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PROCEEDINGS OF THE NATIONAL ASSEMBLY

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The House met at 14:01.

House Chairperson Ms M G Boroto took the Chair and requested members to observe a moment of silence for prayer or meditation.

**CONSIDERATION OF REPORT OF STANDING COMMITTEE ON
APPROPRIATIONS – PUBLIC AUDIT EXCESS FEE BILL**

There was no debate.

The Chief Whip of the Majority Party moved: That the Report be adopted.

Motion agreed to.

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Report accordingly adopted.

PUBLIC AUDIT EXCESS FEE BILL

(First Reading debate)

Ms Y N PHOSA: Chair, the hon Deputy President Mr David Mabuza, hon Ministers and Deputy Ministers, hon members, and the public in the gallery, I would like to take this opportunity to table the report of the Standing Committee on Appropriations on the Audit Excess Fee Bill of 2019. From the outset, let me indicate that the report was adopted by the committee unanimously, and it is available in the Announcements, Tablings, and Committee Reports of Parliament for hon members' perusal.

Chapter 9 of the Constitution of the Republic of South Africa, Act 108 of 1996, establishes the Auditor-General of South Africa as one of the state institutions supporting constitutional democracy. The Constitution recognises the importance and guarantees the independence of the Auditor-General of South Africa, stating that the

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Auditor-General of South Africa must be impartial and must exercise its powers and perform its functions without fear, favour, or prejudice.

The functions of the Auditor-General of South Africa are described in section 188 of the Constitution and are further regulated in the Public Audit Act, Act 25 of 2004. This Act mandates the Auditor-General of South Africa to perform constitutional and other functions. Constitutional functions are those the Auditor-General of South Africa performs to comply with the broader mandate described in the Constitution. Section 4 of the Act makes a further distinction between mandatory and discretionary audits.

The Auditor-General of South Africa annually produces audit reports on all government departments, public entities, municipalities, and public institutions. Over and above these entity-specific reports, the audit opinions are analysed in general reports that cover both the Public Finance Management Act and Local Government: Municipal Finance Management Act cycles. In addition,

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reports on discretionary audits, performance audits, and other special audits are also produced. The Auditor-General of South Africa tables reports to the legislature with a direct interest in the audit, namely Parliament, provincial legislatures, or municipal councils. These reports are then used in accordance with their own rules and procedures for oversight.

Audit fees are charged by the Auditor-General of South Africa. Section 23 of the Public Audit Act, Act 25 of 2004, provides for the Auditor-General to determine the basis for the calculation and audit fees to be recovered from auditees in respect of audits, after having consulted the oversight mechanism and National Treasury. An auditee must settle the account for audit fees within 30 days from the date of the invoice, failing which the Auditor-General must promptly take legal steps to recover the amount unless it is not practical to do so. The Auditor-General may charge interest on any audit account not paid within 30 days of the date of the account at the rate prescribed in terms of section 1(2) of the Prescribed Rate of Interest Act, Act 55 of 1975. If an

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auditee defaults on the payment of audit fees, the Auditor-General must promptly notify National Treasury and, when applicable, notify the relevant provincial Treasury. National Treasury or the relevant provincial Treasury, as may be appropriate, may, after consulting the Auditor-General, direct that audit fees recoverable from an auditee which is not a national or provincial department be defrayed from a vote on the national Budget or a provincial budget identified by the relevant Treasury. If the audit fee exceeds 1% of the total current and capital expenditure of such auditee for the relevant financial year, such excess must be defrayed from National Treasury's vote, provided that National Treasury is of the view that the auditee has financial difficulty to settle the costs. This excludes national and provincial departments. The problem was that it was difficult to predict what these claims would be to budget properly for them. Historically, there has always been a shortfall between the amounts due and the funds appropriated for this by National Treasury.

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The Public Audit Excess Fee Bill provides for the specified access of audit fees of certain categories of organs of state, payable to the Auditor-General, as envisaged in the Public Audit Act, Act 25 of 2004. If the stated conditions are complied with, it becomes a direct charge against the National Revenue Fund – no longer against the National Treasury vote – and the Act provides for matters connected therewith. That is the difference. There is a movement of trying to charge the funds from National Treasury, but this Act allows for these funds to be a direct charge from the National Revenue Fund.

These changes were necessary to ensure the viability of the Auditor-General. Possible abuse by qualifying auditees would be curtailed by a provision that Treasury would still determine whether an auditee was unable to pay. National Revenue Fund only in terms of an appropriation by an Act of Parliament ... so, it is only by ... this Bill allows now for the direct charge from the National Revenue Fund.

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In line with section 13(2) of the Money Bills Amendment Procedure and Related Matters Act, the committee has a responsibility to hold public hearings on any money bills and report on the Bill to the National Assembly. In the absence of any public submissions after the advertisement was placed in the national and regional newspapers from 1 to 8 March 2019, the Bill was adopted by the Standing Committee on Appropriations on 13 March 2019. The committee welcomes the Bill, as it will assist in unlocking the required resources and guarantee financial viability for the Auditor-General. The independence of the Auditor-General is sacrosanct, as it is guaranteed in the Constitution.

The committee welcomes the recent amendments to the Public Audit Act, Act 25 of 2004. The significance thereof is that it will enhance the work of the Auditor-General of South Africa and enforce consequence management, which has been a big challenge. We strongly believe that the amendments to the Public Audit Act will assist in improving governance, internal controls and compliance, particularly with supply chain management

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policies in government departments. The committee strongly recommends that the departments and public entities appoint independent audit committees and effective internal auditors and ensure that effective monitoring and evaluation units are in place and continually trained to discharge their responsibilities.

Before I conclude, I would like to remind this august House that the Freedom Charter is 64 years old this year – that seminal document the freedom-loving people of our country adopted on 26 June 1955 in Kliptown, Soweto. On that day, 3 000 delegates arrived from all corners of our country – from towns and the rural areas. They came by train, bicycle, and on horseback, bearing in their hands pieces of paper containing demands from their communities. Simply translated, these demands pointed to a dream to bring about a new society, free from discrimination, oppression, and exploitation. These 3 000 delegates – young and old, workers, peasants, and intellectuals – were motivated by nothing else than a quest for freedom and a better life for all. They longed for a country and continent where all shall live as

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equals, with equal opportunities, friendship, and brotherhood.

As we table this Bill today and recommend its adoption, let us dedicate it to these heroes who gathered in 1955 to come up with this very important document that has informed our Constitution – the Constitution of the country – and continues to inform the programmes of the government of the day to bring about a better life for all. Let us make sure that our forebears, the heroes of the revolution, will look at us with great pride, not with disappointment – with great pride, for they shall know that they gave birth to sons and daughters who will never betray the revolution. The message here is that we should not betray the revolution and the people who died for this revolution.

I dedicate this speech today to the heroes and heroines of our revolution, those who sacrificed everything, including life and limb, to ensure that South Africa is a free country today. Let them know that the Bill passed by this House today will only be used to bring about a

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better life for all South Africans, not a certain section of South Africans or certain individuals, and a better future for all. Let this House continue to demand accountability, efficiency, competence, and value for money. Hon members, let us not tolerate incompetence, mediocrity, and laziness. Let jus not tolerate this. [Interjections.] We must continue to frown upon corruption and make sure that those who misuse public funds - and I repeat: those who misuse public funds - are punished, as they also hinder our fight to push back the frontiers of poverty. [Interjections.]

As I conclude, the 1994 democratic breakthrough provided the ANC, as a liberation movement, with the opportunity to pursue economic policies that hold inclusive growth, development, wealth distribution, and wealth redistribution at its core to bridge the inexorable gap between the rich and the poor within our country. The committee recommends that this House adopts the Bill without any amendment. The ANC supports the Bill. I thank you. [Applause.]

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Mr M S SHACKLETON: House Chair, the purpose of the Public Excess Audit Fee Bill is to provide that audit fees in excess of 1% of current and capital expenditure of qualifying auditees audited by the Auditor-General is the direct charge against the National Revenue Fund. National and provincial departments are excluded from this provision. This places a focus on municipalities. The proposed provision serves to encourage laziness and irresponsible spending on the part of municipalities.

What is the incentive for municipalities once this Bill is in place? Across South Africa we have seen municipalities in serious debt, because they have financially mismanaged. Provinces like the North West are known to us. Irregular expenditure in North West municipalities increased from R3, 19 billion to R4, 29 billion in the 2016-17 financial year.

Three municipalities that contributed to 55% of such expenditure were the Rustenburg local municipality with R983, 5 million, in Ngaka Modiri Molema District municipality with R827, 8 million and the Madibeng Local

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municipality with R561, 9 million. There was no single municipality which was able to achieve a clean audit outcome.

Examples of financial mismanagement are extensive across ANC governed-municipalities. By ensuring that audit fees exceeding the 1% will now not be paid by the municipalities, the incentive to watch the balance sheet, to spend prudently and to budget sensibly are reduced even further. The financial management of DA led municipalities is world class.

In the City of Tshwane, Solly Msimanga's administration turned around a budget deficit of R2 billion. In the City of Johannesburg, the creditors book stood at R18 billion. At the ceiling of National Treasury's prescribed limit, when the multiparty government took office. In September 2018, the City of Cape Town was named the top financial centre in sub-Saharan Africa, overtaking South African's traditional centre of finance and commerce, Johannesburg-for the first time.

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What this Bill proposes is the equivalent to bailout for municipalities and will have unintended and unforeseen financial consequences, where the scope of audit fees exceeding 1% will only accelerate and greater funding from the National Revenue Fund will have to be sourced, time again. South Africa is not a country with unlimited funds especially looking at government corruption and excessive bailout.

We can not continue to look to the National Revenue Fund to be the answer to all problems. The Auditor-General needs to be self sustaining. The way the auditors obtain their fees is to charge for them. The briefing we receive from National Treasury essentially states that all avenues were explored to recover audit fees. This is simply not true. With all due respect, having a chat with someone about life, love and the universe is not a realistic way to extract maximum debt payments.

The laws of the Republic of South Africa make provision for default listing debtors on the credit bureau, issuing letters of demand, having summonses served, taking

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judgement against debtors and having their property attached and sold. These are steps that the Auditor-General has not tried and should be pursuing. When laws exist they must be used and applied.

In the DA, no one is above the rule of law; no one is above being held to account. On 8 May, vote for the party that is honest, responsive and accountable. Vote DA, I thank you.

Ms Y N YAKO: Madam Chair, if the real evidence by the likes of former Bosasa executive who didn't connect the dots, but connect the facts at the of the Commission of Inquiry into Allegation of State Capture, and the collapse of government and majority of state-owned companies has thought us the fact that we need to rethink auditing and how it plays a role in bringing good governance, fighting corruption and improve transparency.

The Public Audit Excess Fee Bill before the National Assembly is trying to address the long standing challenge of the departments, state-owned entities and

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municipalities failing to pay audit fees due to Auditor-General. The Bill seeks to take the money owed by the government entities directly from the National Revenue Fund, before it gets to these it gets to these government entities instead of the National Treasury.

While this serves to address an administrative challenge, the Auditor-General has a much bigger challenge that we address urgently. The main challenge facing the Auditor-General is that it depends largely on like of Klynveld Peat Marwick Goerdeler, KPMG, PricewaterhouseCoopers, PwC, Deloitte and other companies for audit.

The problem is many of these companies, their associates and subsidiaries are doing business with government entities and the very same companies must audit themselves. The likes of KPMG are corrupt to the core they thrive on state contracts and there are no way companies like KPMG can be trusted to audit government entities.

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The Auditor-General can not continue to depend on third service providers, to carry out its core function. What we have now is the fox that is guarding the henhouse. Giving the Auditor-General powers to make recommendations on matters that the National Prosecuting Unit, NPA must prosecute on, was one step towards reconfiguring the role of auditing in government, but these powers can only be effective if the Auditor-General is fully independent and well funded.

That is why we need rethink a funding model that is sustainable and that will ensure full independence of Auditor-General, like all other institutions supporting democracy. All contracts with auditing companies linked with Auditor-General must be cancelled and the Auditor-General must begin an intensive process to build internal capacity and stop relying on crooks.

All monies owed by government entities for audit fees must be scrapped, especially monies owed by municipalities and small state-owned entities. All, these so called outstanding audit fees paid by National Treasury is

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monies owed by few corrupt companies, who through collision and corruption enjoy auditing tenders, while majority of young and talented auditors, excluded and forced into scraping for leftovers.

All auditors who are going to audit government must be employed by Auditor-General on a full time basis and be paid decent salaries based on experience and must be provided with all resources to do the work. This is in line with the EFF government intention to build corruption free and capable state to deliver service to our people in time. While the Public Audit Excess Fee Bill may offer temporary relieve and remedy, the long term solution is building internal and external auditing capacity, to audit both the financial performance and performance information. I thank you Madam Chair.

Mr N SINGH: Thank you very much hon House Chairperson, as we have heard, the need for this legislation here introduced by the Ministry of Finance arises from amendment we made recently as the Standing Committee on the Auditor-General to the Public Audit Amendment Act and

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there were significant changes that were made. One of them speaks to consequence management, where heads of departments and directors general would be held liable and given certificate of debt for any wasteful and unauthorised or fruitless expenditure.

I think that is very significant move in terms of checks and balances and in terms of accountability, however this particular piece of legislation here, relates directly to the fees that are not paid by many municipalities. It is of major concern that there are number of municipalities who call themselves municipalities in distress that are not paying their audit fees the Auditor-General.

This puts a lot of pressure on the office of the Auditor-General and it is necessary for us to ensure that, that office is not pressurized to the extent that it is and that there is some certainty of funds that will flow into the coffers of the AG. This Bill here provides that certainty, but there are checks and balances in that, municipalities in distress or any municipality can not

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ride the bandwagon and expect National Treasury to pay audit fees due by them.

The Public Audit Amendment Act makes that sure there are these checks and balances and we hope that between National Treasury and the office of the Auditor-General they will not allow some of these municipalities to get away by not paying audit fees which they budget for in their budgets. As is commonly known many of these municipalities in our country use funds that should be ring fenced particular purposes and start using them for salaries and wages and everything else, now that is the problem with these municipalities.

In 2018, an amount of R60 million was outstanding. The total outstanding debts owed by local government is R529 million and of the R529 million, R163 million is municipalities in distress. Now R73 million of 45% of that amount is long outstanding and we can not expect the office of Auditor-General sustain itself and to provide the kind of excellence we expect of it when funds are coming in up through. Hopefully this legislation and the

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working between National Treasury and the office of the Auditor-General and putting pressure on local government will ensure that the Auditor-General's office remains independent and free from any concern that they won't be given the funds that are due to them. We will support this Bill. Thank you.

Mr A M SHAIK EMAM: Hon House Chair, the NFP will indeed support this Bill tabled here today. I think the question we need to ask is, why did we get to where we are today? I think it is clear in this country that there is a culture of non-payment. People do not believe in paying.

The 30-day payment is just there in theory; in practise it does not happen. It is our view that these municipalities should be paying but they will choose not to pay all the service providers. In order for the Office of the Auditor-General to function optimally, we now have to put added measures in place to ensure that they get fees in excess of 1%. I am not sure whether this is going to solve the Auditor-General's problem. The Auditor-

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General's office could function and operate independently.

I am worried about the precedent that we are setting and the message we are sending to the organs of state when they either fail, neglect or refuse to pay, because every time Treasury has got to come to their rescue.

But either to that there is another problem and that is who does Treasury account to, does the Auditor-General audit Treasury because if Auditor-General was auditing Treasury and it was done correctly then how it is we did not pickup the challenges with the Integrated Financial Management System where millions of rands were lost.

So clearly there seems to be a weakness and I am satisfy when the Auditor-General agrees that the auditing system whilst one of the finest in the World is not full proof, if you know how to manipulate your books you will still get unqualified clean audit.

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So I think the office of the Auditor-General need to look at added measures to try and close that gap because that seems to be a serious problem. We are satisfied that due processes have been followed that this will have a positive impact on the function of the office of the Auditor-General and in doing so the NFP is of the view that we must support this.

In line with that we will support this but we are pleading with the Auditor-General and whilst the Auditor-General is listening I want to bring another ... and I think the Minister is here. I want the Minister to hear this: you give R47 000 per Member of Parliament for constituency offices through out South Africa.

But there are no mechanisms in place to check if those offices exist, if the staff exists, if furniture exists ... So, Minister, together with Treasury and the Auditor-General, let's save the taxpayers' money; let's do something about it. Thank you very much.

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Mr A R MCLOUGHLIN: Hon House Chairperson, the Office of the Auditor-General in South Africa has a long and proud history. It has served this country with distinction in different administrations for over one hundred years. One of the reasons the Auditor-General's office has been so successful is because it always maintain its independence.

When I first suggested to the Auditor-General, Mr Kimi Makwetu, that his office needed more teeth so that his work would not be under threat of, at the time, becoming nearly in vain, it was because I was concerned about the fact that most auditors merely ignored the Auditor-General's suggestions and negative findings which repeated themselves year after year due to a lack of consequence.

The Auditor-General agreed and so too did the committee. After a protracted process required for the amendment of legislation, the Public Audit Amendment Act was passed into law late last year.

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However that section of the act was provided for the AG to henceforth be entitled to recover certain unpaid audit fees due by municipalities in particular from the national treasury was certainly not in line with my original intention. Every year the Auditor-General presents his office's financial statement to the Standing Committee on the Auditor-General.

These statement have over the past five years always show the surplus which the Auditor-General has request the permission to retain and applying towards ongoing expenses and he wish to build his offices reserves.

I discovered an answer to my question that these reserves are only book entries and not actual cash in the bank because in the manner I represented for the work done and charged for by the AG's office but unpaid for by the various defaulting auditees.

The provisions of the Public Audit Amendment Act sought to correct this by enabling the AG after consultation and negotiations with the National Treasury to obtain payment

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from Treasury of whatever the outstanding audit fees exceeded 1% of each defaulted Audi tes total current and capital expenditure for the year in question.

Last year these accumulated unpaid feed amounted to sum of R158 million. When I submitted a written request to the Minister of Finance asking how this amount was to be funded, I suspect that I set off an alarm bell.

Treasury must have realised that, in future, at a time when more and more municipalities were failing, the amount payable to the Auditor-General in terms of the provisions of this amendment, were not only potentially enormous, but also had to be met directly out of National Treasury's own budget.

I suggest that this new Bill before us today was devised by National Treasury as a means of escaping the budgetary noose that it had created for itself. How? Well, National Treasury proposes to dodge the bullet and make the problem a national one by allowing the Auditor-General to

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claim the unpaid audit fees directly from the National Revenue Fund and not from Treasury's own budget.

This is a very bad idea and should be rejected out of hand by all members of this House. The reason I say so is because, if we pass this Bill, it will mean that the Auditor-General will have no responsibility to collect its own funds in difficult circumstances and, when it cannot collect, will be paid in preference to and at the collective expense of every government department.

Quite apart from that, no matter what checks and balances are woven into the provisions of this Bill, the Auditor-General will effectively be sacrificing his Office's independence and possibly its good name and reputation.

If this Bill is passed into law, it will amount to a conflict of interest to have a third party who has the greatest interest in the audit outcomes pay the auditing fees of those audited. It could also easily result in the excising of undue influence and manipulation on the part of the parties involved.

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I urged you all to reject this Bill and assist the Auditor-General to maintain his Office's independence, compete fairly in the market, and be responsible for the collection of his own fees just as every other professional practitioner in South Africa is required to do. I am done.

Mr N E GCWABAZA: A Hon House Chairperson and hon member, the office of the Auditor-General of South Africa is mandated by the Constitution of the Republic to audit the national and provincial departments and also municipalities for every financial year. Ten per cent of the Auditor-General's clients fall under the financially distressed municipalities and small auditees such as museums, trusts and boards.

Section 23 (6) of the Public Audit Act provides that if the National Treasury is of the view that the auditee is financially distressed then the excess audit fees must be paid from the National Treasury's Budget Vote in an instance where the audit fees exceed 1% of the current and capital expenditure of the auditee. It has been

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reported that from the 2014-15 financial year to the current one, the excess audit fees to be drawn from the National Treasury's Vote have been a lot higher than the amount appropriated to these financially distressed municipalities and small state institutions and thus there have been shortfalls over the past five financial years. It has also been observed that the total amount of excess audit fees has been unpredictable and thus made it difficult to provide accurate funding for the purpose of meeting the payable audit fees to the office of the Auditor-General on behalf of the distressed municipalities and other small institutions.

Firstly, the ANC proposes that the excess audit fees be payable to the office of the Auditor-General annually and thus avoid the accumulation over a long period. Secondly, it also proposes that municipalities which have potentially large revenue be capacitated urgently to be able to collect revenue from the consumers of the municipal services so that they are able to pay their audit fees. Thirdly, where municipalities have a poor revenue base, sufficient funds be made available in every

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financial year, possibly in the form of a specific grant. And lastly, similar funds must be appropriated to the small institutions for the same purpose. The delays in the payment of excess audit fees threaten the financial stability of the office of the Auditor-General. In addition, it makes it difficult for the office of the Auditor-General of South Africa, Agsa, to carry out its constitutional mandate and the fact that it has to depend on payments of the excess audit fees from the National Revenue Fund may bring into question Agsa's independence. The ANC will continue to protect the constitutional mandate and the independence of the office of the Auditor-General. The ANC therefore supports the Public Audit Access Fee Bill and recommends that the House passes the Bill.

We wish to remind our people that they have a date with the ANC on 8 May ... [Interjections.] and on that date, vote ANC. [Interjections.] Now, let me turn to the DA which tells us that Tshwane has cleaned up a deficit in the metro. What the DA conveniently forgets is that the DA-EFF coalition is reported to have stolen R12 billion

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in Tshwane through tenders. [Interjections.] Your new mayor has taken a decision to cancel the contact between the Tshwane metro and the company called ...

[Interjections.]

Mr N PAULSEN: House Chair! House Chair! House Chair!

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Gcwabaza, please take your seat. Yes hon Paulsen, how can I ...

[Interjections.]

Mr N PAULSEN: Chairperson, on a point of order: The hon Gcwabaza made an allegation of corruption and theft. He cannot make that allegation without a substantive motion, so he has to withdraw that. [Interjections.]

The HOUSE CHAIRPERSON (Ms M G Boroto): I hear you but he is talking about the parties not individuals. Continue hon Gwabaza.

AN HON MEMBER: You brought this country to its knees!

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Mr N E GCWABAZA: ... GladAfrica. The latest reports suggest that the DA-EFF looting has ballooned to more than R17 billion in Tshwane. The Johannesburg metro has also suffered a similar DA-EFF stealing of more than R1 billion through a tender. [Interjections.]

Ms M S KHAWULA: Point of order Chairperson!

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon Gcwabaza, take your seat. Why are you rising, hon member?

IsiZulu:

Nk M S KHAWULA: Sihlalo, nginephuzu lokukhalima okuphambukayo. Ikhona into angasikhombisa yona ewububufakazi ukuthi ikhona na lemali ethathiwe?

English:

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon member! Hon member, I am switching off your mike now.

IsiZulu:

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Nk M S KHAWULA: Mhlonishwa uGcwabaza awungihloniphe ngoba sizowucisha umbhobho wakho wokukhuluma

USIHLALO WENDLU (Nk M G Boroto): Mhlonishwa mama, asikho kwinkulumo mpikiswano nesikhulumi ...

English:

... on the podium. Continue hon Gcwabaza.

Mr N E GCWABAZA: The DA-EFF corrupt coalition rules in Tshwane and in Johannesburg. In the Nelson Mandela Bay metro ... [Interjections.]

AN HON MEMBER: Where you govern!

Mr N E GCWABAZA: ... the DA-EFF corrupt coalition has been joined by the UDM, we shall be polite UDM. We shall not call you amasela. [thieves] Thank you. [Applause.]

The DEPUTY MINISTER OF FINANCE: Hon Madam Speaker, the Auditor-General plays a central role in ensuring constitutional democracy by enabling oversight and

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accountability in the public sector. Through auditing it identifies noncompliance, wrongdoing and where public funds were wasted, used incorrectly or stolen. In 2018, this Parliament passed a significant Bill to strengthen the Auditor-General and to protect public resources for the benefit of the people.

That involves ensuring that if, based on wasteful, irregular expenditure, the Auditor-General makes a recommendation. If it is not implemented a remedial action is enforced. If it is not implemented a certificate of debt is given to the head of the department. We think that is a step forward in strengthening this institution. All institutions audited by the Auditor-General must pay audit fees. The audit fees are used to pay for the Auditor-General's expenses, fixed assets and to maintain a small surplus as working capital and general reserve. Municipalities and public entities that are in financial distress only have to pay the audit fee up to 1% percent of its current and capital expenditure. The excess amount is payable from the Vote of the National Treasury. About 10% of the income of the

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Auditor-General falls in the financial distressed category. These are low-capacity municipalities and small public entities like museums. The funds to be paid from National Treasury's funds have for many years been less than the appropriated amount and resulted in shortfalls.

In 2017-18 the amount required was R132 million while only R46 million was appropriated for this purpose. As a result, a shortfall of not less than R86 million was realised. Unpaid audit fees deprive the Auditor-General of much needed cash flow to do its work and put its financial viability at risk. Considering the need for affordable audit fees and preventing the misuse of funding through the direct charge, without impeding the Auditor-General's constitutional mandate, the 2018 Public Audit Amendment Act provides for the Auditor-General to consult the National Treasury on the scope, nature and frequency of audits and the basis of the calculation of audit fees.

The Auditor-General and the National Treasury must agree on the annual date of such consultation, the criteria to

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determine if a municipality or public entity is unable to pay the audit fee in excess of 1% of its current and capital expenditure and the process to determine the estimate of funds needed to pay the Auditor-General. The Public Audit Excess Fee Bill, a money Bill, provides that the audit fees in excess of 1% of current and capital expenditure of municipalities and public entities determined to be unable to pay the excess, is a direct charge against the National Revenue Fund. A direct charge is proposed in the Bill for the excess fee instead of the current arrangement where the Auditor-General has to rely on reimbursement from a Vote of an institution it audits.

Having affordable audit fees without impeding the Auditor-General's constitutional mandate and preventing the misuse of funding through a direct charge is necessary. To this end, the 2018 Public Audit Amendment Act provides for the Auditor-General to consult the National Treasury on the scope, nature and frequency of audits. The Auditor-General and the National Treasury must agree on the annual date of such consultation, the criteria to determine if a municipality or public entity

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is unable to pay these. The Bill will enhance the financial independence of the Auditor-General and limit or reduce the vulnerability of this institution. The Auditor-General has a pivotal role through its audits, new remedial and recovery measures and performance audits to guard public resources, enabling legislatures in their oversight function, building trust in the public sector, and most importantly, ensuring that institution stays independent. Our attitude as the ANC is to ensure that we correct the wrong rather than barking about it. I just want to draw the attention of the House to this.

In 2013-14 cash and cash equivalents in Johannesburg was R5 billion. That was the ANC. In 2017-18 cash and cash equivalents were R2 billion. That is the DA. These are records. [Interjections.]

AN HON MEMBER: You took it all. You took all the money. [Interjections.]

The DEPUTY MINISTER OF FINANCE: True! You can go to the books of Johannesburg as we speak. The Standing Committee

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on Public Accounts, Scopa, since the DA took over in Johannesburg has never recommended anything on corruption. You go and check your records. Funds that have been unauthorised have never been put through process of authorisation. Those are matters of record. In other words, you can have your opinion but you can not have your facts. We are putting a Bill in place to ensure that the Auditor-General's independence is not tampered with and its vulnerability is undermined. Thank you very much. [Applause.]

Debate concluded.

Question put: That the Bill be read a first time.

Division demanded.

The House divided.

[TAKE IN FROM MINUTES]

Question agreed to.

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Bill accordingly read a first time.

SECOND READING DEBATE - PUBLIC AUDIT FEE BILL

There was no debate.

QUESTION PUT

DIVISION DEMANDED

HOUSE DIVIDED

[TAKE IN FROM MINUTES.]

Question agreed to.

Bill accordingly read a second time.

CONSIDERATION OF PUBLIC SERVICE COMMISSION AMENDMENT BILL

AND OF REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC

SERVICE AND ADMINISTRATION AS WELL AS PLANNING,

MONITORING AND EVALUATION THEREON

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Mr M J MASWANGANYI: Chairperson, today, we table before the august House, the Public Service Commission Amendment Bill, B 21-2015. The Bill seeks to amend the following sections of the Public Service Commission Act 46 of 1997.

Firstly, section 4 of the Bill, which clarifies the procedure with regard to the renewal of the term of office of a commissioner, as stipulated in section 196(10) of the Constitution.

