome of the board of inquiry with the relevant documentation was forwarded to the Compensation Commissioner on 31 October 2002. The decision of the Compensation Commissioner has not been received yet.

(2) No.

Steps to attract health professionals who have resigned back into public health service

688. Mr R COETZEE (DA) asked the Minister of Health:

Whether her department has taken any steps to attract health professionals who have resigned from their posts in the public health service back into the public service; if not, why not; if so, (a) what steps and (b) with what success? N1003E

The MINISTER OF HEALTH:

Yes, the department has taken the following steps to attract health professionals back into the public service:

(a) (i) The department introduced the scarce skills allowance in April 2003 to attract health professionals with specialised skills, who are in high demand;

(ii) Rural allowance has been introduced in April 2003 to attract health professionals into rural public health facilities;

(iii) Scholarship and fellowship programmes have been introduced with the support of international organisations like the World Health Organisation (WHO) for the management and other development programmes;

(iv) The department has also signed a memorandum of understanding (MOU) with United Kingdom. Catered for this MOU are several provisions to share information and experience on critical issues affecting Human Resource, that can thus be used to improve conditions of service. Also included is a provision for an exchange of health professionals between South Africa and United Kingdom. This will give the health professionals an opportunity to go abroad for experience and get exposure to both the United Kingdom health services without losing any benefits or posts. These are relatively new initiatives, which have yet to be reviewed;

(v) Study leave and scholarships and financial aid are also made available to staff that wish to improve their knowledge and skills.

(b) A preliminary evaluation of the impact of the rural allowance for health workers in KwaZulu-Natal done by Professor Reid (2004) on behalf of the department, indicated that prior to implementation, around a third of health professionals working in the rural hospitals would be influenced by rural allowance to remain in the public health service. A comprehensive evaluation of the allowance is still to be done. The department is currently in the process of introducing a comprehensive package of incentives aimed at improving conditions of service, which may attract more health professionals into the public service.

The hospital restructuring and revitalisation programme, whose aim is to improve the physical conditions of employment and create a safe environment for both patients and staff, has started to yield positive results. In the Northern Cape, Kimberly Hospital has seen marked improvement in service delivery and staff commitment since it was revitalised.

Students enrolling for/completing degrees in pharmacy

725. Mr R COETZEE (DA) asked the Minister of Health:

How many students (a) enrolled for and (b) completed degrees in pharmacy from 2000 up to the latest specified date for which information is available at each South African institution offering such degrees? N1073E

The MINISTER OF HEALTH:

(a) 3 258

(b) 2 440

Potchefstroom University				
Year	*2nd Year*	*3rd Year*	*4th Year*	*Total*
2000	161	129	196	486
2001	148	139	125	412
2002	173	168	155	496
2003	151	199	158	508
2004	158	149	168	475

University of the North				
2000	87	56	47	190
2001	63	57	40	160
2002	91	60	46	197
2003	80	127	52	259
2004	16	55	124	195
University of KwaZulu-Natal				
2000	75	51	59	190
2001	63	60	46	169
2002	81	60	54	195
2003	33	70	61	164
2004	80	64	62	206
University of the Western Cape				
2000	102	51	68	221
2001	76	48	51	175
2002	106	49	44	199
2003	126	75	44	245
2004	108	96	66	270
Rhodes University				
2000	46	62	67	175
2001	60	46	59	165
2002	75	45	52	172
2003	75	52	39	166
2004	82	54	46	182

University of Witwatersrand				
2000	55	27	46	128
2001	35	37	24	96
2002	79	36	39	154
2003	70	46	36	157
2004	80	50	42	172
University of Port Elizabeth				
2000	72	38	54	164
2001	62	51	35	148
2002	95	55	44	194
2003	105	55	46	206
2004	91	79	52	222
Medunsa				
2000	29	0	0	29
2001	30	27	0	57
2002	41	28	26	97
2003	60	38	30	128
2004	38	55	36	129
Total summary				
2000	627	414	537	1 578
2001	537	465	380	1 382
2002	741	502	461	1 704
2003	700	662	466	1 824
2004	653	602	596	1 851
Total	3 258	2 645	2 440	8 339

QUESTIONS

For written reply:

Funding received from international organisations/countries

539. Mr V C GORE (ID) asked the Minister in The Presidency:

(1) Whether the (a) Office on the Status of Disabled Persons and/or (b) SA Federal Council for Disability have received funding from any international organisations and/or countries in the past five years; if so, in each specified year, (i) from which international organisations and/or countries, (ii) what amounts were received and (iii) for which specific projects;

(2) whether any audited financial results have been submitted; if not, why not; if so, what are the relevant details in each case;

(3) whether those financial results were unqualified; if not, what is the position in this regard; if so, why?

