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THURSDAY, 24 MAY 2018

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PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT

The sign † indicates the original language and [ ] directly thereafter indicates a translation.

The House met at 14:15.

The Deputy Speaker took the Chair and read the prayer.

The DEPUTY SPEAKER: You may be seated. I see the hon Chief Whip first.

(Notice of Motion)

Mr M G E WILEY: Thank you, Mr Deputy Speaker. I give notice that I shall move:

That, notwithstanding the provisions of Rule 198, precedence be given to the Subject for Discussion.

The DEPUTY SPEAKER: No objection? Agreed to. We will do the Speaker's Debate first and the first speaker will be the Speaker. I see the Speaker.

An HON MEMBER: Hear-hear! [Applause.]

(Speaker's Debate)

**AFRICA DAY – “WINNING THE FIGHT AGAINST CORRUPTION – A  
SUSTAINABLE PATH TO AFRICA’S TRANSFORMATION.”**

The SPEAKER: Mr Deputy Speaker, hon members, at the 30<sup>th</sup> African Union Summit held in January 2018, the theme, “The African Anti-Corruption Year, Winning the Fight against Corruption - a Sustainable Path to Africa’s Transformation”, was agreed upon. I will talk more about what was discussed at this summit a little later.

On 25 May 1963 the first African organisation after independence, the Organisation of African Unity, was formed in Addis Ababa, Ethiopia. The organisation was founded by 32 countries and a further 21 states and countries have joined gradually over the years with South Africa becoming the 53<sup>rd</sup> member on 23 May 1994. In marking this day Parliament celebrates the ideals of the African Union, cooperation, human solidarity, African consciousness, Ubuntu and peace.

Aspiration 3 of Agenda 2063 for Africa’s Transformation seeks to instil a universal culture of good governance, democratic values, gender equality, respect for human rights, justice and the rule of law, while Aspiration 4 recognises that these values or principles are necessary conditions for a

peaceful and conflict-free continent. Africa has yet a far way to go.

The African Union has a responsibility for continental norm-setting and has instruments to fight corruption. So far, 37 of the African Union members have ratified the AU's Convention on Preventing and Combating Corruption - the acronym AUCPCC - which was adopted in Maputo in 2003 and enforced in 2006.

Corruption clandestinely erodes the sound foundations of civil society. It derails decision-making and policymaking, thereby impeding sound social and economic development. In this sense corruption is the most serious obstacle to democracy and sustainable development.

The need to stop the haemorrhaging of Africa's scarce resources is crucial. Combating corruption freezes the resources necessary to address the challenges facing the sustainable development of both urban and rural communities. Fighting this type of corruption will enhance the development of African people and to effectively invest in youth and ensure a youth dividend and this is bearing in mind that Youth Day is around the corner.

A 2016 Corruption Watch Report indicated that the most prevalent types of corruption reported in the continent over the past few years centre on abuse of power followed by bribery and then procurement corruption. When heads of government and heads of state met for the 30<sup>th</sup> Session of the African Union Summit in Addis on 25 January, discussions around the theme of

corruption took centre stage.

Ms Vera Songwe, the Executive Secretary of the Economic Commission for Africa said: “Corruption has held Africa back for far too long and it’s time to nip the scourge in the bud. The injustice of corruption brought to life within our institutions is more powerful than any other injustice we as Africans could face”, she said, “but it is within our remit to repair this cancer, that is why I applaud the African Union for taking on this theme as the main battle cry of the Union for the next year...”

The Economic Commission for Africa says every year over 148 billion US Dollars are drained out of the continent through various corrupt activities, representing about 25% of Africa’s GDP Growth.

The Chairperson of the African Union Commission, Moussa Faki Mahamat, in the introductory chapter of the Concept Note on the African Union said: “A lot has been done over the last 15 years since the adoption of the African Union Convention on Preventing and Combating Corruption. Governments and non-state actors have raised awareness of the devastating effects of corruption on human rights, civil and political rights, social and economic rights alike. They have mounted advocacy campaigns to influence national, regional, continental and global agendas demanding for systemic change. Working with a wide range of partners, they have adhered to globally accepted anti-corruption standards, they have developed innovative tools and approaches and carried out research to deepen the collective understanding of

corruption and its many ugly facets. A lot more can still be done.”

Consequently the AU Chairperson was calling on member states’ regional economic communities, civil society organisations together with citizens, women, men, young people alike, AU organs and all other stakeholders to work together in 2018 and beyond so as to lift the burden of corruption out of the lives of the millions of Africans affected, particularly the poor and marginalised groups in society.

Among the common problems in Africa are unemployment, access to land, weak educational systems, gender discrimination and poor healthcare systems. Add to that external dependency, the situation in which the world’s poorest region overall is reliant on donors.

Although considerable progress has been made globally in recent years to combat corruption it continues to impede development whilst also undermining democracy and the rule of law.

Mr Deputy Speaker, the estimated cost of corruption in Africa is much higher than the total combined amount of development aid it receives. Corruption remains one of the biggest barriers to Africa’s development as it negatively affects the delivery of basic social services and economic activities and hinders the investments in youth. Three principles that are in my view key to a successful fight against corruption are cooperation, coordination and country ownership.

In the spirit of leaving no-one behind, African people and South African people in particular can combat corruption in diverse ways using various means including but not limited to exercising their civic and political rights in electing the right officials in office and holding them accountable; training as anti-corruption practitioners, holding integrity dialogues and increasing political participation and support and supporting anti-corruption campaigns. We should encourage the right skilled people to elevate to more leadership roles locally, regionally, provincially, nationally and internationally and continue to advocate for transparency and accountability. Politicians could encourage their constituencies to document cases of corruption by developing reporting platforms on the web or through mobile APPs; social media in particular is an effective way to address corruption in real time. Recognising that we all have a role to play is paramount given the role we all play in changing attitudes and instilling cultural accountability. As noted above there are a number of conventions, policies, strategies and institutional frameworks to fight corruption in Africa.

In order to win the fight against corruption there is a need for ensuring that leaders match their words with actions, organising for the transformation of society, reorientation to fight for social justice, equity and societal transformation; organising for change and linkages with other agents of change in society. While much has been done we still have a far way to go. We can and should become the agents of change. Each one of us holds the power in the positions we find ourselves in.

In closing I would like to end with two quotes. The first one is by Martin Luther King, and it says: “Our lives begin to end the day we become silent about things that matter...” and the other one is by Edmund Burke. It says...

[Interjection.]

Mr Q R DYANTYI: Can you just repeat again with what you started.

The SPEAKER: “The only thing necessary for the triumph of evil...”

[Interjection.]

Mr Q R DYANTYI: Because that is very important for the DA to listen, just repeat what you said.

The DEPUTY SPEAKER: Order member.

The SPEAKER: “The only thing necessary for the triumph...” [Interjections.]

†Mnr Q R DYANTYI: Asseblief. [Tussenwerpsels.]

[Mr Q R DYANTYI: Please. [Interjections.]]

The DEPUTY SPEAKER: Order! Order!

An HON MEMBER: You are being assisted. Listen!

The SPEAKER: "The only thing necessary for the triumph of evil is for good

men to do nothing.”

An HON MEMBER: Yes.

The SPEAKER: I thank you, Mr Deputy Speaker. [Applause.]

Mr Q R DYANTYI: That is a great speech for the DA. Thank you Madam Speaker, thank you.

The DEPUTY SPEAKER: Order! The hon Minister of Cultural Affairs, Minister Marais.

†Die MINISTER VAN KULTUURSAKE EN SPORT: Mnr die Adjunkspeaker, as 'n trotse Suid-Afrikaner is dit inderdaad 'n groot plesier om deel te neem aan hierdie belangrike debat oor die bekamping van korrupsie as 'n volhoubare pad na Afrika se transformasie ter viering van Afrika-dag en om haar verhaal uit te lig. Korrupsie neem baie vorme aan en vir die doel van hierdie debat gaan ek fokus op intellektuele korrupsie in my ontleding van gewilde internasionale persepsies van Afrika wat vandag nog bestaan.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Mr Deputy Speaker, as a proud South African it is indeed a great pleasure to participate in this important debate on fighting corruption as a sustainable way to



Africa's transformation in celebration of Africa Day and to verbally highlight her narrative. Corruption takes on many forms and for the purposes of this debate I am going to focus on intellectual corruption in my analysis of popular international perceptions of Africa still existing today.]

†I shared with you the idea of Chimamanda Ngozi Adichie, who said: “It is easy to romanticise poverty, to see poor people as inherently lacking agency and will. It is easy to strip them of human dignity, to reduce them to objects of pity. This has never been clearer than in the view of Africa from the American media, in which we are shown poverty and conflicts without any context.”

Although prevalent in many parts of Africa this common image does not do our continent justice. We have so much more to offer. Through her people and places Africa oozes with natural beauty, diversity, excellence, a melting pot of cultures and is the cradle of mankind and above all, resilience.

As Africans we all have a role to play in sharing the African story so that the world at large is aware of the realities of our continent. We need to make them aware of our achievements, our successes, our people, our food, our languages, our cultures, our everyday lives because who better to tell our stories than us?

Who better to alert the world to fact that Africa is home to 22 Nobel Prize Laureates, over 2000 languages, the concept of Ubuntu and daily living that

cause it only in reality and renowned world record holders in Caster Semenya, Wade van Niekerk, Chad le Clos and Paralympians, to name only but a few.

Wie is die beste toegerus om die negatiewe wêreldwye wanopvattinge uit te daag deur die verrykende realiteite van Afrika uit te lig? Onself, want ons is Afrikane deur geboorte. Ons voorvaders het 'n verskeidenheid van Afrika-erfenis en -kultuurgeskiedenis nagelaat wat ons moet ontleed, uitlig, vier en vir toekomstige geslagte bewaar.

Ek kan nie aan 'n meer effektiewe manier dink om ons Afrika-identiteit ten toon te stel as deur ons kuns, ons kultuuraktiwiteite en sportdeelname, deur ons onvertelde verhale, deur musiek, drama, dans, ons kookkuns, mode, literatuur en sportuitnemendheid te deel oor taalgrense heen nie.

*[Translation of Afrikaans paragraphs follow.]*

Who is best equipped to challenge the negative worldwide misconceptions through highlighting the enriching realities of Africa? We, ourselves, because we are Africans by birth. Our ancestors left behind a variety of African heritage and cultural history that we have to analyse, highlight, celebrate and preserve for the future generations.

I cannot think of a more effective way to display our African identity than through sharing our art, our cultural activities and sports participation, our

untold tales, music, drama, dance, our cookery, literature and sport across language barriers.

†Using sport and cultural affairs as tools to join the global conversation on Africa is central to our efforts at the Western Cape Department of Cultural Affairs and Sport. We have made great strides in creating an enabling environment in which our constituents can thrive holistically. With our limited annual budget of just over R760 million we have prioritised our investment in the youth by increasing access and participation in cultural affairs and sport by funding organisations, increasing platforms for talent showcasing and forging new innovative partnerships with others for greater opportunities to come into fruition.

Mr Deputy Speaker, together it is our duty to create an enabling environment through which our youth can thrive as ambassadors of the African story. Contrary to popular belief we need to understand that we are not a people at risk but rather people with potential. Despite the many challenges there exist praiseworthy initiatives in the streets of Africa and it is long overdue that we showcase these life-changing efforts rather than only perpetuating our hardships, which ultimately maintains global stereotypical misconceptions. Our role is not only to liberate society once more, but to liberate the minds of society. As Africans there is an urgency to be more proactive in transforming Africa's transformation.

I end with the words of Barry Bitmann... [Interjection.]

†Mnr Q R DYANTYI: Dis mooi sover! Jy praat asof jy in die DA is.

[Mr Q R DYANTYI: That is good so far! You speak as if you are in the DA.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: “When our hands connect with a drum that vibrates with our energy, vitality, emotion, exhilaration, hope, sensitivity, giving, sharing and unity, we become whole again...”

†Mnr Q R DYANTYI: Goeie ding [Onhoorbaar.]

[Mr Q R DYANTYI: Good thing [Inaudible.]]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Mr Deputy Speaker, guided by the rhythm of the African drum we must aspire to inspire before we expire. [Applause.]

†n AGBARE LID: Mooi man, mooi!

[An HON MEMBER: Good man, good!]

†Mnr Q R DYANTYI: Dis mooi. Ek is so verbaas [Onduidelik.] Jy gaan my nie glo nie.

[Mr Q R DYANTYI: That is good. I am so surprised [Inaudible.] You will not believe me.]

The DEPUTY SPEAKER: Order! Hon member Magaxa. [Interjections.]

Mr K E MAGAXA: Mr Deputy Speaker, thank you. We really appreciate the debate.

25 May is celebrated as an African Day or as an Africa Day. It is a day in which the OAU was formed by 32 independent African countries in Addis Ababa in 1963. Celebrations on this day recite the annual commemorations of Africa's independence, freedom and liberation strife from colonial imperialism.

Tomorrow Africa will be celebrating 55 years of determined efforts for unity among the African people and socio-economic freedom from foreign domination and exploitation.

We celebrate the deeds of Kwame Nkrumah, Julius Nyerere, Oliver Tambo, Kenneth Kaunda, and all other African heroes and leaders who took up the cause of advancing complete independence of Africa.

African liberation cannot be celebrated in separation from independence of other oppressed nations or other oppressed people around the world. We should not forget about the Palestinian people who are still oppressed by the apartheid colonial Israeli regime.

While African states will be pledging solidarity with the people of Palestine, the DA Government in the Western Cape in the southern part of the continent will pledge its loyalty and support to the draconian Israeli Government, the

most notorious and [Interjection.]

Mr D G MITCHELL: Why did you have to change into politics now?

[Interjections.]

†Mnr Q R DYANTYI: Daar is hy, daar is hy!

[Mr Q R DYANTYI: There you go, there you go!]

The DEPUTY SPEAKER: Order! [Interjections.]

Ms M N GILLION: This is politics, this is politics. [Interjections.]

The DEPUTY SPEAKER: Order member. [Interjections.]

Mr K E MAGAXA: The DA Government in the Western Cape in the southern part of the continent will be pledging its loyalty and support to a draconian Isreali regime, which is the most demonic and the most dangerous regime, toxic regime in the entire world.

That is the very same government that only last week had mowed down innocent Palestinian civilians, women and children, thereby seeing over 60 people losing their lives on an important day of their return march.  
[Interjection.]

Mr M G E WILEY: Why do you not go [Inaudible.]

Mr K E MAGAXA: We must take this opportunity as members of this Legislature to openly condemn in the strongest possible terms the killing of Palestinian people, whose only sin is fighting for their land and self-determination. Africa cannot be free when Palestine is still oppressed and killed in daylight.

Africa Day falls in the month of May which is celebrated as Africa Month. The South African theme for Africa Month 2018 is “A Year of Nelson Mandela: Building a Better Africa and a Better World”. This theme is in line with the founding principles and values of OAU, to help bring about change and freedom and restore dignity of African people.

We must ask today, where is the dignity of African people in the Western Cape who are called refugees by the Premier and racially abused on a daily basis on Twitter and other social media platforms. [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: At least we do not steal all the money! We do not steal all the money!

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: Where is their freedom when they live in squalor and unemployment?

The MINISTER OF SOCIAL DEVELOPMENT: Corrupt! [Interjections.]

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: In January 2018... [Interjection.]

An HON MEMBER: It is not about the DA.

Mr K E MAGAXA: ...the AU declared 2018 as African Anti-Corruption Year, under the theme “Winning the Fight against Corruption: A Sustainable Path to Africa’s Transformation”. This is also the theme of today’s debate.

The Anti-Corruption theme of AU is linked with the Regional Anti-Corruption Programme for Africa. This programme gave birth to anti-corruption activities such as the AU Convention on Prevention and Combating Corruption, the Pan-African Body of National Anti-Corruption Institutions, African Forum on Fighting Corruption, the Illicit Financial Flows Project and other related projects.

When we talk about corruption, we must first acknowledge that colonialism and apartheid were two of the most extreme forms of institutionalised corruption that the world has ever seen... [Interjections.]

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: ...hence the necessity to expropriate our land without compensation, becomes very important. [Interjections.]



An HON MEMBER: You are the only one making a noise!

Mr K E MAGAXA: We also advise Premier Zille that the next time she decides to praise the legacy of colonialism she must know that this is actually praising grand corruption.

Africa is now serious about fighting corruption. African leaders are determined to tackle corruption with the same vigour that the president of the ANC and South Africa are fighting corruption. Within weeks of his election into office, the fight against corruption in the country started to show signs of gaining momentum. As we speak today, people who were implicated on corruption scandals are facing investigations led by the ANC Government..

[Interjections.]

Mr Q R DYANTYI: Yes, yes.

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: The Guptas have run away, Cabinet has intervened in the North West to place all provincial departments and a number of municipalities under national administration to improve governance and to deal decisively with allegations of corruption.

Mr Q R DYANTYI: And the Western Cape is next.

Mr K E MAGAXA: The ANC Chief Whip in the National Assembly clearly outlined the plans of how the ANC has dealt with corruption in the recent past and moving forward. He told us that the Boards of Eskom, Denel, Prasa and Transnet have been replaced and these state-owned enterprises are on a new trajectory of renewal.

The President has appointed a Commission of Inquiry into the Tax Administration and Governance of the South African Tax Revenue Service. The Judicial Commission on State Capture will soon commence.

You can clearly see that the political will to deal decisively with corruption is there. However, not the same can be said about the DA Government in the Western Cape. They did nothing to deal with the corruption allegations in the City of Cape Town. They did nothing to deal with corruption in the George Municipality. They only issued a statement after the Hawks started with the clean-up in that municipality. How can we forget the “yes, we made mistakes” report by the Public Protector; was there any official held responsible for corruption?

What did the DA do when our honourable Premier Helen Zille was exposed of pressurising officials in the Western Cape Government to boost her son’s business?

The DEPUTY SPEAKER: Order! Order member. Your time has expired. Just finish off that sentence.

Mr K E MAGAXA: Why is the Premier still here, if the DA is serious about fighting including... [Interjection.]

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: Paul Maree's business was boosted by support and contracts it received from the Government of his mother, umama ka Duduzane.

The DEPUTY SPEAKER: Order!

An HON MEMBER: Sit down!

The DEPUTY SPEAKER: Members, before we carry on... [Interjections.]

†Mnr Q R DYANTYI: Mooi, mooi-mooi!

[Mr Q R DYANTYI: Good, good-good!]

The DEPUTY SPEAKER: Order! Before we proceed I just need to point out what Rule 143 says about this debate. The intention is that the topic should be non-political. It is non-political in a sense but I understand that there could be some instances where politics must come in.

Mr Q R DYANTYI: Sure, sure.

The DEPUTY SPEAKER: But I want to appeal to members who must speak from now onwards to keep in mind the fact that this is not a political debate. This is a general debate on the topic of Africa and corruption. I have allowed the first speaker a little bit more latitude. He came back to the topic in the end but he has transgressed in the first part of his speech when he went to Israel and Gaza who was not part of the topic here.

I see the next speaker, the hon Denis Joseph.

An HON MEMBER: Hear-hear!

Mr D JOSEPH: Thank you, Mr Deputy Speaker. Africa Day is an opportunity to celebrate... [Interjection.]

An HON MEMBER: Nice shirt!

Mr D JOSEPH: ...calling ourselves sons and daughters of Africa. After many years of liberation struggle on the African soil against colonial rule by many foreign governments the independence started to become a reality when Ghana gained independence 6 March 1957. This experience of Africa's first free country served as an inspiration to other countries. Ghana then convened the first Conference of Independent African States in 1958, a forerunner for the OAU Organisation of African Unity. Ghana is now one of the fastest growing economies in Africa with Ethiopia, Cambodia, Senegal and Tanzania following.