Secondly, section 5 of the Bill, which establishes the process of designating an acting chairperson in cases where both the chairperson and the deputy chairperson are absent.

In November 2018, the Bill was referred by this august House to the NCOP for concurrency.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, there is too much movement and the noise levels are above the speaker. Please, take your seat.

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Mr M J MASWANGANYI: In November 2018, the Bill was referred by this august House to the NCOP for concurrency. The National Council of Provinces has widely consulted all nine provinces and made amendments to the Bill, which was later referred back to the portfolio committee for deliberations.

The committee had extensively deliberated on the amendments, in relation to the criteria set for renewing one additional term of office of a commissioner in the Public Service Commission. The committee concurred and agreed with the amendments, which are in line with section 196(10) of the Constitution.

However, the committee has taken a decision, that in the Sixth Parliament, the Minister of Public Service and Administration and the Public Service Commission should swiftly develop rules or regulations to give effect to the provisions enshrined in the Public Service Commission Amendment Bill.

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Developing such regulations will assist both Parliament and the President to have a smooth renewal process of the term of office of a commissioner, which is guided by a coherent and standardised method, across the Public Service Commission.

The regulations should be used as a scientific tool for assessment or measurement of performance of commissions. These will also assist both parties in avoiding labour relations conflict, which might result in a court of law.

The ANC-led government will always strive to strengthen the role of the Public Service Commission by ensuring that well-experienced, knowledgeable commissioners are retained for one additional term in the office. The ANC supports, and agrees to the amendments. Now is the time, vote ANC. Thank you.

There was no debate.

The Chief Whip of the Majority Party moved: That the Bill, as amended, be passed.

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Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party and African National Congress.

Question put: That the Bill, as amended, be passed.

Question agreed to.

Bill, as amended, accordingly passed.

Declarations of vote:

Ms D VAN DER WALT: Agb Voorsitter en kollegas, vandag, soos ek reeds op 14 November 2017 onder hierdie Huis se aandag gebring het, sit ons die onaanvaarbare tradisie van minagting van ons pligte, wat deesdae 'n norm in die Parlement geword het, onbeskaamd voort.

English:

This very basic piece of legislation, referred to as the Public Service Commission Amendment Bill has taken more than two years to be tabled in this House, the first time, from 2015 until November 2017. Now, it is back from

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the NCOP, another 16 months later, for absolute minor amendments.

The Bill seeks to amend the Act, in order to ensure efficiency and certainty, with regard to the process of renewal of the term of office of a commissioner and designation of an acting chairperson for the Public Service Commission, PSC.

The provisions of the Bill seek to provide for continuity in the PSC, with respect to the retention of commissioners with experience, and with regard to the execution of the Public Service Commission's mandate.

In this regard, the Bill clarifies the process to be followed by the President whenever the President renews the term of office of a commissioner, as contemplated in section 196(10) of the Constitution.

It further makes provision for the designation of a commissioner to act as chairperson of the PSC, whenever both the chairperson and the deputy chairperson are

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absent, or for any other reason, unable to act as a chairperson.

Now, after the 16 months, it is inserted, and I quote: "for a period, not exceeding 30 days". A reminder to us all - section 196 of the Constitution states that, and I quote: "The commission is independent and must be impartial, and must exercise its powers and perform its functions without fear, favour or prejudice, in the interest of the maintenance of effective and efficient public administration and a high standard of professional ethics in the public service. The commission must be regulated by national legislation."

Afrikaans:

Dit is presies wat die staatsdienskomissie gedoen het toe hulle die voormalige Minister van Staatsdiens, Faith Muthambi, en haar kantoor die afgelope jaar ondersoek het en verskeie onreëlmatighede gevind het.

Ons verwag dat die Speaker, wat soos die President, die ondersoekverslag met betrekking tot hierdie lid en haar

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kantoor se werkswyses ontvang het, voor die etiese komitee ter tafel sal lê, vir optrede, omdat sy steeds 'n lid van hierdie Parlement is.

English:

We support the Public Service Commission and want them to continue to perform their duties without fear or favour. We support the Bill and the report. Thank you.

Dr S S THEMBEKWAYO: Chairperson, the contents of this Bill are technical in nature and clarify issues relating to term of office and who should act when the commissioner and CEO are unable to. We have no objection to the original amendment or to the additional changes proposed by the NCOP.

This is however an opportune time to speak about the failure of the Public Service Commission and its inability to build, develop or maintain an effective and efficient civil, which is able to deliver to its citizens.

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Ask any South African and they will tell you that this government is failing them and that the government from the Western Cape to Limpopo is neither is effective and efficient, nor in the service to the people.

The Public Service Commission should be central to ensuring a capacitated and motivated civil service. Instead, we have a useless organisation, too scared or perhaps too incompetent to confront cadre deployment and corruption that are collapsing the ability of government to provide services.

Official documents of the Public Service Commission are supposed to promote a high standard of public service leadership and encourage best practices in human resource policies, promote good governance and improved government practices in the public services, promote a high standard of ethical conduct among public servants and contribute to preventing and combating corruption.

If we are to use these three standards as the benchmarks for the success or failures of the Public Service

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Commission, it is clear that it has failed. With regard to this failure, it is not solely its fault. For 25 years, the ANC has misguided our people and has misdirected the revolution.

Only an EFF government will be able to bring about an effective and efficient public service, able to cater for the needs of South African citizens. [Interjections.] So, dear South Africans, for an efficient and effective public service, please vote EFF on 8 May. Thank you.

Ms S J NKOMO: Chairperson, firstly, I would like to say to the people of South Africa to trust the IFP and please, vote for us on 8 May. We have no objections to the amendments to this Bill and, especially, how it addresses certain matters.

We do take note of all these areas, especially the area around how the President is going to be nominated as well as how, with this procedure, the renewal of the President and how the deputy is going to be there at all times.

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We would like to recommend, as the IFP, that we are accepting the insertion of the provision for the designation of a commissioner to act as the chairperson of the Public Service Commission in the event that both the chairperson and the deputy are not present.

The amendments definitely give teeth to the Bill. As the IFP, we support it. South Africa, don't forget, trust us. You know us. We are still the same today. Vote IFP.
[Interjections.] Thank you.

Ms W S NEWHOUD-DRUCHEN: House Chairperson, the Public Service Commission's vision and mission is to champion Public Service's excellence in the democratic governance of South Africa, and at the same time promote the constitutionally enshrined democratic values and principles throughout the Public Service.

The portfolio committee, in 2015, received a referral to process the Public Service Commission Amendment Bill. The Amendment Bill seeks to amend the Public Service Commission Act in order to ensure efficiency and

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transparency with regard to the process of renewing the term of office of a commissioner. Thus the Amendment Bill intends to ensure continuity and stability in the Office of the Commissioner in executing the mandate of the Public Service Commission.

In considering amendments from the NCOP, the committee extensively deliberated on this and subsequently adopted the amendments which are highlighted in clause 1 and clause 2 of the Amendment Bill with the provision that in the Sixth Parliament the Public Service Commission, PSC, will develop rules for performance assessment.

While the DA rolls out red carpet to a selected few among the populist, the ANC-led government and the National School of Government continue to transform and improve service delivery for all as well as addressing systematic challenges in the Public Service delivery in all three spheres of government throughout the learning and development of public officials. The Amendment Bill promotes the constitutionally enshrined democratic values and principles throughout the Public Services and the

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ANC-led government has demonstrated its commitment to having a Public Service that is resourceful, well-organised and run by competent public servants which is central to realising a transformative and developmental state. The need to professionalise Public Service requires an intact independent Public Service Commission and the benefits are a state that is capable with expertise, administrative and leadership capacity to action policy and fast-track the transformation and developmental agenda.

Twenty-five years on South Africa is a better place than in 1994. [Applause.] Before I say that the ANC supports this Bill, you must vote the ANC on 08 May. The ANC supports the committee report and the amendments from the NCOP. Thank you, House Chairperson.

Question put: That the Bill, as amended, be passed.

Question agreed to.

Bill, as amended, accordingly passed.

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**CONSIDERATION OF FILMS AND PUBLICATIONS AMENDMENT BILL
AND OF REPORT OF PORTFOLIO COMMITTEE ON COMMUNICATIONS ON
AMENDMENTS PROPOSED BY THE NCOP**

Dr H B MKHIZE: Hon Chair, hon members, the department introduced the Films and Publications Board Amendment Bill in response to an ever-changing landscape, precipitated by the advancement in technology. The amending Bill is a step in the right direction for the protection of our nation from harmful content that has gained momentum, reaching far beyond what our regulatory space has managed to achieve.

As hon members will recall, the Films and Publications Board, FPB, previously focused its classification and monitoring activities on physical platforms and less on digital platforms and social media. It is therefore important to recognise that our regulatory and legislative instruments have to be on a par with technological developments, and in the interest of protecting the prescripts of our Constitution. Our intent to protect our citizenry should extend its focus to the

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regulation of content on these new and diverse platforms. This is the fundamental context within which the Bill should be viewed.

While we must acknowledge that the Bill was met with mixed responses and most amendments have been welcomed, others have been severely criticised. We should not shy away from the notion that active debate is an important element in our new democratic dispensation, as such, and is consistent with many other Bills that pass through Parliament.

The NCOP proposed crucial amendments to strengthen the Films and Publications Board Amendment Bill. The Portfolio Committee on Communications concurred with these in order to ensure that they are incorporated into the Bill before this House during the Second Reading, before it is sent off to the Presidency.

The amendments included clauses 15 and 17, which, in the main, deal with sexual conduct, and revert to the original principal Act position. During deliberations in

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the NCOP, the opposition indicated that such an altered amendment waters down the Act. Even though the consequence to the proposed removal of such wording was to address the tautology since there is a definition of sexual conduct, both committees of Parliament have agreed, and the change will be seen in the existing Act, as is.

Furthermore, the concern on putting stringent experience and long service, which was overlooking the issue of youth unemployment, has been addressed by the removal of the once-proposed 10 years' experience in the mentioned fields. This will ensure that youth also get an opportunity to influence the regulation of online content. We are all too well aware that new technologies impact on the youth more so than on the adult population of the country.

The removal of qualifications and extensive experience required of members of the new Enforcement Committee opens up opportunities for young people and for people living with disabilities to participate in the decision-

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making processes and leadership. It also broadens the value-add for a wide range of citizens to become advocates of change for regulating online distribution of digital films and digital games, as sought for in the Bill.

The NCOP raised another important change in clause 6, which relates to the strengthening of the Enforcement Committee chairperson, who should be a retired judge of the High Court of South Africa. This is an important element to ensure that the chairperson of the Enforcement Committee is of a high calibre.

Lastly, a new clause on the defrayment from money appropriated by Parliament for carrying out duties of the board, council, and its implementation bodies is welcomed, on the basis that it will enable the board to carry out its mandate more efficiently.

The ANC supports the portfolio committee's report and the amendments from the NCOP - and reminds the public to vote for the ANC. [Interjections.]

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Debate concluded.

The CHIEF WHIP OF THE MAJORITY PARTY moved: That the Bill, as amended, be passed.

Declarations of vote:

Ms V VAN DYK: Chair, the DA hereby rejects the adoption of the Films and Publications Amendment Bill and the subsequent report of the Portfolio Committee on Communications on the amendments proposed by the NCOP.

Afrikaans:

Ons glo dat die proses wat gevolg is deur die NRVP inherent gebrekkig, ondemokraties en onbillik was. Opposisie partye was nie teenwoordig op 'n belangrike besluitnemingsvergadering nie, en het dus nie die geleentheid gehad om aan die proses deel te neem nie.

Die gekose komitee het 'n vergadering by 'n hotel by O R Tambo-Internasionale Lughawe gehad om hierdie wetsontwerp te bespreek en goed te keur. Uitnodigings na

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hierdie vergadering is via WhatsApp-boodskappe gestuur en sommige lede het nie hierdie boodskappe ontvang nie.

Ons kan eenvoudig nie 'n proses ondersteun wat deur die ANC gekeer is met lede van die opposisie wat fundamenteel uitgesluit is nie.

English:

South Africans vote for political parties precisely so that their voices can be heard, but this is a flagrant violation of the rights of ordinary citizens. It does not reflect the true legislative intent of the committee, and could, potentially, result in the adoption of a Bill - and eventually, an Act of Parliament - which does not reflect the will of the people, as expressed through the actions and decisions of their democratically elected representatives. The Bill was also incorrectly tagged but the state legal advisers were adamant that it was correct.

This Bill is primarily about the protection of consumers, and Schedule 4 of the Constitution is clear on that. It

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can thus be challenged in court. We opposed this in the committee and we oppose it today.

The DA cannot and will not remain silent when due process is not followed. [Applause.]

Mr N M PAULSEN: Chairperson, when this Bill was first introduced to the National Assembly; we were clear why we objected to it. This Bill will not stop the distribution of personal pictures or illegal pornography, because while the intentions of the Bill are noble, this piece of legislation is a Trojan horse for pretentious censorship and crosses the fine line between protection and censorship.

Unfortunately, the amendments made by the NCOP don't change this, because essentially what this Bill is doing is pre-classifying all online publications, including content generated by normal users on face book twitter, instagram and YouTube and have the potential to criminalise anybody.

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The Constitutional Court ruled in the case between Prime Media and the Department of Home Affairs, that pre-classification is unconstitutional and the people must first be allowed to publish and then face the consequences of their actions, which still allows for the prosecution of those who distribute illegal material such as child pornography.

This ridiculous idea which states that anybody who generates online media content, needs to get a certificate and approval from a board is both impractical and a violation of freedom of speech and expression.

The pre-classification is easily opened to abuse, giving government greater power in interfering in what people say and what they do, especially in a time where social media use is so common and continues to grow in importance.

Already, in South Africa the law is not applied fairly and both the state and the rich in their united interest in maintaining the status quo can and will use this law

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against citizens who are exercising the democratic freedoms.

If passing this Bill will mean anything, anyone post online makes them potentially liable for prosecution. That is why we reject these amendments and voters out there should note that we are heading to the dark days of apartheid under the ANC where everything we do and say will be censored and they must go out on 8 May and vote out this backward organisation called the ANC. Thank you very much.

Ms C DUDLEY: Chair, the ACDP congratulates both the Select Committee and the Portfolio Committee on Communications for their decision to keep in place the prohibitions against the distribution of sexual explicit material that violates or disrespect human dignity and content which is degrading of human beings.

This amendment to the original text of the Bill, constitute justifiable limitation to freedom of expression and give expression to the objective normative

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value system contained in the Bill of Rights nor serves as confirmation that constitutional freedoms in this case freedom of expression may not be used to violate people's inherent worth of human dignity. This is inline with what the ACDP has argued for in committee that any attempt to employ freedom of expression for such purposes would constitute an abuse and illegitimate exercise of constitutional freedoms.

Sadly, however this improvements, inspite of these improvements we are unable to support the Bill, which according to legal experts still has several constitutional deficiencies, both procedural and substantive plus glaring oversight gaps and textual incongruence which will all result in unintended consequences and or the Bill being unimplementable in practice

We recommend therefore that in accordance with NA Rule 309(4) (d) that the House doesn't proceed with the Bill.

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The portfolio committee has rightly corrected the NCOP reports erroneous conflation of two separate elements, namely sexual violent and sexual explicit material which violates or disrespect human dignity.

Parliament 2009 inclusion of sexual violence in sub-paragraph four of the xx definition had the effect of prohibiting the distribution of materials depicting sexual assault crimes other than rape.

Crime contained in section five, six and seven of the criminal law or sexual offences in related matter amendment act, sexual assault compelled sexual assault and compelled self sexual assault in rightly deleting the words accompanied by explicit violence from sub paragraph one of the xx definition.

The portfolio committee therefore however neglected to reinstate the reference to sexual violence in sub-paragraph four of that definition. Now, accordingly even if the Bill is to be proceeded with which we don't support, the Bill should at the very least be recommitted

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to the portfolio committee in accordance with Rule 309 to reinsert the reference to sexual violence in paragraph for of that definition.

By returning both sub-paragraphs one and four to its original form, the Act will prohibit the distribution of both sexual explicit material that violates or disrespect human dignity and explicit depictions of sexual violence. This will be in line with the intention of Parliament in 2009. Thank you. [Time Expired.]

Mr R M TSELI: Chairperson, the ANC supports the Report and amendments from the NCOP. The Films and Publication Amendment Bill is long over due. As the ANC, we are pleased with the interest shown by South Africans who in their numbers made various submissions before the committee.

The proposed amendment by the NCOP will further protect children from exposure to potentially disturbing or harmful materials and from premature exposure to adult experiences. This is another way for the ANC-led

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government to empower and create opportunities for the South African youth and people with disabilities, especially influential committees and previously disreserved spaces for senior experienced white males, hence the hullabaloo from the hon members on my left.

The objection to the amendment by the DA based on suspicion that the NCOP didn't meet constitutional requirements seeks to hinder progress made and the possible impact this Bill will make in addressing shortcomings identified in the implementation of the Act.

The opposition still today struggles to comprehend the high importance of this Bill in the social cohesion imperatives of the country and that it will curb the use of internet services in advocating racism and hate speech. Once more, the ANC supports the report and the proposed amendment. Thank you very much.

Question put: That the Bill, as amended, be passed.

Division demanded.

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The House divided.

[TAKE IN FROM MINUTES.]

Question agreed to.

Bill, as amended, accordingly passed.

**CONSIDERATION OF RECOMENDATIONS OF CANDIDATES TO FILL
VACANCIES ON SABC BOARD - REPORT OF PORTFOLIO COMMITTEE
ON COMMUNICATIONS**

Dr H B MKHIZE: Hon House Chairperson and hon members, public broadcasting is at a centrefold of public participation in the democratic discourse and for this reason, the SA Broadcasting Corporation, SABC, will forever remain relevant since it is the only organ of state charged with the impartial dissemination of information, strengthening social cohesion and acting as a conduit for citizens to express democratic values as enshrined in our Constitution.

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A well-positioned public broadcaster is an information and digital economy; it is key for our new democracy, and will forever remain relevant. Our former and late President Dr Nelson Mandela was ahead of his time in recognising the need for enabling communication platforms as a means to foster social cohesion and economic development, when he addressed the 7th World Telecommunications Conference and Exhibition in Geneva in 1995. Just in brief he said:

No one should be left behind in the information revolution that is sipping across the globe. The capacity to communicate will almost certainly be a key human right, its impact information revolution on social and economic growth is indeed immense and rightly predicted for the 21st century.

To give a chronological context of the work of the committee, on 14 February 2017, the ad hoc committee resolved that the SABC board be dissolved and that an interim board be appointed by the National Assembly. This resolution was adopted by the National Assembly on 7

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March 2017. On 14 March 2017 the committee deliberated on the names and recommended that the National Assembly recommends five candidates for appointment to the interim board.

On 2 June 2017, the committee published an advert calling for persons to be nominated to serve on the board. On 5 September, the committee deliberated on the interviewed candidates and recommended to the National Assembly for 12 candidates of which five served in interim to be recommended for the appointment to the board.

Subsequently, a letter dated 10 May 2018 was received from the Minister of Communications informing the National Assembly of resignations.

A second letter dated 11 July 2018, was received from the Minister of Communications informing the National Assembly of resignations. Following due advertisements to media, 80 nominations were received on 16 October 2018.

The committee met and recommended candidates to be shortlisted for interviews for four positions. The

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committee deliberated and unanimously agreed to shortlisting 12 candidates.

The interviews were scheduled for 30 October 2018 but due to a number of shortlisted candidates not available on the proposed interview date and later withdrawing from the SABC board appointment process, the interviews did not take place. Another letter dated 6 December 2018 was received from the President, informing the National Assembly that in terms of section 15(2) of the Broadcasting Act, he has accepted resignations of four more board members.

An advert to all national newspapers as well as committee media was circulated in order to ensure broad public participation. On 11 December 2018, the committee advertised eight vacancies and the advert closed on 21 December 2018 but was extended further to 31 December 2018. As of February, the committee received 323 nominations in total.

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The committee conducted live interviews of candidates on 5, 6 and 7 March. On 14 March 2019 the committee met to deliberate on the interviews and endorsed the proposed eight names, Ms Mary Papaya, Ms Jasmina Patel, Dr Marcia Socikwa, Ms Mamodupi Mohlala-Mulaudzi, Ms Bernedette Muthien, Advocate Benjamin Motshedi Lekalakala, Profesor Sathasivan Cooper and Mr David Maimela for the SABC board.

The committee also emphasised the representation of the demographics of the country by ensuring that the board is capacitated by five women and three men of the candidates. ... [Interjections.] ... Thank you. [Time expired.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you. Hon members, are there any objections to the recommendation of the committee that Ms Mary Papaya, Ms Jasmina Patel, Dr Marcia Socikwa, Ms Mamodupi Mohlala-Mulaudzi, Ms Bernedette Muthien, Advocate Benjamin Motshedi Lekalakala, Profesor Sathasivan Cooper and Mr David Maimela be recommended for appointment on the SABC board? Are there any objections

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HON MEMBERS: Yes.

The HOUSE CHAIRPERSON (Mr C T Frolick): There are objections. I put the question. Those in favour will say aye.

HON MEMBERS: Aye.

The HOUSE CHAIRPERSON (Mr C T Frolick): Those in against will say no.

HON MEMBERS: No.

The HOUSE CHAIRPERSON (Mr C T Frolick): I think the ayes have it. There's a request for declarations.

Ms P T VAN DAMME: Hon Speaker, at the beginning of the Fifth Parliament the situation at the SABC can best be described as unfettered feeding at the trough supported and endorsed by the ANC. The ANC will of course deny that but I will be quoting instances where ANC MPs consistently praised and supported Hlaudi Motsoeneng and

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his reign of terror, which has left the SABC today on the brink of disaster, unable to pay its creditors and staff.

And 2015, given the complete chain rack, like the President's efforts to campaign yesterday; I suggested that a Parliamentary inquiry will be held. The Chairperson of the Committee at the time, hon Humphrey Maxegwana said, I think there is an agreement that needs to be enquired. Hon Leromo Kalago agreed saying thank you Chair, we need to do thorough work when dealing with the SABC, so that we are clear on issues. As hon Van Damme was saying some of these things come from a long time ago, we need to have an inquiry. Then the next week, jikijiki [suddenly] the ANC member saying the inquiry is not necessary. It was clear that they have received instructions from Luthuli House that an inquiry must not be held. At the same meeting, Hon David Kekana said the SABC board and management are amazing. He thanked the management and especially Mr Motsoeneng and Mr Algumi for their great work.

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Hon Tsedu said, having listened to the presentation by the Minister and the SABC, members we are saying at this stage there is absolutely no reason to have an inquiry. So, let the record reflects that the ANC was absolutely against an inquiry and was only after a sustained pressure from the DA and civil society that the Parliamentary inquiry was held. The ANC is boasting about how it fixed the SABC, but that is simple not true. It was through the DA as the rot of the SABC was exposed. It was through the DA's relentless litigation that Hlaudi Motsoeneng was fired. So the ANC must not claim victories when for years the how for the looting and the instructions for the SABC and they should take responsibility. It is because of the ANC that the SABC finds itself in this current state and for a change be honest and own up. This brings me to the issues at hand, despite the DA's best effort to ensure that candidates who not only have the requisite skills but have the truth to survive the SABC board. The ANC simple chose to put forward its list for adoption, which I must say consisted of some good candidates like Dr Marcia Sicikwa, Marry Papaya and Josemina Patel. But it consisted the other

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members who are candidates who have no broadcasting experience for the required stated in the Broadcasting Act, such as Mr David Maimela who is an ANC activist. Professor Cooper in particular as a candidate we strongly disagree with. He had no broadcasting experience and during his tenure as VC at the University of Durban Westville, a report by the Minister of education, found him to be manipulative and prone to surrounding himself with accolades. We have submitted a pie to get that report. We believe the Professor Cooper will destroy the SABC. During the interview we came across as evident and he will not be a team player. Professor Cooper displayed disdain for members of the committee, which is worrisome. His untiring attitude was further delayed when he quoted to be saying people who participate online dating are retarded. This is not the kind of person that should on SABC Board, and we have written to President Cyril Ramaphosa, to say that he must not be included on the SABC Board. In the Fifth Parliament, my colleague Vayon Caperd, Mr James Selfe ... And a DA caucus have made it our mission restore the integrity of the SABC. Our present mission to sure a truly independent public

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broadcaster despite the ANC's best effort, our efforts have born fruits. There is still much work to be done and in the Sixth Parliament and even this Parliament rises. Vote DA for corruption free government, I thank you.

Mr N M PAULSEN: House Chair, South Africa is approaching its most important elections since 1994, and central to the election to any democracy, is a capacitated free and fair media which is able to cover all political parties and issues without fear or favour. In past elections we have seen how the SABC has been used to silence parties, like the EFF while at the same time pumping up this useless ANC. This is why we needed skill competent and non partisan in the SABC Board which is committed to free and fair broadcasting. Unfortunately many of the candidates on the list do not meet these criteria, and amongst the recommended candidates, we have individuals, like Fase Cooper who has a questionable history is related to the employment in the civil service, in fact Fase Cooper was implicated in the 2003 report, which looted the abuse of power and the University funds while he was the vice chancellor at the University of Durban

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Westville. If this Parliament continues to recommend compromised individuals, we will once again sit with an SABC Board that is unable to live up to its mandate, is however welcome sign of progress, is that five out of these candidates are females or women. The public broadcaster plays an insignificant role in influencing the behaviours of people and the ideas to which they are exposed, and in the fight against the two evils patriarchy and gender based violence. The SABC must be used as a weapon to combat patriarchy and gender based violence by spreading awareness and educating men, some which we have outlined in our manifesto and hopefully with greater inclusion of women in the decision making bodies of the SABC. We will see progress in realizing these changes but this does not address the overall weaknesses of the recommended candidates and we do not believe that some of the individuals here, have the will or the capacity to fix the SABC. We therefore reject this report and we will tell voters out there, if you want a free media, if want broadcaster that is fair to all political parties, then on the 8th of May you must go out

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and you must vote for the Economic Freedom Fighters,
thank you very much.

Ms L L VAN DER MERWE: Hon House Chairperson, hon House Chairperson, we are asked today, to once more approve yet another set of names for yet another SABC board, as the SABC is yet again in crisis mode. The SABC is facing bankruptcy, staff morale is low, buildings are falling apart, there simple no cash for maintenance, no money to commission local contents and the SABC cannot meet its monthly financial obligations. So broke is the SABC that some of their staff does not even receive petrol money to cover elections related events. They are expected to cover themselves and now we look at yet another group of individuals to fix the dire state of the public broadcaster.

This time around industry experts in the broadcasting sector did not avail themselves to serve in the SABC board but who to blame them? Who would want to answer to Luthuli house when you are not a politician but and industry expert instead. The fact that there are too many

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South Africans who have lost hope but the most qualified and the most passionate South Africans will be given an opportunity to save on the SABC board. This is due to the fact as the IFP has argued time and time again that political interference has been boating to the SABC system and has been ruthlessly exploited by the ANC.

One of the clearest indications that the so-called new dawn ANC still regards the SABC as a state broadcaster, came in one of the ANC's MPs interview process, kept on asking candidates how they will ensure that the SABC tell that good story of the ANC over the past 25 years.

Mr M L W FILTANE: The voice of reason. The finalisation of the appointment of the outstanding board members is most welcome for South Africa at this crucial time. This country deserves better than a limping board for such a strategic institution. It should be noted though, that it took a lot of public pressure for the ANC-led government to finally yield and comply.

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This complete board gets established against the backdrop of imminent National General Elections. One hopes that they will guard against the SABC being biased against the opposition parties when it comes to sharing broadcast time. We are a multiparty democracy after all. It also happened against the background of the then threats of personal retrenchments which have been influenced by a combination of poor administration and dreadful financial mismanagement. Thanks God, it is on hold. Nobody should lose their jobs just because of poor performance by the ANC. It is against the background of a collapsing Eskom and poor ANC has no definite solution even to this moment. A UDM-led government would never in the words of Elton John, let the sun go down on South Africa.

[Interjections.]

The UDM registers its appeal to the board to make sure that the SABC broadcast more moral and enhancing films.

IsiXhosa:

Izimilo zabantwana zixakile ngenxa yezinto abazibona koomabonakude xa bengekho abazali.

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English: 16:03:03:

Broadcast more high profile sports like Super Rugby and test matches of rugby. We need more programmes that teach people on how to start their own businesses. These are future advertisers on SABC. Evenings need not to be about soapies for adults but rather youth oriented character building shows should be screened in the evenings.