N733E

The MINISTER IN THE PRESIDENCY:

(1) The Office on the Status of Disabled Persons in the Presidency (OSDP) received funding from international donors in the past five years, a total of R6,3 million was earmarked for the South African Federal Council for Disability

(a) Funding was received from the government of Sweden to the extent of R26 542 197,18 and the regional government of Flanders in Belgium to the extent of R1 396 480, in this period;

(i) The Funding from the Swedish government was towards:

- Funding for the South African Federal Council on Disability (SAFCD) for a three-year period;
- Training for marginalised disability groups (list of groups available on request) on the drawing up of business and integrated development plans and financial management;
- The training of 30 national and 80 provincial government officials with disabilities on the logical framework analysis tool, the drawing up of business, financial and integrated development plans and management skills.

(ii) The funding from the Flemish government in Belgium was for a media awareness project aimed at raising awareness in the media with regard to disability, integrated dance, creative writing for people with disabilities and visual arts and crafts.

(2) The OSDP submitted audited statements up to and including for the 2002 year to the Swedish funders. The project was completed in September 2004 and financial statements up to the end of the project have been submitted to the auditors and are currently being finalised.

With regards to the Flemish funding the project is ongoing and expenditure reports for the first quarter were submitted to the donors.

(3) The completed audited statements for the Swedish funding up to and including for the year 2002 did not raise substantial queries or problems.

The OSDP will submit audited statements to the Flemish government after

75% of the allocated funds have been utilised.

Completion of outstanding investigations *re* MECs in Free State

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

(1) Whether, with reference to his reply to Question 214 on 3 August 2004, the two outstanding investigations in respect of MECs in the Free State have been completed; if not, (a) why not and (b) when are they expected to be completed; if so, what are the relevant details;

(2) whether a decision has been made to prosecute in the other case; if not, why not; if so, what are the relevant details? N819E

The MINISTER FOR SAFETY AND SECURITY:

(1) (i) No.

(a) The case is still under investigation.

(b) The investigation should be concluded in approximately three months time.

(ii) No.

(a) The case is still under investigation.

(b) The investigation should be concluded in approximately six months' time.

(2) Yes, the Director of Public Prosecution declined to prosecute.

Invitation to attend Olympic Games

592. Mr R J KING (DA) asked the Minister for Safety and Security:

(1) Whether (a) he, (b) his Deputy Minister or (c) any officials of his ministry or department were invited to attend the 2004 Olympic Games in Athens; if so, (i) which persons and officials and (ii) at whose invitation in each case;

(2) whether (a) he, (b) his Deputy Minister or (c) any officials accepted the invitation; if so, (i) why and (ii) how many days was each away from work as a result;

(3) whether any costs were incurred by the taxpayer as a result of the trip in respect of each specified person; if not, what factors were taken into consideration in reaching this conclusion; if so, (a) what were the costs in respect of each specified person and (b) in respect of what items was this expenditure incurred;

(4) whether he and/or his Deputy Minister has declared the trip as a gift in terms of the Executive Members' Code of Conduct; if not, why not; if so, what is the estimated value of this hospitality? N843E

The MINISTER FOR SAFETY AND SECURITY:

(1) (a) No.

(b) No.

(c) No.

(2) (a) No.

(b) No.

(c) No.

(3) (a) Not applicable.

(b) Not applicable.

(4) Not applicable.

Invitation to attend Olympic Games

606. Mr T D LEE (DA) asked the Minister in the Presidency:

(1) Whether (a) he or (b) any officials in the Presidency were invited to attend the 2004 Olympic Games in Athens;

if so, (i) which persons and officials and (ii) at whose invitation in each case;

(2) whether (a) he or (b) any officials accepted the invitation; if so, (i) why and (ii) how many days was each away from work as a result;

(3) whether any costs were incurred by the taxpayer as a result of the trip in respect of each specified person; if not, what factors were taken into consideration in reaching this conclusion; if so, (a) what were the costs in respect of each specified person and (b) in respect of what items was this expenditure incurred;

(4) whether he has declared the trip as a gift in terms of the Executive Members' Code of Conduct; if not, why not; if so, what is the estimated value of this hospitality? N857E

The MINISTER IN THE PRESIDENCY:

(1) (a) The Minister in the Presidency did not receive an invitation to attend the 2004 Olympic games in Athens.