Out of the liberation movements many leaders arose to the international stage showing the rest of the world that Africa is a force to be reckoned with.

Mr Deputy Speaker, it is unfortunate to note that the colonial governments used the divide and rule tactics... [Interjection.]

An HON MEMBER: Corrupt colonialism.

Mr R T OLIVIER: Political.

Mr D JOSEPH: ...leading to cultural wars, tribal wars, race wars from which we are still suffering today. The history of traditional leaders, the Khoisan and the Griquas and many Khoisan groupings were totally destroyed. [Interjections.]

Africa must rise and the democratically elected leaders must rise up against leaders in Africa who cling to power, using military force against their opponents, killing innocent citizens. Africa must rise against the leaders who do not protect women and children against abuse.

South Africa was not excluded in the struggle for liberation on the continent and the ANC as a liberation movement with many civil society organisations made significant sacrifices for our freedom.

As public representatives we must rise against leaders who are corrupt and

those who work for self-interest. With the same commitment that we showed against apartheid - and apartheid was a crime against humanity - and with the same commitment civil society must take a stand against those who become an obstruction in building a democratic state, a capable state and a country where all South Africans and our visitors can live in peace.

Our first elected democratic President Nelson Mandela said in his inauguration speech: “Never, never and never again shall it be that this beautiful land will again experience the oppression of one by another and suffer the indignity of being the skunk of the world.”

President Mandela was leading South Africa out of the valley of darkness. We must therefore act as united people for our nation in reconciliation, for nation-building and the birth of a new world.

Mr Deputy Speaker, South Africa belongs to all who live in it, meaning that all our minerals, all our resources, all our wealth, all our skills, all our challenges belongs to all who live in it. The injustice of the past belongs to all of us. The inequalities that we still experience today belong to all of us. The equal opportunities that we all strive for belong to all of us. The better life for all belong to all of us and the responsibility that is placed on our shoulders when we took oath belongs to all of us.

Our challenges of our young democracy is blessed in this continent. Africa is blessed with its natural beauty from the Kilimanjaro to Table Mountain, from

the Red Sea to the most southern point in Africa where the two oceans meet; from the Sahara Desert to the beautiful Victoria Falls, Africa is blessed from the Nile to the Orange and the Vaal River.

Our vision for Africa or our attitude to our fellow Africans, our passion and compassion and our pride for Africa will define the future of our continent in particular our beloved country.

Mr Deputy Speaker, our first female chartered accountant, Nonkululeko Gobodo said: “Progress is only obtainable when a country has a vision.” She further said “we must not make the same mistakes.”

South Africa is a constitutional democracy. Our country decided we shall have elections for a democratic government every five years. This is for a good government model and it stems from elected leaders who are bold and promote a democratic government with an administration committed to serve the people.

We have our challenges in growing the economy, creating jobs, reduction of poverty, land restitution, land reform, but we remain united in our diversity. We remain committed to our Constitution. That is the supreme law of our country. We remain committed to heal the divisions of the past, improve the quality of life for all citizens and ensure every person is equal before the law.

In closing, Mr Deputy Speaker, to confirm how blessed Africa is. I draw the attention of this House to the song: “Plea for Africa” written by John Knox Bokwe. This song inspires us to give a thought to Africa where there are weary hearts waiting to be won. When lips are moved by grace they so surely sing the praise for Africa. The song, our own anthem Nkosi Sikelel’ a hymn written by Enoch Sontonga in 1897, meaning God bless Africa, *God Seën Afrika!*

If we pay attention to the anthem our Africa will remain blessed. Our leaders will be guided and we will live in peace and harmony. I thank you.  
[Applause.]

The DEPUTY SPEAKER: Hon member Dijana.

Ms T M DIJANA: Thank you, Mr Deputy Speaker. Africa Day is annually celebrated on May 25 throughout the world to commemorate the founding of the Organisation of African Unity, OAU, now African Union, in 1963. Today the continental organisation celebrates 55 years of determined efforts for unity among the African people and socio-economic freedom from foreign dominion and exploitation.

The African Union has made a strong point and an important commitment by announcing the 2018 theme, “Winning the fight against Corruption.” It is an approach to ensure a sustainable path to Africa’s transformation.



As the ANC we would like to congratulate the African Union for dedicating the theme of the year to the noble cause of fighting corruption on our continent. We also welcome the strong ambition in Africa's Agenda 2063 and its vision for Africa's advancement. Under Agenda 2063 Africa under Aspiration 3 recognises that corruption erodes the development of a universal culture of good governance, democratic values, gender equality, respect for human rights, justice and the rule of law.

The United Nation 2030 Agenda for Sustainable Development under Goal 16 calls on all countries to promote and develop accountable and inclusive institutions at all levels notably by reducing bribery and corruption.

In building strong national and regional institutions the empowerment of our anti-corruption agencies, and insulating them from political influence, is most important in order to win the fight against corruption.

Indeed corruption is one of the greatest evils of our time. Corruption rewards those who do not play by the rules and also creates a system of distortion and diversion, thereby destroying all efforts at constructive, just and fair governance.

As the ANC we would like to welcome the initiative of putting in place legal and policy frameworks by the African Union Convention on Prevention and Combating Corruption hoping it will be implemented as soon as possible to desired successes in tackling corruption. It is evident that corruption has a

devastating impact on marginalised communities especially women, youth and children. We need to work together to defeat corruption in the whole continent.

Mr Deputy Speaker, although Africa Day calls for unity and solidarity, as the ANC we have noticed on several occasions that the Premier of the Western Cape Province does not display a sense of unity and cooperation. If we are serious about Africa Day we must demonstrate our willingness to work together here in the Western Cape putting petty-politics aside and working in the interest of our people. [Interjection.]

Ms B A SCHÄFER: What are you doing now?

Ms T M DIJANA: We must continue to respect and tolerate different cultures, races, genders and languages. It is in true appreciation of such differences that we learn to love each other, thus becoming a united democratic non-sexist and non-racial province.

On this day, wherever we may be, we should be proud of our identity as Africans and do nothing that brings shame and humiliation on ourselves both as a province and as Africans. Through this day we must raise awareness and consciousness around the world and as Africans. I would like to salute our African brothers and sisters across the world who are doing amazing things to promote Africa and all that it represents. As South Africans there are some things we must never forget. We must never forget that our struggle for

liberation has always been both national and Pan-African, for this reason. When the African National Congress was established 106 years ago it included people from the rest of our region, stretching as far north as Zambia. We must never forget that many people from other African countries helped to build our liberation movement, while many in our region died because of apartheid aggression and they supported us in the struggle to defeat apartheid.

Africa Day involves the legacy of freedom, a legacy that must be protected, cherished and passed on to future generations. Let me end by concluding that on this day, Africa Day, let us rededicate ourselves to building a strong and prosperous Africa. I wish everyone a happy and peaceful Africa Day. I thank you. [Applause.]

An HON MEMBER: Amandla!

The DEPUTY SPEAKER: Thank you hon member Dijana. I now see the hon Lorraine Botha. [Interjections.]

Ms L J BOTHA: Mr Deputy Speaker, seeing that we are on the eve of another Africa Day commemoration, I have to say that today's topic is quite profound especially if we are to transform our continent. The question is however, are we doing enough to realise this transformation that we seek. For me the unfortunate answer is no, we are not, we are not doing nearly enough to seek transformation on this continent.

It is no, because this continent has forgotten us as women and in most cases it is still men with their patriarchy that is not allowing a lot of African women to take up their rightful place as they wish to continue dominating in both the private and public sector... [Interjection.]

Mr Q R DYANTYI: That is so true [Inaudible.]

Ms L J BOTHA: In other words, men to this day still want to dictate to women... [Interjection.]

†Mnr Q R DYANTYI: Dis so waar.

[Mr Q R DYANTYI: That is so true.]

The DEPUTY SPEAKER: Yes, hon member, just one second. Hon member Dyantyi, please allow the member. It is a peaceful debate up to now and please keep it that way. Hon member you may continue.

Ms L J BOTHA: In other words men to this day still want to dictate to women how, what, when, where and why it ought to be the way it is. The title of today's debate is Winning the Fight against Corruption - a Sustainable Path to Africa's Transformation.

Now if you did not know how corruption affects our women, let me tell you. On January 30 2018 Lorna Andisi wrote an article for the website [girlsglobe.org](http://girlsglobe.org) with the headline: "For Gender Equality - Focus on

Corruption.”

This article was written on the back of a series of consultative events that the African Union hosted between 21 and 29 January 2018. The headline of this article is profound, as corruption is one of the biggest reasons why we are struggling to achieve gender equality on our continent. Andisi writes: “Sadly, women often carry the burden and impact of corruption to a greater extent than men do.”

This is so because funds that ought to be allocated to an improving health infrastructure, to improving access to social services, creating environments where economic opportunities are established, are illegally being elicited. In fact former President Thabo Mbeki in 2015 wrote a report where he says that illicit flows from Africa could be as much as \$50 billion US dollars per annum.

To quote Andisi further: “Corruption is not only manifested through monetary ways but also through unscrupulous behaviour that can infringe on women’s rights, for example, sexual exploitation such as sex for marks in academia or sex for jobs or promotions witnessed in places of work. Other examples include early negotiated marriages; gender based violence; delayed or denied justice, among others.

Mr Q R DYANTYI: That is so true.

Ms L J BOTHA: The rights of women are being trampled on. We are seen as only good enough to satisfy the man's every need. How can we talk about transformation then, Mr Deputy Speaker?

We can only achieve a transformed Africa if women are seen as equal to men. If the rights of women are not trampled on, if women are also acknowledged like their male counterparts, if access to health and social services as well as employment and other opportunities is not a daily struggle for women. In July 2003 the Assembly of the African Union adopted the Maputo Protocol as eluded to by the Speaker, its official title is "Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa". By 2007 43 of the 53 member states signed this document, thus binding them to ensure that women's rights are protected.

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women, Article 2 (1) (B) provides that State parties must enact and effectively implement appropriate legislative or regulatory measures including those prohibiting and curbing all forms of discrimination, particularly those harmful practices which endanger the health and general wellbeing of women. It also contains important provisions on reproductive rights, marriage, divorce, and inheritance rights, amongst others.

The question then remains Mr Deputy Speaker, why are women still being discriminated against? Why are we not seeing equality for women on this continent? A 2016-article by Marieke Shukla states that according to

Transparency International and the World Bank women's involvement in government is correlated with lower levels of corruption. Where you have a woman you see change, and I want to quote from just a few days ago the recent clean audit report for this province, a case in point.

In closing I would like to say that we as the Western Cape have an opportunity to showcase the strides that we have made in the provision of health and social services as well as employment and other opportunities and how we strive to ensure that women's rights are protected. This is extremely important seeing that South Africa as a member of the international community also signed this protocol.

Transformation means a complete shift, change, a move from one to the other and therefore every country on this continent need to ask itself why we are not making the progress that we want to see. I thank you, Mr Deputy Speaker.  
[Applause.]

†Die MINISTER VAN MAATSKAPLIKE ONTWIKKELING: Mooi!

[The MINISTER OF SOCIAL DEVELOPMENT: Good!

The DEPUTY SPEAKER: Thank you. The hon Sharon Davids.

Ms S W DAVIDS: Thank you Mr Deputy Speaker. On this acceptance speech the first President of the OAU, Haile Selassie, said: "May this convention of union last 1000 years."

Today we are still at 55 years. I am confident that with the renewed sense of potential on the African continent the Union will grow and last for more than a 1000 years. We come from afar. The underdevelopment of Africa was as a result of the Berlin Conference sometime in 1884; the Conference was the formalisation of the scramble for Africa. All the different countries in Europe decided they want a piece of Africa. Some take the northern part, the eastern part, the western part and so on and they also make the boundaries in Africa, “no, you take the Nile River, I take this part of Africa.”

For 20-plus years various European powers excluded, divided, conquered and began to exploit virtually the entire African continent. It was a protected period of European power houses stealing and taking away the resources and land of the African continent. Resources that were meant for Africa’s development.

What began in the Berlin Conference is still happening today. We can at least agree that this was one of the first cases of corruption in Africa and that this was brought by Europeans. The relationship between underdevelopment and resource scarcity not only threatens the wellbeing but also impacts on the economic landscape. This is one of the reasons why the OAU was formed to fight against such incidents and allow Africa to chart their own destiny. This was well captured in Haile Selassie’s speech when he says:

“We seek at this meeting to determine where we are and go and to chart the course of our own destiny. It is no less important that we know where we are



coming from and where we are going. An awareness of our past is essential to the establishment of our personality and our identity as Africans.”

When we look at Africa’s underdevelopment and continued exploitation, the outbreak of diseases and poverty levels, we have to agree that it is not yet Uhuru. Such challenges also affect farm workers and black people in the Western Cape. Just yesterday we read in the media of how DA municipalities collaborated with farmers to evict over 20 000 farmer-workers. It is not correct and we cannot celebrate Africa Day when Africans are still subjected to slavery.

Urban evictions in the Western Cape are the highest in the country. Last year it was Bromwell Street families. This year it is poor people in Naruna Estate. The DA does not want poor people living near the CBD. Their places are in Pelican Park where gangsterism is rife and where people do not have recreational facilities and schools for their children to learn and develop. When you look at such cases you can clearly see through the DA’s plan of further underdevelopment of African children. These are things we have to look at when we discuss Africa Day.

Turning onto corruption now, Mr Deputy Speaker, you made it very clear that this discussion is going about corruption and when the DA speak, they only speak, “Ja, the ANC is corrupt, you steal everything”, but Mr Deputy Speaker, I want to bring it close to home to the DA today. Before we highlight what the ANC is doing to fight corruption because our speakers

have said what the ANC... [Interjection.]

The DEPUTY SPEAKER: Order! Order! Order member, order. I gave some guidance in the beginning. This is not a party political debate so I want you to skip that part and get to the African corruption.

Ms S W DAVIDS: I am going there, Mr Deputy Speaker.

The DEPUTY SPEAKER: Very quickly!

Ms S W DAVIDS: Yes. Now it is time for the DA to tell us how did Gary Fisher, the adviser and ex-Public Works head in the province, end up in the prime position to benefit from the R190 million sale of the Tafelberg School land in Sea Point?

Ms M N GILLION: It is corrupt.

Ms S W DAVIDS: The DA must also tell us how it ended up doing business with a devious company like Filcon ... [Interjection.]

The DEPUTY SPEAKER: Order member, order, member, that is now enough of that topic. I want you to carry on, on the African Day [Interjection.]

An HON MEMBER: Africa Day.

The DEPUTY SPEAKER: ...on the Africa Day [Interjection.]

Ms S W DAVIDS: No, I am there Chief Whip, the corruption.

The DEPUTY SPEAKER: Otherwise you must complete your speech.

Ms S W DAVIDS: Chief, sorry Mr Deputy Speaker. Mr Deputy Speaker, the Speaker said... [Interjection.]

The DEPUTY SPEAKER: Order! Order! Order!

Ms S W DAVIDS: Yes, can I [Interjection.]

The DEPUTY SPEAKER: The topic of the debate is Africa Day and corruption.

Ms S W DAVIDS: Yes.

The DEPUTY SPEAKER: I grant that.

Ms S W DAVIDS: This is Africa!

The DEPUTY SPEAKER: But it is also a non-political debate.

Ms S W DAVIDS: Yes.

The DEPUTY SPEAKER: So on the basis of being a non-political debate I want you to leave that topic.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. I just want to bring you back to what the Speaker said in her speech.

The DEPUTY SPEAKER: Fine, that is fine.

Ms S W DAVIDS: Yes. The Speaker said that this Africa day is about corruption, it is good governance, gender equality, rule of law, Africa transformation.

An HON MEMBER: Yes.

Ms S W DAVIDS: Then she said that corruption is happening in Africa, the Western Cape is part of Africa.

An HON MEMBER: Exactly! [Interjections.]

Ms S W DAVIDS: We are part of South Africa so we are part of Africa and this is corruption, Chief Whip, Mr Deputy Speaker, that I am bringing forth here and then I want to go on with Africa, you know, we went on a visit...  
[Interjection.]

The DEPUTY SPEAKER: Order! Order! Order! Allow the member the time to

finish off her speech. Her time has almost expired.

Ms S W DAVIDS: Angry! They just see the ANC as corrupt but they are more corrupt and they are sweeping it under the carpet. They are putting it under the carpet. [Interjections.]

The DEPUTY SPEAKER: Order! [Interjections.]

Ms S W DAVIDS: When it comes to gender, Mr Deputy Speaker, yes, the African Union is very strong on gender and I want to bring it to the Speaker, I want to say thank you to the Speaker for this discussion, but we are really now - can you protect me please? [Interjection.]

The DEPUTY SPEAKER: Order! Order! Order! Hon member Mitchell and the back bench behind the hon member Davids, please, hon member Makeleni, allow your member to continue. Hon member Davids, you may continue.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. I want to say to the Speaker, if the Speaker can just bring the gender equality to home here where we are because every time when there are issues you can see in the DA, when they do deployment they do not do gender equality.

I want the Speaker to stand up in the DA caucus and say from now on we are going to do gender equality. I thank you. [Applause.]

The DEPUTY SPEAKER: Order! I see the hon Minister of Health, Minister Mbombo. [Interjections.]

An HON MEMBER: You need a workshop.

The DEPUTY SPEAKER: Order!

The MINISTER OF HEALTH: Hon Premier, members of the House ... [Interjection.]

The DEPUTY SPEAKER: Minister, just one second. Before the Minister starts I want the House to come to order please. You may now start Minister.

The MINISTER OF HEALTH: The members of the House, †middag. [good afternoon], †Jambo [greetings] in Western Africa, †masikati [good afternoon] in Shona, †mwaswera [greetings] in Malawi and †As-Salaam-Alaikum [peace be unto you], in this period of Ramadan to the Muslim community on the commemoration of Africa Day.

Mr Deputy Speaker, thanks from the Madam Speaker for initiating this debate. Africa Day is about celebrating unity in diversity in Africa and the focus of my debate today is to pick a leaf on lessons to learn from the work of the African Union as the other speakers have alluded to in terms of the genesis of it.

Mr Deputy Speaker, time permitting I would have wanted to go back to a time when the AU since inception in 1963 elected a woman for the first time in 2012 as its Chairperson, u Doctor Nkosazana Dlamini Zuma, a South African; noting that South Africa only became a member of the AU in 1994 following the end of apartheid. You may recall that the continent pronounced then at the time that Africa is not ready for a woman to take that position. So we came too far to be fighting a patriarchal system in order to recognise women as leaders in their own right on a continent where women make up the majority of the labour force.

I would have wanted also to go back to the time when Dr Dlamini Zuma spearheaded and launched Agenda 2063 which is a long term vision for African development projecting where Africa should be in 50 years, but due to time limits I cannot, but allow me to zoom in on the AU 2015 annual theme.

I quote: “Year of Women’s Empowerment towards Africa’s Agenda 2063”. I want to remind the House that women’s rights as an AU theme was launched actually twice in succession of each summit and furthermore the AU prioritise public health by launching the Africa Centre for Disease Control and Prevention, a public health agency to respond to public health emergencies on the continent. All these, Deputy Speaker, reflect a dedication by Africa to her women and public health.

Women’s issues unite Africa. Women’s issues divide Africa. They are so

important on paper and yet get laid and left behind when it comes to implementation of interventions to emancipate women. We are a continent with a high gender base violence. Rape, female genital mutilation, death from avoidable illegal abortions and the increasing rate of HIV/Aids infections. We are a continent that is a hub for human trafficking of their children for the underworld. They promote child marriages where our girls are sold mostly to older men in the name of marriage. Africa is a continent where widows are left eating crumbs whilst the men as head of households get the inheritance that is meant for the family in the name of cultural and traditional issues.