We appeal for less political interference – zero political interference so that the professionals can be free to perform at optimal pace. We need an SABC that is fair to all South Africans because we all pay taxes. This is what a UDM-led government would ensure it happens. For those watching channel 408 and want South Africa that is cleaner please vote UDM, vote sensibly and vote for a better future. Forget about this tired ANC which is full of corruption. You need a change. They are moaning right next to me but look at the line up coming to parliament to make sure that they pass legislation to enhance more corruption. Thank you.

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Mr L M NTSHAYISA: Hon House Chairperson, I do not think it will do you any harm when in this House you all vote for the AIC. [Interjections.] The SABC is laden with sporadic governance and financial hurdles. The Portfolio Committee is divided along party lines on suitable candidates to correct the SABC. The AIC should not be bored down into long drawn discussions about which candidates should feature in the board.

Our point of departure is that the board member should exhibit the following traits: personal integrity, independence, ethical behaviour, impeccable understanding of Broadcasting Act, the Constitution and corporate governance ethos and be faithful to the Constitution. It serves no cause to frustrate the process that seeks to cure the ailing broadcaster. Our view is that SABC should be able to carry out this constitutional mandate without fear, favour or prejudice. The qualities of candidates must not be of less concern to us but equally this must not be canvassed to frustrate the process.

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It is treasonous to perpetually hold SABC to ransom. Our undivided attention should be tendered to spearhead the process that will have lasting effect on the institutional governance of SABC. Let us join hands and unite behind a common broadcasting entity. Do not forget to vote for AIC. Thank you.

Mr M U KALAKO: Hon Chairperson, I will not bother myself in responding to other parties which were not part of the process and were not part of interviews or short listing. They do not even know the CVs of these candidates. Let me say from start that there was a consensus on certain candidates amongst the parties especially the EFF and DA. We did not agree on issues where they wanted us to put weak candidates.

DA is suffering from Hlaudi Motsoeneng syndrome and I will not get into that because we have passed that long time ago. I do not know why they keep on re-thatching this issue. The opposition to Professor Cooper, David Maimela and Benjamin Lekalaka by DA in particular is

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precisely because they fear their independence and credibility of these individuals. [Applause.]

In the interviews everyone could see for themselves because whatever trick was tried by the DA including the EFF they were not able to penetrate through these three candidates. They took them on. In fact, it was just a last straw by the DA and EFF to say David is on social media campaigning for the ANC. So what? He is a South African and it is his choice. [Interjections.]

So, the independence you are talking about is different from the one I am talking about. Your independence is to have people who are lackeys to you. We are not like that. We want people who are – he is a very sharp young mind who has written many papers, has done deep research about South Africa and will hit the ground running. That is David. No one can actually meet David's calibre from this side. [Interjections.]

Your main problem with Professor Cooper is that he is just straight and they do not know him because they were

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not there when we were fighting for democracy. He said that straight into their faces and that is what annoyed them. He was there in the struggle. To an extent, they had to come with a concocting peddling rumour that the ANC wants to make Professor Cooper ...

Ms P T VAN DAMME: Hon House Chairperson, on a point of order: I would like to ask the member whether the Broadcasting Act includes struggle credentials as a requirement for the SABC board. [Interjections.] Does it include struggle credentials or not?

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member that is not how it is supposed to be done and you know it. You get up and you ask if a member will take a question. You just proceeded and I will ignore you.

Mr M U KALAKO: We have nominated and appointed credible individuals who have a track record to be independent especially a group of women who are there. It is a pity if it was for us we could have more. We wanted that board to be dominated by women. We were able to get best

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performers women there. Let me tell you the individuals that they wanted. They wanted the individuals who have a baggage in the departments which actually came out but I will not mention them now here. This is what Van Damme because she thinks that she can manipulate and blackmail them to do what they want.

The CHIEF WHIP OF THE OPPOSITION: Hon House Chairperson, on a point of order: There is no Van Damme in the House. There is hon Van Damme or a Ms Van Damme.

Mr M U KALAKO: Hon Van Damme.

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, thank you. Take a seat again, hon kalako because I want to take a point of order this side. What is your point of order, hon member? [Interjections.]

Mr P J MNGUNI: Hon House Chairperson, on a point of order: Hon Van Damme, continues so many times - I think I counted three to refer to the speaker on the podium, hon Kalako that he is a liar. She said that about three times

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and it is unacceptable and unparliamentary.

[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you hon Mnguni. You have repeated it now, you must withdraw that remark. If you do not want to withdraw the remark you will have to leave the House.

Mr M U KALAKO: Hon Chair, it is important to correct what hon Van Damme had said here when we started that it is the DA which called for the Commission of Inquiry into the SABC. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Kalako, will you take your seat please? Hon Van Damme, will you leave the House? You are delaying the business of the House. Hon member, leave the House. The microphones have been muted. I am waiting for your member to leave the House hon Chief Whip. [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Hon House Chairperson, on a point of order: As hon Van Damme was leaving the hon

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Minister of Small Business, hon Lindiwe Daphney Zulu said there is something wrong with that woman. I would suggest that it is unparliamentary and that she should withdraw it just as hon Van Damme has been made to withdraw something. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Minister, did you say that? The hon member claim that you made a certain remark towards the hon member who was leaving the House.

The CHIEF WHIP OF THE OPPOSITION: I heard the Minister said there is something wrong with that woman.

The HOUSE CHAIRPERSON (Mr C T Frolick): Did you say that hon Minister?

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Yes, I actually did.

The HOUSE CHAIRPERSON (Mr C T Frolick): What did you mean about that?

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The MINISTER OF SMALL BUSINESS DEVELOPMENT: Because there is no normal person who can behave like the hon member and the Chief Whip could not see what the member was doing. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Order hon member, just withdraw the remark please?

The MINISTER OF SMALL BUSINESS DEVELOPMENT: I withdraw.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you.

Mr M U KALAKO: Lastly hon Chair, it was the ANC that called for the Commission of Inquiry into the SABC and not the DA. She must not distort hon Maxhegwana the then Chairperson of the committee who actually when DA opportunistically wanted to call the enquiry without following proper processes; without even having met that board and met the executive of the SABC. It was only after consultations when we had concrete evidence that we could be able to call for the inquiry. We could not be

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driven by the DA's emotions. So, it is not true what she was saying.

I know that they are very worried that elections are coming. [Interjections.] Yes, you will lose elections and ANC will be more than 60% and we know that it is given.

The CHIEF WHIP OF THE OPPOSITION: Hon House Chair, I would like to know if the member would take a question.

The HOUSE CHAIRPERSON (Mr C T Frolick): Are you prepared to take a question hon member?

Mr M U KALAKO: No. We know that SABC is governed by the Acts and the rules which determine how much time is allocated to parties during elections. If you are a minority and we are an overwhelming majority of South Africa, we cannot be equal. Go and cry somewhere and that is democracy and democratic in nature.

Hon Chair, they proposed that the board must be elected democratically but we told them that we are a majority

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here. There is no way that there will be democracy with your one representative. I do not know where they got that weird idea. [Time expired.] [Applause.]
Question put.

Division demanded.

Voting

Agreed to.

Ms Mary Papayya, Ms Jasmina Patel, Dr Marcia Socikwa, Ms Mamodupi Mohlala-Molaudzi, Ms Bernedette Muthien, Adv Benjamin Motshedi Lekalakala, Prof Sathasivan Cooper and Mr David Maimela accordingly recommended for appointment on the Board of the South African Broadcasting Corporation.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
COMMUNICATIONS ON REMOVAL OF CHAIRPERSON OF INDEPENDENT
COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**

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Prof H B MKHIZE: On 7th February 2018, the Committee received a letter from the Minister of Communications informing the National Assembly that the Chairperson of the Independent Communication Authority of South Africa, ICASA Council, Mr Manyaba Rubben Mohlaloga, was convicted on charges of fraud and money laundering on 15 January 2018. The Minister requested that the National Assembly commences with the process of removing Mr Mohlaloga from office.

On 27 February 2018, the Committee resolved to commence with the removal process in terms of section 8 of the Independent Communications Authority of South Africa Act (Act No. 13 of 2000) Section 8(1) (f) of the ICASA Act provides for the removal of a Councillor who has become disqualified in terms of section 6(1) (j) of the Act which lists the offence of fraud as a disqualification criterion.

English:

Ms M S KHAWULA: Point of order Chair.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Mkhize, would you take your seat, please

IsiZulu:

Nks M S KHAWULA: Hayi hayi umsindo ola ngaphakathi, angazi kwenzakalani sengathi sekudayiswa utshwala manje

English:

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, I agree. There's too much noise and too many hon members standing around. Hon members would you take your seat please. And those that want to go out please leave quietly

Dr H B MKHIZE: Mr Mohlaloga was invited by the Committee to make written representations as to why he should not be removed as Councillor and Council Chairperson of ICASA on 28 February 2018, and Mr Mohlaloga submitted the required written representation via his attorney

On 27th of March 2018, the Committee considered the representations that were received from Mr Mohlaloga. The

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Committee agreed that the purpose of providing an opportunity to make representations was not to debate the merits of the conviction. The Committee accepted that there was a guilty verdict that affirmed the removal process.

In this regard, the committee considered the nature of the fraud, the amount of money involved, the person or entity who suffered the loss and whether collectively these issues created a lack of trust in Mr Mohlaloga

The Committee agrees that the fraud conviction is extremely serious and involves a substantial amount of public money; that was appropriated for the benefit of emerging black farmers. It notes further, that the actions occurred at a time when Mr Mohlaloga was serving in Parliament as the Chairperson of the Portfolio Committee on Agriculture.

On 24 April 2018, the National Assembly resolved to refer the matter back to the Committee for further consideration and report. The Committee accordingly

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recommended that the Minister of Communications suspends Mr Mohlaloga as a Councillor and Council Chairperson of ICASA, in terms of section 8(3)(c) of the ICASA Act, until such time as the National Assembly finalises the removal process on 29 May 2018 during a Committee sitting.

On 12 March 2019, the Committee further reaffirmed its position on the basis of its previous resolution and deliberated that the ICASA Council Chairperson, following his sentencing by the Pretoria Specialised Commercial Crimes Court, must be removed in terms of Section 8(1)(f) of the ICASA Act (Act No. 13 of 2000).

The Portfolio Committee supports the report.

Declarations of vote:

Ms V VAN DYK: Mr Rubben Mohlaloga has been convicted of fraud and money laundering and in terms of the Icasa Act; he no longer qualifies to serve on the Icasa Council. It must be noted however that Mr Rubben Mohlaloga was accused of defrauding the Land Bank of R6 million.

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He used the money intended for poor black farmers to buy himself 2 BMWs. Despite this, the ANC twice supported him to be a member of the Council and then as the Chairman of the Council.

They did this because he was a buddy of theirs as a former ANC member of Parliament, failed renomination in 2009. It is clear that the ANC will go out of its way to support their own.

Mr N PAULSEN: The EFF welcomes and applauds the decision take by the Portfolio Committee of Communications that Mr Rubben Mohlaloga be removed with immediate effect regardless of whether he appeals his sentence by the Pretoria Specialised Crimes Court. Mr Mahlaloga is a criminal who defrauded the Land Bank of 6 million rand, and the fact that he was even elected as the Chairperson of ICASA is an embarrassment.

But unfortunately under the ANC government, the selection and election of corrupt and incompetent officials to positions of power has become a norm. From government

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Departments to SOE's such as ICASA. Our State Entities are being used to enrich individuals when instead they should be serving the public. One can only imagine how easy it would have been for one or more of the large network companies to slip Mr Mohlaloga a few million to stop the bringing down of data costs.

And as long as corrupt and incompetent and corrupt individuals are employed across our SOE's and government Departments, we will continue to see more of these tendencies, and many of them are here sitting in this Parliament.

If members of the ANC are so serious about getting rid of corrupt government officials, why don't they start with members of their own cabinet? Like Minister Nomvula Mokonyane, hand bags, hand bags for all the whiskey and hand bags for money, hand bags for Bosasa.

Mr P J MNGUNI: There is definitely a point of principle House Chair, that the member may have to move a substantive motion if he wants to move a motion against a

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member of this House, for so long as he hasn't done that, we believe that he is out of order and he must withdraw what just said about the hon members.

The HOUSE CHAIRPERSON (Mr C T Frolick): hon Paulsen, in terms of Rule 85, you must table with the Speaker a substantive motion, where you bring a specific complaint and allegations against the member and that will be considered in the appropriate way, thus you cannot use the opportunity at the podium to do so; you must thus withdraw that remark.

Mr N PAULSEN: Okay, what must I withdraw? the hand bags? the whiskey? the money, the chicken, Bosasa? Can the Minister tell me what she didn't pay for...? [Inaudible] to frozen chicken, from Bosasa

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Paulsen, you are now repeating, can you now withdraw and complete your speech

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Mr N PAULSEN: I withdraw, by the way welcome back Minister Hadebe, I'm happy that you've recovered from your bout of illness last week. So, there are too many compromised individuals in this government from Ministers, to Councillors, to heads of State Owned Entities like Mr Mohlaloga. That is why we support the adoption of this report. Thank you very much

Ms L L VAN DER MERWE: House Chairperson, I come today to this podium to once more repeat a simple message I have repeated numerous times before; that Mr Rubben Mohlaloga should never have been appointed to lead the Independent Communications Authority of SA, Icasa, at a time when he stood accused of having defrauded the Land Bank of millions of rand. But, so deep is the desire of the ANC to see to it that their failed cadres are recycled to various entities and Chapter 9 institutions, that no common sense could've stopped this disaster from happening.

However, today is not just about finally firing the Icasa chairperson. It is also about undoing the damage of the

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disastrous nine wasted years of the Zuma administration. With little more than a few weeks to go, the political landscape is going to be reframed by the very people we serve. We are drawing closer to that defining moment. The people we serve are talking about a revolution. It is a revolution against crime; a revolution against joblessness; a revolution against poverty and despair; a revolution against poor service delivery; and a revolution against corrupt leaders and those who have enriched themselves at the expense of the poor. It is a revolution against the ANC's practice of giving us failed leaders like Minister Bathabile Dlamini, Malusi Gigaba, Minister Nomvula Mokonyane and Rubben Mohlaloga, and then telling us in the same breath that they have a plan to fix this country.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, will you just take your seat please? What is the point of order, hon member?

Mr P J MNGUNI: House Chair ... [Inaudible.] ... Rule 85(3). The hon member at the podium again continues to

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cast aspersions on a member of this House. Hon Bathabile is a member of this House.

She is aware that she has got to do that via a substantive motion, and therefore we suggest that she must withdraw.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, you are aware of Rule 85, and if you have allegations that you want to make against any member of the House you must do so via a substantive motion. You cannot use the podium to do so.

Ms L L VAN DER MERWE: Chairperson ... [Inaudible.] ...
I'm ... No ...

The HOUSE CHAIRPERSON (Mr C T Frolick): I'm making a ruling, so I don't expect a reply from you now.

Ms L L VAN DER MERWE: But Chairperson, I ... [Inaudible.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member, I'm switching off your microphone because I'm busy with a ruling, and the ruling is that you must submit a substantive motion in terms of what you have said about those specific members of the House. Failure to do so renders your remark unparliamentary and you must withdraw it.

Ms L L VAN DER MERWE: Chairperson, may I address you? I'm saying they are on the ANC's list. I'm not making any allegations. I can read the paragraph to you.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon member. I've made a ruling in terms of Rule 85 and I expect you to withdraw that remark. You have the liberty to table a substantive motion with regard to the allegations that you have made to the Speaker. [Interjections.]

Ms L L VAN DER MERWE: Chairperson, with all due respect, I am saying it is a revolution against the ANC's practice of deploying ... [Inaudible.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, it's a ruling ... Hon member? Hon member, I'm asking now for the last time that you withdraw the remark.

Ms L L VAN DER MERWE: Chairperson, I withdraw. Let me ...
[Inaudible.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you.

Ms L L VAN DER MERWE: It's a revolution against the ANC's practice of giving us failed leaders, and then telling us in the same breath that they have a plan to fix this country. South Africans are not fools. We deserve better. For far too long the ANC has taken the electorate for a ride. On 8 May, the people of South Africa will choose political parties with leaders they can trust, like the IFP. [Interjections.] They will choose leaders with integrity, like Prince Buthelezi; leaders who have the best interest of South Africans at heart; and leaders who have what it takes to fix our broken nation.

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The IFP supports a revolution of good will for a better South Africa and one that will end this practice of recycling failed, unethical leaders. The IFP supports this report and calls on all South Africans to vote IFP on 8 May. Thank you.

Prof N M KHUBISA: House Chairperson, we stand here as the NFP to support the report of the committee. We support the report to the Minister that Mr Mohlaloga be suspended because he has abused his position ... not only suspended but be fired as well. I think we need to set some classical examples in this country. This House is conducting investigations and inquiries on issues of fraud and corruption, and Mr Mohlaloga used his position as the chair of the committee and he abused and siphoned off the funds that should've been used for those people in agriculture to develop themselves. In other words, whatever this state is trying to do, this man was undermining all of that. Unfortunately, he got another lucrative position elsewhere.

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Now, we need to set an example in this House; that those people who are corrupt, who commit fraud and who are doing their best to ensure that we don't progress as a nation must be dealt with.

This House has been involved in an inquiry into Eskom, there's state capture, inquiries into the Public Investment Corporation, PIC, the SA Broadcasting Corporation, SABC, and others, etc and evil people of such nature ... such people do not deserve to be in positions. They must be fired at all cost. For this reason, we support the report. Thank you so much.

Mr R M TSELI: Chair, the ANC supports the removal of ... [Inaudible.] ... Mohlaloga from the Icasa board. There is no doubt that Mr Mohlaloga contributed a lot in making Icasa one of the best entities of the department. However, as the ANC we view fraud and money laundering in a very serious light, especially now that he has been convicted.

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This decision will send a strong message to those who, when they occupy strategic positions in government, utilise them for personal gain ... than serving the people.

The ANC is committed to clean governance and will support any measures to deal with the perpetrators of fraud and corruption, irrespective of the position they hold. The ANC supports this report. Thank you very much.

Question put: That the recommendation of the committee, that Mr Manyaba Rubben Mohlaloga be removed as a councillor and council chairperson of the Independent Communications Authority of SA, be agreed to.

Question agreed to.

Recommendation for removal of Mr Manyaba Rubben Mohlaloga as a councillor and council chairperson of the Independent Communications Authority of SA accordingly agreed to.

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**CONSIDERATION OF REQUEST FOR FILLING OF VACANCIES IN
COMMISSION FOR GENDER EQUALITY**

Ms C N NCUBE-NDABA: Hon House Chair, hon Deputy President in his absentia, hon Ministers, hon Deputy Minister, hon members, fellow South Africans, hon Chief Whip and Deputy Chief Whip, in line with the provision of section 193(5) of the Constitution of the Republic of South Africa, Act 108 of 1996, the National Assembly on 11 September 2018 established an ad hoc committee to identify and recommend suitable candidates to fill eight vacancies of commissioners for Commission for Gender Equality.

The committee, as constituted, comprised of multiparty representation from ANC, EFF, DA, IFP and NFP. I now hereby table the report pertaining to the mandate of the ad hoc committee on Commission for Gender Equality for consideration and adoption by the House.

This is a majority report supported by the majority of parties represented in the ad hoc committee except the DA which reserved its position. The Commission for Gender

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Equality is one of the institutions established in terms of Chapter 9 of the Constitution of the Republic of South Africa.

The Constitution of the Republic of South Africa is not only our supreme law but our pride as well. The footprint of women's involvement is visible in the various provisions of the Constitution. It was through the Women's Charter for effective equality that women in this country demanded clauses for their protection and empowerment towards gender equality.

Women in this country actively participated in drafting the Constitution, resulting to the adoption of founding principles based on human dignity for all, equality, nonracialism and nonsexism. The composition, functions and powers of the Commission on Gender Equality are clearly stipulated in the Commission on Gender Equality Act 39 of 1996 as amended.

Process followed: The ad hoc committee on Commission for Gender Equality Act 39 of 1996 resolved to ensure a fair

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and transparent process. We issued out an advertisement with a qualifying criterion which stipulated that candidates must be South African citizens, fit and proper persons for appointment to the commission, broadly representative of South African community, have a record of commitment to the promotion of gender equality and have applicable knowledge of and experience in matters connected with the objects of the commission.

The advertisement attracted 89 nominations and or applicants which were published on the parliamentary website to facilitate public involvement and participation. Out of 89 candidates, one candidate withdrew, leaving the committee with 88 nominations and or applications.

We shortlisted 24 candidates and conducted interviews on 12 and 13 March 2019. the committee recommends the following eight candidates for appointment by the President of the Republic of South Africa as commissioners: Ms Octavia Lindiwe Ntuli-Tloubatla as a full time commissioner; Ms Jennifer Smout as a full time

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commissioner; Mr Mbuyiselo Botha as a full time commissioner; Dr Tlaleng Mofokeng as a full time commissioner; Ms O'hara Ngoma-Diseko as a full time commissioner; Ms Nomasonto Grace Mazibuko as a part time commissioner; Ms Dibeela Getrude Mothupi as a part time commissioner; and Busisiwe Deyi as a part time commissioner.

The committee recommended two additional candidates to cater should any of the above mentioned eight are not able to accept appointment by the President. They are Advocate Bhekizenzo Tembe and Ms Priscilla Lynnette Fundisile Nzimande.

We further recommend the immediate appointment of the three following candidates to fill the current three vacancies: Ms Octavia Lindiwe Ntuli-Tloubatla; Ms Jennifer Smout; and Mr Mbuyiselo Botha. The recommended candidates are broadly representative of the South African community in terms of race, age, mixed generation, gender conforming and nonconforming, disability status and geographical spread.

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In conclusion, we further recommend as follows:

Parliament should always ensure provision for adequate, appropriate and timeous support for ad hoc committees; the required support to include timeous allocation of interpreters for members who require that support; limiting the security screening and verification of qualifications to shortlisted candidates only; the advertisement should make potential candidates aware of all the cost implication related to the application process; the Portfolio Committee on Women in the Presidency should intensify its oversight function over gender equality matters on both the government and the private sector; and in strengthening the independence of Commission for Gender Equality, the National Assembly should revise its funding as a Chapter 9 institution.

In conclusion, I would like to convey my appreciation and gratitude to the staff for their efficiency and effectiveness while working under pressure. The same gratitude also goes to the members of this committee for their dedication and willingness to work long hours to

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ensure success of this committee. We request that the House adopt this report.

Voting ANC is the right thing to do. Amandla! Thank you.

Declarations of vote:

Ms T STANDER: Good afternoon House Chairperson, thank you to the hon Ncube-Ndaba for chairing the ad hoc committee, my fellow members of the committee support staff and especially Neliswa Nobatana for the extraordinary effort she puts in to ensure the supports and coordination of the process.

Thank you to the 19 nominees who availed themselves for these vacancies. They represented the beautiful diversity of our country; north, south, east and west, male, female and nonbinary, shades of black, brown and white, age between 26 and 69, differently abled and differently skilled. It was a true reflection of the wonderful diversity we have.

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The top eight candidates reflected this diversity and we believe that the selection process was indeed free and fair. The founders of our Constitution comprehended that gender parity was an essential pillar to support our democracy otherwise they wouldn't have specifically decreed as a Chapter 9 institution.

Since 1996 however, gender inequality has increased, perhaps because political commitments to gender equality are actually vacuous, populous propaganda. For 25 years there has been no real support for the Commission for Gender Equality; there have been debates in this House, numbers thrown around, gender issues spoken about but actually there hasn't been any significant monetary or resource support for the Commission for Gender Equality. That is why we are experiencing the inequalities and violence against women we see today because they still remain vulnerable.

Last year President Ramaphosa promised a new dawn and across the country women stood up and raised their voice and said "Well, President Ramaphosa, this is what we have

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to say" and he took action. He created a summit and following that summit and his feint shock and horror he then highlighted gender-based violence in his state of the nation address.

Minister Bathabile Dlamini also promised increased budgets and that this will be ring fenced, which Treasury doesn't actually even do but she said it will be ring fenced. But the Minister of Finance Mboweni made no mention of it in his speech and this ring fenced funding cannot be found in any of the black and white pages of the budget.

A coalition of 20 civil society organisations have accused President Ramaphosa of paying lip service to the gender-based violence and femicide and they are quite right. Even Minister Dlamini's spokes person expressed surprised and disappointment. This is no new dawn; just a continuation of ANC lies to our mothers and sisters - desperately trying to stop the sun setting on their government.

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There is no new leader of the ANC; just another face smiling from the window of another broken train. We have seen this all before. Our mothers and sisters deserve protection from an honest and professional police service where a trained professional police person is available in a dedicated area where a victim of violence or abuse can be counselled and interviewed in private.

Our mothers and sisters deserve the right to have fair access to jobs not like women in Mlungisi in Queenstown who have had to have sex with government officials just to get a job. The women in Mlungisi in Queenstown even had to have sex for a house. [Interjections.] Come visit the people on the ground.

We need to ensure that our women have fair access to jobs and where they earn fair pay for work of equal value.

Today, LGBTQIA+ are an add-on to any policy or statements also just as some politically correct statements.

The Commission for Gender Equality has an important role to play but they do not have the resources or funding to

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actually have any meaningful impact in closing the gender gap. So, please, when our women rise out of poverty, they will take families, communities in our country with them.

So, vote DA on 08 May to bring women along in our mission to build one South Africa for all. Thank you. [Applause.]

Dr S S THEMBEKWAYO: Chairperson, it is shameful that the post-1994 government has continued with the principles of apartheid in terms of how we treat women and children in society. Whether we are talking about access to education, access to reproductive health care, access to equal employment, access to equal pay and access to dignity, women suffer the most through the vicious circle of triple oppression based on race, class and gender.

No matter where women go, no matter how many of us die, not matter the outrage, no one takes responsibility and no one is held accountable. For the Commission for Gender Equality, CGE, to begin to do qualitative and impactful work, we first need to do away with the remnants of

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apartheid which serve to deny women access to equality in all manners or forms.

For CEG to begin to address gender equality issues ...

[Interjections.] CGE, yes! We must allocate sufficient resources. [Interjections.] Okay, thank you! If we continue to allocate crumbs and leftovers to CGE, we should be ashamed as Members of Parliament, as members of society and as people.

The EFF-led government will strive to realise women's liberation starting with prioritising women when it comes to the benefits of economic emancipation.

[Interjections.] We will do so because we know and believe that gender-based violence and related antisocial activities are reinforced and even sustained by the deplorable general conditions of our people, in particular, women.

The EFF welcomes and support the nomination of Dr Tlaleng Mofokeng as one of the incoming commissioners of CGE.

Dear beloved South Africans, for the realisation of

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women's liberation, please vote EFF on 8 May 2019. Thank you. [Applause.]

Ms L L VAN DER MERWE: House Chairperson, the process of finding candidates to serve as commissioners for the Commission for Gender Equality was a process that inspired hope. Firstly, all political parties set aside their differences in order to find the very best candidates for the CGE. Secondly, the most qualified and the most passionate South Africans made themselves available to serve.

Competent and skilful South Africans from all walks of life, from different parts of our country - male, female, nonbinary - applied. Doctors, advocates, teachers, gender equality activists and more, all united in their goal of wanting to see us achieve meaningful gender equality. We really thank each person who availed themselves.

Apart from this, Mama Khawula provided us with the laughs. I provided the tears and the hon Grace Tseke was always a voice of reason. I am therefore confident that

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the names she presented in this House today are indeed the very best. The IFP therefore fully support all nominees and we wish them well in the massive task that lies ahead.

It will be remiss of me not to mention the many obstacles we faced in achieving true and meaningful gender equality. Women remain on the fringes of our economy. Women still earn less than men for doing the exact same job. Budgets to fight gender-based violence is simple nonexistent. The Commission for Gender Equality is underfunded and therefore cannot fully execute or achieve its mandate.

The IFP's manifesto in addressing gender equality commits to adequately funding Chapter 9 institutions such as the Commission for Gender Equality. We will provide better funding for NGOs that provide services to women and children, while we will introduce a gender equality subject into the school curriculum.

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Tomorrow marks our final days as Members of this fifth Parliament. Depending on the wishes of the voters, some of us will return and some of us won't. I am grateful for the opportunity that I was given to serve. To this end, I wish to bid Mama Story from the ANC and Mama Robs from the DA well as they start their journey into retirement. I wish to thank both of them for their commitment to the empowerment of women and for always being an example to all of us. [Applause.] On their behalf, we will continue to fight for the empowerment of every girl and every woman. I thank you. [Applause.]