(b) According to the records available to the Minister no official in the Presidency received an invitation to attend the 2004 Olympic Games in Athens.

(2) Not applicable.

(3) Not applicable.

(4) Not applicable.

Biosafety Protocol: department to regulate/promote/decide on biosafety issues

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

(1) Whether any conflict of interest arises from the fact that the Department of Agriculture is the biosafety clearing house focal point for the Biosafety Protocol in that the department has the function of regulating, promoting and deciding on biosafety issues; if not, what is the position in this regard; if so, how will such conflict of interest be managed;

(2) whether consideration will be given to appointing an independent authority in this capacity, such as the new National Biodiversity Institute; if not, why not; if so, what are the relevant details? N965E

The MINISTER FOR AGRICULTURE AND LAND AFFAIRS:

(1) No, there's no conflict of interest in terms of the Department of Agriculture being the biosafety clearing house focal point for the Biosafety Protocol. The aim of the Biosafety Clearing House (BCH), established in terms of Article 20 of the Protocol, is two-fold; viz (a) to facilitate the exchange of scientific, technical, environmental and legal information on and experience with genetically modified organisms and (b) to assist other countries to implement the Cartagena Biosafety Protocol. There is no decision making required by the BCH. The Department's function as regulator in terms of the Genetically Modified Organisms Act, 1997 (Act No 15 of 1997) is therefore only to submit information to the BCH on decisions taken in terms of the GMO Act and subsequently no area of conflict exists.

(2) No, the South African National Biodiversity Institute (SANBI) cannot be appointed as the BCH focal point, as they don't have regulatory authority in terms of the GMO Act and therefore don't have information submitted by applicants.

Financial Services Board: approved scale of tariffs/fees *re* services rendered by financial advisors

754. Mr K D S DURR (ACDP) asked the Minister of Finance:

(1) Whether the Financial Services Board has an approved scale of tariffs and fees in respect of services rendered by financial advisors, with accompanying norms and standards; if so, what are the relevant details; if not,

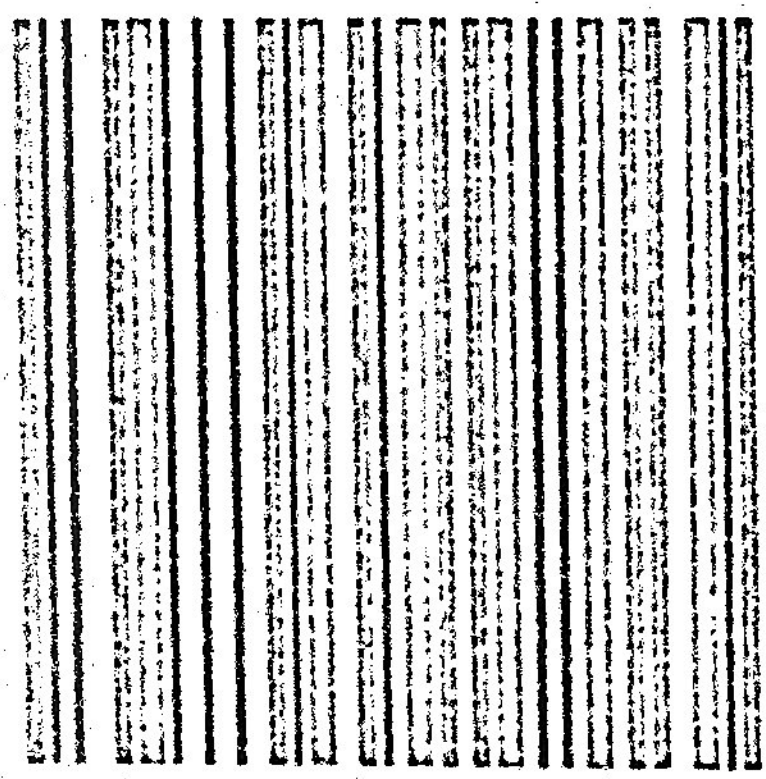
(2) whether he intends taking any steps in this regard; if not, why not; if so, what steps? N1103E

The MINISTER OF FINANCE:

(1) The Financial Services Board generally favours deregulated tariffs and fees in cases where sufficient competition exists in the market to force down the prices paid by consumers. Clear evidence exists that the setting of prescribed fees can skew market forces, due to intermediaries and advisors tending to change the prescribed fees rather than what a reasonable cost may be for rendering a particular service. For this reason there are no fees prescribed for the provision of financial advice and the view is held that such fees must be determined by the market.

(2) No steps are envisaged in this regard for the reasons elucidated above.

SCN05



Lee