Africa is a continent where the LGBTIQ plus community get killed for choosing different family and sexual orientation. This is the continent where more than 200 girls were abducted from the school in broad daylight; were made slaves by community leaders and men who are as old as their fathers. Africa, a continent that kills their own children for muti because of lack of melanin in their skin and albinism. It is in my continent where political leaders often become permanent country leaders and fight to remain in power for life so they can continue to steal and enrich themselves with a state monument for the poor. South Africa is not exempted from the state corruption. The inequality gap is getting wider and the face of poverty is a black African woman.

On the commemoration of Africa Day I want to remind this House that Africa does have the tools, wealth and means to curb the abovementioned. We



produce over 60% of the world's cacao. We have mineral resources and natural resources among others. All we lack is a political will and also our flaw is about corruption.

Mr Deputy Speaker, let me qualify this with examples. We firstly refer to health and women rights of the vulnerable population. We do have policies and human rights instruments, yet these do not translate into effective better outcomes for women.

Number one, the African Charter on Women and People's Rights which was adopted in 1986 resulted into Africa Human Rights Day on the 21<sup>st</sup> of October and as we know that when it comes to human rights approach it aims to protect individuals from abuse of state power plus obligating the state to provide the conditions necessary for prosperity and wellbeing. The African Charter compels Africa member states to take the necessary measures to protect the health of their countries ensuring that people receive medical attention.

Mr Deputy Speaker, the question is to what extent are we responding to that call and the second thing is that within the AU we have a special rapporteur on rights of women which was established in 1998 also using strong tools in the name of legal instruments. Marking the celebration of International Women's Day in March 2018 under the theme "Press for Progress", the special rapporteur commended itself for the tremendous progress that has been made and mentioning a long list of policies but yet little progress has

been made in the emancipation of women.

Hon members, the year 2018 is the end of African Women's Decade. The continent will sign again another piece of paper to declare their undying commitment to emancipate women for the next 10 or 20 years from 2019.

Commitment doesn't translate to compliancy, nor to political commitment. We need women empowerment programmes now. Research shows that the majority of poor women on the continent assign a high value to motherhood and reproduction, irrespective of socio-economic circumstances and conditions.

Access to economy and reducing the gap of economic inclusion of women by the state are among interventions required for women to make informed decisions about their own lives.

Mr Deputy Speaker, zooming to health services. Africa's Human Rights instruments - the same as the SADC Protocol - are clear on access to quality services and the right to health. Just to explain what we mean by the right to health: it is not to be understood as a right to be healthy. The right to health contains both freedoms and entitlements.

However, if we look at the healthcare in Africa it is disadvantaged compared to the rest of the globe. Sub-Saharan Africa has over 25% of the world's burden of disease but only has 3% of the world's healthcare professionals and

one of the contributory causes is a brain drain through the catastrophic world trade agreements signed by our own state leaders and to overcome the burden of disease Africa is known for its innovative ways of delivering health services through patient empowerment, by training patients and communities to be carers to sustain the ailing health system.

Community activism, patient education and social marketing are some examples of strengthening the health system in some parts of Africa. African Innovation seeks to harness community resources. It is about doing more with less, because there is nothing more left.

The last one of the two that I want to brag about is the South African Constitution, which is regarded as the most progressive one in the world. We must celebrate this flagship for Africa. As a member of the Executive that presides over health in this province, I am most intrigued by Section 27 of our Constitution, which provides the right of access to health services. The Constitution gives us, the Government, an obligation to respect, protect and fulfil the rights of citizens to access quality health care.

And lastly, Mr Deputy Speaker, the continent, whilst I am still boasting, prides itself on Ubuntu values, which purports unity, communitarianism and a whole of society approach to help one another on the virtue that we are human beings. Ubuntu is explained through proverbs such as ‘a thumb working on its own is useless.’ It has to work collectively with other fingers to get strength and to be able to achieve anything.

So, Mr Deputy Speaker, to what extent do we espouse these values, specifically on how we treat our own vulnerable population. If indeed we purport the continent as a place of Ubuntu where people are united and show respect and compassion for each other, here in this Legislature we should be able to mirror such value. Are we? If indeed Ubuntu matters, we should have a corrupt-free state, a state that does not steal from the poor. We should provide public services that show respect and dignity as is required in the African culture.

Lastly, in conclusion, Africa Day commemoration should be a stark reminder that the Constitution, the African Human Rights Charter, the treaties, the legal instruments, are living documents which seek to hold us, duty bearers and Government, to account to the people. On a day like this it warrants renewal of our commitment to the hard fought freedom, and to stay true to unity and diversity. To the public out there, you have the tools to hold us politicians and governments to account. Fire us when we lack the political will to commit and comply.

Nothing about you without you. †Asante sane. [Thank you very much.]  
[Applause.]

The DEPUTY SPEAKER: Thank you, Minister Mbombo. Now it is Speaker Fernandez to reply.

The SPEAKER: Mr Deputy Speaker, I would like to take the opportunity to

thank all members for their contribution and participation in today's Africa Day debate.

There are many possibilities in Africa and the continent has a bright future, but we still have a far way to go to achieve the economic and social harmony for which we strive. There is no shortage of economic growth in Africa.

Six of the world's ten fastest growing economies of the past decade are in sub-Saharan Africa.

Mr Q R DYANTYI: Very true.

The SPEAKER: Across Africa ... [Interjections.]

Mr Q R DYANTYI: You have done your research.

The SPEAKER: ... corruption, though, is an entrenched conduct, particularly by public sector officials, in which they improperly and unlawfully enrich themselves or those close to them by misuse of public power entrusted to them. Of course private sector corruption is also a problem which needs to be stamped out in an equally aggressive manner. [Interjections.]

As the world remembers the passing of global icon, Nelson Mandela, whose 100<sup>th</sup> birthday we will be celebrating this year, the fact that he was a man of

principle is a clear element of his success as a leader and overall greatness. He understood the vital importance of the constitutional principles of accountability and the rule of law. He not only said as much, but he also demonstrated the courage of his convictions by submitting himself before the courts when summoned to defend his decisions to set up a commission to investigate alleged racism, corruption and nepotism in South African rugby.

Ironically it was on this day, 24 May 1994, that Tata Nelson Mandela gave his first address to Parliament as the President of South Africa. It is therefore saddening to see how far some have strayed from the example set by this great man.

Public funds are being diverted away from the public good towards private interest. In South Africa alone we are currently ranked at number 72 out of 175 countries and heading downwards, but this we can change. South Africa also has dedicated policies, standards and legislation specifically designed to enable the state to tackle corruption through both criminal and civil action. We also have a sound Constitution.

I am hopeful and believe that South Africa is better placed than many other African countries to tackle this problem. There are 13 public sector agencies that have a particular legal or policy role to play. Moreover, a number of national mechanisms, such as the National Anti-Corruption Task Team, have been established to coordinate the functions of these agencies.

African Union members have also ratified the AU's convention on preventing and combatting corruption. South Africa is playing an important leadership role in the African Union because of the rights and freedoms it has. South Africa has been very active in many conflicts on the continent and is always looking for a peaceful solution.

However, if we want to break the back of corruption it does require political will. I therefore believe though, Mr Deputy Speaker, that together we can win the fight against corruption moving Africa forward. I thank you. [Applause.]

[Debate concluded.]

The DEPUTY SPEAKER: Thank you. That brings us to the end of this debate, which I think we can all agree had well researched speakers and speeches on all sides. Thank you for that.

We move on to the Interpellations on the Question Paper. The first interpellation is in the name of the hon Minister Grant of Transport, Mr Grant.

#### **INTERPELLATIONS:**

##### *Metrorail's poor service: negative impact of*

#### **1. Mr N E Hinana asked the Minister of Transport and Public Works:**

What is the negative impact of Metrorail's poor service delivery under Prasa on the province?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, thank to you hon member Hinana for raising the important issue of the negative ... [Interjections.]

Mr Q R DYANTYI: Where is he?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... impact ... [Interjections.]

Mr Q R DYANTYI: Just tell us where is he?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... on this province of poor delivery ... [Interjections.]

Mr Q R DYANTYI: He is banned by the DA.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... of the commuter rail service. While it is my intention to couch my response in broad economic and not political terms, I must, up front, state that the legal succession to the South African Transport Services Act, clearly vests ownership of Prasa in the National Government.



Prasa operates under a board appointed by the National Minister of Transport. In recent times the entity has been dissected by accusations of corruption and has received significant attention from the Public Protector. The failure to fill senior management posts on a permanent basis has added considerably to its shortcomings.

An HON MEMBER: Ja.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: The commuter rail network in the Western Cape consists of 610 kilometres of Prasa track, operated by Metrorail, with services to Worcester and Malmesbury operated on a concession basis on the Transnet lines.

All services tend towards Central Cape Town with the following service groups offered:

- The Bellville line east/west, including Bellville, Wellington, Stellenbosch and Strand.
- The Metro south/east or Bonteheuwel line south/east to Mitchells Plain, Khayelitsha and Chris Hani.
- The Cape Flats line north/south to Retreat via the Cape Flats.
- Simon's Town line north/south to Retreat and Simon's Town.
- And then finally Worcester and Malmesbury services daily north and north-eastern services.

In addition the commuter network includes 116 stations.

In recent years, or should I say decades, the challenges of under-capitalisation, poor security, vandalism and an inability to collect fares efficiently, have taken their toll. As a result of increasingly erratic and unsafe service, real passenger volumes have decreased dramatically since 2000 from a high of approximately 675,000 daily commuters.

The potential numbers and the extent of the network confirms that the rail service is an important mode of transport for the region. Properly functioning, the service provides a critical lifeline for the poor, providing affordable access to opportunities and services to those living in far-flung residential areas, and helping to bridge existing spatial divides.

Generally rail is the most efficient and cost effective means of transporting large volumes of people or goods over a range of distances.

Mr Q R DYANTYI: Ja, but we know that. [Inaudible.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: This is particularly so when operating along corridors with concentrated origin and destination points, such as the high volume commuter [Interjection.] trunk routes we have in Cape Town. Rail derives its strength from its ability to transport large volumes with low marginal cost as most of the costs associated with rail are fixed.

In addition, to lower costs for high volumes, another key characteristic of rail is that it offers significant socio-economical and environmental benefits over road-based transport alternatives, including the potential to support highly efficient urban forms ... [Interjections.]

Mr Q R DYANTYI: The Deputy Speaker is looking at you, just look at him.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... and transit orientated development.

The DEPUTY SPEAKER: Hon member Dyantyi ... [Interjections.]

Mr Q R DYANTYI: Your time is up, it is too [Inaudible.].

The DEPUTY SPEAKER: Hon member Dyantyi, order! Do not pre-empt me. Minister Grant, your first opportunity has expired. I will give you some injury time at the end again.

Mr Q R DYANTYI: You will answer [Inaudible.].

The DEPUTY SPEAKER: Hon member Dugmore. Before you start, you have got two slots running consecutively, so you will get three minutes instead of two ... [Interjection.]

Mr Q R DYANTYI: We will tell you [Inaudible.].

The DEPUTY SPEAKER: ... because of the absence of hon member Hinana.

Mr C M DUGMORE: Sorry, Mr Deputy Speaker, can I just get clarity. So I can speak for two and then one, but I must speak together now ...  
[Interjections.]

The DEPUTY SPEAKER: Yes.

Mr C M DUGMORE: ... for three minutes?

The DEPUTY SPEAKER: Yes. There will not be – unless we allow the Minister to ... [Interjections.]

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. I think it is common cause where Metrorail is located that there have been serious issues with Prasa. But, what we thought the MEC was going to come here today ...  
[Interjections.]

Mr Q R DYANTYI: Exactly.

Mr C M DUGMORE: ... was to tell us more. He announced with much fun fare, fanfare at least, that he ... [Interjection.]

Mr Q R DYANTYI: It is actually fun fare. You are right, fun fare.

Mr C M DUGMORE: ... has established a task team, but I want to be serious, I mean this should be welcomed. I am not undermining the fact that even though the MEC does not have the direct powers and we know that, that he initiated a task team. We have asked previously when has the task team met? What are the terms of reference? How are they linking up with National? But our Standing Committee has not received that information.

So I think it is very important that we move from a perspective of a broken Prasa. Prasa is broken.

Mr Q R DYANTYI: Mmm.

Mr C M DUGMORE: We must accept that and we do accept it, and no one should come to this House and try and explain or justify that brokenness, but all of us ... [Interjections.]

Mr M G E WILEY: So what is the ANC doing about it?

Mr C M DUGMORE: All of us, according to our code of conduct ... [Interjections.]

So I would like to ask - we know that the MEC has got a close relationship with the City, with Brett Herron, I am really not sure whether they are in the same caucus or not, but that is not important. The issue is that the Metro Police ... [Interjections.] ... about – no-no, no-no.

An HON MEMBER: There is [Inaudible.] caucus.

An HON MEMBER: Not the same caucus.

Mr C M DUGMORE: The point is that the Metro Police really, and that is what we would expect from MEC Grant and Brett Herron, to put those internal caucus differences aside ... [Interjections.]

An HON MEMBER: No-no-no.

Mr C M DUGMORE: ... and to actually bring in the Metro Police to work with the South African Police. The cable theft is a huge issue.

Secondly we must put on record that the devolution of powers to the regional management of Metrorail really must be facilitated. You cannot have regional managers trying to run Metrorail in Johannesburg or in PE or here, having to write five letters to Prasa ... [Interjections.]

Mr Q R DYANTYI: We are going to fix that.

Mr C M DUGMORE: ... to get permission to procure something. That is simply wrong, it is unacceptable and definitely from our side as the ANC we want to push for that and we want to support our National Minister and MEC Grant ... [Interjections.]

Mr M G E WILEY: What has the ANC done about it?

Mr C M DUGMORE: ... in trying to achieve that.

The MEC has talked about ... [Interjections.]

Mr Q R DYANTYI: We are telling you now what we are doing.

Mr C M DUGMORE: ... Mr Deputy Speaker, 610 kilometres of rail. We had an example where we could actually, and this is the proposal of the ANC, look at the expanded Public Works Programme. Obviously the province has got certain numbers of EPWP opportunities, the national as well as CBO's.

If we mobilise communities, community members, military veterans and others, and actually gave them responsibility for certain sections of the line so that those communities ... [Interjections.]

An HON MEMBER: To do what?

Mr C M DUGMORE: ... would physically patrol and protect. We are convinced of that kind of mass ownership of the rail, because it is people's children, it is workers, it is many people, middle-class members of our society, all of us, over 300,000 people are effectively using this rail.

So can we not, MEC, consider sitting down together and looking at the

possibility of an expanded Public Works Programme involving communities. You mentioned 116 stations. Could some EPWP people, Metro Police and others not actually have a physical – because people are scared, people are fearful about their safety, people are obviously worried about trains that do not arrive.

I think this, like education, is one of those issues where despite all the drama and the implosion going on in the City, not to make light of that, because when you are have an implosion it does impact on governance, and I want to appeal to the DA, can you please try and sort out those internal ... [Interjections.]

Mr Q R DYANTYI: Your own mess.

Mr C M DUGMORE: ... divisions because those are actually impacting on the ability to sort out the problem. [Interjections.]

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

Mr Q R DYANTYI: It is your own mess. [Interjections.]

The DEPUTY SPEAKER: Minister Grant to respond.

Ms P MAKELENI: There is too much noise on that side.



Mr Q R DYANTYI: Clean up your mess.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, I am endeavouring to answer the question, what is the negative impact of ... [Interjections.]

Mr Q R DYANTYI: Ja, but you are not answering him.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... Metrorail's poor service delivery?

Therefore – and that does not mean to say that I have got nothing to say about that there is hope for the future, because I have, but not, with greatest respect, in two minutes.

Mr Q R DYANTYI: Well, then you do not have [Inaudible.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Let me just conclude. And for the reasons listed above, if the rail service offered is of a poor standard, the negative impacts are equally wide-ranging.

I want to thank the hon member Dugmore for his contribution ... [Interjections.]

Mr Q R DYANTYI: In the absence of Hinana.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... and I have made notes of it. There is no dissention between us and the City, and there is no dissention between us and the new National Minister or his predecessor. There is none.

Mr Q R DYANTYI: [Inaudible.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: So the bottom-line is – in fact it is very ironic, hon member Dyantyi ... [Interjections.]

Mr Q R DYANTYI: Ja.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... that the new National Minister, last Tuesday afternoon, after the Public Works debate, came up to me personally in the National Assembly and asked would I partner with him to fix Prasa in the Western Cape. [Interjections.] And I said with the greatest of pleasure we will do it. [Interjection.] So that debunks all the chattering ... [Interjection.]

Mr Q R DYANTYI: Does he know who you are?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Yes, he knows me well from Education days. [Interjections.]

An HON MEMBER: That is why he is the National Minister.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: So ...

[Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: We need to find a resolution in order to minimise the economic impacts, which are:

- The inability of people to reach places of employment on time with the minimum lack of productivity.
- The increased transport costs to commuters if rail is not available, on either busses or taxis, because rail is still the cheapest form of transport.
- Reputational damage to Cape Town in terms of tourism. This is a lovely network if it is used properly and it is safe and reliable.
- The additional strain on the remaining public transport.
- Then there are the environmental impacts. There is increased air and noise pollution due to an increase in vehicular modes, increased use of fossil fuels, more rapid deterioration of the road infrastructure, and obviously what we suffer with every day, increased traffic congestion.
- Then you have got quality of life. Wasted travel times. These have social impacts that affect quality family time, stress levels and incidents of road rage.
- Increase in road traffic could also lead to an increase in the number

of road safety incidents.

Only in recent times are research studies being undertaken to quantify the impact of a poor commuter rail service in the Western Cape. However, the travel pressures of the daily lives of hundreds of thousands of people, the congestion on our roads and the chaos which results from interruptions to any other form of public transport, confirm the extent and depth of this impact.

Tremendous effort has been expended in interactions with Prasa and Metrorail and the previous and current National Ministers of Transport in attempt to encourage the National Government to implement measures that will arrest the ongoing deterioration and lead to an improvement in this critical public service.

Despite these initiatives, the system continues to deteriorate for the reasons I have mentioned, and those are vandalism, economic sabotage, under-capitalisation and poor corporate management of Prasa.

The challenges facing commuter rail remain a considerable concern to my Department, but we will continue to engage with the management structures in Prasa, Metrorail and the City of Cape Town, seeking practical solutions to the current challenges, and will support in every way possible ...  
[Interjections.]

The DEPUTY SPEAKER: Order.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... Prasa's turnaround strategy.

[Debate concluded.]

The DEPUTY SPEAKER: Thank you, Minister Grant, your time has expired now. That disposes of the interpellation. We move on to Questions for Oral Reply. A new question to the Premier from hon member Tyatyam. I see the hon Premier, Question number 1.

#### **QUESTIONS FOR ORAL REPLY**

*New question to the Premier:*

*Provincial Government: retired persons employed*

**1. Mr S G Tyatyam asked the Premier:**

How many persons who have already retired are employed by the Provincial Government?

The PREMIER: Thank you very much, Mr Deputy Speaker. I think I know what the hon member Tyatyam is getting at in his question.

Mr Q R DYANTYI: Just answer it.

The PREMIER: Well, if I answer it I would say none. [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: If I answer it I would say none. But what he is saying is how many persons who have already retired are employed by the Provincial Government?

Now when people are already retired they are not employed by the Provincial Government as far as I know, but I think the question is aimed at how many people who are of retirement age have had their services retained, and that is a fundamental difference. [Interjections.]

An HON MEMBER: Grammar! Grammar!