Mr A M SHAIK EMAM: Hon House Chair, the NFOP welcomes the report of the ad hoc committee to identify suitable candidates to serve on the Commission for Gender Equality. It is common knowledge in South Africa, despite all the mechanisms that we have in place - all the legal process - women continue to be harassed, intimidated, marginalised and victimised. I think it is time that we pay very serious attention to the challenges that women face.

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In my interpretation of a woman and from a religious perspective, women enjoy the highest place to mankind, to such an extent that many of us are taught that without a mother there is no home. Without a mother, there is no life! I think most of us forget where we come from. We forget the sacrifices that women made for us to be where we are today. Behind every person in this House today, there is a woman. Let us not forget that. [Applause.]

The easiest thing to do is coming here to grandstand and say we must do this and we must do that. We must lead by example because in this very House, women's rights are being violated. We have spoken about maintenance. We have spoken about managerial positions for women. We have spoken, and I agree with the one member about sex for jobs. These are the things that are happening.

So, we are hopeful that this commission is going to go a long way in addressing the challenges that women face in South Africa today. We agree with the recommendations that more funding must be provided. I think the only thing we didn't agree on in terms of the report was the

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issue that after shortlisting, you should do security clearance because otherwise it is a wasted exercise, time and effort.

You are doing security clearance for everybody and only six or eight or ten of them get shortlisted. You should rather do it at a later stage. That is what we really believe. Otherwise, we believe that this commission has a mammoth task with the challenges women face in South Africa. We are hopeful that today, in approving this report, you are going to find solutions to what the women are going through. The NFP supports this report. Thank you very much. [Applause.]

Ms G K TSEKE: Hon Deputy Speaker, the ANC supports the report as tabled by the chairperson of the Ad hoc committee to identify and recommend suitable candidates for the appointment of commissioners for the Commission for Gender Equality, CGE, by the President of the Republic of South Africa.

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The candidates selected were amongst the best, selected for their capacity, skills, experience and gender activism. They are broadly representatives of our country. We know that history has left women of this country with a number of challenges to overcome, ranging from poverty, unemployment, inequality and violence, which are escalating on a daily basis.

There is no doubt, under the leadership of the ANC, that this country has achieved a lot in relation to gender equality and women empowerment. We acknowledge that we still need to intensify our efforts in order to curb the prevalence of gender-based violence and other social ills related to gender inequality.

However, as evidenced by the determination to implement resolutions undertaken during the National Gender-based Violence and Femicide Summit hosted by the President in 2018 and further reiterated during the state of the nation address in 2019, the ANC is fighting hard to eliminate them.

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The ANC is very capable and determined to ensure that gender equality is a reality for all in this country. I must say, hon Stander, you must go and check the allocation for gender-based violence in your Division of Revenue Act. This is not a lip service; we are serious about fighting for gender equality in the country.

The Commission for Gender Equality is one of the critical institutions established under the leadership of a very capable organisation, which is the ANC. The CGE is established to promote respect for gender equality and this institution has not disappointed us at all. It continuously receives clean audits.

It is indeed an independent institution that is not afraid of challenging any institution that undermines gender equality. For example, tackling the issue related to gender equity in the mining sector, government department, parastatals and institutions of higher learning.

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We agree that a lot still need to be done. It is only this progressive organisation - the ANC - that can establish an institution and grant it autonomy and independence to carry out its functions. We have no doubt that the calibre of candidates will bring the required expertise to propel the CGE's mandate forward.

As the ANC, we appreciate the unity and support displayed by the political parties represented in the Ad Hoc Committee on Commission on Gender Equality. We also note that as usual, the DA, with its counter-revolutionary tendencies is that only political organisation that did not voice its support for the hard work done by the ad hoc committee.

Actually, they have agreed with us in terms of the candidates, but in terms of the report, it is something else, which is funny to me. This is a clear demonstration of the DA's inability to integrate women's concerns and the emancipation of women in practice, as well as equal representation. Like they do or they did with their

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deployment in the mayoral committee in the City of Cape Town, where men still in majority.

The ANC is committed in the promotion of gender equality as outlined in the manifesto. We are committed to: Work with all the stakeholders to start a fight against gender-based violence; strengthen the broader intervention that addresses the causes and effects, particularly issues of patriarchy; economic relations and changing the way of thinking about gender relations; speed up educational programmes aimed at offering psychological and social support to vulnerable learners; work with young people to change social attitude; increase police visibility in our communities; and scale the network of Thuthuzela Care Centres.

We remain steadfast that the CGE will continue to monitor these programmes and give advice where necessary. The ANC is the only organisation that adopted your 50/50 gender equality policy to increase the number of women representation.

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We pride ourselves of course that through our efforts South African Parliament is now ranked the 10th in the world by International Parliamentary Union, IPU, with women representatives at 42,75% and 35,2%, both in the National Assembly and the National Council of Provinces. I think we must applaud for this. [Applause.] This is the achievement by the ANC.

The CGE remains a relevant and important institution and we will support its efforts while ensuring that its independence is not compromised. We thank all the political parties that participated and the entire staff for their dedication and commitment. With people like you, our country will remain a better place to live in.

The ad hoc committee on CGE really displayed the Thuma Mina spirit; they were sent and they delivered accordingly. Let us grow South African together and forward with the ANC, forward! The ANC supports the report of the ad hoc committee on filling of the vacancies in the Commission for Gender Equality. Amandla! [Applause.]

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Declarations concluded.

Question put: That the candidates be recommended for appointment as commissioners on the Commission on Gender Equality: Ms Octavia Lindiwe Ntuli-Tloubatla, as full-time commissioner; Ms Jennifer Smout, as full-time commissioner; Mr Mbuyiselo Botha, as full-time commissioner; Dr Tlaleng Mofokeng, as full-time commissioner, Ms O'hara Ngoma-Diseko, as full-time commissioner; Ms Nomasonto Grace Mazibuko as part-time commissioner; Ms Dibeela Getrude Mothupi as part-time commissioner; and Ms Busisiwe Deyi as part-time commissioner.

No objections recorded.

Although division was not demanded, members were required to record their support for the recommendation made in the report.

[BELLS RUNG FOR FIVE MINUTES]

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Voting.

[TAKE IN FROM MINUTES]

Question agreed to.

Nominations accordingly agreed to in accordance with section 193(5)(b)(ii) of the Constitution.

The CHIEF WHIP OF THE OPPOSITION: Sorry Deputy Speaker, you read the number of ayes. Did you read the number of noes in that particular vote? I see the hon member from the slow lounges is trying to act like we lost the vote. We supported it!

The DEPUTY SPEAKER: Yes, I only ... [Interjections.] Hon members, no, you can't be screaming to reply, all of you, together. [Interjections.] Take it easy! You will be going home in the next two days; take it easy! Chief Whip, order!

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Hon members, the rule required that I read the support – the matter received – and I did that. I announced what the law required him to do in relation to the recording of the support. We will ask them to convey the message to you, sir.

**CONSIDERATION OF REPORT OF AD HOC COMMITTEE TO AMEND THE
CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996**

The HOUSE CHAIRPERSON (Ms A T Didiza): Deputy Speaker, Ministers, Deputy Ministers and hon members, today I wish to preface my input in tabling the report of the ad hoc committee on the amendment of section 25 of the Constitution, which is in the Announcements, Tablings and Committee reports, ATC, for your reference.

By quoting the words of Dr Abe Nkomo, in the foreword of the book, *PHELI – the narrative history* written by Titus Mafolo, I quote: "Life can be understood backwards, but must be lived forward."

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He further called Steve Jobs on connecting the dots: In connecting the dots of Pheli, Nkomo says:

In this way, the narrative which unfolds, tells of human beings' uprooting once again from wherever they had managed to settle and being dumped in a geographic space as a collective of labour units in obeisance to the dictates of the infamous gold and maize alliance. Because as Phyllis Ntantale has pointed out, in the towns only their labour is wanted, themselves not. The glory of human spirit, the people of this celebrated community demonstrated their agency, like the Phoenix they rose from the ashes of dehumanising relocation to build formidable, resilient and vibrant community with unique and unmistakable identity defined for the purpose of this narrative as die huis en die man van Pheli, die Atteridgevillian [this house and this man of Pheli, the Atteridgevillian].

I decided to quote Dr Nkomo on his reflection on the story of Pheli in Atteridgeville, in Tshwane. Pheli

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reminds us of the forced removals, their purpose and function. Pheli tells us in a nutshell the mischief of land dispossession in our country. It is this mischief that the drafters of our Constitution sought to address in drafting section 25 of the Constitution as part of the Bill of Rights.

In their quest, equitable access and ownership of land will contribute towards nation-building in our country. Twenty-five years on, we are here again to deal with that mischief of land dispossession because as we all know, we have not yet ensured that all can access and have tenure of security in the land which is in their country.

The ad hoc committee was set up therefore, to take forward the work of the Constitutional Review Committee. Madam Speaker, the committee met ... [Interjections.]

The DEPUTY SPEAKER: She is no good looking than me.

The HOUSE CHAIRPERSON (Ms A T Didiza): Sorry, Deputy Speaker. I am sorry. The committee was constituted on 12

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February 2019. When it first met, it agreed on the programme of work, which included the briefing by legal services on the legislative process and the High Court application by Afriforum.

Members, this was necessary because as you know, Afriforum challenged the tabling of the report. So, the court dealt with the interdict but it had not dealt with the substantive matter of the report, which is still in the courts as we speak.

We also took a briefing on the essence of the Constitutional Review Committee – what were actually the substantive issues that emerged in that Constitutional Review Committee? We agreed that we will take briefings by identified experts and draft a policy framework that would inform the drafting of the committee Bill.

We also agreed that because of its nature, this Bill will have to also serve in the National House of Traditional Leaders as well as provincial legislatures.

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Hon members, we have done our work. Thus far we have dealt with other matters and indeed took certain important issues that were raised by the experts: firstly, there was an agreement that it is necessary to deal with the land reform in our country, though there wasn't quite an agreement with all the experts about the amendment of section 25.

However, where amendment is required, the experts actually reflected that section 25(3), 25(8), 25(2) and (4) does give room for Parliament to amend. We therefore take this work weighty as it is into consideration, that given the limited time, we may not do justice in concluding the process of amendment.

We therefore, wish to say to the National Assembly, take note of the approved programme of the committee; that the National Assembly acknowledges that the task of amending section 25 cannot be concluded now and therefore, resolve that the Sixth Parliament concludes this matter.

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We wish to thank the National Assembly for entrusting us with this task as well as those who supported our work. I would like to thank members of the committee who gave their time to ensure that we do this work. [Time expired.]

The DEPUTY SPEAKER: Hon member, your time has expired. Chairperson, your time has expired. [Applause.]

The HOUSE CHAIRPERSON (Ms A T Didiza): I am honoured that you given me an extra minute for the committee. [Applause.]

The CHIEF WHIP OF THE MAJORITY PARTY: Deputy Speaker, we move that the Report of the committee be adopted by the House.

Declarations of vote:

Ms T M MBABAMA: Deputy Speaker, the mandate of the ad hoc committee with regard to expropriation of land without compensation is to make explicit what is said to be implicit in the Constitution of South Africa.

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This means that the Constitution, as it stands, does allow for expropriation without compensation in certain cases. My question, therefore is: On whose behalf is the Constitution is the Constitution being amended? Certainly, not the millions of South Africans ... [Interjections.] ... who are hungry for land. Will amending the Constitution solve the problem of corruption in the land reform process? Will amending the Constitution allow for more budget allocation for land reform? [Interjections.] Will amending the Constitution create capable and efficient government officials who are fit for purpose? [Interjections.] Will amending the Constitution render more political will in the governing party for land reform?

Lastly, will amending the Constitution automatically solve the implementation problems with restitution, redistribution and tenure security that have plagued the ruling party for the last 25 years? Definitely not. Who are the ANC and the EFF trying to fool?

IsiXhosa:

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Umyalelo wale komiti kukuchaza gca elubala okuqulathwe nguMgaqo-siseko malunga nokuxuthwa komhlaba ngaphandle kwembuyekiso. Into ethetha ukuba uMgaqo-siseko uyawuvumela umba wokuxuthwa komhlaba ngaphandle kwembuyekiso, kwiimeko ezithile. Umbuzo wam ngulo, le ngcaciso ingaka ilungiselela bani na? Le ngcaciso ayilungiseleli izigidi zezigidi zabantu abaswele umhlaba.

Ingaba ukutshintshwa koMgaqo-siseko kuza kunqanda urhwaphilizo kusini na? Ingaba ukutshintshwa koMgaqo-siseko kuza kuncedisa ukunyusa uhlahlo lwabiwo-mali lwezemihlaba kusini na? Ingaba ukutshintshwa koMgaqo-siseko kuza kwenza abasebenzi bakarhulumente ukuba bawenze ngokunyanisekileyo umsebenzi wabo kusini na? Ingaba ukutshintshwa koMgaqo-siseko kuza kwenza urhulumente ophetheyo ukuba abenomdla ogqithisileyo ukunika abantu imihlaba kusini na? Ingaba ukutshintshwa koMgaqo-siseko kuza kusombulula iingxaki ezithe zakhona kusini na kule minyaka engama-25 kwimicimbi yemihlaba kulo rhulumente ukhoyo? Hayi andiqondi njalo mna.

English:

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One of the processes of the ad hoc committee was to seek advice and input from persons considered as experts either in the drafting of the Constitution in land reform and this is what they had to say: Mr Valli Moosa cautioned that in amending section 25, the committee take care not to dispossess those who have been dispossessed in the past. Black people now own property. The committee cannot cause uncertainty for these people and put them back in an era where they did not have security of tenure and could not own property.

Judge Sachs expressed concern at the apparent haste which the amendment is approached. He pointed out that providing for expropriation without compensation in the Constitution would be insufficient to address the failures of land reform. [Applause.]

Adv Trengrove stated that, although he was not of the opinion that the Constitution required an amendment as a matter of law, it might be a political imperative in order to restore the land balance; however, the

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Constitution may not be the correct place to create this imperative.

Adv Ngcukaitobi advised that Parliament must think creatively when addressing land reform and think beyond compensation. He expressed the view that, in fact, there was no need to amend section 25. Parliament itself has failed to implement the redistribution provisions within section 25 through the enactment of national legislation. He further warned that any amendment of section 25 that includes expropriation without compensation may lead to further dispossession of land from indigent people.

It is clear from the input of the experts that there is really no need to amend the Constitution in order to fast-track land reform. The DA is the only party that has tangible examples of success in land reform ...

[Interjections.] ... and has the interests of all South Africans – black and white, at heart.

IsiXhosa:

Siyi-DA asiyixhasa le ngxelo.

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English:

The DA opposes this report.

IsiXhosa:

Masivotele i-DA, enkosi. [Kwaqhwytywa.]

Mr S P MHLONGO: The practise by the DA reminds us as the EFF the same repetition of what apartheid government did of using Africans against each other and against their own aspirations of liberation. That must be condemned. Hon Deputy Speaker, it is proper that we remind this House and the nation at large about why we are where we are today. Since coming to Parliament in 2014, we have raised motions to amend section 25 of the Constitution three times. The ANC rejected those motions twice, Mr Jackson Mthembu at some stage calling us anarchists who wanted to disrupt the peace and harmony of this country by taking land away from those who dehumanise African majority of our people at gunpoint.

When we tabled the motion that was finally adopted by this House on February 2018, we were clear that the work

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of the Constitutional Review Committee ought to have been finalised by July 2018. The ANC delayed this process for reasons only known to them. When we finally adopted the report of the Constitutional Review Committee, we were clear that the work of amending the Constitution must be completed by this fifth Parliament. As soon as the Parliament adopted the Constitutional Review Committee Report, same Jackson Mthembu went around telling our people who cared that it was not going to happen.

The DEPUTY SPEAKER: Hon Mhlongo, hon Mhlongo!

Mr S P MHLONGO: Yes.

The DEPUTY SPEAKER: Do the right thing. You don't call members by their names just like that. You know that.

Mr S P MHLONGO: Hon Jackson Mthembu...

IsiZulu:

USOMLOMO: Yebo sikhulu.

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English:

Mr S P MHLONGO: No, that is yours. Hon Jackson Mthembu went amok around the country on Facebook and Twitter telling people that this amendment won't happen during the fifth Parliament. So to the landless South Africans, the homeless, farm workers repressed in farms everyday, to over 2 million farm dwellers and farm workers evicted from farms, to the aspiring black farmer and to the urban poor, this ANC thinks that your pain and suffering should be prolonged a little longer. [Interjections.] For more than 25 years, our people lived in hope that the liberation movement which they trusted for years in power would finally listen to their cries. The ANC today say you must wait a bit longer because the suffering of our people is not as important to them as well being of the settler minority.

For more than 25 years, the ANC stood firm in defence of the landed class and the settler minority to the exclusion of the majority of our people. The lines have been drawn. Our people must know who is for them and who is against them. No one can fight for both the

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dispossessed and dispossessor as the ANC seems to be. South Africa the delaying tactics of the ANC are a clear indication that they want millions of Africans to remain landless, poor, homeless and permanent servants of the settler minority in the land of their owned forefathers. Only the EFF, as you will recall when our Commander-In-Chief warned you when you were protecting Zuma before the arrival of the EFF. He said you were waiting for the EFF to be represented in Parliament only then Zuma will go. Did Zuma go? Now this land shall be restored into the hands of our people when people have voted for EFF in 2019 elections. Thank you very much. [Applause.]

Ms D CARTER: Hon Deputy Speaker.

The DEPUTY SPEAKER: Yes, hon member.

Ms D CARTER: Sorry Deputy Speaker, it's just a request. Is there a way that you can ask sound and vision South Africans want to know why there is no YouTube or why this is not being broadcasted today? Maybe you can just check with sound and vision what's happening? Thank you.

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The DEPUTY SPEAKER: They are listening to you, they will take action.

Inkosi E M BUTHELEZI: Deputy Speaker, the IFP is for the land restitution a grand transformation and reform. The injustices of the past must be undone and redress sought of these there is no doubt or confusion. The IFP though, has always favoured and will continue to prefer that other more effective means to speed up land reform be agreed upon. Each case will be adjudicated upon its own merit and where appropriate expropriation of land without compensation should be considered. With respect to amend the Constitution, we remain, however, of the firm conviction that section 5 of the Constitution in its current form does not require amendment in order to give effect to expropriation of land which includes zero compensation. That withstanding the Constitutional Review Committee on the review of section 25 of the Constitution recommended that section 25 be amended.

Hon Chair, the ad hoc committee was then established to now engage in a process of amending the Constitution. The

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committee came up with a road map of the process to be followed and to determine what can be done before this election. It was clear that amending the Constitution cannot be realised before the elections. This, in fact, is a testimony to the fact that the report by CRC was rushed through before thorough consideration was given.

Hon Deputy Speaker, I wish to conclude by saying that while the ANC and the EFF are so fixed in amending the Constitution, we must never think that this will solve our problems. It is never a silver bullet and also putting land at the ownership of the state is also not a universal solution. A government which is sitting upon millions of hectares of land is failing to distribute that same land to the dispossessed, who are the black people of this country. Yet, we want to amend the Constitution to give more land to the failed state. The sad reality is that when you amend this Constitution, the land will forever be in the hands of the state not people of South Africa, which is not different from what the apartheid government did to dispossess black people of

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their land. As a result, they are landless today. The IFP does not oppose the Report. Thank you.

IsiZulu:

Mnu S C MNCWABE: Sekela Somlomo, ngisukuma egameni le-NFP ngizwakalisa ukuthi umbiko othulwe lapha phambili siyawesekela. Uyilokho ngempela ikomidi elikwenzile kulesikhathi esincane ebesibhekene naso. Siyacela ke nathi ukuthi laba abazoba nenhlanhla ukuthi babuyiselwe kule Ndlu yesiShayamthetho kokuzayo bayibeke eqhulwini indaba yokubuyiswa komhlaba. Lokhu Sihlalo ngikusho ngokuthi kuwudaba olusezinhliziyweni zabantu bakithi kakhulu. Ayikho into ethinta izinhliziyiyo zabantu ukudlula le yokubuyiswa komhlaba.

Kuyiqiniso ukuthi izwe lakithi liyizwe elehlukene izizwe ezimbili. Omunye umholi wakusho loko. Isizwe sokuqala, esikhona eNingizimu Afrika yilesa esinemali futhi esinomhlaba owanele ukuziphilisa. Isizwe sesibili, esalabantu abaphila ngesibonelelo sikhahulumeni abangenamhlaba futhi abangenayo imali nomnotho.

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Sibonile esontweni eledlule eThekwini ukuthi kube nezimvula ezinkulu ezike zanetha. Kwahamba imizi yabantu kwaMashu naseMlazi nakwezinye zindawo. Kwahamba emhlabeni abantu cishe abahlanu kodwa futhi khona eThekwini kulezi zimvula ebezikhona awukho nowodwa umuzi omukile walabo abahlala emadolobheni nalaba abakhelwe emhlabeni owanele ukuthi uma kunezigigaba zezimvula nezikhukhula amanzi athole indawo eyanele ukudlula. Kodwa labantu bakithi abahlala ezindaweni eziminyene ungekho umhlaba wokudlulisa izikhukhula, izikhukhula zifice zishaye izindawo zokuhlala zabantu bakithi. Okukhomba ukuthi kukhulu okusafanele kwenziwe. Akuyona nento esingayikhulumela isiNgisi indaba yokubuyiswa komhlaba angazi nikhulumela bani isiNgisi ngoba labantu enibakhulumela isiNgisi yilaba abanomhlaba. Laba abanganizwa yilaba abafuna umhlaba, abaxoshwa kuwona - anginazi nenzani. [Ubuwelewele.]

Okokugcina Sihlalo, ngifuna ukuthi maningi amaghave akithi afa, abantu bakithi befela umhlaba. Abanye siyabazi sibazi emlandweni, abanye asibazi. Phakathi kwethu kunomama uRuth Bhengu, umhlonishwa owuSihlalo

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wekomidi lezamaBhizinisi Amancane ubaba wakhe
uBab'uBhengu wagwetshwa intambo evikela umhlaba wakubo
kaNgcolosi nabantwana bakhe, kumlungu owayehlukumeza
amadoda endawo ewasika ubuntu bawo ukuze athathe umhlaba
wawo. Amaqhawe lawa angakaze kwaculwa ngawo futhi
kukhulunywe ngawo kodwa afa evikela isithunzi somuntu
omnyama ukuthi yena nomndeni wakhe babe nomhlaba.
[Ubuwelewele.] Angiqondisisi uma kuzoba nomuntu omnyama
ozophikisana nokuthi sikhulume indaba yokubuyiswa
komhlaba. Siyawufuna ngenkani. IsiNgisi noma
kungenasiNgisi siyawufuna. Ngiyabonga [Ihlombe.]

Mr M L W FILTANE: Hon Deputy Speaker, think of the
2,9 million farm workers who have got no land rights,
then you will understand me very well. The
recommendations of the ad hoc committee on the actual
amendment of section 25 of the Constitution, is wholly
supported by the UDM. It makes a lot of sense to say that
this all important proposed amendment should be attended to
by the Sixth Parliament because of time constraints.

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The UDM has always advocated for a very broad consultative process. Whilst we want land restitution to take place, we also want a peaceful and balanced process.

The contributions by the various experts who made presentations to the committee have indeed made it clear that careful consideration should be applied in order for the Constitution to be appropriately amended. It cannot be that our South Africa belongs to a few, blacks want a share of the acres that make South Africa. We are however, totally opposed to the notion that productive land should not be tampered with, as this suggests that blacks should only settle for the opposite which is nonproductive land. It just does not make sense. Are they supposed to be scavengers in their country of birth for those people who say do not tamper with the productive land? That is the question I want you to take home.

A government with a vision would link every child on birth with a piece of productive land, land that they can occupy when they come of age. A piece of land which they can use to produce food for themselves and their family

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when they come of age. A piece of land from which they can generate income so as to reduce dependency on the state. That is what a reasonable government would do. A UDM government would implement that.

This country has over 13 million people who face food insecurity on a daily basis including Sundays and today. Mark that. We need land. With productive or strategically positioned land, poverty can be a thing of the past. Accordingly, the UDM supports this report and the landless. So, vote sensible and vote UDM. Thank you.

Dr C P MULDER: Hon Deputy Speaker, I think that colleagues from all parties are underestimating the intelligence of our voters out there. When any member comes along to this podium and uses the phrase, "My party is the only party." Then you should know yes right, okay fine. And we have heard that all around the House today. "My party is the only party." The electorate is more intelligent than that.

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Secondly, every member that comes here today is busy with election speech. Vote my party, vote that party. The people out there are suffering to prepare supper through load shedding. They are not interested in this debate tonight.

I know that the chairperson has worked very hard in this committee and tonight is not the time to put the arguments with regard to expropriation without compensation on the table or not. It is not about that. This is about the ad hoc committee's report.

Now, if you build a house without a foundation, the chances are very good that the house will collapse and that is what is happening here. The work of the ad hoc committee is based on the report of the Joint Constitutional Review Committee. The Joint Constitutional Review Committee as we pointed out last in the previous discussions is fundamentally flawed and we know that AfriForum took that matter to court. That was a technical procedure, and it was not about substantive issues.

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So, when we come back from the elections, we will still go to court with regard to substantive issues of the Joint Constitutional Review Committee Report, because the work of the ad hoc committee is based on that report. This whole process that we are discussing tonight is all about electioneering. We all know that.

The EFF as they pointed it out tonight, they were pressing the ANC that the Constitution needs to be amended before the elections, because they wanted to go to the electorate with a point to say the Constitution has been amended courtesy of the EFF.

However, the ANC knew from day one that it was not possible to amend the Constitution before the House rises tomorrow. It is not possible. You are not talking about some little amendment laws, we are talking about the Constitution and even more so, we are talking about the Bill of Rights. We cannot just go along and quickly try to amend that. So, everybody in this House knew the Constitution could not be amended at the time possible. So, despite that with all respect, we went through the

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charade and the ad hoc committee had to be appointed. Some of us did not attend those committee reports and my apologies to you chairperson, it is not because I disregard you, but I knew that this was going to be the outcome. Here we have the outcome today and there is no progress in that sense. We adopt the report that says what? To postpone. We all knew that. So, with all due respect, it was really a waste of time and all of us could use our time much better out there in terms of electioneering and campaigning.

When the time comes, we will discuss and debate the issue of the right to own property, the guarantees in terms of that and the implications of expropriation without compensation. We all know that there is a need for redress, but we are seeking the answers at the wrong place. So, with all due respect, all those who says, "Only my party." [Time expired.]

The DEPUTY SPEAKER: Hon member, it is always useful to check your left. Cope. The hon Carter, please remember to check your left, I mean the clock, alright. Yes. Yes.

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Ms D CARTER: I will do. Thank you, Deputy Speaker.

The DEPUTY SPEAKER: The left is very reliable. Yes.

Ms D CARTER: Hon Deputy Speaker, this committee report which, in part, kicks the ball to touch - actually draws a clear line in the sand. It says to the electorate that a vote for the ruling party and its ilk in the up coming election is a vote for the arbitrary confiscation of land without compensation.

The weakening of our agricultural sector and the erosion of our national food security, it says the arbitration of attrition of business and investor confidence, the continued stagnation of our economy and acceleration of job losses, the likelihood of further sovereign credit rating downgrades and the continued polarisation of our society at the time when we all desperately need to work together to turn our country around and head in the opposite direction to which the ruling party is intent in driving us to.

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Deputy Speaker, it is hard not to draw parallels between the ANC and other populist movements who sell their party faithful snake oil remedies which ultimately lead every one to ruin and the likes of crack-pot religious leaders who led their faithful, ideological mass suicides like Jim Jones and the Peoples Temple.

Now Deputy Speaker, my party Cope, has been consistent on this matter. We stand in defence of the Constitution. We are adamant that there is simply no model or rational need to make any amendment to the Constitution to effect the legitimate need for land reform. We fully support the imperative for land reform. Likewise we are adamant that no one should be arbitrarily deprived of property.

We support the notion of land expropriation for public purpose or in public interest provided that such expropriation is not arbitrarily, meets constitutional muster, and that the owner receives just an equitable compensation - having regard to all relevant circumstances involved therein.

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As Cope, we believe that the findings of the High-Level Panel Report must be acknowledged and its recommendations implemented. We believe that much of the legitimate demand for land is in fact the need for access to housing opportunities, as many migrate to our urban centres, in search of jobs and access to services and a better life. We believe that land and agricultural reform can be achieved on a win-win basis if we are brought together as a nation instead of advancing populist rhetoric - hiding abject failure behind racial invectives.

We believe that South Africa belongs to all who live in it. That we share a common history, however painful and divisive that may be, we share a common destiny - a common future.