The PREMIER: It is not grammar. [Interjections.] It is the meaning of words. [Interjections.] Because to be retained is quite different from being re-employed, and that is a very important distinction. But anyway, I have assumed that he means how many people have been retained and I am answering on that basis. [Interjections.]

The DEPUTY SPEAKER: Order. Hon Premier, you may continue.

The PREMIER: The Corporate Services Centre informs me that the number is 897. This includes information sourced from the Departments of Education

and Health.

Of these, 85% are educators and, together, Education and Health make up 97% of this number. [Interjections.]

An HON MEMBER: No follow-up?

The DEPUTY SPEAKER: No further follow-ups? Can I move on? We move – is there a follow-up? Hon member Tyatyam?

Mr S G TYATYAM: Thanks, Mr Deputy Speaker. [Interjections.]

The DEPUTY SPEAKER: Order, order!

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. Thank you, Premier, for the colonialism lecture, because you are taking us back there. That colonialism works better for this and this, that is why other people ... [Interjections.]

The DEPUTY SPEAKER: Order, hon member Tyatyam, I am waiting for the follow-up question.

Mr S G TYATYAM: The question ... [Interjections.] The question, Mr Deputy Speaker, is, why are we retaining retired people or people who are supposed to be retired when we have a large number of unemployed people

who are skilled ... [Interjection.]

An HON MEMBER: Ja.

Mr S G TYATYAM: ... and understand what needs to be done?

Mr M G E WILEY: [Inaudible.]

The DEPUTY SPEAKER: Thank you, Premier.

Mr M G E WILEY: ... will stop the blood flow to your head. [Laughter.]

The PREMIER: Mr Deputy Speaker, the words in the question are very important, because I have taken legal advice and in fact the legal advice ...  
[Interjections.]

Ms S W DAVIDS: Sorry, sorry, Mr Deputy Speaker.

The PREMIER: ... is that the law does not deal with the re-employment ...

The DEPUTY SPEAKER: Hon Premier ...

The PREMIER: ... of retirees, but rather retaining ...

The DEPUTY SPEAKER: Premier, just one second, there is a – hon member



Davids.

Ms S W DAVIDS: Sorry, Premier.

The DEPUTY SPEAKER: Is that a question?

Ms S W DAVIDS: No-no-no, it is a point of order.

The DEPUTY SPEAKER: Hon Premier, just take your seat for a moment.

Ms S W DAVIDS: Not on the Premier, on the Chief Whip. Comrade Siyazi was speaking and then the Chief Whip made a bad remark about blood going to his head and all of that. Is that parliamentary, Mr Deputy Speaker?  
 [Interjections.]

The DEPUTY SPEAKER: I did not hear [Inaudible.].

Ms S W DAVIDS: And then all of them were laughing.

The DEPUTY SPEAKER: I did not hear the remark, can I revert to Hansard and if there is a derogatory remark I will come back the House.  
 [Interjections.] Hon Premier, you may continue.

The PREMIER: Mr Deputy Speaker, the wording of questions is very important, because the law in terms of which this kind of thing happens has

specific wording, and the law refers to retention not re-employment. Re-employment is a completely different concept, but I am sure, and especially from the hon member's follow-up question, he meant retention.

So that is what I am now referring to, but I cannot answer his follow-up question, because in the law and in the regulations, this power to retain the services of people beyond the age of 65 is delegated specifically in each department, where the decisions on the retention of service, those decisions are made at delegated level, so I am not in a position to answer that question.

The DEPUTY SPEAKER: Thank you, Premier. We move on – hon member Tyatyam, another one?

Mr S G TYATYAM: Premier, just to ask, in your Department, in particular, how many people and who and why are they still there in your Department?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: I can answer the first two of those questions, but not the third, because I did not specifically take the decisions, because, as I said, the decisions are delegated. But, anticipating that that might well be a follow-up question, out of the 897 people whose services have been retained throughout the Government, including Health and Education, and as I have said by far the majority are educators, and Education and Health make up 97% of the 897, but of the 897, as I understand it, three people are in the Department of

the Premier and they are someone called Dr Goussard, someone called Ms Davids and Dr Stegmann.

The DEPUTY SPEAKER: Thank you. Can we move on to the next question? Questions standing over from Thursday, 10 May 2018. First one hon member Dugmore to Minister Marais. Minister Marais?

*Questions standing over from Thursday, 10 May 2018, as agreed by the House:*

**1. Mr C M Dugmore asked the Minister of Cultural Affairs and Sport:**

Whether her Department has considered the request by the Glendale High School to establish a world-class athletics track and coaching facility at the school to serve the broader Mitchells Plain community; if not, why not; if so, what are the relevant details?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you, hon member Dugmore, for this question.

Prior to 2016 the Department was approached by the Western Cape Education Department to recommend projects relating to sport facilities at schools, upon which the Department recommended, amongst others, the proposed sports facilities at the Glendale High School.

Thereafter I met with Glendale High School and was accompanied by our Departmental Deputy Director: School Sport, to discuss the proposed project at the Glendale High School.

As our Department does not have the mandate to pronounce on sports facilities at schools, the matter was referred to the Western Cape Education Department. Although the Western Cape Education Department holds the purse for school facilities, we are collaboratively trying to work on a shared facility model so that more than one school benefit from a track or athletics stadium.

Requests of this nature should then be directed to the Education Department as it falls outside of the Department of Cultural Affairs and Sport's mandate and budget which financially supports municipal facilities in the province.

The DEPUTY SPEAKER: Hon member Dugmore.

Mr C M DUGMORE: Thank you very much, Mr Deputy Speaker, and to the MEC for her positive response.

I would like to ask her a follow-up question. Given that the Run For Schools Project, the Dutch Government, the Lotto, who have already contributed R1 million towards this, have all indicated and also approached your office along with myself – given that we have this partnership, would you be able to engage with your colleague, the MEC for Education sitting next to you, and

possibly convene a meeting, including of course the Mitchells Plains Titans Athletics, the Stragglers Athletic Club, who are also supporting us in this initiative. Would you be prepared to speak to the MEC and possibly convene a meeting, including obviously Western Cape Athletics, Western Province Athletics, to actually look at building a true partnership that can serve the community of Mitchells Plain?

The DEPUTY SPEAKER: Minister Marais?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. I have already spoken to my colleague next to me, and I am prepared to convene a meeting and we can have a discussion. Thank you.

The DEPUTY SPEAKER: Hon member Dugmore.

Mr C M DUGMORE: Thanks very much, and would you also be prepared to invite Elana Meyer, who is also one of the people supporting this project, who, as you know, broke the world record in Oslo, and has her own coaching facility at Stellenbosch. Would you also be prepared to invite her to attend?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Definitely, I would also invite her and everyone that can contribute to this, because this is the best for our children. Thank you.

The DEPUTY SPEAKER: Hon member Dugmore.

Mr C M DUGMORE: Thank you, and would you also, with our assistance, be prepared to invite the National Minister of Sport? [Interjections.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: No problem, if she brings [Inaudible.]. [Laughter.] Thank you.

The DEPUTY SPEAKER: Hon member Dugmore, your last opportunity.

Mr C M DUGMORE: Okay. My last question would be: would you then, once this world class athletics track is actually set up, be prepared to have a 400 metre dash between you and the colleague next to you and other members of this House? To actually have a race? [Laughter.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Definitely, and – but then you must also participate. Thank you.

The DEPUTY SPEAKER: We move on to the next question. Question 2 standing over from Thursday. Minister Marais, I am looking again at you. Hon member Mackenzie to Minister Marais, the second question. Minister Marais, you may respond.

*Questions standing over from Thursday, 17 May 2018, as agreed to by the House:*

*Rocklands Civic Centre: monument or statue*

**2. Mr R D Mackenzie asked the Minister of Cultural Affairs and Sport:**

Whether there is a plan for a monument or a statue outside the Rocklands Civic Centre, given the history of Rocklands and the formation of historic organisations there; if not, why not; if so, what are the relevant details?

†Die MINISTER VAN KULTUURSAKE EN SPORT: Dankie, agb lid Mackenzie vir die vraag.

Herdenking van erfenis vorm 'n integrale deel van die bou van 'n inklusiewe nasie, iets wat die Departement van Kultuursake en Sport baie graag wil vermag.

*[Translation of Afrikaans paragraphs follow.]*

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you hon member for the question.

Commemoration of heritage forms an integral part of building an inclusive nation, something the Department of Cultural Affairs and Sport would very much like to achieve.]

Mr C M DUGMORE: The UDF monument is there already.

†Die MINISTER VAN KULTUURSAKE EN SPORT: Die Rocklands-burgersentrum het 'n belangrike historiese betekenis in Suid-Afrika, veral die Wes-Kaap. 'n Vergadering is op hierdie perseel op 20 Augustus 1983 gehou en hierdie vergadering het aanleiding gegee tot die stigting van die Verenigde Demokratiese Front of die UDF, en het ontwikkel in 'n massa-organisasie wat apartheid beveg het.

Ten einde die historiese struktuur van die Rocklands-burgersentrum te herdenk, het Erfenis Wes-Kaap, 'n openbare entiteit van die Departement van Kultuursake en Sport, hierdie terrein op 22 September 2017 as 'n Provinsiale Erfenisterrein verklaar ingevolge artikel 27 van die Wet op Nasionale Erfenishulpbronne, No. 25 van 1999.

Provinsiale Erfenisterreine is plekke wat spesiale eienskappe het wat hulle betekenisvol maak in die konteks van die provinsie of streek. Die Rocklands-burgersentrum word as belangrik beskou in die erfenis van die Wes-Kaap, omdat hierdie terrein die krag van 'n verenigde menslike poging teen teenspoed demonstreer.

Op 20 Augustus 2018 sal die Departement 'n Provinsiale Erfenisterrein-wapen en 'n vertolkende gedenkplaat onthul om die belangrikheid van die Rocklands-burgersentrum uit te lig.

*[Translation of Afrikaans paragraphs follow.]*



[The MINISTER OF CULTURAL AFFAIRS AND SPORT: The Rocklands Civic Centre has an important historical significance in South Africa, especially the Western Cape. A meeting was held on this site on 20 August 1983 and this meeting led to the founding of the United Democratic Front or the UDF, and developed into a mass organisation that fought apartheid.

In order to commemorate the historical structure of the Rocklands Civic Centre, Heritage Western Cape, a public entity of the Department of Cultural Affairs and Sport, on 22 September 2017 declared this site as a Provincial Heritage Site in terms of Section 27 of the National Heritage Resources Act, No. 25 of 1999.

Provincial Heritage Sites are places possessing special characteristics rendering it significant in the context of the province or region. The Rocklands Civic Centre is regarded as important in the heritage of the Western Cape, as this site demonstrates the power of a united human effort against adversity.

On 20 August 2018 the Department will unveil an interpretative commemorative plaque to highlight the importance of the Rocklands Civic Centre.]

†Die ADJUNKSPEAKER: Agb lid Mackenzie?

[The DEPUTY SPEAKER: Hon member Mackenzie?]

†Mnr R D MACKENZIE: Baie dankie, Minister Marais. Hoe sal die Minister

hierdie gebeurtenis op 20 Augustus adverteer, en hoe sal dit bevorder word na die breë Mitchells Plain en na die breë Kaapse gemeenskap?

*[Translation of Afrikaans paragraph follows.]*

[Mr R D MACKENZIE: Thank you, Minister Marais. How will the Minister advertise this event on 20 August, and how will it be promoted to the broader Mitchells Plain and the broader Cape community?]

†Die MINISTER VAN KULTUURSAKE EN SPORT: Dankie. Ek sal en saam met ons media sal ons die media uitnooi, asook die groter gemeenskap en die aangrensende gemeenskap, en ons sal ons beywer om die betekenis van hierdie gedenkplaat en die Rocklands-burgersentrum te bemark, en ook by monde versprei nuus baie vinnig.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. I will, and along with our media, invite the media, the greater community and the neighbouring community, and we will endeavour to promote the significance of this commemorative plaque and the Rocklands Civic Centre, and also through word of mouth the news spreads very quickly.]

†Die ADJUNKSPEAKER: Agb lid Mackenzie, tweede kans.

[The DEPUTY SPEAKER: Hon member Mackenzie, a second chance.]

†Mnr R D MACKENZIE: Dankie, Minister. Gegewe die belangrikheid van die Rocklands-burgersentrum, na die geskiedenis van Mitchells Plain, hoe kan ons werkskepping deur middel van hierdie inisiatief bevorder?

*[Translation of Afrikaans paragraph follows.]*

[Mr R D MACKENZIE: Thank you, Minister. Given the importance of the Rocklands Civic Centre, after the history of Mitchells Plain, how can we promote job creation through this initiative?]

†Die MINISTER VAN KULTUURSAKE EN SPORT: Kultuurtoerisme sal definitief bevorder word en dit gee geleentheid dan weer vir toerismegidse sowel as storievertellers, en dan die Rocklands-burgersentrum kan ook gebruik word vir funksies, wat dan ook 'n diensverskaffer sal benodig.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Cultural tourism will definitely be promoted and that again provides opportunity to tourism guides as well as story tellers, and then the Rocklands Civic Centre can also be used for functions, that will then also require a service provider.]

†Mnr R D MACKENZIE: Oukei.

[Mr R D MACKENZIE: Okay.]

†Die MINISTER VAN KULTUURSAKE EN SPORT: Dankie.

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you.]

†Die ADJUNKSPEAKER: Agb lid Dugmore, wou u 'n vraag gevra het?

[The DEPUTY SPEAKER: Hon member Dugmore, did you want to ask a question?]

†Mnr R D MACKENZIE: [Onhoorbaar.]

[Mr R D MACKENZIE: [Inaudible.]]

†Die ADJUNKSPEAKER: Ek sien eers agb lid Dugmore eerste, dan sal ek terugkom.

[The DEPUTY SPEAKER: I see hon member Dugmore first, then I will come back.]

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. I would just like to ask the MEC whether she would also be prepared to invite the UDF veterans and comrades to this particular event? [Interjections.]

The DEPUTY SPEAKER: Minister Marais.

†Die MINISTER VAN KULTUURSAKE EN SPORT: Dit is as vanselfsprekend dat hulle genooi sal word. [Tussenwerpsels.]

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: It goes without saying that they will be invited. [Interjections.]]

The MINISTER OF EDUCATION: It is only the ANC that divides  
[Inaudible.].

The DEPUTY SPEAKER: Hon member Mackenzie, the last opportunity.

†Mnr R D MACKENZIE: Dankie, Minister. Minister, hoe kan hierdie as  
kulturele toerisme in Mitchells Plain geadverteer word? Bemerk word?

[Mr R D MACKENZIE: Thank you, Minister. Minister, how can this be  
advertised as cultural tourism in Mitchells Plain? Be promoted?]

†Die MINISTER VAN KULTUURSAKE EN SPORT: Die Departement sal  
amptelik ererkenning gee aan Rocklands-burgersentrum met hierdie  
gedenkplaat, en dan ook vir die werklike betekenis wat dit gehad het en nog  
steeds gaan hê, sal dit bemerk word as 'n kern vir deel van ons geskiedenis en  
ook vir ons toekoms.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: The Department  
will officially recognise the Rocklands Civic Centre with this  
commemorative plaque, and then also for the real significance it has had and  
will still have, it will be promoted as a core for part of our history and also  
for our future.]

†Die ADJUNKSPEAKER: Dankie, ons gaan voort.

[The DEPUTY SPEAKER: Thank you, we proceed.] †Question number 3 will stand over. Question 4, hon member Uys to Minster Bredell. Minister Bredell.

*Swartland Municipality: mining of sand*

**\*4. Mr P Uys asked the Minister of Local Government, Environmental Affairs and Development Planning:**

Whether approval has been granted for the mining of sand by the Swartland Municipality; if so, (a) what legislation lends them the authority to do so, (b) to whom have they given approval and (c) for what quantities?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Dankie, mnr die Adjunkspeaker, en dankie aan die agb lid vir die vraag.

Die Swartland Munisipaliteit het wel 'n aantal, 13, goedkeurings vir sandmyne, gruisgroewe in hul munisipale gebied uitgereik. Die Grondwet van die Republiek van Suid-Afrika 1996, Wet 108 van 1996, verleen die bevoegdheid aan munisipaliteite om besluite oor aansoeke vir sandmyne te neem en word sodanige aansoeke ingevolge die Swartland Munisipaliteit se verordeninge op grondgebruiksbeplanning 2017 goedgekeur. Aansoeke word

hanteer as 'n vergunningsgebruik. Aangeheg is 'n lys – so ek het 'n lys hier van die 13 aansoeke wat die munisipaliteit goedgekeur het - wat bestaan uit die eiendomsbeskrywing, die eienaarskap, die datum van die goedkeuring.

#### Vergunningsgebruike

Erf/Plaas no	Plaasnaam	Eienaar	Tipe vergunning	Datum van goedkeuring
Plaas 1199	Grootberg	J F Kirsten	Sand-gruismyn en	06/01/2016
831/1	Doornkraal	J J van Blerk Boerdery	Sandmyn	10/02/2016
Gedeeltes 1 & 2 van Alexanderfontein no. 573	Alexanderfontein	Alexanderfontein Boerdery Pty. Ltd.	Gruis-sandmyn en	22/03/2016
548/05	Jan Swartz Valley	Soutdam Boerdery Pty. Ltd.	Gruismyn	21/06/2016
Farm 1194	De Hoop	De Hoop Viljoen Trust	Sandmyn	13/09/2016
Farm 1228	Wolwedans	Tiptrans Resources	Sand-gruismyn en	02/12/2016
Erf 353	Abbotsdale	Church of the Province of SA	Sand-gruismyn en	24/05/2017
Plaas 457/5	Klipvalley	Klipvlei Trust	Sandmyn	14/07/2017
Plaas 874/2	Woodlands	Vlakfontein Familie Trust	Sandmyn	18/07/2017
910/9	Drooge Valley	Droëvlei Trust	Sandmyn	10/04/2018
841/12	Lammershoek	Granaatfontein Trust 199/99	Sandmyn	01/02/2017
848	La Rhine	C G Smit Trust	Sandmyn	01/02/2017
Ged 5 Plaas 830	Doornekraal	Virtigo Prop Pty. Ltd.	Sandmyn	06/12/2017

*[Translation of Afrikaans paragraphs follow.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Mr Deputy Speaker, and thank you to the hon member for the question.

The Swartland Municipality has indeed issued a number of approvals, 13, for sand mines, quarries, in its municipal area. The Constitution of the Republic

of South Africa 1996, Act 108 of 1996, empowers municipalities to take decisions on applications for sand mines and such applications are approved in terms of the Swartland Municipality's ordinances on land use planning, 2017. Applications are treated as usage consent. I have attached a list – so I have a list here of the 13 applications that the municipality has approved – consisting of the property description, ownership, the date of the approval.]

†En dan, net ook vir kennisname, die myn van sand vereis ook 'n omgewingsgoedkeuring van die nasionale Departement van Minerale Hulpbronne ingevolge die nasionale Wet op Omgewingsbestuur 1998, Wet 107 van 1998. Dankie.

*[Translation of Afrikaans paragraph follows.]*

[And then, just for information, the mining of sand also requires environmental approval by the national Department of Mineral Resources in terms of the national Environmental Management Act, 1998, Act 107 of 1998. Thank you.]

†Die ADJUNKSPEAKER: Agb lid Uys.

[The DEPUTY SPEAKER: Hon member Uys.]

†Mnr P UYS: Baie dankie, mnr die Adjunkspeaker. Ek wil net vir die LUR vra is daar enige beplanningsgoedkeuring nodig vir enige sandmyning wat plaasvind binne 'n munisipaliteit, en wie gee sodanige



beplanningsgoedkeuring?

*[Translation of Afrikaans paragraph follows.]*

[Mr P UYS: Thank you, Mr Deputy Speaker. I just want to ask the MEC, is there any planning approval required for any sand mining that takes place within a municipality, and who gives such planning approval?]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Dit is wat ek nou net geantwoord het. Die munisipaliteit het die reg, volgens die Grondwet, om die vergunningsgebruik te doen, maar daar is ook 'n omgewingsgoedkeuringsmagtiging wat Minerale en Energiesake moet gee.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: That is what I have just answered. The municipality has the right, according to the Constitution, to grant the usage consent, but there is also an environmental consent authorisation that Minerals and Energy Affairs has to grant.]

†Die ADJUNKSPEAKER: Agb lid Uys.

[The DEPUTY SPEAKER: Hon member Uys.]

†Mnr P UYS: Dankie, mnr die Adjunkspeaker. LUR, kan u dan verduidelik, ten opsigte van Artikel 53 van die Wes-Kaapse LUPA wat baie duidelik is dat munisipaliteite nie daardie goedkeuring mag gee nie, veral waar dit 'n impak op die landboubedryf het?

*[Translation of Afrikaans paragraph follows.]*

[Mr P UYS: Thank you, Mr Deputy Speaker. MEC, can you then explain with regard to Section 53 of the Western Cape LUPA which is very clear that municipalities may not give that consent, especially where it has an impact on the agricultural industry?]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Die munisipaliteit het die mag om die besluit te neem en in die proses het Landbou kommentaar gelewer, spesifiek as ek dink aan die een waarna die agb lid Uys dalk verwys, en hulle terminaal tribunaal het gesit, en die terminaal tribunaal het die apèlle van die hand gewys, en die myn is goedgekeur.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: The municipality has the power to take the decision and in the process Agriculture commented, specifically if I think of the one that the hon member Uys is perhaps referring to, and their tribunal

convened, and the tribunal turned down the appeals, and the mine was approved.]

†Die ADJUNKSPEAKER: Agb lid Uys.

[The DEPUTY SPEAKER: Hon member Uys.]

†Mnr P UYS: Baie dankie, mnr die Adjunkspeaker. Mnr die Adjunkspeaker, waarom het die LUR se Departement dan aan 'n maatskappy met die naam van BKL Sand Mine CC 'n brief geskryf om te sê dat hulle onwettig sand myn?

*[Translation of Afrikaans paragraph follows.]*

[Mr P UYS: Thank you, Mr Deputy Speaker. Mr Deputy Speaker, why then did the MEC's Department write a letter to a company with the name of BKL Sand Mine CC to inform them that they are mining sand illegally?]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Ons is besig met een omgewingsbestuurstelsel en ons probleem is dat ons Departement se kommentaar nie in berekening gebring is toe die Nasionale Departement van Minerale en Energiesake 'n lisensie uitgereik het nie, en dit is waaroor die hofsaak gaan.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: We are busy with one environmental management system and our problem is that our Department's comment was not considered when the National Department of Minerals and Energy Affairs issued a licence, and that is what the court case is about.]

†Die ADJUNKSPEAKER: Die laaste geleentheid, agb lid Uys.

[The DEPUTY SPEAKER: The last opportunity, hon member Uys.]

†Mnr P UYS: LUR, u weet baie goed dat dit nie 'n omgewingsaangeleentheid is nie, maar 'n beplanningsaangeleentheid en ek wil juis vra waarom skerm u vir die Munisipaliteit van Swartland waarvan u in 'n inwoner is nadat hulle onwettig opgetree het en die aansoek onwettig goedgekeur het?

*[Translation of Afrikaans paragraph follows.]*

[Mr P UYS: MEC, you know very well that it is not an environmental issue, but a planning issue, and I want to ask why do you try to protect the Municipality of Swartland of which you are a citizen, after they have acted illegally and the application was approved illegally?]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Mnr die Adjunkspeaker, ek skerm vir geen munisipaliteit nie. Ek het dit baie mooi uitgespel, die munisipaliteit het die mag om die grondgebruiksaansoek te hanteer, dit is wat hulle gedoen het.

Oor die omgewingsaansoek voel ons dat ons kommentaar nie in aanmerking geneem is deur Minerale en Energiesake met die toekenning van die lisensie nie, en dit kan 'n geweldige impak hê op toekomstige aansoeke, want ons het juis die een omgewingstelsel geskep om vinnige besluite te neem, maar dan moet al die instansies se kommentaar in berekening gebring word.

Wat gebeur is 'n persoon sal 'n aansoek indien by ons vir ons EIA-aansoek, dan doen hy terselfdertyd aansoek by Minerale en Energiesake vir 'n lisensie, dan reik hulle die lisensie uit, dan trek hy sy omgewingsaansoek terug, en dis waaroor die bakleiery tans met ons in die hof is. Dankie.

*[Translation of Afrikaans paragraphs follow.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, I am not trying to protect any municipality. I have spelled it out very clearly, the municipality has the authority to handle the land use application, and that is what they have done. Regarding the environmental application we feel that our comment has not been considered by Minerals and Energy Affairs in the granting of the licence, and it can have a huge impact on future applications, because we have specifically created one environmental system to take quick decisions, but then all the institutions' comments have to be considered.

What happens is that a person submits an application with us for our EIA application, then at the same time he applies for a licence with Minerals and

Energy Affairs, then they issue the licence, then he withdraws his environmental application, and that is what the fight is about in the court currently. Thank you.]

The DEPUTY SPEAKER: Thank you. We move on to the next question. Question 5, hon member Dugmore to Minister Bredell about the Philippi Horticultural Area.

*Philippi Horticultural Area: High Court application*

**5. Mr C M Dugmore asked the Minister of Local Government, Environmental Affairs and Development Planning:**

Whether he is opposing the application by the Philippi Horticultural Area (PHA) in the High Court to set aside development permissions to any developers to build houses on the land commonly referred to as the Philippi Horticultural Area; if not, why not; if so, what are the relevant details?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Mnr die Adjunkspeaker, ingevolge Reël 61 van die Standaardreëls van die Provinsiale Parlement van die Wes-Kaap, wat goedgekeur is in Februarie 2014, mag geen lid na enige saak wat *sub judice* is verwys nie; aangesien die saak tans hangend is in die Wes-Kaap Hooggeregshof - die saaknommer is 16779/17 - mag ek dus nie hierdie saak

bespreek nie. Dankie.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, in terms of Rule 61 of the Standard Rules of the Provincial Parliament of the Western Cape, that were approved in February 2014, no member may refer to any case that is *sub judice*; as the case is currently pending in the Western Cape High Court – the case number is 16779/17 – I may therefore not discuss this case. Thank you.]

The DEPUTY SPEAKER: Hon member Dugmore.

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. I would appeal to you to make a ruling here. This question is a very simple question which is whether the MEC is opposing? We are not talking about the merits of this case. My understanding of the *sub judice* rule is that one clearly cannot reflect on a pending matter, but the fact that the MEC is attempting to dodge this question ... [Interjections.], †dit wil blyk asof die Minister het 'n rede hoekom, om nie eintlik die vraag te beantwoord.

So kan ek vra, kan u 'n reëling maak, want ons doen moeite ... [Tussenwerpsels.] [it seems as if the Minister has a reason why, not to actually answer the question.

So can I ask, can you make a ruling, because we go into a lot of trouble ...

[Interjections.]

†Me M N GILLION: Lees die vraag.

[Ms M N GILLION: Read the question.]

†Mnr C M DUGMORE: ... ons doen moeite om vrae te vra hier om antwoorde te kry, want die mense daar buite vra vir ons, want aan die een kant, mnr die Adjunkspeaker, het ons 'n situasie waar Minister Winde se Departement - en ek weet nie, hy is nou nie hier in die Huis nie - het 'n dokument voorberei in terme van die beskerming van die PHA, wat nie eintlik die hele omvang is nie - en hulle sê dit is nou 'n dokument van die hele Kabinet - maar terselfdertyd het ons 'n situasie waar dit blyk asof dié Minister se Departement besig is om die PHA se grond eintlik weg te gee, in 'n sin, aan 'n ontwikkelaar.

So kan u 'n reëling maak? Ek soek net, is hulle teen dit of nie?

*[Translation of Afrikaans paragraphs follow.]*

[Mr C M DUGMORE: ... we go into a lot of trouble to ask questions here to get answers, because the people out there are asking us, because on the one hand, Mr Deputy Speaker, we have a situation where Minister Winde's Department - and I do not know, he is not here in the House now - has prepared a document in terms of the protection of the PHA, which is not the full extent - and they say it is now a document of the whole Cabinet - but at



the same time we have a situation where it seems as if this Minister's Department is giving away the PHA land, in a sense, to a developer.

So can you make a ruling? All I am looking for, are they against it or not?]

† Surely that's not a breach of *sub judice*?

† Die ADJUNKSPEAKER: Ja, as ek mag reageer? Die *sub judice*-reël in die Parlement is altyd in die diskresie van die Stoel, dis nie 'n afdwingbare eksakte gebod nie. Dis die een kant van die saak.

Die tweede kant van die saak is die Stoel kan nie 'n Minister dwing om op 'n bepaalde manier te antwoord nie.

So wat die *sub judice* betref is dit so soos u tereg gesê het. Ek het nie 'n probleem daarmee dat die *sub judice*-reël in die diskresie van die Stoel is nie, en dat dit vir sake net na die meriete mag verwys nie. Dis waaroor dit gaan soos u tereg gesê het, maar aan die ander kant, die Minister is vry om die vraag te beantwoord op die wyse waarop hy of sy dit wil doen.

So die Stoel speel nie 'n rol om voor te skryf hoe 'n saak beantwoord moet word nie, en daarmee sal ek volstaan.

Minister Bredell, u kan voortgaan as u wil.

*[Translation of Afrikaans paragraphs follow.]*

[The DEPUTY SPEAKER: Yes, if I may react? The *sub judice* rule in Parliament is always in the discretion of the Chair, it is not an enforceable exact command. That is the one side of the matter.

The second side of the matter is that the Chair cannot force a Minister to answer in a specific way.

So as far as the *sub judice* is concerned, it is as you have rightly said. I do not have a problem with it that the *sub judice* rule is in the discretion of the Chair, and that for cases it may only refer to the merits. That is what it is about as you have rightly said, but on the other hand, the Minister is at liberty to answer the question in the manner he or she wishes to do it.

So the Chair plays no role to prescribe how a matter should be addressed, and with that I rest my case.

Minister Bredell, you can proceed if you wish.]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Mnr die Adjunkspeaker, dis die regsadvies dat ek nie tans mag praat oor hierdie saak nie, so dis nie 'n kwessie van *duck and dive* nie. Dit is waaroor dit gaan. Die agb lid Dugmore hou ook in die middel van sy sin op. Daar was 'n verslag, maar die Kabinet het nog nie 'n besluit geneem oor so 'n verslag nie, so hy het daar gestop, – somer net vir *convenience sake*.

As my regsmenting is dat ek nie oor 'n saak mag praat nie, dan gaan ek nie, dan kan ek nie daaroor praat nie, dis ongelukkig so. Dit is 'n sensitiewe aangeleentheid, dis 'n aangeleentheid van debat en ek is baie gemaklik om vir die agb lid Dugmore te sê dat wanneer jy in regering is, dat jy baie versigtig moet wees. Ons is nie in 'n regering waar ons sê “myn” of “ekonomie” of dit is “and”. Ons moet almal akkommodeer. Daar is plek vir ekonomiese groei, daar is plek vir ontwikkeling, daar is plek vir mynbou.

So in daardie raamwerk hanteer ons die wetgewing. Enige mens kan 'n aansoek indien. Ons hanteer die wetgewing en die groep wat ons hof toe gevat het moet hulle saak nou stel in die hof en ons sal dit daardeur neem, en ons almal sal daaruit leer.

*[Translation of Afrikaans paragraphs follow.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, it is the legal advice that I may not speak about this case currently, so it is not a matter of duck and dive. That is what it is about. The hon member Dugmore also stops in the middle of his sentence. There was a report, but the Cabinet has not yet taken a decision on such a report, so he stopped there – just for convenience sake.

If my legal advice is that I may not speak about a case, then I will not, then I

cannot speak about it, that is unfortunately so. It is a sensitive issue, it is an issue of debate and I am very comfortable with it to tell the hon member Dugmore that when you are in government, you have to be very careful. We are not in a government where we say “mine” or “economy” or it is “and”. We have to accommodate all. There is a place for economic growth, there is a place for development, there is a place for mining.

So in that framework we handle the legislation. Any person can submit an application. We handle the legislation and the group that has taken us to court must now put their case in court and we will take it through there, and we will all learn from that.]

†Die ADJUNKSPEAKER: Agb lid Dugmore.

[The DEPUTY SPEAKER: Hon member Dugmore.]

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. Arising from the MEC’s answer, which clearly amounts to unwillingness to answer a very simple question, I would like to ask, arising from his answer ...  
[Interjections.]

Mr D JOSEPH: Respect the law.

Mr C M DUGMORE: ... so is it correct that the Provincial Cabinet has not officially endorsed the report commissioned by MEC Winde?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Sover my kennis strek het ons dit nog nie *endorse* nie, ons het wel 'n voorlegging gekry, maar ons moet verdere inligting kry oor die aangeleentheid.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: As far as I know we have not yet endorsed it, we did receive a submission, but we have to get further information on the matter.]

†Die ADJUNKSPEAKER: Agb lid Dugmore.

[The DEPUTY SPEAKER: Hon member Dugmore.]

Mr C M DUGMORE: Then I would like to ask, is the MEC aware of the view of both the Chairperson of the relevant Standing Committee on Economic Opportunities, hon member Schäfer, and the view of the Committee itself in support of the preservation of the PHA? [Interjections.]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Sowel as 'n klomp [Tussenwerpsels.] ...

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: As well as a lot ... [Interjections.] ...]

The DEPUTY SPEAKER: Order!

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Sowel as 'n klomp ander opinies, ja.

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: As well as a lot of other opinions, yes.]

The DEPUTY SPEAKER: Can we move on? The last opportunity, hon member Dugmore.

Mr C M DUGMORE: Okay. Can the MEC give this House the assurance that none of the developers concerned here have met either with himself as the MEC, or with representatives of the Democratic Alliance?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Mnr die Adjunkspeaker, ek het 'n baie eenvoudige lewe, ek gaan huis toe en ek kom werk toe. Dankie.

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, I have a very simple life, I go home and I come to work. Thank you.]

The DEPUTY SPEAKER: We move on to the next question, which is Question 6. Hon member Dijana to Minister Bredell. Question number 6. [Interjections.] Order. Minister Bredell, you may start with the reply to number 6.

*Coastal and estuary management*

**6. Ms T M Dijana asked the Minister of Local Government, Environmental Affairs and Development Planning:**

Whether his Department has been able to better handle the challenges relating to coastal and estuary management, specifically concerning compliance and enforcement; if not, why not; if so, what are the relevant details?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Mr Deputy Mayor. Thank you to the hon member for the question. It is quite lengthy answer, but it is an important answer.

The DEPUTY SPEAKER: Deputy Mayor.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: The Department of Environmental Affairs and Development Planning has developed a Provincial Coastal Management Plan, approved in March 2016, and also an implementation plan, which put forward actions to address identified provincial priorities.

The Provincial Coastal Management Plan and its identified priority areas are aligned to the National Environmental Sector of the provincial long and

medium-term strategies, and enable a coordinated strategy to the operational response to the implementation of the legal mandates and roles and responsibilities of the Province. Estuary management, as well as compliance, have been identified as priority areas within the Coastal Management Programme and each have a number of associated strategies or actions that are being or will be implemented.

A copy of the Western Cape Coastal Management Programme is available on the Departmental website, and I will give it to the member afterwards. It is a very long website address.

The Department, in collaboration with National Department of Environmental Affairs, their branch Ocean and Coast, initiated the Western Cape Estuary Management Framework and Implementation Strategy (EMFIS) project in the 2016/17 financial year. The aim of this project was to bring 16 previously drafted Estuary Management Plans (EMPs) in line with the minimum requirements as prescribed in the National Estuary Management Protocol, and also develop 17 new EMPs for estuaries which did not have EMPs in place.

In addition, 10 Estuary Mouth Management Plans were to be developed for priority estuaries in all. Therefore a total of 43 different locations and plans are currently being worked on in these sectors in the province.

The judgment in the Supreme Court of Appeals in the case David Willoughby Abbott v The Overstrand Municipality and others – it is a long case number,



but it is also in the answer - has resulted in uncertainty between the organs of state in understanding the roles and responsibilities between the spheres of government in terms of estuary management. This judgment reads with the definition for the municipalities in the ICM Act, which states the following:

“Municipalities means the metropole district and local municipalities, and is established according to the Local Government Municipal Structures Act 98, in relation to the implementation of the provisions of this Act in an area which falls within both the local municipality and district municipality, meaning the district and/or local municipality, if the district municipality, by agreement with the local municipality, has assigned the implementation of that provision in that area to the local municipality.”

This has resulted in significant legal challenges emerging with the implementation of the National Estuary Management Plan.

So between the Department of Environmental Affairs, the Province and DEA National, in terms of inter-governmental cooperation and through various initiatives such as Phakisa, etcetera, are aiming to address this legislative gap that has recently emerged with the proposed provisions of National Estuary Management Protocol and ICM Act under NEMA, as well as employing the Inter-governmental Relationship Framework Act with local municipalities where required. The relevant departments are engaging in this initiative and

concrete actions to address the constraints to delivery.

Now it goes on and on. So we have got all the plans and I can stand and read everything to you, or I can hand it in later to the hon member, but we do have the gap within legislation basically. We are busy addressing it with our national colleagues, and also, we are also getting CapeNature involved, SANParks are involved and then obviously also Operation Phakisa, the members there are also involved to try and find a solution between all the parties. Thank you.

The DEPUTY SPEAKER: Thank you, Minister Bredell. Hon member Dijana?

Ms T M DIJANA: Thank you, Mr Deputy Speaker. My follow-up question is: what interventions has the Department put in place, during the drought, for the estuaries of the province? Were no ecological water reserves established for the rivers and estuaries? No base flow reaches estuaries during droughts which can permanently damage the ecosystem, health and productivity during extreme droughts.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Well, first of all, Mr Deputy Speaker, to answer that question I think it has got a lot to do with planning. First of all I think part of the drought, there is a realisation of the importance that our estuaries and our river systems play within the bigger biodiversity family.

So we work very closely with CapeNature, especially with the municipalities, on their planning and how they compile their spatial development frameworks.

The estuaries, there are teams looking at that, but basically we cannot do a lot currently because of there being no water. Going forward it is important to understand that the estuaries protect our underground water and that we need to protect the estuaries, and how are we going to manage it and with our EPWP Programmes, keep alien plants out of that.

So it is a whole programme and also we are busy negotiating with National, and they gave us certain delegations to work with – our team, not all the delegations, because we also have staff constraints, but going forward, we are working very closely with National. The problem that National has is that they also have staff constraints and they are far away. They are in Pretoria, but the whole team working on this, coming up with the 43 plans, I think will put our estuaries and our river systems in a much better place in the next five years.

The DEPUTY SPEAKER: Hon member Dijana?

Ms T M DIJANA: Thank you, Mr Deputy Speaker. I like the fact that this Department is working with the National Department. Poor water quality poses a threat to environmental and human health in the Zandvlei Estuary. Why was the sewerage spill which led to Zandvlei being closed to the public

not guarded against?

The DEPUTY SPEAKER: Minister Bredell?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Well, colleague, Mr Deputy Speaker, obviously as soon as there is a sewerage spill we will act as soon as possible when we are made aware of it.