As Cope we believe that now more than ever that those of us that believe in our shared destiny needs to stand together. We can guard our Constitution and our Bill of Rights. Thank you, Deputy Speaker. [Time expired.]

[Applause.]

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Mr S N SWART: Hon Deputy Speaker, the ACDP appreciates that the land issue is a very sensitive and potentially divisive issue given the history land possession in the country. While we believe that justice must be done, we also strongly believe in reconciliation and nation-building. Biblical justice can be achieved through a process of restitution with compensation. The ACDP believes and we support land reform and the restitution of land in an orderly and lawful manner and we on record that we do not support expropriation or any amendment of section 25 to allow expropriation without compensation.

Afrikaans:

Ek wil dit baie duidelik stel dat ons in die ACDP ondersteun nie 'n wysiging van die Grondwet om die onteiening van grond sonder vergoeding toe te laat nie.

English:

We do however appreciate the work that the ad hoc committee has done and we foresaw obviously that it would not finalise the work given the short space of time.

However it is also incisive to look at the expert advice

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that was received. The experts consulted advised great caution and they indicated that because we are dealing with an amendment of the Bill of Rights, great caution needs to be exercised and the majority of experts did not support an amendment of section 25 to fast-track land reform.

Leading constitutional lawyer Adv Trengove did not believe the Constitution required an amendment as a matter of law. However, he said it is perhaps a political imperative. And yes so we see this is a political game that is being played to obtain votes that were lost.

It is equally important that the Human Rights Commission which is the guardian of the Constitution stated in no unequal terms they are not in favour of an amendment to section 25.

Why have the findings of the Motlanthe High-Level Panel not been implemented during their public hearings and they also were opposed to an amendment of section 25? Many people that attended those public hearings spoke

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scathing of the role of state-officials and politicians in land reform and the corruption that takes place and we now know the Special Investigating Unit's, SIU's, report confirms that.

This Parliament has been found guilty of been in breach of constitutional duties already by the Constitutional Court in the Nkandla matter. Now, we want to give more powers to what we would believe is now administrated and ill efficient government department. This cannot be supported.

So, while the ACDP remains committed to find solutions to the land issue that are informed by principles of justice, reconciliation, good stewardship as opposed to corrupt and abusive practices in the department, restitution and restoration we will not support the recommendation that the Sixth Parliament be tasked at finalising the amendment. We will not support this amendment now and we will not support it in the future. I thank you.

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Mr L M NTSHAYISA: Hon Deputy Speaker, yes, it has taken so long for this Parliament to agree to the amendment of section 25. Otherwise, we would have been far by now if we have just agreed the time this was presented by the leader of EFF. The ad hoc committee report has gone lyrical about the Sixth Parliament continuing with its legacy report. The committee was duplicating the work already done by the Joint Constitutional Review Committee. It was also representing the function of the Portfolio Committee on Constitutional Development and Correctional Services. It is the portfolio committee's role to initiate a process for the passing of a constitutional amendment, including recommending the tax and subtax of the proposed amendment. The ad hoc committee has invited the few experts whom it entrusted with a shared light on its work.

In our view, the Portfolio Committee on Constitutional Development and Correctional Services should be in charge of this process. This ad hoc committee is only necessary when the issues to be discussed are ad hoc. The issue of the land is a permanent feature of our society. It has

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got to be supported and it must happen, because of their line functions portfolio committee's recommendations are likely to be taken seriously. We believe that the work of the ad hoc committee has added nothing new. Our advice on the tax and subtax of section 25 is as follows: That the expropriation of land without compensation must reflect the equitable balance between the public interest and the interest of those affected by land dispossession; having due regard to the following: the purpose of the acquisition, the need to achieve rural and urban land justice, security of tenure for rural women and the farm dwellers, sustainable development, human settlements, rural land, hunger, agricultural production and food security. We hope now this is not going to bring about the land grabs that you always say there should be no land grabs. We also hope now that there is going to be a smart scientific approach of amending this section 25 so that people would get the land that was taken from them by those who were in power. I thank you.

Mr P J MNGUNI: Deputy Speaker,

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IsiXhosa:

... ukuthabathela phambili umcimbi womhlaba, ngumbutho wesizwe, i-ANC, umntu uyakuthi akufumane xa ejonga ezinye zeengoma zethu zamhlanene xa sihlangene. Abanye ke abaninzi babengekabikho namanye amaqela ezopolitiko engekabikho ngelo xesha.

*Thina sizwe esintsundu
sikhalela ilizwe lethu
elathathwa ngabamhlophe.*

Umbutho wesizwe ugqitha uthi kwezinye zeengoma zawo,

*eli lilizwe lokhokho bethu,
sizabalazela eli lizwe.*

Itsho laa ngoma. Ezi ngoma zimbini, ndinganda ngezinye, zombutho wesizwe zibonakalisa ukuba umcimbi womhlaba wawukho kwaye ingundoqo kulo mbutho kwamhlanene, amaqela amaninzi apha engekabikho. Umba womhlaba bawujonge kakuhle kweli lizwe lookhokho bethu.

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English:

The colonial context of dispossession through the bloody wars theft has been well canvassed in this House over the past 25 years and in the Fifth Parliament in this House in particular over the past five years.

IsiXhosa:

Kudala sibaxelela aba, kule minyaka engama-25 ukuba umhlaba waabiwa kwaze kwaphalala igazi. Yiyo loo nto ndithe...

English:

... bloody wars theft. It is a theft but it is a theft that in character had bloody wars.

IsiXhosa:

Andikwazi namhlanje ukuba ndibenexesha lokunaba ngenkqubo yobukoloniyali.

English:

Particularly in this Fifth Parliament term, the ANC has taken some strides to prioritise the land question

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informed by the radical shift in policy as inspired by the conferences of the ANC in Polokwane, Mangaung and Nasrec where resolutions were taken, to ensure that the policy stance is radicalised.

IsiXhosa:

Phaya eNasrec kulapho umbutho wesizwe uthabathe isigqibo sokuba umhlaba mawuthathwe ngaphandle kwembuyekezo.

English:

This expropriation without compensation is a resolution of the ANC.

IsiXhosa:

Xa besihleli kule komiti, singamalungu asuka kumbutho wesizwe besizimisela ngakumbi.

English:

If records were to be checked off the committee attendance and consistency, our people out there would see that the ANC was prepared right through to the last minute to ensure that we actually amend the Constitution.

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[Interjections.] In fact, the DA said it acknowledges that this is to ensure that it is explicitly the provision in the Constitution. They continued ...

[Interjections.]

Ms N P SONTI: Hon Mnguni is misleading this House.

[Interjections.] This is our cardinal pillar number one. The land must come back to us without any compensation. It is from EFF, don't mislead the House.

The DEPUTY SPEAKER: Hon member, take your seat. You are politicking. Hon member, take your seat.

IsiXhosa:

Musa ukukhomba abantu xa uthetha.

English:

Go ahead, hon Mnguni. There is no point of order.

IsiXhosa:

Mnu P J MNGUNI: Ixesha liye laphela kodwa ke amaNgesi athi ikhona into ekuthiwa yi...

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English: 18:10

... principle of perpetuity.

IsiXhosa:

Zinamandla kakhulu iziphakamiso esiza nazo apha kwaye sithi, iPalamente eza kungena apha emva kolonyulo mayiqiniseke ukuba isindululo sokuthathwa komhlaba ngaphandle kwembuyekezo ngenene siyenzeka. Abaninzi sebexoxile apha kodwa impazamo abayenzayo yeyokuba baxoxa izinto zangaphambi kwengxelo yale komiti. Sagqitha apho kudala kwaye kukho isigqibo senyanga yoMnga ethi mawutshintshwe uMgaqo-siseko welizwe.

English:

So, the issue of amendment is no question if you're discussing there. In fact, you are guilty of the same rules you are trying to interrupt me about. Once the House takes a resolution, then it is binding. Go read your rules again because I see you are trying your best. So in other words, the discussion now is about what amendments to effect in order to make it explicit.

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IsiXhosa:

Abantu bakowethu emakhaya kufuneka bayazi ukuba nakule Palamente yesiThandathu eza kungena umbutho wesizwe uza kube ukhona ngobuninzi. Kufuneka uqinisekise ukuba uza kuyithatha le nyewe kule ndawo ikuyo ukuya kuthi gaa apho uMgaqo-siseko uza kutshintshwa khona...

English:

... in the Sixth Parliament.

Ms D KOHLER: I was saying, "Thank you!"

Mr P J MNGUNI: Now, I don't believe...

IsiXhosa:

... kumagqirha namagqwirha nayo yonke loo nto.

English:

We can tell you, DA, in the Sixth Parliament the Constitution will be amended as led by the ANC. You like it or you don't like it, live with that reality - that's

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a fact. [Applause.] I can whisper to you very softly. I can see hon Kohler-Bernard raising her typical gesture, I know you for those gestures and the whole of South Africa in actual fact.

IsiXhosa:

Thina singumbutho wesizwe sisithathile isigqibo kwaye abantu aba-2,8 yezigidi athethe ngabo ohloniphekileyo uFiltane siye saqinisekisa ukuba uMthetho okuthiwa yi-Extension of Security of Tenure Act uyapasiswa.

Singumbutho wesizwe siwukhulule umhlaba osezandleni zikarhulumente kwaye sikwinkqubo yokuwuqoshelisa.

Siyaqhuba ngeKomiti yabaPhathiswa (InterMinisterial Committee) nezinye izixhobo zorhulumento ezininzi. I-ANC iyayixhasa le ngxelo yokuba uMgaqo-siseko mawutshintshwe kwiPalamente yesiThandathu. Sibamba ngazibini. Amandla!

Question put: That the motion moved by the Chief Whip of the Majority Party be agreed to.

Division demanded.

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The House divided.

The DEPUTY SPEAKER: Hon members, please take your seats. Hon members, I would like to remind members that you may only vote from the allocated seat. When requested to do so [Interjections.]

IsiZulu:

Nk M S KHAWULA: Viva Julius Malema ! Viva! Phambili nokulwela umhlaba wabantu, phambili!

The DEPUTY SPEAKER: Hon member there is a process under way here. You are not supposed to say a word.

Ms M S KHAWULA: sorry, Chair.

The DEPUTY SPEAKER: I am switching off your microphone. When requested to do so, you must simply indicate your vote by pressing the appropriate button. If you inadvertently pressed the wrong button, may thereafter press the correct button. The last button pressed will be recorded as your vote when your voting session is closed

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by the Chair. The question before the House is that the Report of the ad hoc committee to amend section 25 of the Constitution be adopted. Are all members in their allocated seat? Voting will now commence. Those in favour of the Report should press the "yes" button; those against the "no" button and those wishing to abstain press the abstain button. Members, have you all voted? Okay, those of you who are raising your hands your Whips are looking at you. The voting session is now closed.

AYES - 210: Abraham-Ntantiso, N; Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanya, V; Bapela, K O; Basson, J V; Bekwa, S D; Beukman, F; Bhengu, P; Bhengu, N R; Bhengu, F; Booi, M S; Boroto, M G; Botes, A; Buthelezi, E M; Capa, R N; Capa, N; Carrim, Y I; Cebekhulu, R N; Cele, M A; Chikunga, L S; Chiloane, T D; Chohan, F I; Chueu, M P; Coleman, E M; Cronin, J P; Cwele, S C; Dambuza, N B; Davies, R H; Didiza, A T; Dirks, M A; Dlakude, D E; Dlodlo, A; Dlomo, B J; Dube, J J; Dunjwa, M L; Ebrahim, E I; Faku, Z C; Fanta, G B; Filtane, M L W; Frolick, C T; Fubbs, J L; Gamede, D D; Gcwabaza, N E; Gina, N; Gumede, D M; Hanekom, D A; Hlengwa, M; Jeffery, J H; Kabini, D J;

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Kalako, M U; Kekana, P S; Kekana, H B; Kekana, E; Kekana, C D; Kekana, M D; Kenye, T E; Khawula, M S; Khayiyana, M M; Khoarai, L P; Khosa, D H; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kota-Fredricks, Z A; Kubayi, M T; Lesoma, R M M; Maake, J J; Mabasa, X; Mabe, B P; Mabiya, L; Madella, A F; Madlopha, C Q; Maesela, P; Mafu, N N; Magadla, N W; Magadzi, D P; Mahlalela, A F; Mahlangu, J L; Mahlangu, D G; Mahlangu, A V ; Mahlobo, M D; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Maluleke, B J; Manamela, K B; Manana, M N S; Mandela, Z M D; Mantashe, P T; Maphanga, W B ; Mapulane, M P; Maqubela, N; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashile, B L; Masondo, N A; Masuku, M B; Masutha, TM; Maswanganyi, M J; Mathale, C C; Mathebe, D H; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbuyane, S H; Mchunu, S; Mdakane, M R; Memela, T C; Meso, L D; nMfeketo, N C; Mfulo, A T; Mhaule, R; Mhlongo, S P; Mjobo, L N; Mkhize, H B; Mkhize, Z L; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga - Gcabashe, L A; Mnguni, P J; Mnguni, D; Mogotsi, V P; Mokonyane, N; Molebatsi, M A; Mothapo, M R M; Mpumlwana, L K B;

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Mthembu, J M; Mthethwa, E N; Nchabeleng, M E; Ndaba, C N;
Ndlovu, B C ; Ndongeni, N; Nel, A C; Newhoudt-Druchen, W
S; Ngwenya Mabila, P C; Ngwezi, X; Nhleko, N; Nkadimeng,
M F; Nkomo, S J; Nkonyeni, P; Nkonzo, T M; Nkwinti, G E;
Nobanda, G N; November, N T; Ntshayisa, L M; Nxesi, T W;
Nyambi, H V; Nzimande, B E; Oliphant, M N; Oliphant, G G;
Oosthuizen, G C; Pandor, G N M; Patel, E; Paulsen, M N;
Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M
C C; Radebe, B A; Radebe, J T; Ralegoma, S M;
Ramatlakane, L; Rantho, D Z; Raphuti, D D; Seabi, A M;
Seabi, N E; Semenya, M R; Senokoanyane, D Z; Shabalala, N
F; Shaik Emam, A M; Sibande, M P; Singh, N; Skosana, G J;
Skwatsha, M; Smith, V G; Sonti, N P; Sotyu, M M;
Thabethe, E; Theko, L C; Thembekwayo, S S; Thomson, B;
Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A;
Tseke, G K; Tseli, R M; Tshwete, P; Tsoleli, S P;
Tsotetsi, D R; Tuck, A; Van Der Merwe, L L; Van
Schalkwyk, S R; Williams, A J; Wolmarans, M J; Xaba, N;
Xego, S T; Yako, Y N; Zulu, L D.

NOES - 61: Alberts, A; Atkinson, P G; Bara, M R; Basson,
L J; Bergman, D; Boshoff, H S; Bozzoli, B; Brauteseth, T

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J; Breytenbach, G; Cachalia, G K Y; Cardo, M J; Carter, D; De Freitas, M S F; Dreyer, A M; Dudley, C; Esau, S; Grootboom, G A; Hill-Lewis, G G; Hoosen, M H; Horn, W; Hugo, R; Hunsinger, C H H; Khanyile, T A; King, C; Kohler, D; Kruger, H C C; Krumbock, G R; Lees, R A; Lorimer, J R B; Mackenzie, C; Macpherson, D W; Majola, T R; Malatsi, M S; Marais, E J; Masango, B S; Mbabama, T M; Mbhele, Z N; McLoughlin, A R; Mhlongo, T W; Mileham, K J; Motau, S C; Motshidi, T K; Mulder, C P; Purdon, R K; Rabotapi, M W; Robinson, D; Ryder, D R; Schmidt, H C; Shackleton, S; Shinn, M R; Stander, T; Steenhuisen, J H; Steenkamp, J; Stubbe, D J; Swart, S N; Van Der Walt, D; Van Der Westhuizen, A P; Van Dyk, V; Waters, M; Wessels, W W; Wilson, E R.

Question agreed to.

Report accordingly adopted.

**CONSIDERATION OF REQUEST FOR APPROVAL BY PARLIAMENT OF
OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND
OTHER CRUEL, INHUMAN AND DEGRADING TREATMENT OR**

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PUNISHMENT (OPCAT) IN TERMS OF SECTION 231(2) OF
CONSTITUTION, 1996

There was no debate.

IsiNdebele:

Nom G J SKOSANA: Sthokoze Sekela Somlomo ohloniphekileko namalunga ahloniphekileko weNdlu yesiBethamthetho se Narha.

English:

The Portfolio Committee on Justice and Correctional Services, having considered the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, tabled in terms of section 231(2) of the Constitution, 1996, and the Explanatory Memorandum to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, OPCAT, reports as follows:

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On 4 March 2019, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, OPCAT and its explanatory memorandum were referred to the committee for consideration. The committee was briefed on both papers on 13 March 2019, and reported on the same day.

South Africa was instrumental in the international negotiations that saw the conclusion of the United Nations Convention against Torture, UNCAT which it ratified in 1998. Articles 2 and 16 of the UNCAT oblige each state party to take effective measures to prevent acts of torture and other cruel, inhuman or degrading treatment or punishment.

State parties are obliged to establish independent National Preventive Mechanisms, NPM tasked with making regular and unannounced visits to places of detention to prevent torture and ill-treatment, including correctional centres, police cells, refugee centres, social care institutions and closed psychiatric facilities.

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In 2012-13, following extensive consultation with relevant departments, Chapter 9 institutions and civil society, South Africa's failure to pass legislation, criminalising torture was identified as being the greatest impediment to it ratifying OPCAT. This obstacle was addressed in 2013 when the Prevention and Combating of Torture of Persons Act, 2013, was enacted. A further delay to the ratification of OPCAT was as a result of discussions and consultations regarding the appropriate NPM model to be implemented.

In 2017, the Department of Justice and Constitutional Development with the South African Human Rights Commission, SAHRC reconsidered the proposed NPM model. The new proposed NPM model may include existing institutions namely; the Judicial Inspectorate of Prisons, Independent Police Investigative Directorate, Office of Health Standards Compliance, other Chapter 9 institutions, Military Ombudsman, the Health Ombudsman and Mental Health Review Boards and, the SAHRC is to play a functional and co-ordinating role. In February 2019, Cabinet approved the proposed ratification of the OPCAT

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and that it be tabled in Parliament in terms of section 231(2) of the Constitution for consideration.

Hon members, having considered the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, referred to as OPCAT, tabled in terms of section 231(2) of the Constitution, 1996, and the Explanatory Memorandum to it, the Portfolio Committee on Justice and Correctional Services recommends that this House resolves to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. So, we are presenting this report to this House for consideration. Thank you very much, hon Deputy Speaker. [Applause.]

Declarations of vote:

Mr W HORN: Deputy Speaker, we rise in support of the optional protocol or as it is called, the OPCAT. Now Deputy Speaker, South Africa was, of course, instrumental in the international negotiations that saw the conclusion of the United Nations conventions against torture, way

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back in 1998, when we were still very much at the forefront of human rights in international relations.

Articles 2 and 16 of UNCAT oblige its state party to take effective measures to prevent acts of torture and while we ratified this in 2006 as the hon Skosana pointed out, it took us another seven years to ultimately criminalise torture in South Africa. Talking about the national preventative mechanism it is so that there is now a co-ordinating function for the South African Human Rights Commission and that other existing institution like the Judicial Inspectorate for presence, Independent Policing Investigative Directorate, the Office of the Health Standards Compliance, other Chapter 9s, the Military Ombudsman and the Health Ombud, could all be involved in this.

The difficulty, however, is that this is ... to quote the Deputy Minister, "better than nothing" because the reality is that in terms of the current budgetary provision, there would not be able to have more than what they had up to now which is called dialogues. It must be

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clear that if we are to get back on the right side of human rights in international relations, this National Preventative Mechanism must be properly budgeted, otherwise it will remain a paper tiger.

Ultimately, this would be the litmus test for us as South Africa since we regressed in terms of our international standing as a player in respective human rights over the last three years with the Al-Bashir saga. Three years in which we in any event could have been brought to this House earlier. I thank you. [Applause.]

Mr S P MHLONGO: Deputy Speaker, the country signed OPCAT protocol in 2006 which amongst other things require us to take effective measures to prevent acts of torture and other cruel inhuman or degrading treatment or punishment in any territory under our jurisdiction. That the report is only tabled in Parliament now is proof enough of general apathy the party in government has towards issues affecting millions of our people.

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During the hide of the fees must fall movement, of which now we know that it was infiltrated by intelligence's dirty tricks units with an aim of derailing the noble course of our students in order to trigger violent reaction by South African Police, which then infiltrated a lot of human rights violation against our own people who were crying to their own government to save them from not a not-well functioning National Student Financial Aid Scheme, NSFAS. Instead, what did you do? You resorted to PW Botha tactics of unleashing police against our own children.

That is what you the ANC cannot be proud of and you cannot claim to be different from that government of PW Botha which used state-owned mechanisms to unleash on innocent children and inflict even death amongst freedom fighters during the apartheid era. That report of abuse of intelligence is there by the high panel, done by the senior leaders who many of us respect. You and your Zuma have even labelled them as agents of the past system, in

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order to protect your own evil deeds. During the struggle for better salaries of mine workers, ... [Interjections.]

Ms N P SONTI: On a point of order, Chair.

The DEPUTY SPEAKER: What is your point of order?

Ms N P SONTI: My point of order is, ...

IsiXhosa:

... UMphathiswa uLindiwe Zulu uthi umhlonitshwa uMhlongo uyabhanxa. Ithetha ukuthini loo nto, ilungu lePalamente kuthiwe liyabhanxa, phofu kusitsho uMphathiswa?

Mr S P MHLONGO: Just leave that useless woman. She is so useless. [Interjections.]

The DEPUTY SPEAKER: Hon Mhlongo!

Mr S P MHLONGO: With her small ...

The DEPUTY SPEAKER: Hon Mhlongo!

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Mr S P MHLONGO: What is she doing? Her task is to make noise.

The DEPUTY SPEAKER: Hon Mhlongo!

Mr S P MHLONGO: Useless noise here.

The DEPUTY SPEAKER: Hon Mhlongo! I am talking to you. Can you be quiet? In fact, take your seat so that I Rule here. That is what you do when we speak to you from the Chair. We are not imposing ourselves. Hon Zulu, did you say that? [Interjections.] I am asking the Minister, not you.

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KWAMABHIZINISI AMANCANE:
Sihlalo, umuntu ozosibiza Athi thina sibabi kufuneka ngithini ngaye?

The DEPUTY SPEAKER: Hon Minister!

AN HON MEMBER: Yes or no!

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IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KWAMABHIZINISI AMANCANE:

Ungazongimemeza wena. Ungangijwayeli kabi wena. Yebo ngishilo ngoba vele naye uyasithuka uthi thina sibabi. [Ubuwelewele.]

The DEPUTY SPEAKER: Hon Minister, you have to withdraw that. Withdraw that hon Minister.

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KWAMABHIZINISI AMANCANE:

Hhayi ngeke! Cha!

English:

The DEPUTY SPEAKER: Hon Minister, are you saying no?

[Interjections.] Are you saying that you are not withdrawing?

IsiZulu:

UNGQONGQOSHE WEZOKUTHUTHUKISWA KWAMABHIZINISI AMANCANE:

Ngisohoxisa kanjani uma sithukwa kuthiwa sibabi?

[Ubuwelewele.]

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The DEPUTY SPEAKER: Hon Minister if you don't want to withdraw please use the door. [Interjections.] Please use the door. [Interjections.] [Applause.]

The MINISTER OF SMALL BUSINESS DEVELOPMENT: Okay.
[Interjections.]

The DEPUTY SPEAKER: No! No! No! Hon Minister, you have two choices. Its either you withdraw or you leave the House. You have to withdraw.

The MINISTER OF SMALL BUSINESS DEVELOPMENT: I draw.
[Interjections.]

The DEPUTY SPEAKER: Go ahead, hon member.

Mr M N PAULSEN: Deputy Speaker, you know this has happened before when people have refused to withdraw and you told them to leave but now you have given her another chance. [Interjections.] You must tell her to leave.

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The DEPUTY SPEAKER: Hon member, take your seat. I am making the ruling. [Interjections.] Take your seat hon member. Go ahead, hon member.

Mr S P MHLONGO: It was this government led by the ANC that massacred our people just for demanding R12 000 against billions that you have stolen. The ANC government has institutionalised the torture and killing of black people in this country in order to protect their own bosses.

Mr X MABASA: Point of order, Chair.

Mr S P MHLONGO: You pretend to be anti-white, while you took money from that Watson man, who was ... [Inaudible.] of the state.

The DEPUTY SPEAKER: Hon Mhlongo, take your seat. There is a member asking for a point of order. Hon Mhlongo, take your seat.

IsiZulu:

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Nk M S KHAWULA: Ubani lo mfundisi osephethe ibhayibheli la futhi manje?

The DEPUTY SPEAKER: Hhayi! [No!]Hon Mhlongo, take your seat.

IsiZulu:

Nk M S KHAWULA: Ubani lo mfundisi ophethe ibhayibheli manje?

The DEPUTY SPEAKER: Hon member, take your seat. You have not been recognised

IsiZulu:

Nk M S KHAWULA: Cha kodwa akulungile uma kuzovele kuqhamuke umfundisi nebhayibheli. Akukhona esontweni lana.

The DEPUTY SPEAKER: Hon member! Hon Khawula, take your seat.

Ms M S KHAWULA: This is not a church.

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The DEPUTY SPEAKER: You are out of order. Take your seat. And this habit of speaking when you like is ridiculously bad manners. [Interjections.] Hon Mabasa

Mr X MABASA: The language used by the hon Mhlongo, ...

The DEPUTY SPEAKER: Talk to the microphone

Mr X MABASA: ... according to Rule 84, the language used by hon Mhlongo is completely unparliamentary, especially when he implies killings and murders. So, I would suggest he withdraws. Thanks, Chair.

The DEPUTY SPEAKER: Hon member, he referred to political parties and so on. Proceed, hon Mhlongo and mind your language.

Mr S P MHLONGO: My language is perfect. It tells the truth. [Interjections.]

The DEPUTY SPEAKER: Hon Mhlongo!

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Mr S P MHLONGO: And also we need to talk to the conscious of these people.

The DEPUTY SPEAKER: Hon member!

Mr S P MHLONGO: Therefore, as the EFF, we are in approval with the OPCAT protocol in order to ensure that the right of everyone in this country - black or white - are protected against torture and degrading treatment which currently coexist with oppression as black people. We cannot deny the truth.

In Glebelands hostel in KwaZulu-Natal, ANC councillor who killed a number of our people has been protected by you and many people who cause corruption, are tortured by police just like what happened with Comrade Sindiso Magaqa and your Mayor, who is now in court as we speak. You must ask yourself and take a seat back and reflect whether this is what our own soldiers who were held during the struggle for liberation died for. Thank you. I have told you. [Interjections.] [Applause.] [Time expired.]

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Mr S N SWART: Deputy Speaker, the ACDP – and I am sure everyone in this House believes that any form of torture must be condemned in the strongest possible terms. Torture is a recognised crime in South Africa and perpetrators of this specific crime can be charged, tried and prosecuted under the Provision and Combating of Torture of Persons Act of 2013, which the ACDP also supported.

However, the effective implementation of this Act remains unclear, and it should be noted that sadly, torture happens in police cells, correctional services, other places of detention or where freedom of movement is restricted. On the streets and in some case even in some people's private spaces.

Victims of torture in post apartheid South Africa include arrested persons, criminal suspects and even non South African nationals. Sadly, very few prosecutions are instituted with success. Chairperson, the idea of this optional protocol is to set up a national preventative mechanism and the South African Human Rights Commission

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was requested to develop it and embarked on this process. And it will include existing institutions as previous speakers indicated, the Judicial Inspectorate of Prisons, the Independent Police Investigative Directorate, the Office of Health Standards Compliance, the Commission for Gender Equality, the South African Military Ombud and the Mental Health Review Board.

Of course, this is very positive and the ACDP supports this protocol. However, the key question is going to be the budget that is given for an effective national preventative mechanism. Bearing in mind that all these institutions I referred already exist and the question is what are they doing to prevent torture and that is taking place in our places of detention?

If this national preventative mechanism does not receive the proper budget, it will not be able to be effective. However, the ACDP supports this optional protocol given that is we are opposed to torture in any way and that we trust that it will be given a sufficient budget going

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forward so that it can act in prevention of any form of torture. I thank you.

Mr S A TLEANE: Deputy Speaker, hon Ministers and Deputy Ministers, hon Chief Whip and Deputy Chief Whip, hon members, the ANC supports the adoption of this Report, the aftermath and destruction of part of the world caused by colonialism and later followed by World War One and World War Two, resulted in the establishment of the United Nations, UN, in 1945.