We are busy relooking at our whole water system. I am busy negotiating with National to be part of a task team. Remember water is a national competency. In 2012 I made a mistake if coming up with a water plan and then we butted heads. So, this time, with Minister Nkwinti, we have now set up a meeting, through the Premier's office, and asked to meet him.

We are willing to drive the process, but we want him to be part of the team to come up with a water plan for the Western Cape, and that will include everything. The quality of water, the quantity of water, how we are going to manage water, the sewerage spills in the future, how are we going to deal with that. Also the sewerage outlet into our rivers, is it still feasible or must we bring all that grey water back into the system? I am very much for it, because if we are honest with one another, if there is a sewerage outlet in the rivers and they are not up to standard, it takes us too long to find that out, and by that time the river is polluted and takes years to fix that.

So there is a whole system that we are busy rolling out and I can promise the House that we have got a very open door now and we work very closely with the National team.

The DEPUTY SPEAKER: Hon member Dijana, your third opportunity.

Ms T M DIJANA: Thank you, Mr Deputy Speaker. With the high E.coli levels in Zandvlei, being a safety risk, is it true that the Department is not testing for E.coli during the desalination plan purification process as alleged by the university professor?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I do not know which university professor. It is a new question. I would appreciate it if the hon member could give me the information. I have met with a couple of professors from the universities for statements.

It is obviously important that we manage the quality of our water and measure the E.coli. We cannot wait until there are sick children and then my colleague next to me jumps onto me. So, obviously, we need to get that information and act accordingly.

Ms T M DIJANA: Okay. Thank you.

The DEPUTY SPEAKER: Thank you. Can we move on to the next question,

which is Question number 7. Hon member Mnqasela again to Minister Bredell. Minister Bredell, Question number 7. [Interjections.] Order!

*Municipalities: communication between*

**7. Mr M Mnqasela asked the Minister of Local Government, Environmental Affairs and Development Planning:**

How has his Department assisted municipalities to improve communication between municipalities and communities since 2014/15?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, to the hon colleague, thank you for the question.

Since 2014, the Department assisted municipalities to improve communication between municipalities and communities with the following support programmes:

- A communication strategy.
- A capacity building and training strategy.
- The development of a communication strategy policy and strategy guidance on how to better communicate to our municipalities.
- The development of communication plans, action plans, the roll-out and implementation of those communication plans.

- The roll-out of traditional media training. This entailed radio interviews, writing skills and crisis management.
- Conducting social media training.
- How to establish and run social media platforms.
- Providing social media guidelines.
- Covering protocols on the use of social media platform facilities.
- Basic photographic training, empowering municipal communicators with skills to take better quality photos which they could use on their platforms and the print media.
- The establishment of social media platforms, Facebook, Twitter, Whatsapps and so forth.

Then on brand development:

- Cooperate and identify a guide to the standardisation of municipal brand identity.
- The municipal website development.
- The standardisation of municipal brand identities was very important for us.
- Internal/external newsletters, including the printing thereof, and the printing and production of campaign material.

Then campaign development:

- Drought awareness was a programme that we helped the

municipalities with, their communication strategy around that.

- Local Government election awareness and guidance.
- Smoke alarm awareness – education and awareness around that.
- A standardised municipal services charter – to standardise service charters through 29 municipalities in the a citizen-centric manner; and then
- Know Your Ward Committee Campaign, to create awareness around ward committees and the purpose thereof.
- And lastly, to establish communication shared services to enable municipalities to better perform their communication function.

I thank you.

The DEPUTY SPEAKER: Hon member Mnqasela.

Mr M MNQASELA: Thank you, Mr Deputy Speaker. Thank you, hon Minister.

For any municipality to function you have got to have the council, the administration and, of course, the communities as the third leg. I would like to check with the Minister whether these ward councillors and generally PR councillors alongside, when they meet with the ward committees, do they open the ward committees to the public and how well are those meetings attended?

The DEPUTY SPEAKER: Minister Bredell?



Mr Q R DYANTYI: That is a nice new question, but [Inaudible.] answer the question.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: It is a very important question, it is a very difficult one.

We are coming on with the ward committees for a long time. First of all was to get all municipalities to have ward committees, then the quality of the ward committees, the quality of the material within the ward committees. It is very important.

The successful municipalities do invite the community. I think the one you are the constituency head of, I think it is one of the successful models. I think they do invite the public and obviously the public ... [Interjections.]

Ms S W DAVIDS: Hermanus is burning. [Interjections.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: ... and obviously the public can comment and be part of the discussion, but the decision-making must be within the committee. I think that is the difference, and also remember we are also building on our App that we have developed, and that will also further enhance communication within the ward committees.

From our side it is very important that we do encourage public engagement and public communication with our public. It is crucial for a democracy. Thank you.

The DEPUTY SPEAKER: Hon member Olivier and then I will come back to you. Hon member Olivier. [Interjections.]

Mr R T OLIVIER: MEC, given the current protest actions particularly in hon member Mngqasela's constituency, that are seemingly increasing in that part of the municipality ... [Interjections.]

Mr Q R DYANTYI: It is actually all over. DA failures. But continue. [Interjections.]

The DEPUTY SPEAKER: Order, order. Allow the member to formalise his question.

Mr R T OLIVIER: With the Ward Committee system we also have a problem that there are 10 members on the committee, but with those 10 members, particularly those representing organisations, there seems to be a gap between the two. I am not sure whether the Department is looking at that, so that it minimises these protest actions, because it seems that there is a gap and some leaders are beginning to emerge and beginning to represent communities on their own.

So has the Department looked at whether those representing organisations really do represent organisations there? Because I think the gap is somewhere there.

The DEPUTY SPEAKER: Thank you, hon member.

Mr R T OLIVIER: But whatever is discussed does not reach those communities.

The DEPUTY SPEAKER: Minister Bredell to respond.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, thank you, Mr Deputy Speaker. The hon member had the opportunity to comment on the Ward Committee Handbook. We do have a Ward Committee Handbook and maybe in the Standing Committee we must send it back to you guys again for ...  
[Interjections.]

Mr Q R DYANTYI: Answer the question.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: ... for looking at.

†Mnr Q R DYANTYI: Wat is die antwoord?

[Mr Q R DYANTYI: What is the answer?]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS  
AND DEVELOPMENT PLANNING: But that is part of the answer.

†Mnr Q R DYANTYI: [Onhoorbaar.] Wat is die antwoord?

[Mr Q R DYANTYI: [Inaudible.] What is the answer?]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS  
AND DEVELOPMENT PLANNING: We have also translated the Ward  
Committee Handbook, the only province in the country to translate the ...  
[Interjections.]

Mr Q R DYANTYI: Oh, [Inaudible.]. That is hopeless.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS  
AND DEVELOPMENT PLANNING: ... the Ward Committee Handbook.

Mr M G E WILEY: You do not like the answer? [Interjections.] [Inaudible.]  
you do not like the answer.

†Mnr Q R DYANTYI: Dis nie waar nie.

[Mr Q R DYANTYI: That is not true.]

The DEPUTY SPEAKER: Order!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS

AND DEVELOPMENT PLANNING: We have also translated the Ward Committee Handbook in Braille, which I think is a huge success, even if the hon member Dyantyi laughed at it. I really think it is a huge success and I want to congratulate the Department.

Obviously a ward committee is not perfect. It is work in progress. We try to better it every year. I am serious when I say let us look at the Handbook. Let us discuss the Handbook in the Standing Committee again, because the compilation of the Ward Committee will always be a challenge.

Some municipalities allow six positions for organisations. Where is the right balance? We need to get gender in so we also need to be very careful with the compilation of that. So, it is work in progress, Mr Deputy Speaker, and we are open for any input. We have a dedicated team working on that, working with all the municipalities to establish that and getting them to understand the importance of taking the information through the Ward Committees, through the Standing Committees of the Councils, through the Mayoral Committee or the Council and then the feedback cycle back to the Ward Committee. It is not a perfect system currently but that is the only way we are going to keep the residents informed. Thank you.

The DEPUTY SPEAKER: Hon member Mnqasela?

Mr M MNQASELA: Thank you very much, Mr Deputy Speaker. I think I want to appreciate the responses given by the Minister but the interest is in the

hand-book itself and whether Councillors have been properly empowered to understand what is their responsibility in terms of that?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: We have workshops throughout the province. Every single councillor does have the handbook. They have had training within it and again, some councillors get it, they run with it but others start to get afraid of the community. We will keep on training and keep on announcing on the importance of getting your community behind you. Thank you.

The DEPUTY SPEAKER: Hon member Dyantyi, your last opportunity.

†Mnr Q R DYANTYI: Ek het vir daardie antwoord gewag.

[Mr Q R DYANTYI: I have waited for that answer.] †Can I put it to you and everything else you have told us.

The DEPUTY SPEAKER: Put in in the form of a question.

Mr Q R DYANTYI: Yes, I am going there. I am going there. Can I put it to you that – †alles wat jy vir ons gesê het is net speletjies – [everything you have told us are just games] - for the following reasons and this is the question: If this communication that you have told us was working, why would it continue? Because up till today we continue to have this problem of distance between communities and municipalities. Hon Madikizela has to go

and explain that I have these projects and these are the plans. Many of the protests are as a result of communities not knowing. So if you are saying this is working, why can we not see it working in practice?

The DEPUTY SPEAKER: Thank you member, your question is clear. Hon Minister?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Maybe because it is working we do not have more marches and burning of tyres ... [Interjections.] and it is a difficult year, it is an election year. We all know it. We all know there is electioneering. The system works and we will keep on building, I stated that it is not a perfect system and obviously there are people that want to grandstand, who will never understand, but it is our responsibility as Government to keep on communicating. That is why we try to better our systems every single year. Thank you.

The DEPUTY SPEAKER: Thank you. We move on to the next question which is Question 8, again hon member Mnqasela to Minister Bredell.

*Councillors: training*

**8. Mr M Mnqasela asked the Minister of Local Government, Environmental Affairs and Development Planning:**

What does the training entail that his Department provides for councillors to ensure that they are effective in their duties as elected public representatives?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, hon member for the question. In collaboration with various stakeholders such as the Provincial Treasury, the Department of the Premier, SALGA and the Nelson Mandela University, the Department provides training to councillors. The following areas are covered during the training:

- The Constitutional Mandate.
- The Introduction of Local Government Law – the rules and procedures.
- Conducting of meetings of Municipal Councils.
- The Roles and responsibilities of Councillors, Mayors and Speakers.
- Local Government, including budgeting processes within municipalities.
- The law governing decisions in decision-making of local government.
- The oversight committees and the functioning of the municipal public accounts in local government.
- Delegations of powers in local government
- The Code of Conduct and procedures for disciplinary hearings and investigations.
- The role of Councillors in the appointment of senior officials.
- Section 62 Appeals and duties of Commissioners of Oath.
- Public Participation and Communication.



To build on the abovementioned training programmes the Department will roll out a summer school for councillors. The summer school will put special emphasis on responsible citizenry and will be provided by Stellenbosch University. This training will focus on the following themes: leadership concepts, leadership competencies and leadership in action. Thank you.

The DEPUTY SPEAKER: Hon member Mnqasela?

Mr M MNQASELA: Thank you very much, Mr Deputy Speaker. Thank you, hon Minister for the response. In light of the fact that there is a responsibility, which is a very serious responsibility, placed on Councillors to appoint senior officials, as we saw that in KZN for instance, 33 appointments had to be withdrawn because officials did not have the qualifications required and with councillors that do not even have matric. In this province, Mr Deputy Speaker, what is the situation when it comes to that?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: From the Department's side, hon member, we have explained, in writing, all the procedures that our municipalities need to follow. Remember there are different procedures for the appointment of a municipal manager and the appointment of directors and so forth, so that they can distinguish between that. Where they have decided not to follow the guidelines, we as a province – I refuse to sign off – because, remember, I must sign it off to the National Department. It is one of

the gaps within the legal framework that we are busy addressing now with the next round because by the time that I get the information from the municipalities, they have normally already offered the contract to the person, and in most cases they have signed the contract and then you are in trouble. But we have challenged those municipalities, we have won one of the cases in court and there are three or four that are still hanging but we will not sign off if the legal process was not followed. Thank you.

The DEPUTY SPEAKER: I see the hon member Davids first.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. My question to the Minister is: on your Ward Committees you agreed on public participation but on the education for your Councillors, can you specifically tell us are you aware that there are a lot of Councillors that are not going for that training? Do you have a database on the training that you have mentioned? How many Councillors are attending that?

†Die ADJUNKSPEAKER: Agbare Minister?

[The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: The Department does have a database, where they sign in and they sign out. We encourage Councillors to enter these training programmes because that is how you are going to build capacity and it is not only within the Department, there is a lot of training

happening.

Remember after the election, National Government had some training, we have those records. SALGA had some training and we had to give them a break because we said they must also spend time in the municipalities and then we started our training. In the midst we have also offered what we called 'a circle of development' with the University of Stellenbosch, realising that there are various levels of education within the Councillors domain and also we wanted to create the space for Councillors to capacitate themselves.

So, that circle of training, you can enter at any space and you can exit at any space because there are also people with doctorate degrees that need some training on specific items. If you enter with a matric, you can after four years walk out with a degree and there are 25 Councillors participating within that programme. I would like it to be more but you cannot force people do to that. Thank you.

†Die ADJUNKSPEAKER: Agb lid Botha, wil u opvolg? Nee? Die agb lid Gillion.

[The DEPUTY SPEAKER: Hon member Botha, do you want to follow up? No? The hon member Gillion.]

†Me M N GILLION: Dankie, mnr die Adjunkspeaker. Dis net 'n *follow-up question*. Is daar enige wetgewing in *local government* wat 'n minimum kwalifikasie voorskryf voor 'n raadslid ingesweer kan word? Dis net 'n *follow-*

*up question op agb lid Mnqasela se vraag.*

*[Translation of Afrikaans paragraph follows.]*

[Ms M N GILLION: Thank you, Mr Deputy Speaker. It is just a follow-up question. Is there any legislation in local government prescribing a minimum qualification before a councillor can be sworn in? It is just a follow-up question on hon member Mnqasela's question.]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Mnr die Adjunkspeaker, nee, nie sover as ek weet nie. Ek dink dit raak baie keer 'n politieke debat en oor partye. Ek is glad nie ten gunste daarvan nie. Dankie.

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, no, not as far as I know. I think it often becomes a political debate and about parties. I am not in favour of it at all. Thank you.]

The DEPUTY SPEAKER: Thank you. Can we move onto the next question which is Question number 9? New questions, hon Mnqasela again to Minister Bredell, Question 2, it is Question 2 and not Question 9. Question 2 of the New Questions.

*New Questions**Community Works Programme***2. Mr M Mngasela asked the Minister of Local Government, Environmental Affairs and Development Planning:**

What is the status of the Community Works Programme (CWP) across all municipalities in the province?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Okay. I will remain standing. Thank you to the hon member again for the question.

The Community Works Programme is a national programme which is implemented in all the local municipalities and the metropolitan municipalities within the province, with a total of 17 000 work opportunities allocated. As of March 2018, the status of the CWP Programme was as follows and I have got a whole list of all 30 municipalities here, the targets, how many participants there are and the reasons for deviation.

I think what was of interest, maybe I must give you the total, currently the target for all the municipalities is 17 500 and we have currently got 12 377 participants within that. If the member will allow me, I will hand this in, otherwise I can stand and read all 30 municipalities.

[List as tabled by the Minister.]

No	Municipality	Targeted Participants	No of participants employed	Reasons for deviation
1.	Beaufort West	1000	1107	The Municipality is allowed to exceed the approved target by 20%.
2.	Bergrivier	500	124	Awaiting authorization from DCoG in order to place participants.
3.	Bitou	500	519	The Municipality is allowed to exceed the approved target by 20%.
4.	Breede Valley	1000	931	Awaiting authorization from DCoG in order to place participants.
5.	Cape Agulhas	500	279	Awaiting authorization from DCoG in order to place participants.
6.	Cederberg	700	624	Awaiting authorization from DCoG in order to place participants.
7.	Drakenstein	500	344	Awaiting authorization from DCoG in order to place participants.
8.	George	500	519	The Municipality is allowed to exceed the approved target by 20%.
9.	Hessequa	500	163	Awaiting authorization from DCoG in order to place participants
10.	Kannaland	1000	773	Awaiting authorization from DCoG in order to place participants.
11.	Knysna	500	530	The Municipality is allowed to exceed the approved target by 20%.
12.	Laingsburg	500	271	Participants moving to other government programmes for a higher stipend.
13.	Langeberg	500	234	Awaiting authorization from DCoG in order to place participants.
14.	Matzikama	500	0	Awaiting authorization from DCoG in order to place participants.
15.	Mossel Bay	500	206	Over 300 participants have been approved by DCoG. The site staff find it difficult to trace approved participants to place them in useful work.
16.	Oudtshoorn	700	470	Currently busy with registration of participants that need to be captured and forwarded to DCoG for authorisation.
17.	Overstrand	500	70	The Municipality is currently busy with the re-registration process.
18.	Prince Albert	500	354	Awaiting authorization from DCoG in order to place participants.
19.	Saldanha Bay	500	399	Awaiting authorization from DCoG in order to place participants.
20.	Stellenbosch	500	92	Awaiting authorization from DCoG in order to place participants.
21.	Swartland	500	19	Awaiting authorization from DCoG in order to place participants
22.	Swellendam	500	293	Awaiting authorization from DCoG in order to place participants.
23.	Theewaterskloof	1000	873	Awaiting authorization from DCoG in order to place participants.
24.	Witzenberg	500	462	Awaiting authorization from DCoG in order to place participants.
25.	City of Cape Town			

No	Municipality	Targeted Participants	No of participants employed	Reasons for deviation
	(Cape Flats Site)	1100	747	Awaiting authorization from DCoG in order to place participants.
	(Khayelitsha)	1000	1089	The Municipality is allowed to exceed the approved target by 20%.
	(Nyanga/ Gugulethu)	1000	885	Awaiting authorization from DCoG in order to place participants.
<b>TOTAL</b>		<b>17 500</b>	<b>12 377</b>	

The DEPUTY SPEAKER: Hon Mnqasela?

Mr M MNQASELA: Thank you very much, Mr Deputy Speaker. †Masibalinde Kaloku. [Let us wait for them then.] Hon Minister, the problem that I want to state right from the outset – and I would like you to help me here – we see how this programme is failing, a programme that should be supporting people who are desperately needing bread and butter. How will this Department ensure that the National Government, which is the agent responsible for this, is able to spend this money allocated for job opportunities like this one, that is much needed? [Interjections.]

Mr Q R DYANTYI: I am sorry, we do not agree. I am sorry.

Mr M MNQASELA: It is much needed.

*[The Speaker takes the Chair.]*

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, it is a National

Programme as I stated. The programme does have many challenges and in ... [Interjection.] Ja, and a lot of other issues within and I think we need to be honest that money is not the problem because we put a lot of money in but at the bottom there is only a little coming out and it is because of making use of all sorts of agencies and support to get people into jobs.

The problem that we sit with, to be honest, is if there is a payment failure or something then people phone me and we are not in charge of this programme, it is a national programme. Or when there is a march, then they want to see the MEC when this is a national programme.

We are busy negotiating. Remember we have also got a new MEC so nationally we will look into this kind of programme and also the salaries that we offer and we will negotiate and also look at compensation because I think currently the only institution that is allowed to pay less than minimum wage is National Government. Thank you.

The SPEAKER: First hon member Gillion, then hon member Mnqasela.

Me M N GILLION: Thank you, Madam Speaker. †So wat die LUR vir ons sê is dat hierdie program nie werk in die Wes-Kaap nie en dit is 'n nasionale program deur die Nasionale Departement van COGTA. Is u dan bereid om die program van COGTA terug te gee om te administreer? [So what the MEC is saying to us is that this programme is not working in the Western Cape and it is a national programme by the National Department of COGTA. Are you



then prepared to hand back the programme of COGTA to administer?]