One of the key objectives of the UN was the maintenance of international peace and security. In 1984, the United Nations Convention against Torture, UNCAT, was adopted and came into force in 1987. South Africa signed it in 1993 and ratified the convention in 1998. The UNCAT aims to prevent torture and other acts of cruel, inhuman or degrading treatment or punishment around the world and requires members state to take effective measures to prevent torture in any territory under its jurisdiction.

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Torture has been used as punishment throughout history to coerce or extracts information. UNCAT define torture as sever physical or mental pain or suffering intentionally inflicted by or either instigation or with the acquiescence of a public official or other person acting in an official capacity to intimidate, coerce, punish or extract information from a person. The ANC had first hand experience of this horror during apartheid and many of its cadres were tortured to death.

In 2006, a new ground was covered as the UN ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, OPCAT, which the ANC-led government ratified in the same year. The OPCAT compels member states not to just pay leap service to the UNICAT but, to ensure its implementation through the establishment of national preventative mechanisms, NPMs, within one year of ratification.

These NPMs which are independent ensure an effective monitoring of the implementation of the UNICAT by making

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regular and unannounced visits to places of detention to prevent torture and ill-treatment including correctional centres, police cells, refugee centres, social care institutions and close psychiatric facilities.

The South African Human Rights Commission is the agreed Chapter 9 institution that will co-ordinate the NPM which may include other Chapter 9 bodies. The NPM will be funded by allocations from the Department of Justice and Constitutional Development but, other departments should be asked to add to the funding of this important body.

It is a small price that the country needs to pay for the progressive OPCAT and we should not be sidetracked by other details. This is for a good cause. We need order and peace in the world. No member state must be allowed to engage in barbaric acts of torture in any part of the world. The NPM must be empowered to execute its responsibilities without any hindrance.

The ANC supports this Report. Now is the time. Vote ANC!

I thank you.

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Question put that the Report be adopted.

Agreed to.

**GROWING AND TRANSFORMING SOUTH AFRICA TOGETHER FROM AN
APARTHEID STATE TO A THRIVING DEMOCRACY**

(Subject for Discussion)

Ms L M MASEKO: Deputy Speaker, I heard you calling my name. Hon Ministers, Deputy Ministers, Chief Whip, Deputy Chief Whip of the Majority Party and hon members, the struggle for social and economic transformation of the South African state and broader society was essentially the task of replacing the apartheid state and its socioeconomic formation with a democratic dispensation which reflects the values enshrined in the Constitution of the Republic but equally shaped by the ideological and theoretical views of the ANC.

The establishment of the democratic state was a process of reconstruction influenced by the ANC's character and

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objectives of the future South Africa that the ANC is building. The enduring struggle of the democratic dispensation is the struggle to transform South Africa society and emancipate the people politically, socially and economically and is a struggle which takes place within a concrete and ever-changing national and international environment. This environment calls upon the forces of democratic transformation to pursue their objective mindful of these changes as well as the subjective and objective condition that characterise this environment.

South Africa's first democratic government inherited a fragmented, unaccountable and radically divided society characterised by a governance system of homelands administration as well as separate administration for certain categories of racial groups. The homeland administration for the majority of African people were poorly organised and resourced, largely without local government and the services they provided were determined by the apartheid state. Those that were well capacitated

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were mostly in the urban areas and served the need of a white minority.

The public service lacked transparency and accountability, providing space for corruption and abuse of power.

In this context, the balkanised apartheid era institutions had to be amalgamated into a single democratic nonracial system. Post-apartheid South Africa needed reformed governance system that would allow all South Africans to claim political and social ownership of the country. This also meant changing the system of governance to be geared towards transformation by addressing the legacy of apartheid. There was a need to modernise the public service to make it more efficient, effective, accountable and people centred, so that it would be able to fulfil its transformative role.

Apartheid laws have since been repealed and a Bill of Rights enshrined in the Constitution guaranteeing all citizens socioeconomic and human rights. Independent

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institutions were established under Chapter 9 of the Constitution to strengthen accountability, safeguard democracy and build a responsive state and of course an independent judiciary is in place.

Indeed, the advent of democracy had brought freedom of movement and of association, the right on property, freedom of expression and freedom of press, equality of women, religious freedom, workplace freedom and the right to strike and protest.

Under the ANC-led government, South Africa's electoral institution command enormous respect and electoral results have been accepted as free and fair. Since first democratic elections in 1994, South Africa has had a regular election every five years.

The institution of representative democracy, such as Parliament, provincial legislature and municipal councils are generally well established with representation of women in municipal structures and ward councillors. The focus continues towards strengthening the ability of

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these institutions of representative democracy to fulfil their oversight role and to contribute to the building of an accountable and responsive state.

The political and constitutional advances which have been achieved since the 1994 democratic elections continue to serve as a platform of which a fully democratic, nonracial, nonsexist and prosperous society can be built. The ANC-led government has made great strides in creating mechanisms for citizens to participate on an ongoing basis and not just during elections. This is evident in the policy and legislative framework and the establishment of numerous statutory bodies, structures and programmes like the Batho Pele White Paper of 1997.

It is true that South Africa is a better place than it was in 1994 and before and the ANC has since filled the blank pages of history and restored the dignity of our people. Our country has begun its second phase of our democratic transition. This second phase of our democratic transition calls for bold and decisive steps to place the economy on a qualitative different path that eliminates

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poverty, create job and sustainable livelihoods. At the heart of it is the ongoing implementation of the National Development Plan.

The National Development Plan, NDP, provides a framework for achieving the radical socioeconomic transformation and recognises a need for a capable developmental state, a thriving business sector and a strong civic society.

Over the past 25 years, South African people have changed the course of history and registered a substantial progress. Under the ANC-led government, our Constitution has advanced the individual and collective rights of all South Africans.

Our democracy has unleashed the creative energies of all people. We have improved the representation and empowerment of women in the public and private sector through our constitutional commitment of nonsexism and gender equality. In 1994 and before, South Africa rated number 144 in representation of women in Parliament.

Today, the world index rates South Africa women

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representation in Parliament at number 10. Thanks to the ANC.

South Africans must remember when going to the polls on 8 May that, today, the DA walked out when we voted on gender matters. Thank you. [Applause.] [Time expired.]

Dr M J CARDO: Deputy Speaker, at the dawn of our democracy 25 years ago, there was so much hope. Where South Africa had once seemed to be on a collision course, we were steered by brave and bold leadership into the right track. We chose nonracialism over racial nationalism. We chose the supremacy of a Constitution over the sovereignty of Parliament. We chose market-driven prosperity over the dead hand of state-led, command-and-control economic development. But somewhere along the line, the ANC government took a wrong turn. It began to backtrack on the promise of 1994. It reneged on the social contract of nonracialism, constitutionalism and market-led growth. [Applause.]

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Today, instead of forging full steam ahead, South Africa is stuck on the tracks. Our democracy has been derailed. The engine of economic growth has been throttled to a standstill. Thanks to the ANC's chronic mismanagement of Eskom, there seems to be no light at the end of the tunnel.

Yesterday, President Ramaphosa experienced this quite literally. Having joined ordinary South African citizens on their daily commute, his train from Soshanguve to Pretoria got stuck. It took over four hours to complete a 50 kilometre journey. This incident was the perfect metaphor for the stalled state of our democracy. Every day, South Africans face hardships caused by ANC corruption and maladministration, which cost the fiscus R30 billion annually. ANC corruption is why the lights don't work and the trains don't run on time. [Applause.]

President Ramaphosa can tut-tut in mock sympathy all he likes. He can talk a big game about cleaning up after nine lost years of ANC inflicted chaos. He can make idle threats about heads having to roll.

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But we all know its one big con, because the ANC stands for Absolutely No Consequences. It's the reason why some of the worst offenders from the Zuma era of state capture are back on the ANC's election lists.

Instead of pursuing a better life for all, ANC cadres have only one priority, barging their way into the gravy train. Here, they gorge themselves on tenders, kickbacks, empowerment deals and Bosasa sponsored booze and braai packs. Meanwhile, those in the second and third class carriages are left to fend for themselves. It's why 10 million South Africans can't find work. It's why more than half of all South Africans live below the poverty line and it's why 14 million South Africans go hungry every day. But the election on 8 May is the voters chance to get South Africa back on track. The DA has a plan to turn South Africa into a thriving democracy. We will build One South Africa for All by fighting corruption, creating fair access to real long-term jobs, fixing the SA Police Service; securing our borders and speeding up the delivery of basic services. We will address the

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electricity crisis by splitting up Eskom and enabling municipalities to purchase power directly from producers.

We will reboot economic growth and investment by guaranteeing private property rights. We will overhaul our visa, exchange control and labour policies to attract skills, capital and tourists.

On 8 May, South Africans face a choice between the corrupt, backward-looking ANC and the honest, future-focused DA. A vote for the ANC is a vote for more empty promises. It doesn't matter who leads them, they are the same old party and they have had too many second chances. Don't reward ANC failure with your vote because nothing will change. On 8 May, vote DA. [Applause.] [Time expired.]

Mr N PAULSEN: Deputy Speaker, one of the most tragic things currently happening in South Africa is the attempt by the ANC that seeks to absolve itself from the treacherous performance of government for the past 25 years. The very subject of this debate acknowledges

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that ours is still an apartheid economy. The state itself is a creation of the colonial and apartheid regimes, and the ruling party has inherited all the tendencies of these repressive regimes and sustained them.

Today, almost three decades after the attainment of political freedom, it is African people who are mostly unemployed; it is African people who are homeless and landless; it is African people who live in debilitating poverty; and it is African people who are criminalised only because they are African. Today, it is mostly African children who grow up with no hope of ever escaping poverty because the schooling system has been deliberately dumbed down by the ANC.

It is African women who are likely to die of pregnancy complications because there are no functional public health institutions in this country.

This is so because the colonial and apartheid system, sustained by the ANC, strategically dispossessed Africans of their land and turned them into a subservient labour

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force, only there to serve the interest of the settler minority.

It will be impossible to reverse this situation and to transform our society, without an aggressive intervention by the state on behalf of the exploited and underdeveloped majority to redistribute power, property and land.

For this to happen there must be an aggressive redistribution of land to the African majority to enable ease of access to housing, to agricultural development and to budding African businesses.

There must be a complete overhaul of the banking sector in our country, led in the main by a progressive state bank which would make credit available to the poor, with very low interest rates.

There must be zero-tolerance to corruption, which has fed the ANC over the past while, and in which all the leaders of the ANC have participated.

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We must strive for economic sovereignty premised on inward industrialisation with export capacity, the protection and promotion of labour-absorptive manufacturing sectors and the provision of quality jobs to all people who need employment.

We must strive for a South African economic outlook where the state owns strategic sectors of the economy and where the ownership and control of nonstate-owned sectors reflects the demographics of South Africa.

We must decommodify basic needs such as education and health so that such services are driven by the needs of the people and not by profit maximisation.

We must drive for regional and continental economic integration in a manner that will qualitatively and quantitatively expand economic activities and intratrade in South Africa, the Southern African Development Community, SADC, and the African continent.

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We must stabilise energy supply, particularly electricity supply, through the qualitative and quantitative expansion of Eskom's capacity to provide environmentally friendly electricity from coal, nuclear and renewable sources.

We must stabilise water supply through the construction of dams, water treatment plants and massive investment in the conversion of sea water into usable water for industrial and household usage. We must bring maximum stability to all state-owned companies.

Only the EFF can take South Africa out of the morass of this useless ANC and these ... the former apartheid masters, and lead South Africa to prosperity and dignity for everyone. Vote EFF on 8 May. Vote EFF on 8 May. Get rid of the racists! Get rid of the useless ANC!

[Interjections.] Thank you very much.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES
RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT

(Mr J H Jeffery): Deputy Speaker, I dedicate my speech to

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five of my comrades from the KwaZulu-Natal Midlands who died in the struggle for freedom. Jabu Ndlovu, a National Union of Metalworkers of SA, Numsa, shop steward who died of burns when her house was set on fire on 21 May 1988; Derrick Majola, who was assassinated when gunmen burst into his house on 24 April 1991, killing him and his wife Mavis; Skhumbuzo Ngwenya, assassinated after a dinner at a restaurant with international visitors on 8 February 1992; Reggie Hadebe, assassinated on 27 October 1992 when our car that I was driving was ambushed. Hon Shakes Cele was also in that car; and lastly, Mzwandile Mbongwa, who was assassinated on 20 March 1994.

Apart from the killers of Mzwandile Mbongwa, no-one has been convicted for any of these murders. These comrades sacrificed their lives, not just in the struggle against oppression and apartheid but in the struggle for a new South Africa, based on the ideals of the Freedom Charter.

The elections of 1994 were, to a large degree, the realisation of that victory, as for the first time in our

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history all South Africans were free to vote for the government of their choice. The ideals of the Freedom Charter found expression in the Constitution of the Republic of South Africa, adopted by the first democratically elected Parliament.

So here we are 25 years later on the eve of the sixth national and provincial elections, both looking back at what has been done, but also looking forward to the future.

From the side of the administration of justice, this has been radically transformed. We have made the courts independent and legitimate, subject only to the Constitution. We have transformed the judiciary and the magistracy to be more representative of the people of South Africa, both racially and in terms of gender.

We have built more courts, particularly in rural areas and townships. We have ensured that each province has its own provincial division of the High Court, with new

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courts built for Polokwane and Mbombela.

We have expanded the matters that can be heard by regional courts, such as civil matters and divorces. We have set up equality courts to hear violations of the equality clause. We have rolled out small claims courts to every magisterial district. We are rolling out sexual offences courts which provide specialist services to victims and survivors of sexual offences.

We are increasing the number of Thuthuzela Care Centres, which are one-stop centres where victims of sexual offences can get medical treatment, psychosocial support as well as have evidence collected for the purposes of a trial. We have dramatically extended the provision of legal aid at state expense.

Indeed, we have done much, but much more still needs to be done to make the criminal justice system more efficient, more victim friendly and to ensure greater access to justice.

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However, I can assure you that as the ANC we know what needs to be done and how continued improvements can be implemented. We are not like other parties who just express pie-in-the-sky aspirations, with no chance of implementation.

The scourge of private and public-sector corruption, money laundering, collusive behaviour and organised crime corrodes the very fabric of our young democracy. These crimes negatively impact on essential service delivery and are a major obstacle to democracy and the rule of law.

Corruption is something that sadly seems to be intrinsic to human nature. No society and no country is immune from it. Often in the more developed countries it is more sophisticated, but it is often more insidious and pernicious. In South Africa it permeates all sections of society.

We have passed laws to deal with corruption. The Prevention of Organised Crime Act, the Public Finance

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Management Act, the prevention of corruption Act, etc as well as Treasury regulations on procurement and doing business with the state.

We have passed legislation to regulate the funding of political parties to ensure greater transparency. We have established bodies such as the Asset Forfeiture Unit in the National Prosecuting Authority, NPA, the Special Investigating Unit, SIU, as well as the Hawks and specialised crime courts.

Corruption has increased in the state and in society at large, but it is this ANC government and this President that are taking urgent steps to confront it.

President Ramaphosa has established commissions of inquiry to look into allegations of state capture, into the Public Investment Corporation and the SA Revenue Service's, Sars, administration, as well as an inquiry into the fitness of two senior members of the NPA to hold office. One of these commissions – the one on Sars – has completed its work and has reported. The President and

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government are acting on that report.

In addition, the President has announced the establishment of an investigating directorate in the NPA to focus on the evidence that has emerged from these commissions. He has also appointed a Special Investigating Unit Tribunal to help finalise SIU matters.

These efforts are being recognised, not only in South Africa, but also internationally. To quote from Transparency International's latest report:

Despite stagnation across the region, there are some promising political developments, particularly in Angola, Kenya, Nigeria and South Africa. In South Africa, citizen engagement and various official inquiries into corruption abuses are positive steps.

Now we've heard other parties claim to be squeaky clean, but they are not. The DA knows well about Knysna Municipality's corruption allegations and there are brewing corruption scandals in Tshwane, Johannesburg,

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George and other municipalities governed by the DA. We heard earlier more about this from hon Gcwabasa and Deputy Minister Gungubele. The SIU is currently probing alleged wrongdoing in the procurement of vehicles in the City of Johannesburg.

The EFF has been accused of corruption by its own party members in the Northern Cape. And obviously, not learning its lesson with regard to the On-Point tendering case in Limpopo where a finding was made against the hon Malema by the Public Protector, the EFF in Tshwane is now facing a R12 billion scandal allegedly to do with a tender associated with a company called GladAfrica. The EFF's attempt to frustrate the investigation into VBS is also rather telling. [Interjections.]

Ms M S KHAWULA: Point of order, Chair

IsZulu:

Nks S M KHAWULA: Ingabe abelungu yini abamtshale lento ayishoyo? Ngoba thina asiyazi lento ayishoyo. Ngabe bukhona yini ubufakazi balento ayishoyo?

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English:

The DEPUTY SPEAKER: Hon member, that's not a point of order. Take your seat. [Interjections.]

IsiZulu:

Ms M S KHAWULA: Wawukuzwa ngobani lokho?

English:

The DEPUTY SPEAKER: Take your seat. Hon member, I'm switching off your microphone. Go ahead hon member.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES RESPONSIBLE FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT (Mr J H Jeffery): Instead of point scoring or claiming to have the perfect remedy to combat corruption – which doesn't exist – what we need in the fight against corruption is to recognise corruption as a national crisis; a crisis which demands that we come together and pool our collective efforts to overcome it.

[Interjections.]

Over the past 25 years, the lives of South Africans have

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changed for the better. We have grown our country into a thriving democracy. We have enhanced access to justice, built institutions and passed laws to strengthen the vision of a united, nonracial, nonsexist South Africa.
[Time expired.] [Applause.]

Mr M HLENGWA: Hon Deputy Speaker, when preparing for this debate, I cast my mind back to when I was a little boy, short of my seventh birthday, in 1994. On that day, I could see the faces of parents, neighbours, and those in the community I lived with light up in the face of the hope that 1994 was going to change the lives of all South Africans.

I cast my mind back to what that little boy saw, but 25 years later all I see is struggle and hardship for the majority of our people. The promise of freedom has not materialised into the promise of economic and social justice. As unemployment continues to escalate, inequality becomes a problem on a daily basis.

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At the heart of 1994 was the promise of a better life for all, but what we have seen through corruption, high unemployment, load shedding, Bosasa, state capture, the Arms Deal, Marikana, Life Esidimeni, and nine wasted years falls short of a better life for all. It is, in fact, a better life for some.

Therefore, as the ANC comes to the podium today to try and brush up on its manifesto launch, it is clear that the ANC is no longer equal to the task of governing this country. [Interjections.] Whilst our people live in hope on a daily basis, the ANC, on the flipside, fails them, unrelentingly.

It therefore begs the question: What should South Africans do on 8 May? Well, vote for the ANC to get out of office! [Interjections.] Your time has expired. You've had 25 years. All we have to show for it is what you have achieved for yourselves and not what you have achieved for our people.

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What democracy can be said to be thriving in the face of Stage 6 load shedding? Who is going to invest in South Africa to create jobs for the majority of our people when the backbone of the economy – energy – is collapsing on your watch? [Interjections.]

Corruption is in the benches of the ANC!

HON MEMBERS: Hear! Hear!

Mr M HLENGWA: Failure is in the benches of the ANC!

It is all well and good for us to want to benchmark everything against apartheid – an atrocity against our people which should not have happened. However, importantly, the question becomes: Have the lives of our people improved, 25 years into our freedom and democracy? The answer is no.

The DEPUTY SPEAKER: Hon member, your time has expired.

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Mr M HLENGWA: Earlier on today, Prince Buthelezi delivered a lecture, "From Pariah to Promises to Prosperity - Can We Complete the Journey?"

The DEPUTY SPEAKER: Hon Hlengwa, your time has expired.

Mr M HLENGWA: He fears what is lacking in South Africa is leadership, and clearly, he was right. I thank you.

Mr A M SHAIK EMAM: Deputy Speaker, yes, indeed, we have serious challenges in the country. Let us not deny that. Yes, there is corruption in the ANC. Yes, there is corruption in the DA. Yes, there is corruption in the EFF. Yes, there is corruption in the IFP. Who can deny that? [Interjections.] The question is: What can one do about stopping corruption? How does one come together to find solutions?

Ms M S KHAWULA: Chairperson, on a point of order ...

The HOUSE CHAIRPERSON (Ms A T Didiza): What's the point of order, hon Khawula?

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Isizulu:

Nks S M KHAWULA: Angazi sesixabene ngani, kube ukugibela nje laphayana. Cha, ilenkinga yalomfundisi esingamazi ukuthi ungumfundisi bani ozovuka layindlini.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): What's the point of order?

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Khawula, you need to say what your point of order is. Don't just proceed.

Ms M S KHAWULA: I'm sorry, I'm sorry.

Isizulu:

Nks S M KHAWULA: Iphuzu lami lokuqondisa limayelana nalomuntu ovele abe ngumfundisi ongekho emthethweni.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Alright. Can you take your seat, hon Khawula?

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Mr M HLENGWA: Hon House Chair, I wonder if the hon member would take a question? [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Shaik Emam, are you willing to take a question?

Mr A M SHAIK EMAM: No, I only have three minutes.

The HOUSE CHAIRPERSON (Ms A T Didiza): He is not able to take a question.

Mr M HLENGWA: It's just that some money went missing from the NFP coffers ... [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Alright. Can you take your seat?

Mr A M SHAIK EMAM: Now, some 24 or 25 years later, apartheid still exists. Our people are still suffering. Spatial planning in the Western Cape has marginalised and continues to deprive our people of a good quality of life. There's a water crisis there. There's an education

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crisis there. There's a health crisis there - and I don't even want to delve into the issue of corruption because now, it's not only in the Western Cape. Wherever you start to govern, corruption seems to follow you there, too. [Interjections.]

I want to tell the EFF this: You are no solution to South Africa. You really aren't. You are thriving in corruption. If you want to serve the people and serve them well, call for an investigation into what happened in Limpopo, in 2012. Call for the R20 million missing from your account. Call for your Shivambu to appear before ...

The HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon Shaik Emam, can you take a seat?

Ms S M KHAWULA: Chairperson, on a point of order: We need to remind the hon Shaik Emam that ...

Isizulu:

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Nks S M KHAWULA: Ukuthi uhla lokhetho selwenziwe angeke athole sikhundla.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Please take your seat. Order, hon member! That is not a point of order. Proceed, hon Shaik Emam.

Ms N P SONTI: Chairperson, on a point of order ...

[Interjections.]

IsiXhosa:

Asinaye uShivambu...

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): There is no point of order, hon member.

IsiXhosa:

Nksk N P SONTI: Sinohloniphekileyo uShivambu.

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The HOUSE CHAIRPERSON (Ms A T Didiza): Alright, thank you. I will ask the hon member to address him appropriately.

IsiXhosa:

Nksk N P SONTI: Hayi makarhoxise. Makarhoxise.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): We don't, hon Sonti!

Ms N P SONTI: No! No!

The HOUSE CHAIRPERSON (Ms A T Didiza): Take your seat.

Ms N P SONTI: No, Chairperson!

IsiXhosa:

Uyadelela lo mntu lo.

English:

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The HOUSE CHAIRPERSON (Ms A T Didiza): Can you then listen?

IsiXhosa:

Nksk N P SONTI: Yintoni khona le siyibileyo? Sibe ntoni yakhe khona? Makarhoxise, ngohlomphekileyo Shivambu lo wena musa ukudelela. Usiqhela kakubi.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon member, you don't have to point your finger at another member. You have raised the point that he must address the hon Shivambu appropriately, and that's understood. So, you have got no right to proceed, to continue. Hon member, just say "hon member", or "Mister", as it is the Rule.

Mr A M SHAIK EMAM: Thank you, House Chair; I would imagine it is "honourable" to be able to have allegations of such a serious nature against a member in this House ...

IsiXhosa:

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Nksk N P SONTI: Uyayiqala futhi!

IsiZulu:

Nks S M KHAWULA: Ngeke uyigede le nkulumo yakho manje

English:

Mr A M SHAIK EMAM: ... but I am saying to the EFF to investigate its hon member and all the allegations of corruption against him. Start there if you want to serve South Africa! [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon member!

Ms M S KHAWULA: You are not going to finish your speech!
[Interjections.] You are not going to finish your speech!

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Khawula ...
Hon Ma' Khawula

IsiZulu:

Ms M S KHAWULA: Ngoba awuyazi into ozoyisho lapho.

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English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Ma' Khawula!

Can you please be in order? When you are requesting a point of order, you stand and ... Hon member!

[Interjections.] Hon Shaik Emam, can you proceed?

Mr A M SHAIK EMAM: Thank you, hon House Chair.

To the DA, I say start giving back to the Khoi and San what you stole from them, and give it to them, immediately. That's where you should be starting.

[Interjections.] Give to the Rastafarians whatever belonged to them and which you have taken from them, as well. [Interjections.]

Conduct an investigation into the water issue and the R600 million, where there are serious allegations against you. If you want to talk about corruption, clean your own back yard first, before you go to them. You cannot talk about a better South Africa when you are corrupt and when you are not serving the people.

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Let me say to all the people in the Western Cape: Vote NFP on 8 May! [Interjections.] They are your only hope in the Western Cape. The NFP is the only party that cares about the people in the Western Cape. [Interjections.]

THE CHIEF WHIP OF THE OPPOSITION: House Chairperson, on a point of order: It is, frankly, disingenuous for the hon member to ask people to vote for the NFP. There is nobody left in the party!

The HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon member! That is not a point of order. [Interjections.] Proceed, hon member. [Interjections.] Order!

Mr A M SHAIK EMAM: Yes, indeed. Some of them have gone to you but let me tell you what you are forgetting - tens of thousands in the Western Cape have joined the NFP and you are going to see how the NFP fares in the election on 8 May, particularly in the Western Cape. Watch this space! It's coming to you!

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The HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon member!
Your time is up.

Mr A M SHAIK EMAM: Vote NFP in the Western Cape!

[Interjections.]

Mrs N P SONTI: Chairperson, on a point of order ...

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Sonti, what's
your point of order?

Ms P SONTI: My point of order, Chairperson...

IsiXhosa:

... lo tata makahambe aye kugaya inkxaso kuba ingathi
uyahluleka ukugaya inkxasa.

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Sonti ...

IsiXhosa:

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Nksk N P SONTI: Ewe, injalo!

English:

The HOUSE CHAIRPERSON (Ms A T Didiza): You know you've got no point of order. Can you take your seat? Can you proceed, hon member?

Mr M L W FILTANE: In times like these, you need cool heads. Here is a voice of reason just before the lights go out. It is impossible to grow and transform South Africa into a thriving democracy under the "Absolutely No Current" or ANC rule. [Interjections.]

Just this morning, a total insult was delivered to the nation, as the Minister of "Another Night of Candles" told the nation that they have no clue ...

The HOUSE CHAIRPERSON (Ms A T Didiza): Order, hon Khawula! Hon Shaik Emam!

Mr M L W FILTANE: ... when the load shedding will come to an end.

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The HOUSE CHAIRPERSON (Ms A T Didiza): Can you please allow the member at the podium to be heard? You can have your exchanges outside if you want to. Proceed.

Mr M L W FILTANE: The effect of this uncertainty is devastating. Our electronic appliances suffer damage every time load shedding is thrown at us. The little food people have rots. Rural development and farming, in particular, are compromised, whilst poverty and hunger remain the only things the poor know. The few underpaying jobs are on the line as a result of load shedding. Small businesses, usually the backbone of our economy, are most affected and cannot sustain their enterprises because we are a dark country. This situation is diametrically opposed to what the ruling party has been telling South Africans. We were told that the New Dawn would bring efficiency. The New Dawn has brought new and more darkness by way of load shedding.

Our economy, our safety, our education, our health system, and the list goes on, have all been damaged severely by the "Absolute No Current" party. All the

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travellers on the state capture train, those who looted the state and stole the hard-earned taxes of the poor, are highest on the lists of the party of shame. How are we going to have a thriving economy and a thriving democracy when, as a direct result of incapacity, greed and thievery, state institutions have collapsed, lawlessness is at the order of the day, social and economic infrastructure is collapsing, and crime has become a normal state of affairs? The current conditions, brought about by the ruling party of the last 25 years, are not propelling South Africa to any greater heights, let alone a thriving economy.

The UDM suggests a microeconomic policy which is the product of all stakeholders and citizens and that would comprehensively respond to all the crucial issues that lead to stability and ensure growth, as well as massive job creation focusing on quality infrastructure development such as a high speed intra- and extra-city train system to facilitate affordable and safe mass transportation for all, including goods and services.

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The establishment of sector-based banks would make a big difference. The UDM suggests that an education system that fosters a continuous learning culture and the production of a responsible citizenry should be at the order of the day. Basic health services of a thriving democracy include that which is accessible to all communities, with quality facilities and sufficient supply of medication. The UDM proposes policies that are in line with the Constitution of South Africa. That is what will bring prosperity and dignity to the people of South Africa.

If that is what you want, forget about the party of shame. Vote UDM!

Adv A D W ALBERTS: Chair, South Africa should have been a thriving democracy by now. After 25 years, the economy should have been strong enough to employ most people and to have grown the middle class. Poverty should have been eradicated to a great degree, yet we are standing at the precipice of a failed state.

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Afrikaans:

Die staatskoffers is leeg gesteel, kaders dra elke staatsbate weg waarop hulle hul hande kan lê, en misdaad is inderdaad buite beheer – en bly so. Die daaglikse bestaan van Suid-Afrikaners is hel, en daar is net onsekerheid wat voorlê vir die meeste mense. Hoe het ons hier beland?

English:

Once there was a dream of South Africa being the leading light in the world in terms of how to successfully manage a diverse and complex society. Now we don't even have any lights on. How did we get here?

We ended up here thanks to the misrule of the ANC. Yes, hon members, the ANC has destroyed the dream. The reason for the situation is that in the ANC all the lights are on, but nobody is home. Whilst the ANC talks about the Fourth Industrial Revolution, it is still grappling with overcoming the Stone Age.

Afrikaans:

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Die ANC se ideologiese idees is so outyds dat ons kan verstaan hoekom ons elektrisiteit gehad het voordat ons kerse gekry het. Vandag is ons volledig in die "Kerstydperk" en is die naaste wat die ANC aan die Vierde Industriële Revolusie kan kom fase 4-beurtekrag. Dit is inderdaad tragies.

English:

However, the ANC is oblivious to the fact that they are playing with people's lives and destroying any prospect for a decent future. It is clear that those ones who pass school with only 30%, as per your policy, are really in charge of this country. It is time to replace them with people who are meritorious and can manage a complex country like South Africa.

So, we are saying to the ANC that they should get out of the way of those who truly care about this country and its people. We will replace the candles with electricity. We will implement evidence-based policies that create jobs in a sustainable manner for everyone, irrespective of race. We will build trains that do not break down with

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the President onboard but that run efficiently every day for all the people. We will ensure that truly inclusive business takes place outside the circles of broad-based black economic empowerment cadres.

Afrikaans:

Die ligte wat ons nou sien flikker binne die ANC is die laaste kerse wat uitdoof soos die Titanic onder die water verdwyn. Die ANC se einde is naby. Die opposisie gaan groei. Die VF Plus gaan groei, en ons weet dinge gaan anders wees na 8 Mei in hierdie land. Dankie.

The HOUSE CHAIRPERSON (Ms A T Didiza): Thank you. The Minister of Social Development. [Applause.]

Mr D W MACPHERSON: One of the lovely few coming back!

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, members of the National Assembly, and ladies and gentlemen, I would just like to say that whilst I am one of the few coming back, at least the ANC recognises that women are

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critical. I wish, on my left, your party would reflect on itself and not have men at the top of the list.

The government of South Africa wishes to take this opportunity to convey its condolences to the governments of New Zealand, Nigeria, Ethiopia, and to our neighbours Mozambique, Zimbabwe and Malawi, for the tragic loss of life. Further appreciated is the role played by the SA Defence Force and the rescue missions in the SADC countries. They have shown that they are up to the task and were, as always, ready to go our neighbouring countries to save lives and support displaced communities. We thank them. You make South Africa proud.

The ANC-led government continues to be committed to building a better life for all in a South Africa that belongs to all who live in it. The Freedom Charter contributed immensely to the formulation of the most progressive Constitution in the world. Section 27 of the Constitution provides for social protection. The ANC-led government, through the social security network, provides to 17,5 million of our people, making sure that no single

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person goes to bed without a meal. It is the indigent policy of the ANC-led government that provides free basic services, through municipalities, that include basic sanitation, 6 000 litres of water, and 50 kilowatt of electricity per household per month.

However, where the DA governs in Tshwane and Johannesburg, they have discontinued these services to the poor without consulting the communities.

[Interjections.] What a shame! What other rights are you going to take away from the poor? How are you going to erode in this manner when you take over? You want to rule, but you do not know how to consult the very people you want to govern. [Interjections.] You have not only taken these services in Tshwane and Johannesburg where you govern. You have also taken away free Wi-Fi services for the young people who you always say you represent. What a shame! That was introduced by the ANC. You decided to do away with it. Today, young people have no access to the Internet in either Tshwane or Johannesburg, but you claim to represent the interests of the youth.

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The ANC-led government is proud that we have managed to stabilise the SA Social Security Agency, Sassa. The government-to-government collaboration in the payment of social grants through the Sassa and the SA Post Office, SAPO, as our preferred service provider shows that the ANC is a caring government. The resources that were paid to the private sector are now going to benefit the people of South Africa. Within a period of six months, we have managed to comply with the Constitutional Court judgment. We are not yet out of the woods, but we are also confident that we are on track.

Even where the opposition governs, the ANC-led government continues to offer communities a pack of social security services that includes no-fee schools, transportation to schools without charge, school uniforms, nutrition, and the very recently introduced targeted free tertiary education for the poor in our country. Child-headed families are a priority of this government, and we have made sure that all those families are cared for and benefit from the packages of social services introduced and provided by this ANC-led government. [Interjections.]

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The empowerment of the poor and vulnerable cannot be compromised. If you want to judge the ANC-led government, judge us on the basis of what we have done for the majority of the people of South Africa.

Government also provides housing for the indigent people of South Africa. Due to rapid urbanisation and migration of people into areas of economic activities, the demand for housing is growing beyond what the available land in these areas can accommodate. This challenge will be addressed within the new approach to housing delivery.

It is also possible to reduce the dependency on the child support grant through education where girls who are forced out of school due to unplanned pregnancies are given a second chance to go back and improve their qualifications for admission into institutions of higher learning and skills development. Once skilled, they will be in a better position to compete for employment and to work for their children.

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Government has adopted policies to empower persons with disabilities. This government, through the Presidential Working Group on Disability, has made continuous strides where the President has engaged with people with disabilities in making sure they can participate and in ensuring that the issues of sign languages are implemented as part of our government policy. Last November, the President convened a summit to address challenges of gender-based violence. An interim technical team was established by government and civil society organisations. The objective of this task team was to come up with a draft national strategy on gender-based violence within six months. The President also convened further working groups.

The process of transformation is far from over, but we are also the ones to acknowledge that more still has to be done. As the opposition, you have no capacity to lead a process of transformation. This is evidenced by a reversal of the progressive, pro-poor policies introduced by the ANC, as referred to earlier on. It is also evident from the ways Parliament, on my left, continues to

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represent a particular sector. Wake up, change, and smell the coffee!

We know from their past that none of you can really represent the masses of this country because you continue to believe in the same policies that the National Party believed in. The best you can do and offer to us is to create a spokesperson ... [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon member, your time has expired.

The MINISTER OF SOCIAL DEVELOPMENT: The hon Mmusi Maimane is not a leader. He is your spokesperson! [Time expired.] [Interjections.]

Ms D CARTER: Chairperson, this subject for discussion is as cunning and deceitful as most other ANC sponsored subjects for discussion that this House has been subjected to. Its intent is to create a dishonest and insincere narrative. It's an attempt to conceal and hide

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damage and betrayal done by the ruling party over the past decade and more.

At the dawn of our democracy, and not the new dawn, we knew the extent of the challenge that lay before us as a nation. This was the era when our leaders brought us together – united in our diversity under the banner of the rainbow nation. This was the era when we came together and developed our national compact, our Constitution. This was the era when we collectively dragged ourselves out of the apartheid era induced junk status and achieved successive sovereign credit rating upgrades. This was the period when we received international acclaim for achieving fiscal stability, and even built a fiscal dividend. Those were the golden epoch when we realised sustained economic growth and meaningful job creation. We were the world's miracle.

At the Zondo commission where sordid details of the extent of the betrayal of our hope for a better and brighter future are being laid bare. Former Deputy

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Minister Jonas has warned us not to over Zumanise state capture and that it is bigger, it is structural, and it is systemic.

It was the corruption and capture of the ANC that precipitated the emergence of Cope. Had our warnings at the time been heeded, we would almost certainly not be in the moraséand and be facing the national calamity that today threatens our very existence as a democracy. It took a collective effort by opposition parties and civil society groupings to force the ANC – and I repeat. to force the ANC – to recall Zuma. We all rejoiced. But as Jonas has pointed out, the rot and sleaze is far more structural and systemic. You can laugh, Minister. The ruling party is corrupted beyond redemption. It can no longer self-correct. Its electoral list is cluttered with those that corrupted and looted the state; destroyed our economic growth prospects; gave us rampant unemployment; collapsed business confidence; created unprecedented policy uncertainty; all but collapsed our structures and systems of governance; threatened our judiciary; divided our nation; and rubbished our Constitution, and they

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can't even keep the lights on, never mind the internet. South Africa needs a fresh start, a new centre, and Cope is part of this solution.

To little Owen Gagliano, born at 18:00 this evening, I want to say you have a great future ... [Time expred.] On 08 May South Africa is going to ...

Ms C DUDLEY: Chairperson, it seems that there is a mandatory campaign statement that required, so the ACDP says , unite, build, grow and you deserve better than this. Vote ACDP!

I want to focus on the growing part of this topic. We have all heard the statement that there are two kinds of people in this world - producers and consumers. Actually, we are both.

But consuming is just so much easier than producing which takes that much effort and perseverance. Producers' in today's world include artisits, artisans, entrepreneurs, journalists, scientists, authors, service providers and

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even politicians. Of course watching the House don't believe that we produce, but we who sit here know that we do produce.

Every article, every new startup, every new high tech gadget, every committee meeting, every new ad campaign is produced by someone who has found the courage to pursue their purpose in life and keep our world turning. Being a consumer is of course is not a bad thing without consumers there would be no producers, but it's bad if we neglect to produce as well. Consumption, we have learned from experience cannot unfortunately be counted on to drive economic growth. So there is a need for a shift from a consumer society to a producer society. We need economic strategy that will stimulate production rather than consumption, saving rather than borrowing and exports rather than imports. We live in an era being described as the Fourth Industrial Revolution driven by rapid innovation and technological change. A time when the worlds of the physical, digital and biological are being fused together into cyber-physical systems. These drastic disruptions in our society and the economy create

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new opportunities to not only respond, but also for businesses to drive innovation.

In the context of this changing environment, governments across the globe have had to consider Industrial strategies with a long-term vision for their economies to not only respond to a range of societal, technological and economic changes, but to capitalise on the changes.

to drive developments in these areas and shape future opportunities for businesses. With software transforming industries of every kind the Fourth Industrial Revolution is in fact producing a movement of producers - not the traditional assembly line or manufacturing plants, but an adaptation of technology for new purposes.

Before the financial crisis in 2008, companies were already starting smaller and staying smaller - a trend that increased during the recession. Policies and actions can build on these trends. We can also boost competitiveness, etc.

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With the triple challenges ... [Time expired.]

Mr M S MALATSI: House Chair, tomorrow, our country will commemorate Human Rights Day in recognition of the sacrifices that have many made to bring democracy in our country. As it is always a case there will the usual abuse of state resources by the ANC to celebrate Human Rights Day. But for many it will be a stark reminder of how the ANC has consistently failed many poor South Africans who are yet to fully enjoy their human rights.

For the 10 million unemployed South Africans, there will be little to celebrate because, unlike you, Mandla, without a job, they don't have the income to provide for themselves.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Malatsi, remember, hon embers here are hon.

Mr M S MALATSI: My apologies! Hon Mandla Mandela
It is undeniable that with 25 years in government, the ANC has not done enough for all South Africans to fully

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enjoy their human rights. From Life Esidimeni to power blackouts, it is the ANC that remain actor in destroying South Africa's prospects from reaching its full potential. From cadre deployment to state capture, it is the ANC's actions in government that continue to fail millions of South Africans searching for a job.

[Interjections.] You can be pissed of I don't care for you.

What South Africa needs is a new government to take our country back to the path of prosperity, and it is only the DA that has the track record to take South Africa on that part. One of the most powerful ways to do so is to create jobs that will release many young people from the oppression of youth unemployment.

The DA's manifesto for change sets out clear workable solutions to create jobs that will empower the jobless to pursue their dreams. Our proposal for a job's Act will pave the way for fair access to jobs and deliver a job in every home. Because we recognise that it is the privilege of having a job with a stable income that restores a

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person's dignity - something that many on the right seem to have forgotten because they have the joys of executive power. Everything that the DA government does, from Tshwane, the Western Cape to Midvaal is geared towards creating the enabling environment to attract investments that create jobs.

And it is for this reason that we will introduce a national voluntary youth service with one year of income and skills development for school leavers. We will enhance support for small business entrepreneurs through increased funding and removing tedious red tape so that they can play their meaningful role in driving job creation. To protect job seekers from manipulation, a DA national government will prosecute and eliminate the evil practices of sex for jobs and cash for jobs.

Hon Jeffery, you have a lot to say about your list and what you didn't say is that it represents a misaim of incompetent individuals, dodgy characters and application list for a retirement home at an old age House.

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We recognise the direct correlation between good governance, fighting corruption, delivering services for all and job creation. While the rest of South Africa sheds jobs, the Western Cape is the leading province in job creation. Over the past year, more than half the jobs created in South Africa were in the Western Cape run by the DA. Over the past two years, hon Mthembu, over 100 000 jobs were created in Johannesburg under a DA administration. Refresh your memory if you forgot. Just yesterday it was Midvaal, another jewel of the DA's good governance that won the Professional Management Review Africa Sedibeng Region's Diamond Award for first place in job creation.

This election represents a choice between the same old failing ANC government and the DA's promise of change to build one South Africa for all. I thank you.

The MINISTER OF ECONOMIC DEVELOPMENT: House Chair and fellow South Africans, in quarter century South Africa has been transformed beyond recognition, from a state that suppressed the majority of people to robust

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nonracial democracy and an economy that provides more opportunities to more people black and white, than ever before in our nation's history.

A black child that had her horizon limited by exclusion today she can be a leader of society, a top engineer a driver of change. Our economy has nearly doubled in size in this period. In addition to trillions of rands we put into social services to repair the damage of the past showing we can be agents of our own destiny.

Our economy grew in spite of the sharpest global recession since the 1930s, showing our resilience as a nation. Almost 8million more jobs have been created in the past 25years. Jobs for black South Africans grew from less than 7million in 1994 to over 14million today. This in spite of the severe legacies of poor education that we inherited, showing we need not be prisoners of our past.

The structure of our economy is changing with more participation by black South Africans. More small businesses, more trade with the rest of the African

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continent, more innovation and green technologies used, more skills generated with more than one and half million students at universities and colleges preparing for the world of work and the industries of tomorrow. It is something we as South Africans can be proud of. It is a legacy of 25years of ANC-led governance. These achievements will spur us to do more and to do it differently in the next 5years.

We have learned from our own experience, the experience of other nations and above all, from the feedback of our people, to build a state more capable of speeding up economic growth and transformation and fighting corruption. The manifesto of the ANC is the plan to do exactly that and make young the centre of focus, the heart of our job creating actions. The manifesto has more than a hundred concrete economic actions for which we seek support from all South Africans in the elections as the basis of the next ANC-led government. Listen to the Ipsos poll, and see that the DA is not even there to get the percentage it had in the last election.

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The ANC manifesto includes implementing the Presidential Job Summit actions, bringing large numbers of youth into public service as interns, removing the work experience requirement for entry level jobs, rolling out the national minimum wage. They include broadening economic participation, with a proposed new law to enable worker ownership in companies and a share in the profits, together with opportunities for young South Africans. They include sustainable land reform programmes that bring more black farmers into productive agriculture. They include addressing monopolies and economic concentration through changes to the Competition Act, so that monopolies do not squeeze small and youth-owned businesses out of the market.

They include infrastructure investment to build strong economic foundations, with a R100 billion new infrastructure fund and a model of active citizen participation to rebuild communities. They include boosting domestic and foreign investment to create jobs, as shown at the Investment Conference, and setting up a sovereign wealth fund to invest in strategic sectors of

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the economy. They include deepening industrialization, promoting black, women and young industrialists, underpinned by a Buy Local Proudly South African Campaign. They include using the digital revolution to drive innovation and competitiveness, reduce data costs and extend free wifi to many more sites. They include growing small businesses, co-operatives, township and rural enterprises so that citizens, young South Africans, can get a solid foothold in the economy. They include transforming and diversifying the financial sector. These ANC manifesto commitment will be underpinned by broad social compacts that bring together the talents of business, workers, communities and government, to build our country, to create jobs, to empower young people.

Contrast this with the DA manifesto, that proposes policies tantamount to declaring war with unions from day one and at the same time promises to "restore consensus between government, the private sector and unions".

Psychologists call this mental discomfort "cognitive dissonance".

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The DA manifesto promises "legislation that focuses the Competition Commissions efforts on addressing market concentration and reducing barriers to entry for firms, in the private and public sectors.

We have great news for DA colleagues. Parliament has already passed changes to the Competition Act that deals precisely with market concentration and barriers to entry, with substantial amendments in more than 40 sub clauses of the Act. In this age, when doctors note the virtues of afternoon napping to reduce high-blood pressure, we should not be too judgmental, but really, did our DA colleagues nap through five months of work in Parliament?

The DA manifesto calls for the right to repatriate profit for foreign investors. Newsflash, this already exists in our policy. It proves Napoleon's remarks that "in politics, absurdity is not a handicap."

The DA calls for an exemption to the minimum wage to enable an employer to pay about R400 a week to vulnerable

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workers who works 40 hours a week, incur daily transport costs and must feed a family on that money.

On 8 May, voters can choose. They can choose between DA privilege, EFF populists and ANC progressives, between the DA's endless whinge-lists, the EFF's unattainable wish-lists and the concrete, practical ANC action-lists. This is the choice – with our respectful call on South Africans to give the ANC a mandate to deepen the transformation and build a strong, inclusive and corruption-free economy.

The ANC stands for nonracialism, for a South Africa belongs to all who live in it, black and white. The ANC is committed to the Freedom Charter's call for the wealth to be shared by all. I thank you.

Mr L M NTSHAYISA: Dalibunga! it is going to be the survival of the fittest now. I can see. Hon Chairperson, the legacy of slavery, disposition and racial segregation have all stubbornly stuck with us.

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As one goes around the dire conditions of our people is diabolic. To dismantle apartheid's spatial planning, its self-created economic inequalities and poverty, South Africa has to deal with the structure of its economy.

We tiptoed and cosmetically addressed the socioeconomic aspect of the struggle but, we have not fundamentally changed the abuse of market dominance by the monopolies. We have not produced skilled and trained graduates. We have failed to empower rural women to become at least food producers and livestock financiers. The only transformation that South Africa needs is the political will to fight corruption and crime so as to bring about the real democracy.

The installation of ethical behaviour installation in government will restore both the investor and public confidence. South Africa doesn't need a failed democracy whose promises are dwindling. South Africans are also wary of cognitive-infested radical socialists whose policy articulation more than a mere longing for the Soviet Union.

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The commitment that we need now is the determination on the part of the people that are fighting for the poor people that has championed for reparations for the apartheid. That is an organisation that we need. The organisation that has world against the deployment of cadres in the committees such as Standing Committee On Public Accounts, SCOPA, the Joint Standing Committee on Intelligence and the Portfolio Committee on Public Enterprise. Those committees will need to deploy people that are very much honest.

The problems confronting South Africa are not insurmountable. These problems can be overcome. Our solutions appear in our manifesto, as the AIC, which broadly outlines the key fundamental changes that we need to implement forthwith.

We have not traversed social injustice with the breakneck speed that we had anticipated. Our challenges can also be overcome. It is the AIC that is ready now ... [Time Expired.]

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Mr G G HILL-LEWIS: Chairperson, if it wasn't clear before it should be abundantly clear after the inputs of my colleagues that the DA is the only party with the plan, and the only party with the competence in government, to get the economy growing and to create jobs in South Africa.

There is only one jobs party in this House, and it is the DA. The ANC cannot create jobs, and it doesn't even have a plan to create jobs. Mr Patel, thank you so much sir for raising the ANC's election manifesto. In fact, in this election, the ANC is promising to increase unemployment. Your first pledge on page five of your election is that you would create 275 000 jobs a year. But in fact, 500 000 new young job seekers enter the labour force every year. So, your central election pledge is that you are going to the country and promising to increase unemployment. That really is a first for politics. Gauteng voters should take note.

The ANC is telling the voters of Gauteng ahead of time that they will increase unemployment in Gauteng. And now

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load shedding will make it much worse than that. I look forward to the hon Pandor speech where she should explain to the country why anyone should vote for a political party actually promising to increase unemployment.

This morning the government called a press conference that was a disgrace. It confirmed what everyone already knows that the ANC has broken Eskom, that it is bankrupt, and that it is collapsing. Minister Gordhan confirmed that the ANC has no plan to fix Eskom and to stop the irrecoverable damage that load shedding is doing to our economy. They have no plan to fix load shedding, no plan to end the job shedding and no plan for the economy. They stubbornly refuse to accept the only plan that will actually fix this.

Hon Mazzone has introduced private members legislation which we should be passing before we rise to solve this crisis. The eight Metros should immediately be allowed to buy their own power from independent power producers. And Eskom must be broken up and sold off in pieces.

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The President's statement on radio this morning was even worse. It was an utterly contemptible display of cowardice by the President this morning. To say that all South Africans must take collective responsibility for the failure of Eskom. No! No! No! The ANC broke Eskom. The ANC's cadre deployment broke Eskom, the ANC's Chancellor House broke Eskom and the ANC's incompetence in government broke Eskom. You insult the country by saying anything else. Try being a leader for once and take responsibility.

Speaking of insulting the country, there were some shocking speeches in this debate. Hon Jeffrey, you say that the solution to the ANC's corruption crisis is to come together and that we must face this together, that is the equivalent of the President statement this morning. The fact is that, there will never be and has never been a firepool in the DA, there has never been a Bosasa in the DA and there has never been a Gupta in the DA. It will never happen. Corruption is an ANC disease.

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Hon Shabangu, you talked to us about our concern for women but, the ANC is dumping the proposer of this debate this evening, the hon Maseko. Shame on you! You accuse us of coping the National Party policy while your big ideas in this election are prescribed assets, are saving Eskom, censorship of the SABC or National Party policies. You insult the voters. You should be ashamed. [Time expired.]

The MINISTER OF HIGHER EDUCATION AND TRAINING: Hon Chairperson, hon members, I suggest that the hon Hill-Lewis should actually ignore my speech because it is based on research and, since he prefers opinion to research, I suggest he does not listen. That would help him a great deal, particularly since what he is talking about the DA's performance is absolutely not true. Just drive down the road to Philippi and you will see what the so-called excellent Western Cape government is doing. [Applause.]

Hon Chairperson, I was intrigued by the notions tabled here by the hon Alberts. I certainly do with great

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interest note his remarks that he believes all people should have access to energy, education and to housing. This is wonderful; we only wish he believed it through its antecedents in 1948. He certainly did not then, how we wish that his ancestors had realised this and that he had joined Solomon Mahlangu and many other young people and fought against apartheid when he could ... [Applause.] ... because then, we wouldn't be dealing with the malady that we have to confront today. [Interjections.]

Adv A D ALBERTS: With all due respect, I had nothing to do with the past.

The MINISTER OF HIGHER EDUCATION AND TRAINING:
Chairperson, one of the areas in which widening access to education, you didn't mention it even once in your contribution. You laid all the blame to 1994, however, there is a legacy which you certainly are a beneficiary of and you should acknowledge that. [Interjections.]

Adv A D ALBERTS: You are now in control.

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The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order hon Alberts, You can't have a dialogue. If you want to raise a point of order, you do so.

The MINISTER OF HIGHER EDUCATION AND TRAINING:
Chairperson, one of the ways in which we believe that South Africa can work together and continue with the transformation of our society which has been ably begun and led by the ANC, is to address the matters of education. Investment in education has been one of the key policy thrusts of our policy action since 1994 and, we have indeed by all accounts widened access and opportunity for black people as well as women, to education.

These are persons whose parents were excluded by decades of racial and gender discrimination. We have worked hard to break decisively with the exclusive education system of the past and we have created an increasingly inclusive education system for the future.

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What are some of our achievements? Nine out of 10 South Africans today can read and write, in 1994 it was six out of 10. We have achieved, secondly, near universal access to basic education for young children aged seven to 14 years of age. It was just 54% in 1994. We have added a year of schooling to prepare children for school through introducing Grade R. With over 700 000 children accessing early childhood education in this last financial year, we have established a firm foundation for a comprehensive early childhood development programme which will be an integral part of the education system.

Nine out of 10 public schools are no fees schools. This has contributed to an increase of attendance from 51% of children in 1994 to 99% of children of school going age today. [Applause.] This year, over R6,8 billion will be spent providing nutrition to learners in schools. This amount is six times more than the R1,2 billion allocated in 2007-08. We will spend R185,5 million on learners with intellectual disabilities this year. Not enough, but certainly almost three times more than the R70 million plus spent last year.

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In higher education, March programme has been made. Government has expanded the National Students Financial Aid Scheme from R21 million in 1996 to R15,3 billion in 2017, 70 times as much as in 1996. This support is one of the main reasons why five times the number of African students are now at university, compared to 1994. So it is surprising, when the hon Hlengwa says that he sees no change no around, you wonder where he is walking actually.

By 2016, African students comprised 75% of total enrolments at universities. Between 1994 and 2014, the number of black graduates with degrees being produced each year, has more than quadrupled from about 11 339 in 1994, mark this hon members, to 20 513 in 2004 and, 48 686 graduates in 2014. If that does not signal change, I wonder what does.

Doctoral graduates produced by public universities have nearly tripled from 973 in 2000 to 2 530 in 2015 and this growth is accelerating. Last year, the ANC government introduced a full bursary for students from poor and

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working class families. We started with first year students in 2018, attending universities and Technical and Vocational Education and Training, TVET colleges from households with a combined income below R350 000. The scheme is being faced in over a five year period until all undergraduates students who qualify in terms of the criteria can benefit.

Setswana:

Ao baagi, le a bona tlhe, ANC ya dira. Wena o le mo ntlong, o nale ngwana yoo tsenang yunivesithi, o sa kgone go mo duelela, mmuso o wa ANC wa go thusa. Wa itse, ga o tlhoke go bolelelwa ke mang gore ANC e teng, e ya thusa. [Legofi.]

English:

In addition to the 1,7 million young people in universities and colleges, our State Information Technology Agencies, SITAs offers over 200 000 learnerships and apprenticeships as well as internships. This year, our government, through the National Financial Aid Scheme, provides R30,8 billion in grants to over

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750 000 students in universities and TVET colleges. We do a great deal as well to invest in technical and vocational education. We have prioritised increasingly free education for college students.

Mr M N PAULSEN: Is it parliamentary for hon Sisulu to be on her phone while the members are there speaking? On the cell phone, see there. [Interjections.]

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon member, can you take your seat, I will ... [Interjections.]

Mr M N PAULSEN: Is she talking to a Ben 10?

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon member, can you please withdraw that?

Mr M N PAULSEN: I withdraw

The MINISTER OF INTERNATIONAL RELATIONS: May I respond?

No?

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The HOUSE CHAIRPERSON (Ms A T DIDIZA): No, hon Minister.
Hon Minister, Pandor

The MINISTER OF HIGHER EDUCATION AND TRAINING:
Chairperson, we will ... [Interjections.]

The CHIEF WHIP OF THE OPPOSITION: Sorry hon House
Chairperson. Sorry to interrupt the hon Pandor. Sorry
House Chairperson, but it is completely against the rules
of Parliament to be on the phone ... [Interjections.]

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Can you please
take a seat. I was going to address that matter; let's
allow the speaker on the podium.

The CHIEF WHIP OF THE OPPOSITION: Sorry, but a point of
order is taken at the time ...

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Yes, can you
please take your seat hon Steenhuizen

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The CHIEF WHIP OF THE OPPOSITION: I know what's going to happen. She is going to leave the House. That's what is going to happen.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon Steenhuisen can you please take your seat? Proceed, Minister Pandor

The MINISTER OF HIGHER EDUCATION AND TRAINING: Thank you Chairperson. We have increased college enrolment from 358 323 students to 706 000 young people in TVET colleges by the end of 2017. [Applause.] Our manifesto commits, the ANC, that it will continue to take the necessary steps to make two years of early childhood development opportunity compulsory for all children in our country. [Applause.]