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Agb Speaker, ons is besig met die program en ek het nie gesê hy werk nie, hy werk nie soos wat hy moet werk nie. Hy kan baie beter werk ... [Tussenwerpsel.]

*[Translation of Afrikaans paragraph follows.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, we are busy with the programme and I have not said that it is not working, it is not working as it should be working. It can work much better ... [Interjection.]]

The SPEAKER: Order, please!

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: As ons al die geld wat na die *agencies* toe gaan deur die tregter kry op grondvlak, kan ons baie meer mense werk gee en ek dink dit is wat ons almal wil doen aan die einde van die dag.

So die program het groot uitdagings. Daar is uitbetalings wat faal. Daar is mislukkings, want die agentskap faal. Daar is probleme met die program. Ons werk saam met ons Nasionale Departement om hierdie probleme te probeer uitsorteer. Ek dink dit is in almal se belang om mense aan die werk te kry.

*[Translation of Afrikaans paragraphs follow.]*

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: If we get all the money going to the agencies through the funnel at ground level, we can give jobs to a lot more people, and I think that is what we all want to do at the end of the day.

So the programme has big challenges. There are payouts that fail. There are failures because the agency fails. There are problems with the programme. We work together with our National Department to try and sort out these problems. I think it is in everybody's interest to get people working.]

The SPEAKER: Thank you. I see the hon Mnqasela.

Mr M MNQASELA: Thank you, Madam Speaker. Only 1,8% has been spent on this project. Only one point per cent of the Budget. Now the question here that I want to request from the Minister, what measures does he think are best in order to ensure that this project succeeds in this province? The fact that it is run nationally, it does mean it must fail and what are the measures that he thinks that should be put in place in order to make sure that people get job opportunities?

The SPEAKER: I see the hon Minister.

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN

ONTWIKKELINGSBEPLANNING: Dit moeilik om jou persoonlike opinie te gee maar ek dink regtig ons kan baie meer doen as ons om 'n tafel sit en ons – [It is difficult to give one's personal opinion but I really think we can do a lot more if we sit around a table and we –] †debate all these job creating programmes. I really think that it is not helpful if people enter a programme and they stay in the programme, like the EPWP or CWP Programmes. It must be a training programme, they must go out with a skill and they must provide for themselves so that we can get new people in these programmes, so I think that will be the ideal.

Obviously I would like to be more in control of the programme so we can push it through our municipalities, keep them to account and create more opportunities, especially for the youth and especially for new matriculants, after matric, get them through the programme, give them a specific skill for the market and get them into jobs.

I also think that we can combine these programmes much more with the private sector so that if we provide the training the private sector will take that up, if we can join forces, but we can do it if we get more control. Thank you.

The SPEAKER: Thank you. I see the hon member Dyantyi. This is the fourth follow-up members.

Mr Q R DYANTYI: Hon MEC do you agree with me ... [Interjection.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS  
AND DEVELOPMENT PLANNING: No.

Mr Q R DYANTYI: You do not even know what I am going to say.  
[Laughter.] You have to listen first.

The SPEAKER: Hon member Dyantyi please direct your questions to the  
Chair. Thank you.

Mr Q R DYANTYI: Through you, Madam Speaker ... [Interjection.]

The SPEAKER: I am here.

Mr Q R DYANTYI: I want to ask the hon MEC if he agrees with me that both  
in the Annual Report of this Department and also in your speech, which is  
very recent, you raised no concerns about the CWP. In fact in your speech it  
became part of the numbers.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS  
AND DEVELOPMENT PLANNING: What speech?

Mr Q R DYANTYI: Your Budget speech. You forgot that? Okay.  
[Interjections.]

The SPEAKER: Hon members, please direct your enquiries through the Chair.

Thank you.

Mr Q R DYANTYI: So I am asking the question, so he agrees with me that ...

[Interjection.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS  
AND DEVELOPMENT PLANNING: No.

Mr Q R DYANTYI: [Laughter.] ... up to this point – unless what we read in the Annual Report and also what he presented in the Budget Vote, he forgot certain facts that he now all of a sudden has remembered.

The SPEAKER: Thank you, hon member Dyantyi. I see the hon Minister.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS  
AND DEVELOPMENT PLANNING: There were so many bad results from National Government that I was ashamed to name and shame all of them.  
[Interjections.]

The SPEAKER: That concludes Question number 2. We now move to Question number 3. Hon member Uys to Minister Schäfer. I see the hon, the Minister.

*Garden Route Primary School: demise of learner*

**\*3. Mr P Uys asked the Minister of Education:**

What was the reason for the demise of a learner of the Garden Route Primary School on the school's grounds, (b) what measures has she put in place to prevent a similar situation from occurring and (c) what support did she lend the parents and the school?

The MINISTER OF EDUCATION: Thank you, Madam Speaker. The answer to part (a): unfortunately the grade 5 learner, Mivuyo Homane, 11 years old, tragically passed away after being run over by a truck on the school premises. The incident occurred during interval around 10:30.

The Municipality is currently landfilling a piece of land at the back of the school premises. Learners were prohibited from being on the site. It is reported that the learner chased the truck and then was run over. [Interjections.]

- (b) Safe Schools officials visited the school and addressed the principal on the safety precautions that need to be adhered to, to ensure learner safety around the site at the school. It is required that increased supervision is maintained when learners are on interval.
- (c) On the morning of the accident, immediate arrangements were made by the WCED to support the school. This included a psychologist, social worker and learning support advisor, to assist learners and educators with the trauma. The Department of Social Development and other

community organisations also assisted. All learners were debriefed by either a psychologist, social worker or a trained counsellor. Counselling and support were also given to the family of the learner, as well as educators and other staff members.

In addition, further counselling and support were provided the following day by the school psychologists and social workers of the WCED. Parents were asked to report if the children displayed symptoms of emotional distress during the evening at home, such as insomnia, nightmares, etc. All learners and staff were alerted to post-traumatic stress symptoms. The Employee Wellness Programme for Government Officials was also made available to staff members who requested it.

Continuous support is being provided to the school. I personally phoned the principal to express my condolences and offer whatever assistance they needed. I also arranged for a contribution towards funeral costs to the family.

The SPEAKER: Thank you. I see the hon member Uys.

Mr P UYS: Thank you, Madam Speaker. Thank you MEC. You did not really respond to how you will prevent this from happening in the future because this is something that happened. You say it is tragic, yes, we all agree with that, but how would you prevent this from happening in the future?

The MINISTER OF EDUCATION: Yes, I did answer, part (b) by telling you that Safe Schools officials visited the school and addressed the school as to safety precautions that need to be taken which is how we are planning to prevent it from happening. It is unfortunately one of those tragic instances where you cannot keep an eye on every child for every minute of the day.

The SPEAKER: Thank you. Hon member Uys, your second follow-up?

Mr P UYS: MEC, do you have specific guidelines, or your Department, when there is construction happening at the school or any school to protect the learners because this was not after hours or anything. This was in school time and parents entrust their children to the school and then that happened.

The MINISTER OF EDUCATION: I think I already answered that Madam Speaker. [Interjections.]

The SPEAKER: Thank you. I see the hon member Olivier.

Mr R T OLIVIER: Through you, Madam Speaker ... [Interjections.]

The SPEAKER: Order.

Mr R T OLIVIER: Given the fact that this incident happened during school hours, while learners were there, and we all understand the energies with learners on school premises, was this work environment managed or was



there anyone that was on site making sure that the place where learners were was safe?

The MINISTER OF EDUCATION: My information is that there was a teacher on duty during interval, as required, in that particular area at the time, yes.

The SPEAKER: The last one, hon member Olivier.

Mr R T OLIVIER: MEC, is there any investigation and how soon can we expect an outcome of that because this is quite serious and I am afraid that it might happen again because you do not have an answer as to whether there are any measures in place to prevent this happening again. Is it possible that your Department or whoever works on school grounds refrains from working during school hours, maybe on school holidays, after hours to ensure that an incident such as this does not take place again?

The MINISTER OF EDUCATION: I have answered the question, hon member Olivier. We have safety precautions that are required during these building operations. I do not think it is reasonable to expect no work ever to be done at schools because I mean people have to do work during working hours also but the fact of the matter is ... [Interjections.]

Sorry, the fact of the matter is that this was actually a volunteer project. It was being done voluntarily by people to assist the school ... [Interjections.] and they have now withdrawn from the school because ... [Interjections.]

The SPEAKER: Order.

The MINISTER OF EDUCATION: ... of the trauma that has been caused by this incident.

The SPEAKER: Thank you, hon Minister. That concludes Question number 3 and I go to Question number 4, hon member Uys to Minister Bredell. I see the hon, the Minister.

*Municipal councillors: freedom of speech*

**\*4. Mr P Uys asked the Minister of Local Government, Environmental Affairs and Development Planning:**

(a) To what degree has an elected municipal Councillor freedom of speech in formal meetings of the Council and outside of such meetings and (b) what limitations they may be and are subject to as regards freedom of speech?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Madam Speaker and thank you to the hon member Uys. [Interjections.]

The SPEAKER: Order please. Sorry, Minister Bredell, there is just too much noise. Members, can you compose yourselves please. Minister Schäfer?

Thank you. You may proceed, Minister Bredell.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Madam Speaker and thank you to the hon member Uys for the question. It is a long answer. We have put a lot of work in because it is also a learning curve I think for all of us. To what degree an elected municipal Councillor has freedom of speech in formal meetings of a council and outside of such a meeting.

So, let me start. Madam Speaker, Section 160 (8) of the Constitution of the Republic of South Africa 1996, provides that members of a municipal council are entitled to participate in its proceedings and those of its committees in a manner that:

- (i) allows parties and interests reflected within the council to be fairly represented;
- (ii) is consistent with democracy;
- (iii) may be regulated by national legislation.

Section 28 of the Local Government Municipal Structures Act 117 of 1998, gave effect to section 160 (8) of the Constitution and requires that provincial legislation be developed in terms of Section 161 of the Constitution and further provides for a framework within which the provincial legislation must comply.

Section 161 of the Constitution provides that provincial legislation within the framework of National Legislation may provide for privileges and immunities of municipal Councillors and their members.

Giving effect to Section 161 of the Constitution and Section 28 of the Structures Act, in 2011, the Western Cape Privileges and Immunities of Councillors Act 7 of 2011 – Privileges and Immunities Act – was developed by the Department of Local Government and passed by the Provincial Department. Section 2 (1) of the Privileges and Immunities Act provides that a councillor has freedom of speech in any meeting of the council of which he or she is a member and in any committee or sub-council or mayoral committee of that council. Section 2 (2) of the Privileges and Immunities Act provides that a councillor's or that councillors' right of speech:

- (i) includes participation in the deliberations of voting on any resolution, decision, report, paper or minutes adopted or approved by the council or any of its committees or sub-councils or its mayoral committee; and
- (ii) is subject to the council's rules of order and the Code of Conduct.

As mentioned above, Section 2 (2) (b) says freedom of speech is subject to council's rules of order and the Code of Conduct. The Code of Conduct referred to is the Code of Conduct for Councillors, Schedule 1 of the Local Government Systems Act 32 of 2000.

Councillors therefore have freedom of speech in council meetings and its committees as is provided for in the municipal rules of order by-laws or policies and such freedom of speech may be limited. Municipal rules of order must provide for what constitutes a permissible means of limiting free speech or breaches of the rules.

In answering the question with respect to the degree of freedom of speech an elected municipal councillor has outside of formal meetings of council, reference must be made to the interpretation of Section 28 of the Structures Act by the Courts.

In the case between *Dikoko and Mokhatla - City of Cape Town*, it was first decided by the North West High Court that when councillors attend Standing Committee meetings, Section 28 of the Structures Act, which provides for freedom of speech of councillors is not applicable, as such meetings are not council meetings.

However, the Constitutional Court in the same case, considered the purpose of privileges in a constitutional democracy which promotes freedom of speech and expression, and full and effective deliberation and removes the fear of repercussions for what is said, which in turn advances effective democratic government. The Court therefore concluded that if a councillor participates in genuine and legitimate functions or business of council, whether inside or outside the council, the privilege afforded under Section 28 ought to be extended to him or her.

Therefore, as per the Constitutional Court judgment, and according to the purpose of privileges in a constitutional democracy, which is privilege of freedom of speech, when a councillor participates in the genuine and legitimate functions of business of council, whether inside or outside the council, Section 28 must be extended to that councillor.

Then the (b) section of the question ‘what limitations they may be and are subject to as regards freedom of speech?’

Limitations of the freedoms of speech may be permissible when one or more of the following disturbances occurs:

- (i) improper inference with or impedance of a council or committee when such a council or committee is exercising its authority or performing its functions; or the performance by a councillor of his or her functions as a councillor.
- (ii) Threaten or obstruct a councillor proceeding to or going from a meeting of a council or committee.
- (iii) Assault or threaten the councillor or deprive a councillor of any benefit, on account of the conduct of the councillor in the council committee;
- (iv) While a council or committee is meeting, create or take part in any

disturbance within the precinct;

- (v) Fail to refuse to comply with the instructions by the person presiding at the meeting of the council or committee regarding the presence of any person at that meeting; or
- (vi) Refuse to comply with the instruction by the duly authorised official of the council regarding –
  - the presence of persons at a particular meeting of the council or committee; or
  - the possession of any article including a firearm in the precincts or any part thereof.

Permissible limitations of freedom of speech was confirmed by the Constitutional Court in the *Democratic Alliance versus the Speaker of the National Assembly and other judgements [86 of 1]*). The Court stated in paragraph 38 that:

“the privileges contained in Section 58 (1) (a) and 71 (1) (a) can never go so far as to give members a licence to disrupt the proceedings of Parliament that it may be hamstrung and incapacitated from conducting its business”.

Section 58 (1) (a) and Section 71 (1) (a) are similar to Section 161 of the Constitution which applies to municipal councillors and Section 28 of the Structures Act which provides that councillors have freedom of speech in municipal councils and in its committees' subject to the rule of Order of that municipality. So that is more or less it. Thank you.

The SPEAKER: Thank you. I see the hon member Uys.

Mr P UYS: Thank you, Madam Speaker and thank you, MEC. I think you covered the constitutional part very well and I think it is useful information and very important information.

I want to get to the outside part of council then, seeing that you covered the other part extensively and ask to what extent would you allow or support or guide a councillor when they speak outside of the meetings, meaning a quarterly report back meeting. Are they allowed to freely speak about what happened in council or are they prohibited in terms of the guidelines you gave now?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Well, first of all I think council meetings should be open to the public since it is within the public domain. I do not think we need to hide. Obviously the sensitive parts, when there are personalities involved, so at disciplinary hearings and we all know the green part of, colour parts of the agenda, those things need to stay confidential.



The rest we need to talk to and we need to be able to discuss it.

Ward councillors – it does not matter which political party – must be able to discuss these things within a ward committee so first of all I think we need to promote open meetings so people get the information.

The SPEAKER: Hon member Uys?

Mr P UYS: Thank you, Madam Speaker. So, MEC when a councillor speaks out of council, would the councillor also be allowed to speak against the council when there is something going wrong in the council, the council may not be administered correctly, would you say that must be kept under covers and not be out in the open?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: When council is doing something wrong there are a couple of routes we can take. First of all, you can make a case and take the Speaker on, take a decision on review. It is not what the person wants, we are public representatives. I do not know if there is a specific case you are referring to, then we must look into that case but obviously there are different views within the council and we cannot choose which ones we like or do not like, we need to be able to debate it, we need to be able to discuss it.

Mr P UYS: Thank you, Madam Speaker. Then how would you support

councillors when they get threatened not to say anything? Anything they communicate, directly or indirectly, must be with the necessary authority and this is what the leader of the DA, Musi Maimani, said – that they are not allowed to communicate anything. Anything ... [Interjections.] to anybody and I am quoting:

“If any person directly ... [Interjection.]

The SPEAKER: Order.

Mr P UYS: ... or indirectly communicates anything without the authority of Thomas Walters they will be in trouble. How would you support the councillor like this? [Interjections.]

The SPEAKER: Hon member Uys.

Mr P UYS: Madam Speaker, MEC, how would you support a councillor in this regard, specifically protecting the councillor where the Code of Conduct is very clear, they must communicate with integrity and in an honest way. How would you protect that councillor? [Interjections.]

The SPEAKER: Thank you. Order please!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Obviously this is also a new question ...

[Interjections.]

Mr Q R DYANTYI: It is not!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: It is a new question. [Interjections.] It is a new question. There is context to these things. Obviously I will always promote honest communication to protect the integrity of this House or any council so open and honest conversation is good and honest communication I will always promote.

The SPEAKER: Thank you. Sorry is this the final follow-up? †Jy het dan my nou so [Onhoorbaar] ek is nou ...[Tussenwerpsel]. [You have now [Inaudible] I am now ...[Interjection.]]

†Mnr Q R DYANTYI: Nee, nee. Ek is nie klaar nie.

[Mr Q R DYANTYI: No, no. I am not finished.]

The SPEAKER: You may proceed, hon member Dyantyi.

Mr Q R DYANTYI: Through you, Madam Speaker.

The SPEAKER: Yes, please. Thank you.

Mr Q R DYANTYI: Hon MEC, this is the last question. In the interests of

freedom of speech which you have highlighted to us, one of the things you spoke about was the impediments to that and here is a classic example of where that happened. Have you taken any action, as an MEC for Local Government in this province, on the specific case that have just been shared here now?

The SPEAKER: Thank you, hon Dyantyi. I see the hon Minister.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I do not know the case because the hon ... [Interjections.]. He hides the case. Give me the information. [Interjections.]

The SPEAKER: Thank you. That concludes Question 4. We now move to Question 5, the hon member Gillion to the Minister of Health. I see the hon Minister, Minister Mbombo.

*Forensic personnel*

**5. Ms M N Gillion asked the Minister of Health:**

Whether the situation regarding the shortage of forensic personnel has improved this year; if not, why not; if so, what are the relevant details?

The MINISTER OF HEALTH: In terms of the posts we have two registrars

and eight forensic pathology officers. [Interjections.]

†Die SPEAKER: Asseblief, agb Dyantyi, bedaar.

[The SPEAKER: Please, hon Dyantyi, calm down.]

The MINISTER OF HEALTH: If you recall in November 2017, there was a question that was ... [Interjection.]

The SPEAKER: Just tilt your mic a little bit there.

The MINISTER OF HEALTH: In November 2017 a similar question was asked by the hon member Uys where we indicated that we have made these posts available. So now we do have those posts, people are appointed, two registrars and eight forensic pathology officers.

The SPEAKER: Thank you. Hon member Gillion?

Ms M N GILLION: Thank you, Madam Speaker. I just want to highlight to the MEC that the cases load in this province went from 3 548 in 2014/2015 ... [Interjections.]. It rises to 3 923 cases. Now MEC do you think the appointments that you just highlighted now are enough to assist in this?

The MINISTER OF HEALTH: We have added 10 people, eight forensic pathology officers, two registrars and one medical officer. It is a start. We have not received any complaints related to a shortage. We have managed to

reduce the backlog. For example, the MJC wrote us a letter thanking us that there are no more delays. As I indicated, two registrars, one MO and eight forensic pathology officers have been appointed this year.

The SPEAKER: I see the hon member Gillion.

Ms M N GILLION: Yes, Madam Speaker. There was an oversight visit – I was not part of but I got my report from the members who were there. Now part of the current challenges faced in this Department, even after you appointed new staff, on page 23 of this report it stated and I quote:

“All of this is dependent on the availability of staff and it is a challenge that this Department is still facing”.