The ANC will continue to enhance teacher development to strengthen accountability in our schools and to secure national community partnerships in education, in South Africa. The ANC will continue with its programme of replacing inadequate school buildings and ensuring we have proper sanitation facilities in all our schools.

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The ANC will continue to extend bursaries for higher education for poor and talented young people and ensure that they are supported. The ANC will invest in a mass apprenticeship programme across the entire economy. The ANC will continue to expand provision for post graduate support, provision for supporting innovation, for commercialising innovative research outcomes and for ensuring that we have an increasingly responsive higher education sector. We have done a great deal. We have demonstrated our commitment to opening the doors of learning and culture and, the results speaks for themselves.

Setswana:

Baagi, voutelang ANC. [Legofi.] [Nako e fedile.]

[Tsenoganong.]

An HON MEMBER: Promising unemployment.

English:

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order hon members!

[Interjections.] Can you please take your seat? A point

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of order was raised earlier on by hon Paulsen with regard to the use of cell phone in the House. Hon Minister, there maybe a reason why you had to take a call but ... [Interjections.] Order hon members! Hon members, can you allow the Chair to finish the ruling? No! Hon Lewis, you are not chairing.

Hon Minister, in terms of our Rules, one can't take a phone call in the House but you can use your whatsapp quietly or your sms. If there was an emergency, you are allowed to leave the House. I just thought that I needed to remind all of us. In terms of the Rules, we can't take phone calls in the House. Thank you, Minister. Point of order?

The MINISTER OF INTERNATIONAL RELATIONS: Chairperson, thank you very much for bringing that to my attention. We are currently monitoring a calamitous situation and unfortunately ... [Interjections.] It is true. It is true. It is very true. [Interjections.]

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The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order hon members! Order! Hon Minister, I accept the apology and the explanation but in terms of our Rules, we are not allowed to take phone calls in the House. You can go outside if there is an emergency or use your whatsapp, on silent. Order hon member! You are not Chairing! [Interjections.] You are not!

Ms L M MASEKO: House Chairperson, in conclusion, the ANC is a responsive government, believes in speaking truth to power. We have been consistent and always prepared to admit our mistakes and subject ourselves to a culture of self criticism. We do so knowing that it is also learning from our mistakes, that we will convert our weaknesses to achievements as opposed to grandstanding. As Amilcar Cabral forewarned that we must:

"Hide nothing from the masses of our people. Tell no lies. Expose lies whenever they are told. Mask no difficulties, mistakes, failures. Claim no easy victories..."

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We call on ordinary South Africans, business sector and civil society, to join the Thuma Mina train and grow South Africa together. On the 8 May 2019, we call on all South Africans to once more, renew the people's contract to grow and transform our country for a better life for all. Over the weekend, the South African Institute of Race Relation confirmed that the people of South Africa have confidence in the ANC. And, as of yesterday, Ipsos poll predicted for May elections, revealed the following: EFF, 10%; the DA, 18%, the ANC, 61%. [Applause.]

[Interjections.] It is because the signs are there and the stars are aligned. We will triumph against all odds. We want to be there when the people start to turn it around. Thuma Mina!

Mr N M PAULSEN: House Chair, that is the Chairperson of Science and Technology, and she is using an old research.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon member, can you take your seat. Ipsos results and South African Institute of Race Relation are out in the open. Proceed, hon member. [Interjections.]

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Ms L M MASEKO: It has nothing to do with ...

[Interjections.] I am not fired. I have served my country. I have served my organisation for 25 years.

[Applause.] [Interjections.] I bow out and leave the new and young people to come in and continue transforming South Africa and to ensure a better life for all. I am not fired. We call on the people of South Africa to vote the ANC on the 8 May and thank you for ... [Inaudible.] [Interjections.] [Time expired.]

Ms D CARTER: House Chairperson

Ms N P SONTI: Point of order, Chair

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon Sonti, can you take your seat? Let me hear the hon Carter. What's your point of order?

Ms D CARTER: Hon Chairperson, I would like to know what is the difference between a person of the opposition speaking and if their time is up you immediately switch their speakers off ...

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The HOUSE CHAIRPERSON (Ms A T DIDIZA): There is no difference. [Interjections.]

Ms D CARTER: Now, you did but you keep on giving the ANC more time.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon member

Ms D CARTER: There is no fairness in that.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon member. Hon Carter, you watched yourself and I gave you one more minute. Yes, when you were speaking, yes. So, there is no opposition. The Chair, allows the members to finish ... [Interjections.]

Ms D CARTER: Chairperson, if you gave me one extra minute, I would have two more pages to read. [Interjections.]

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Can you please a seat? Hon Sonti ...

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IsiXhosa:

Nksk N P SONTI: Sihlalo weNdlu, uMaseko ohloniphekileyo bekufanele ukuba uneentloni ngale nto ayithethayo.

English:

The HOUSE CHAIRPERSON (Ms A T DIDIZA): What's your point of order?

Ms N P SONTI: My point of order is the 10%...

IsiXhosa:

... lo wethu athetha ngaye bekufanele ukuba uneentloni akaphumi kowakhe umlomo. Kaloku yena...

English:

...she is going down with her percentages.

[Interjections.]

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon member, can you take a seat?

English:

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Ms N P SONTI: Yes!

IsiXhosa:

Bekufanele ukuba uneentloni kaloku yena.

English:

The HOUSE CHAIRPERSON (Ms A T DIDIZA): She referred to Ipsos results. That is not here position. Can you take your seat then?

IsiXhosa:

Nksk N P SONTI: Kodwa kufanele ukuba uneentloni kuba uyehla ubheka ezantsi yena thina siyathathwa sibheka phezulu. [Uwelewele.]

Debate Concluded

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon Sonti, sit down. Hon members, those of you who stay in the Western Cape, I am sure this morning you saw around some streets a blitz by metro police on the things that are not allowed while you are driving, and otherwise you are

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going to get a demerit. One of those is putting on make up while driving. Let's now move to Member's Statements.

**TROPICAL CYCLONE IDAI HITS MALAWI, MOZAMBIQUE AND
ZIMBABWE**

(Member's Statements)

Mr M S A MASANGO (ANC): Hon House chair, that gadget was not working, this one works.

Hon House Chair, in the wake of the unbearable disaster being inflicted by Tropical Cyclone Idai to the people of Malawi, Mozambique and Zimbabwe respectively, the ANC expresses its heartfelt condolences to the families and relatives of the three affected countries.

The ANC is appreciative of and is in full support of the varied assistance being offered by the Department of International Relations and Cooperation as well as our government; and calls upon the South African non-governmental organisations, NGOs, businesses, churches

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and ordinary South Africans to offer donations of whatever kind towards these victims. Thank you, House Chair.

(POWER OUTAGES IN TZANEEN)

(Member's Statements)

Afrikaans:

Ms D VAN DER WALT (DA): Voorsitter, kragonderbreukings in die groter Tzaneen gebied is besig om op 'n ernstiger ramp af te stuur, veral in ons landbousektor, en die plaaslike munisipaliteit is totaal onbevoegd om dit te voorkom.

Die elektrisiteitsforum wat landbou, sakesektore en kundiges insluit, probeer tevergeefs sedert November 2016 om volhoubare elektrisiteitsvoorsiening te verseker. Die netwerk sluit in 160 substasies, 120 minisubstasies, 2 600 transformateurs en 1 800 km netwerkllyn. Dit is die hart van ons landbou in Limpopo, wat ook aan derduisende mense werkgeleenhede bied.

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Tog, die Zaneen Munisipaliteit se departementshoof, Mnr Sam Lelope, en die National Energy Regulator of South Africa, Nersa, ignoreer die noodroep en konstruktiewe voorstelle vir herstelwerk, instandhouding en noodsaaklike tegniese oudit.

Die Minister van Plaaslike Regering en Landbou het 'n plig om dringend in te gryp en te verseker dat herstelwerk en onderhoud volhoudbaar gedoen word, diefstalvoorkoming van transformateurs en kables as prioriteit geklassifiseer word, Nersa effektief betrokke raak om hul werk doen, 'n tegniese oudit dringend uitgevoer word en bevoegde en gekwalifiseerde amptenare en bestuur aangestel word.

Die ANC is besig om ons landbou-ekonomie in Limpopo en werkskepping te vernietig. Net die DA gee genoeg om om een Suid-Afrika vir almal te bou.

STANDARD BANK TO CLOSE DOWN 91 BRANCHES AND CUT 1 200

JOBS

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(Member's Statements)

Ms N P SONTI (EFF): House chair, last week Standard Bank announced that it will be closing 91 branches which will result in 1 200 jobs being lost. And for the second time in less than a week, the ruthlessness and parasitic behaviour of South African banks were once again exposed. They did not care about South Africa and its people. All they are interested in is profit.

But these job losses do not only show the greedy and selfish nature of the banking industry. It also highlights the failures of this government.

For over a year, government has been talking about the Fourth Industrial Revolution and all the plans it has in place to release its potential.

So, why is it doing nothing to incentivise or compel companies like Standard Bank to retrain their workers so that they are able to adapt to the new work requirements of the Fourth Industrial Revolution?

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This government should, long ago, have established state banks and at the same time put effort and resources into realising the true economic and social potential of the technological changes brought about by the Fourth Industrial Revolution.

As we have outlined in our manifesto, the only hope for South Africans and an end of this unnecessary job losses is to vote EFF on 8 May [Time Expired.]

**PROFESSOR MASHUDU TSHIFULARO SUCCESSFULLY PERFORMS
WORLD'S FIRST EVER MIDDLE EAR TRANSPLANT**

(Member's Statements)

Ms M L DUNJWA (ANC): House Chairperson, Prof Mashudu Tshifularo, the head of the Department of Ear, Nose and Throat, ENT, at the University of Pretoria Medical School and the Steve Biko Academic Hospital, recently performed successfully the world's first ever middle ear transplant.

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It allowed the 35-year-old man to hear again after his middle ear was completely damaged in a car accident.

IsiXhosa:

Ibe luqhaqho-fakelo lokuqala kwihlabathi liphela.

[Kwaqhwatywa.] UNjingalwazi...

English:

... has been working on it for the past 10 years. He used titanium to design and recreate the middle ear bones called ossicles. They are the three smallest bones in the human body. He transplanted them together with the tiniest muscles and tendons to achieve this feat.

IsiXhosa:

Yiyo loo nto sisithi ngomhla we-8 kuCanzibe abantu mabavotele i-ANC kuba iyazitshintsha iimeko zabantu boMzantsi Afrika. Siyabulela. [Kwaqhwatywa.]

FKWAZULU-NATAL FLOODS LEAVES RESIDENTS SICK AND CLAIMS

LIVES

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(Member's Statements)

Ms S J NKOMO (IFP): House Chairperson, given the recent reports of floods in country, specifically reports that in some areas of KwaZulu-Natal there had been floods and also deaths.

As the IFP we would like to propose that government takes a very strong look at such areas and all the preventative measures that are needed in those areas as well as the public education that needs to go forth to all the people; noting some of the diseases which can manifest due to the stagnation of water like typhoid and malaria. I thank you.

(Member's Statements)

Ms C Q MADLOPHA (ANC): Hon house Chair ...

IsiZulu:

... inhlangothi kaKhongolose ithole izindaba zokuthokoza okukhulu laphele imukela amalungu amahlanu abeke phansi

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amajoka e-DA lapho ebone ukuthi inhlangano ye-DA idukuza ontwini nje. Isebenzisa abantu abamnyama njengezagila zokujikijela. [Ubuwelewele.] Bakhetha-ke manje ukuthi hhayi kungcono bakhethe umbutho wesizwe uKhongolose ukube babe yingxenye yokwakha iNingizimu Afrika ebumbene nengacwasi ngebala nobulili kodwa ebuswa ngentando yeningi.

Laba esikhuluma ngabo yilo obekade engumholi we-DA Kwazulu-Natal u-Comrade uMacingwane okuwuyena osejoyine u-ANC, uSizwe. [Ihlombe.] Abanye babo amakhansela o-Claudelle Chetty-Naidoo, u-Renesha Jugmohan no-Nalene Naidoo- Atwaru. Siphinde sahlomula nomunye osuka kwi-NFP lapho sithathe khona obewusekela sihlalo wesifundazwe, wabuyela ngala kuKhongolose ebona ukuthi yinhlangano edingakalayo, sikhuluma ngoNjabulo Mlaba osekwi-ANC. Ezikhulumela ngokwakhe u-Comrade uSizwe Mchunu uthe ... [Kwaphela isikhathi.] Siyabonga. Sithi abantu mabajoyine uKhongolose baqhubeke ngoba uKhongolose ozobuyisa amandla.

ESTABLISHMENT OF COPE

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(Member's Statement)

Ms D CARTER: Chairperson, today as a nation we face an unprecedented national crisis. The reasons and values that inform the establishment of Cope have become even more relevant and pressing today than they were when Cope was formed. Our message and ideals as Cope have never changed.

Cope has consistently called for leaders who committed to being honest and sincere servants of the people, who pursue truth uncompromisingly, seeks justice for all, practice transparency, demonstrate respect for the values and principles of the South African people, work tirelessly to grow the economy to achieve sustainable development, support the kind of education and skills development for our children, that the times we live in demand and ensure that South Africa remains globally competitive.

It is only if we stand together as South Africans, sharing a common history, future and a vision, that we

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have any chance of pulling our country out of mires that we find ourselves in. Our call to you to join hands with Cope to save South Africa. We need a fresh start and together we can create a better and brighter future for all.

CONGRATULATION ON NEW BRICS BUSINESS COUNCIL

(Member's Statement)

Ms J L FUBBS: House Chair, the ANC congratulates the new Brazil, Russia, India, China, South Africa, BRICS, Business Council appointments and that is, the Chairperson, Ms Busi Mabuza, Industrial Development Corporation, IDC, Dr Ayanda Ntsaluba, Discovery Ltd, Ms Bridgette Radebe, Mmakau Mining, Dr Stavros Nicolaou, Aspen Pharmacare, and Mr Elias Monage, Afika Group. The council establishes a platform for the country to promote and strengthen business, trade and investment links between the business communities of the five Brics countries.

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The Minister of Trade and Industry said: "It is imperative that the SA Brics Business Council is located within the ambit of organised business in South Africa and is appropriately representative ..." And as you can see, there is no doubt that this reflects it. The ANC believes that this dynamic new council can be a catalyst to bring about an inclusive economy. So, vote ANC if you want an inclusive economy. I thank you. [Applause.]

ANC UNFIT TO GOVERN

(Member's Statement)

Mr J R B LORIMER: The ANC is fighting a lost century's battle. It cannot change because it doesn't know how. It clings to an ideology designed by a German 150 years ago refined in Moscow and Hanoi in 1970s and practiced to extinction, which is the only possible result in Zimbabwe, Cuba and of course, Venezuela. We know it's failing in Caracas.

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There is no electricity; there is no medicine; everybody is hungry and the army shoots people who try to bring aid. Government murder squads of Cuban mercenaries paid for by Venezuelan oil gun down those who protest. For all practical purposes, Venezuela is a Cuban colony, colonialism of a special kind perhaps.

Because the ANC cannot learn, it sends a delegation to give support to Madeira the tyrant and to get tips - tips on how to stay in power when you have collapsed the country but still want to keep control so you can rob the people some more. The ANC cannot learn so it clings to policies that have made sure our manufacturing shrinks, our mining doesn't grow, and thousands lose their jobs.

It cannot move away from cadre deployment, its race obsession, or its internal culture of patronage and payoff. In their heart of hearts perhaps ANC members know that Venezuela's socialism is failing, but they prefer juvenile defiance rather than self-examination, once again underlining what the ANC is unfit to govern.

[Applause.]

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PROBLEMS OF AMAKHOSI IN KWAZULU-NATAL

(Member's Statement)

IsiZulu:

Nks M S KHAWULA: Ngibonge Sihlalo, siyi-EFF sizizwa siphathe kabi kakhulu ngendlela amaKhosi omdabu aphethe ke ngayo kambi. Endaweni yaseMzimkhulu kunamaKhosi asenkingeni yokuthi azibona iqhaza alidlalayo lingahloniswa noma ilungelo labo abalinikwa ngumdali

Akhala ngokuthi uNgqongqoshe Nomusa Dube-Ncube akahloniphi ubukhona babo njengamaKhosi, ngokuthi athathe abantu abangawona amaKhosi babenamandla adlula awamaKhosi, amaKhansela bawenza abe makhulu kunamaKhosi, okunye futhi abakhala ngakho, yilento yokuluthwa ngeContralesa, lapho kumele njalo kukhulume amakhosi akhethiwe bona abanakiwe ngisho kulethwa intuthuko endaweni bona abathintwa.

Besicela ukudlulisa isicelo eMnyangweni wakwa-Cogta, ukuthi ake ukhumbule ukuthi kithina bantu abamnyama

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amaKhosi ayinsila yethu futhi awumsinsi wokuzimilela, ngakho ke ngeke sikuvumele ukuthi angahlonishwa agcine ethathwa kancane. Ngaleyo ndlela lento engiyibone laphayana eMzimkhulu ibuhlungu kakhulu ngoba abaholelwa ngisho nezimali zabo. Ngiyabonga

IsiZulu:

The HOUSE CHAIRPERSON (Ms A T Didiza): Siyabonga kakhulu lungu Khawula isikhathi sakho sesiphelile.

LAUNCH OF THE BOOYSENS AND PLETTENBERG MAGISTRATE COURTS

(Member's Statement)

Mr I A PIKININI: Chairperson, as the ANC ...

[Interjections.]

IsiZulu:

Nks M S KHAWULA: Ngiyaxolisa Sihlalo, usuhlulwa nje ukunginika nethuba lokuthi votela i-EFF.ngo 8 May. Bonke abantu bakhankasile.

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The HOUSE CHAIRPERSON (Ms A T Didiza): What is it, hon member?

IsiZulu:

Nks M S KHAWULA: Mhlawumpe bengizokuqasha nje uma sesiphethe:

The HOUSE CHAIRPERSON (Ms A T Didiza): Your time was long overdue. Take your seat.

The HOUSE CHAIRPERSON (Ms A T Didiza): Take your seat. Continue hon member.

Mr I A PIKININI: As the ANC, we remain steadfast and committed to be the forefront of the fight and to end gender-based violence. Therefore, we welcome the planned opening of the Booyens Magistrate's Court in Gauteng on 28 March 2019 by President Cyril Ramaphosa, as well as another magistrate's court ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms A T Didiza): Order hon members. Can you please allow the member who is on the podium to finish his statement? Go on hon Pikinini.

Mr I A PIKININI: The President will also open another magistrate's court launch at Plettenberg Bay. These courts will deal with domestic violence amongst others, and they will also include the family and children's courtrooms. The launching of these courts are adding value and strengthening the existing government intervention such as Thuthuzela Care Centres across the country.

This serves as one stop facility to reduce secondary designation as well as other courts dealing with sexual abuses cases across the country. These initiatives are indicative of the ANC commitment to resolve the national violence crisis unleashed on defenceless women and children.

All South African women and girls are entitled to live in peace, safety and dignity. The ANC makes a clarion call

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to all South Africans to work with government in implementing the raids of intervention adopted at last year gender-based summit including the finalisation of the national plan on gender-based violence. Thank you very much, Chair.

NETBALL WORLD CUP IN SOUTH AFRICA

(Member's Statement)

Ms B L ABRAHAMS: Hon House Chairperson, as the ANC, we believe that hosting the 23 Netball World Cup will boost the interest and determination of South African women in sports. The hosting of this international sporting event will inspire most girls who want to pursue any sport as a career.

The President of the International Netball Federation, Molly Rhone, recently announced that South Africa will be the host to the 16th edition after this year's event, in Liverpool, England. This means South Africa will become the first country in the continent of Africa to stage a

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16-team competition. The event will be held over 10 days and it will feature 60 matches.

South Africa beats four-time world champions, New Zealand, for the hosting rights of the quadrennial showpiece. The tournament is expected to attract 120 000 visitors to Cape Town for the tournament which is projected to inject in an excess of R2,5 billion to the country's economy. This is a monumental achievement for South Africa, and is the first country to have hosted the Soccer World Cup, the Cricket World Cup and the Rugby World Cup and will now add the netball showpiece to the list.

We believe that this event will not be an economic boost for the Western Cape only, but for South Africa as a whole. It is also a massive portfolio feature for the country's ambition in hosting a world-class global event. House Chairperson, as a parliamentarian playing netball, I would encourage all other parliamentarians to participate. Watch the space and vote ANC on 8 May. Thank you. [Applause.]

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Ms D ROBINSON: Chairperson, on 11 March prominent Iranian human right lawyer and defender of women's rights Nasrin Sotoudeh was sentenced to 33 years in prison and 148 lashes, as she was also sentenced in her absence to five years in 2016 in another grossly unfair trial, her total sentence is 38 years in prison. Her charges include inciting corruption and prostitution, openly committing a sinful act by appearing in public without a hijab and disrupting public order.

Her work has largely been defending women, protesting against force wearing of the hijab, defending the rights of women generally and opposing the death penalty. Amnesty International says this is the harshest sentence, documented against the human rights defender in recent years, while jailing a human rights defender for her peaceful activities is abhorrent.

The fact that the judge used his discretion to ensure that she is locked up for more than the Iranian law allowed, compounds this outrageous injustice. South Africa must use its voice at the United Nation Security

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Council to push for Nasrin's immediate and unconditional release. I hope you will do that Minister Sisulu. IF we do not take a stand against this disgraceful conviction and sentence, tomorrow commemoration of human rights day will condemn South Africa by our silence.

Ms A TUCK: Chairperson, the ANC is committed at strengthening police visibility in our communities by increasing the number of police women and men in order to ensure that South Africans are able to walk the streets and go work without fear. The ANC therefore welcomes the 5000 police trainees joining the ranks of South African Police Service, which will assist a great deal in increasing the police service operational capacity, especially at strengthening prime crime policing, Of the 5000 trainees 1580 are female and 3420 are male.

The ANC is confident that the training of these police trainees investigation will assist in improving the success rate in arresting and prosecuting criminals. We remain resolute that the National Development Plan, NDP 2030 vision which envisages that people living in South

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Africa, feel safe at home, work and school and enjoy a community life free of fear will be realised. That is why we all have to vote ANC on 8 May. I thank you.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): That concludes member statements and very that the bi-line of all parties is "Vote my party on 8 May" but what is funny is when is said by others say mhh...anyway I am sure all you are ready for the campaign trail after tomorrow. Are the any ministerial statements? Thank only six, hon Sisulu. Hon Khawula can you take a seat, I will come to you next time, I don't know when the time will that be, but not now.

The MINISTER OF INTERNATIONAL RELATIONS AND COOPARATION: House Chair, actually I came to this session to make a request to members of Parliament to assist with the disaster that is unfolding in Southern Africa. It's a worst with the experience in years. It started with Malawi and we counting the lives that we have lost there, there could be more than 500; we could have more than 200 in Zimbabwe... [Interjection]

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The CHIEF WHIP OF THE OPPOSITION PARTY: Point of order.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Sorry, what is your point of order?

The CHIEF WHIP OF THE OPPOSITION PARTY: The point of order is that the Minister is making an executive statement, she is not responding to single, one of the statements that they made. If she wants to make an executive statement, she must ask permission to make an executive statement. No one is mentioned anything of that. She is trying to buy cover taking a phone call earlier.

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon Steenhuisen, the Minister knows how request an executive statement. She is responding to statement by hon member who is the Chairperson, Masango. Hon Mnguni can you take a seat.

The MINISTER OF INTERNATIONAL RELATIONS AND COOPARATION:
I would like to thank hon Masango, for bringing this to attention but I wanted to request all of you, to please

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if you have anyway in which you can help...it has been indicated to us that this disaster which is likely to take 5000 people's lives in Mozambique alone, is on a turn around and on Thursday, it could be at its worst.

It would mean that we would have real crisis even with ourselves here and we need to be in state of preparedness for this. Thank hon Masango; we are being assisted here by the South African Defence Force, Red Cross, Gift of the Givers and if any member have a heart...we will cut out the DA, they are a lost cause, please assist in this disaster. Thank you

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Order and I am sure also that the Minister of COGTA, would also have noted what hon Nkomo has raised in deed in Northern Natal by yesterday, about seven people had already died as the results of the floods.

THE MINISTER OF ARTS AND CULTURE: Hon Chair, the member of COPE was telling us about how principled COPE is; I wanted to understand how principled it is to have an ally

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called AfriForum. A well known racist outfit in South Africa, there is no principle at all, so don't tell us about principle. The member of DA is talking about Cuba and all those things, what he is forgetting is to talk about unilateralism of the US, which has tried over decades for economic blockade in Cuba and failed, which has tried its policy of interfering in other countries affairs as it were, which will continue to fail.

What we need to say is that we have to support to support global governance structures, which has all ...

[Interjection]

The HOUSE CHAIRPERSON (Ms A T DIDIZA): Hon members, you have raised your statements, allow the Minister to respond.

THE MINISTER OF ARTS AND CULTURE: ... which is very opposite to regime change policy of the US and that is what he must talk about next time when he stands here. Thank you.

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The DEPUTY MINISTER OF HEALTH: Hon Chair, I want to thank the hon Chair of the Health Portfolio Committee for highlighting the magnificent achievements of one of our top specialist and academic, Prof Tshifularo at the Steve Biko Hospital. I just want to say hon members that this in deed reminds us that, there is lot of magnificent ground breaking work being done by ordinary South Africans, academics, especially in the medical fraternity, that while many of our hospitals come to the front pages of our newspaper only when something goes wrong.

Most of the times when this happens because of the burden of work, the overwhelming number of people who are using these facilities...but there is a lot of good work and what these foot soldiers need from us is not always criticising and attacking them, but is a lot of support...and as hon members let us give them that support and support the introduction of National Health Insurance.

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Only through that will we make this kind of work prevailing all over the country and make sure in deed that we can grow South Africa and grow the health services of our country. Thank you very much.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House Chair, in response to hon Pikinini statement about the opening by the President of the Booysens court. Let's indicate that despite all the criticism we have been subjected to as ANC Government, we have delivered on promise that every two years since democracy we shall deliver on average two courts. By the time this administration comes to an end, we shall have exceeded that target by nine courts. We shall have delivered 59 instead of 50 courts as we have promised.

Secondly I want to indicate that during the campaign violence against women and children last year where the President convened the Gender Violent Summit. I opened new sexual offences court in the Free State, making it a total of 76. Since then and by time this financial year's ends we shall have opened 13 additional, dedicated

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special sexual offences courts including the sexual offences court at the Booyens court, which the hon member alludes to, which part of 10 courts in that precinct, that the President will be delivering to the people of this country.

We are progressing, it's "Thuma Mina", and we are delivering. We are ensuring that communities that have been marginalised, that did not the benefit of top of the range infrastructure in the form of state of the art court buildings, are receiving those courts in far flung rural areas and so called peri-urban areas, to ensure that access to justice is for all. On 1 April this year... [Time expired.]. Thank you very much.

The MINISTER OF HIGHER EDUCATION: Chairperson, I wish to agree with hon Nkomo of the IFP, but as we respond in a humanitarian manner to those in our region who have suffered from the impact of the cyclone, we should not forget the residents of KwaZulu-Natal, who have been impacted very severely by flooding and parts of the

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Eastern Cape, so I agree with hon member that we should assist where we can.

I also agree with hon member Khawula of the EFF that we must ensure that we treat traditional leaders with respect and dignity, but I wish to emphasize that it is the ANC government upon the inception of democracy that introduced dignity and respect for traditional leaders in South Africa, a dignity they never enjoyed under Apartheid. I also wish to say that, The Congress of Traditional Leaders of South Africa, Cotralesa is a progressive organisation and it great that traditional leaders are joining it.

Finally, I assured the House that it not just politicians holding office or in Legislatures or Councils who leave the DA, it will be voters who will vote the ANC, having realised where progress and democracy lie. Thank you very much.

The MINISTER OF SOCIAL DEVELOPMENT: Chairperson, the hon member Tuck has raised the issue of the capacity of the

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police. I want to welcome that, but also say the new trainees are very important, especially whereby we are faced with many challenges when it comes to various crimes committed in country. This will add the capacity which exists and the training and equipping of both men and women in blue, becomes very critical.

We believe that what is happening and the current situation where police are really managing to fight crime in our country and bringing peace but also making sure that those who are involved in serious crimes are brought to book. We are confident that this particular team is going to add value...because you find both young men and women who are committed in serving our country. We welcome them.

The House adjourned at 20:42:34.