Now my question to the MEC is and I am very, very serious about this – whatever other members want to make comments I do not care. Do you really think, MEC, getting a report from an oversight visit dated last week ...

The MINISTER OF SOCIAL DEVELOPMENT: But you were not part of it.

Ms M N GILLION: I gave my excuses for not being part of it but we have got four members on this Committee and the MEC must do his own oversight. He must stop looking at me.

The SPEAKER: Hon member Gillion, thank you. Is that your question?

Ms M N GILLION: No that is not my question.

The SPEAKER: Okay, so what is your question to the Minister please?

Ms M N GILLION: The question to the Minister is: do you really think after an oversight report stating very clearly that most of the challenges in this Department are because of staff shortages, do you think you have solved the problem?

The MINISTER OF HEALTH: I just indicated that so far we have added more posts. Of course there will never be enough. Whether it is FPS, whether it is EC, whoever, we will never have enough. But, in terms of what we have, we have to do more, so the mere fact that we have appointed people, is part of the things that are going on.

So, regarding your question about whether it is enough – no, it will not be enough, it will never be enough because I do not know how many people will die tomorrow. These forensic pathology officers have to respond on national deaths so if we had more money we could have more people to appoint in any department.

The SPEAKER: Hon member Gillion?

Ms M N GILLION: Yes, thank you. Also out of the oversight report, it is reported that these personnel are working from six to six. Do you have

anything in place to alleviate that because staff are pressurised?

The MINISTER OF HEALTH: May I ask which personnel because we have got forensic pathologists, we have got [Inaudible.] pathology officers, forensic pathology assistants, we have got the administrators, so which ones?  
[Interjections.]

The SPEAKER: Sorry, Chief Whip?

Mr M G EWILEY: Can I ask the Minister a question?

The SPEAKER: Yes, you may.

Mr M G E WILEY: Hon Minister have you received this report that the member talks about? [Interjections.].

The MINISTER OF HEALTH: The reason I am referring to specific posts, for example a pathologist works 24 hours, an FPA might work less. That is why I am saying that I do not know exactly which ones you are talking about. I need to know so that I can have context. [Interjections.]

The SPEAKER: Thank you. That concludes Question number 5. We are now on Question number 6 from the hon Mackenzie to the hon, the Minister of Social Development. I see hon Minister Fritz.



*Mitchells Plain: Youth Café*

**6. Mr R D Mackenzie asked the Minister of Social Development:**

How far has the process with regard to the Youth Café in Mitchells Plain progressed?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, Madam Speaker. Thank you, hon Mackenzie, for the question. The Mitchells Plain Youth Café was relocated from Rocklands, which is in the back, in June 2017 and it is progressing very well at its current location in the Mitchells Plain town centre. Now those people who go on sight visits will know that the township is where everything happens – those who go on sight visits, they will know. [Interjections.]

The decision to relocate the Youth Café was largely motivated by the need to increase the accessibility, hon member Mackenzie. In this regard it has been a major success as it is located next to the Mitchells Plain transport hub. I was there last week. I am still fighting with the service provider because our sign is still not up and I want to take *boeta* Allie and *boeta* Gamat to go put it up ourselves because sometimes these service providers think they are the owners of everything.

The SPEAKER: Thank you. I see the hon member Mackenzie.

Mr R D MACKENZIE: Can the Minister share with us what services are provided at the Youth Café in Mitchells Plain? [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: Firstly, the Youth Café ... [Interjections.]

The SPEAKER: Order, please!

The MINISTER OF SOCIAL DEVELOPMENT: ... also represents a major ... [Interjections.]

The SPEAKER: Order, please. Minister Fritz kindly address the Chair please. Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: The Youth Café also represents a major partnership with the City of Cape Town who provides the facility free of charge to us and the services provided at that specific one – because remember it differs from Youth Café to Youth Café – their range includes IT services, entrepreneur development, psycho-social support and skills development programmes.

Another one of the programmes that is quite interesting is the Trauma Release Exercise. It is very, very specific, dealing with trauma of our young people. A lot of our young people have experienced a lot of trauma.

I also want to report that for the last year the Youth Café has reached 1 304 young people through a range of programmes. As the hon member Makeleni will know, I am not a person to chase numbers but this ... [Interjection.] Ja, she is *maar lekker* but she knows because she is a very active member of our committee.

It is the kind of programme that works, that gets young people in and it also reminds me and I think some of the older persons like the hon Premier will remember the Christian Institute, in Mowbray, in the seventies. They used have very similar programmes where young people could come and get skills until it was banned by the apartheid government.

The SPEAKER: I see hon member Makeleni.

Ms P MAKELENI: Thank you, Madam Speaker. Seeing that we have relocated the Youth Café from Rocklands to Mitchells Plain, where the space is now smaller, and it does not have all the programmes that we were doing in Rocklands, what did it cost you to run the Rocklands Youth Café and what does it cost you now running the Mitchells Plain Youth Café? You knew I would ask that question.

The MINISTER OF SOCIAL DEVELOPMENT: You are very predictable hon Makeleni but that is a very good question. The one in Rocklands was very expensive because we had a private owner and he charged us – and every time they see Government, they see money, they see dollars floating and they

just want to charge us. We were very lucky to get this facility from the City for free, basically for free and I am looking at the hon Donald just to remind him that it is for free. And we saved quite a lot of money on renting but also hon member Makeleni, the smaller space affords us the opportunity to move in and get a footprint in our communities like Tafelsig, like Beacon Valley, to get programmes into those communities and I think it is exciting. It is smaller but that is the exciting thing, to get into those communities and actually go to where the young people are.

In fact I went the other day and there was a very, very active, packed place, a bit smaller but packed and I think that footprint we are talking about, different spaces in our community, these are not little static places but they are dynamic, interactive working spaces and I think that is the point.

The SPEAKER: Thank you, you hon Minister. I see hon Mackenzie after which I see the hon Kivedo.

Mr R D MACKENZIE: Thank you, Madam Speaker. Hon Minister given that they are now in a smaller space than when they were in Rocklands, how many youth leaders or youth facilitators are employed at the Youth Café in Mitchells Plain, and are they able to meet the demands?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, hon member Mackenzie. What we do, what we build into the budget, is to have ten of our internships allocated to each Youth Café. We have ten at Rocklands and then

we pay for a full-time administrator who is normally the Youth Café Manager.

Madam Speaker, it is interesting to see the development of people who just come in, who are unemployed, who are just lying at home and how they can develop. The whole principle of the Youth Cafés, hon member Makaleni will remember, is around earning your place because we do not give out hand-outs anymore. It is earning your position and earning everything and I think that is the point.

The SPEAKER: Thank you, hon Minister. I see hon member Kivedo.

Mr B D KIVEDO: Thank you, Madam Speaker. Thank you, hon Minister Fritz. Very positive stuff. I just wanted to know, given the high incidents of youth delinquency in Mitchells Plain, whether any provision have been made for specific and dedicated youth diversion programmes 'ala' Chrysalis, apart from the traditional, conventional training and recreational aspects? Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, hon member Kivedo. That is again a very important question because it speaks to the different programmes that we have. Now diversity in law means a very specific thing. Remember diversity in law means diverting people out of the criminal justice system, specifically young people, so that they do not become criminals and that they do not have criminal records, so they can get

jobs afterwards.

So, we run a very specific programme around diversions and the Mitchells Plain Court. That is a separate one. We have also come to believe that not all our young people have substance abuse problems. I remember it sounds very familiar in answering it.

There are great young people. Why are we not celebrating them? The guys who are doing well, who are lying at home with a university degree. We give that guy hope. And then the Youth Cafés can only be factories of hope. That is exactly what it is.

An HON MEMBER: Yes.

The MINISTER OF SOCIAL DEVELOPMENT: So, thanks for that sir, but there are all those different levels of interventions within our communities.

The SPEAKER: Thank you, hon minister Fritz. That was the final follow-up and it also concludes the question session. We now move to Questions to the Premier without Notice. Just a reminder there are two follow-ups which must be relevant to the original question and the first person on my Order Paper is the hon member Tyatyam.

Mr S G TYATYAM: Thank you, Madam Speaker. Premier in 2016 you visited Netfirm ...

The SPEAKER: Sorry could you speak up a little bit please, hon member Tyatyam.

Mr S G TYATYAM: In 2016 you visited Netfirm with the Ambassador of Israel ... [Interjection.]

The PREMIER: [Inaudible.]

Mr S G TYATYAM: Yes. In 2017 it was Mmusi Maimane, through the office of the ambassador, visiting the deadly Netanyahu. Later that year, 2017, Mayor de Lille complained that she was forced to sign contracts with Israeli based companies.

So what I would like to know, Premier, is, how many companies or contracts does the Province have with Israeli originated companies? How many of those companies, who have head offices in Israel, that we are [Inaudible.] with, how many of them have contracts with the Government of the Province?

The SPEAKER: Thank you. I see the hon, the Premier.

The PREMIER: Madam Speaker I have absolutely nothing to do with procurement so I would not know.

The SPEAKER: Thank you. [Interjections.] There is an answer.

Mr S G TYATYAM: She must say that ... [Interjection.]

The SPEAKER: No, no hon Tyatyam, it is honourable. Everyone in the House, there is no 'he' or 'she'. We are all honourable members ... [Interjections.]

†UMnu S G TYATYAM: No, ndiyatsho kaloku. Ndiyatsho, wena Speaker. Ndiyatsho uba yena xa engayiqondi into, makahambe atsho: "Ndisezayoyiphanda". Angatsho ngeetshiki ezineshori uba: "lo mba uthwa". I-question yam eyesibini ... [Uphazamiseko.]

*[Translation of isiXhosa paragraph follows.]*

[Mr S G TYATYAM: No, I am just saying. I am saying, Speaker, that if she is not sure about something, she needs to say: "I will go and do some research about it." She must not say, with an awful attitude, that: "this is how it goes." My second question... [Interjection.]

The SPEAKER: Hon member Tyatyam ... [Interjection.]

Mr S G TYATYAM: My second question ... [Interjection.]

The SPEAKER: Sorry no, what I was addressing you on was the fact that every member in this House is referred to as an honourable member.



Mr S G TYATYAM: No, I agree with you.

The SPEAKER: Thank you.

Mr S G TYATYAM: It cannot be disputed. You are right.

The SPEAKER: Thank you.

Mr S G TYATYAM: That is why you are there, just to make that correction. The second question, Madam Speaker, I just want to know, the USA now have an embassy in Jerusalem, I just want to know from the Premier in terms of the international relations of our Provincial Government, why have we kept quiet when the people of Palestine are being murdered? [Interjections.].

The SPEAKER: Order, please. [Interjections.] Order, please hon member Magaxa. [Interjections.] Minister Schäfer, please.

The PREMIER: We do not have a mandate on international affairs. It is one of the few mandates that is solely confined to the National Government. Our interaction with other countries is related purely to what we can learn from them to establish best practice in governance in the areas that are our constitutional mandate in the Western Cape and the location of embassies and the protracted wars and conflicts between groups or nations is not one them.

The SPEAKER: Thank you. This is your last question, hon member Tyatyam.

Mr S G TYATYAM: Yes, for her for now. Madam Speaker, I would want to know ... [Interjections.]

The SPEAKER: I will pretend I never heard that.

Mr S G TYATYAM: Previously we have seen how the Premier has actually commented on issues of colonialism and she seems to favour certain aspects of colonialism and I just want to understand from the Premier what aspects of colonialism and the apartheid regime she supports in Palestine or Israel ... [Interjections.] that is happening there?

The SPEAKER: That is a disconnected question but Premier you are welcome to respond.

The PREMIER: I have never said that any aspect of apartheid had any benefits whatsoever, so I do not know how apartheid comes into this question. But I can only comment about South Africa and the very fact that we have a multi-party system and a Parliament like this one, that works according to the rules that it does and it demands that I come here to answer questions without notice and that the Opposition can cross-examine me is one such consequence. Thank you.

†Die MINISTER VAN MAATSKAPLIKE ONTWIKKELING: Mooi!

[The MINISTER OF SOCIAL DEVELOPMENT: Good!]

The SPEAKER: Thank you. That concludes the first question. The second question is by the hon member Gopie to the Premier. Hon member Gopie?  
[Interjections.]

The SPEAKER: Order please hon member Tyatyam!

Mr S G TYATYAM: Ask the Chief Whip for order also.

The SPEAKER: Chief Whip I am ordering you too please. Manage yourself. You may proceed, hon member Gopie.

Ms D GOPIE: Thank you, Madam Speaker. On 12 May a story made headlines: “#De Lille getting advice and support from Zille as she fights to keep her party membership and mayoral chain” Mayor De Lille revealed that she was speaking to the Premier and that she was getting advice and support from the Premier. She also said that the Premier was appalled at how she was treated by the party. Now my first question is can the Premier tell us what exact support does the Premier give to the Mayor of Cape Town, Patricia de Lille and what advice did the Premier give to her?

The SPEAKER: I see the Premier.

The PREMIER: Thank you very much, Madam Speaker. I can answer that ...  
[Interjection.]

The SPEAKER: Order please.

The PREMIER: I can answer that question from the perspective of my role as the Premier of the Western Cape, which I happily will do. Ever since we were in an initial coalition with the Independent Democrats, I have met Mayor De Lille on a regular basis. It is usually every two weeks, sometimes every three weeks and sometimes once a month and we meet for a meal and we discuss issues relating to our respective roles in Province and in City as it happens at the moment.

So we continued those meetings because we separate party and state and we continue having professional conversations in which we discuss with each other respective spheres of government for which we carry part responsibility.

The SPEAKER: Thank you. You may proceed, hon member Gopie.

Ms D GOPIE: Madam Speaker, the Premier earlier in the month said that she supports the rule of law. Now I would like to ask if the Premier supports the Mayor of Cape Town when she claims the party did not follow proper procedures when it removed her from her mayoral seat? [Interjections.]

The SPEAKER: Hon member Magaxa, it would be so nice if you would ... [Interjections.]

The PREMIER: Madam Speaker, that is an issue that is currently before the courts and directly and imminently before the courts and it goes right to the heart of the merits of the case and I certainly cannot express an opinion and it is actually irrelevant what my opinion is.

The SPEAKER: Thank you. The last follow-up hon member Gopie?

Ms D GOPIE: Does the Premier agree with the manner in which the axing of Mayor Patricia de Lille was handled, which the Court said the DA did not follow proper procedures when it fired de Lille? [Interjections.]

The SPEAKER: Order please. The Premier is on the floor.

The PREMIER: The Court has not said that Madam Speaker. That is precisely the question before the Court that will happen in about two weeks' time.

The SPEAKER: Thank you. That concludes Question 2. The third question. I see the hon member Schäfer.

Ms B A SCHÄFER: Thank you, Madam Speaker. To hon Premier, let me ask her a question that actually pertains to the Premier's work. [Interjections.] So, Premier, I know that you have just recently returned from an international trip. I would like to know what key themes were discussed at the Regional Leader's Summit?

The SPEAKER: Thank you.

Mr Q R DYANTYI: That question is completely [Inaudible.].

The PREMIER: Yes, that is extremely relevant.

The SPEAKER: Order please, members. [Interjections.] Everyone needs to be afforded – hon Premier, kindly take your seat. Members, the first two questioners were afforded time and silence when they posed their questions ... [Interjection.] Can I please ask that you respect the other speakers on the floor as well? You may proceed, hon Premier.

The PREMIER: Thank you, Madam Speaker. Yes, the issues were very relevant at the Regional Leader's Summit and we had a key role to play, because we have been recognised by Moody's as one of the fastest growing green economies in the world and the question that was before all of us regional leaders was the issue of climate change, the impact on our various governments, how we are dealing with it and what the prospects are for the future.

Now, that is obviously very relevant to us, not only because we have successfully established a very vibrant and growing green economy but also because climate change is responsible for this very protracted drought. [Interjection.]

The SPEAKER: Hon Magaxa, you are out of order. Thank you.

The PREMIER: Cannot take facts, Madam Speaker ... [Interjections.] because climate change has also been identified as one of the causes of this protracted drought that we are facing. And so, I have been very interested in hearing what the situation is with other economies and what they are doing and of course, they are profoundly different. For example, one of our partner regions is Bavaria, in Germany, and you will remember that after Fukushima ... [Interjections.]

Mr S G TYATYAM: It is not our government.

The PREMIER: After Fukushima there was an immediate decision to undertake what is known as the Energiewende which wants to stop all nuclear and go green. And so, there was an enormous amount that we in the Western Cape, with such a fast-growing sun and solar energy and small scale and better generation program across the province, could learn from how they managed it.

And so we went through all of the provinces and learnt a lot from them. But, perhaps the most enlightening was Quebec actually, where the conference was held, because their CEO of what is their equivalent of Eskom, which is called Quebec Hydro, spoke about what they are doing to harness green energy and what they have been doing for years and years and years to harness green energy to bring down the cost of electricity and to make it very

attractive to invest, especially for producers who need a lot of energy and electricity.

And it was tragic for me to think about the comparisons between what I heard the Chief Executive Officer of Hydro Quebec say, when I compared it with what Eskom is doing. Here in South Africa, where we have such wonderful sun and such wonderful wind and waves – in Quebec they have great resources of water, which we do not have, fresh water – but we have waves and very many other sources of potential energy.

They have picked this up long ago and started harnessing it to the point that they have really been on the forefront of the switch to green energy and are bringing their costs of electricity lower and lower and therefore driving economic growth, which creates jobs. And that is one of the reasons why they are bringing down their unemployment and the same is happening in many other places.

Now, instead of doing that, years too late, Eskom woke up and decided to build two new coal fired power plants in Kusile and Medupi, costing billions and billions of rands, at a time when our energy was going through black-outs, as we all remember and in a disruptive period that gave us the incentive to go into green energy and it was the private sector, not the public sector, in South Africa, that recognised the need to go into green energy. And in contrast, in a place like Quebec, the government takes the lead. It is a capable state.



Their electricity utility, which is also a monopoly drives the issues, but in South Africa we have to wait for the private sector to do it and then the consequence, Madam Speaker, is that because Eskom has a monopoly on reticulation of electricity or of transporting electricity and allowing people to use it, they are desperately keen to prevent people from moving into green energies, because they have to sell a lot of coal fired energy which is getting more and more expensive, so that they can pay back the massive loans that they took out on these escalating obsolete projects.

And the tragedy with our country is that any person who can afford to buy into small scale and better generation is doing so, which means that the poorest of the poor will be left buying energy, more and more expensive energy, from Eskom. And this is the dilemma that we face and looking at the comparison between a capable, proactive state like you have in Quebec, with their electricity generation utility and ours, and there were several comments there that Eskom was once the leading ... [Interjection.]

The MINISTER OF SOCIAL DEVELOPMENT: Yup.

The PREMIER: ... electricity utility in the world ...

The MINISTER OF SOCIAL DEVELOPMENT: Yup, and they broke it.

The PREMIER: ... and how we have completely failed to keep on the cutting edge of the new trends of cheap electricity generation and how that will

precisely start exacerbating the divisions between the wealthy and the middle class on the one side, and poor people on the other side, because the middle class can buy out of the state's failure. The middle class can buy out of the state's failure in education, in health care, in policing and now in electricity generation and water consumption now. And the tragedy of an incapable state, in our context, is that the poorest of the poor, who only have the state's system to rely on, suffer most from this failure.

So, there was a lot of stuff to learn, but perhaps the most important thing that I learnt was unless you have a capable state as the number one priority, things get worse and worse for the poor. And unless we learn that lesson and get away from these other obsessions, that dominate our time, life is going to get worse and worse for the poor in South Africa. Thank you, Madam Speaker.

The SPEAKER: Hon member Schäfer?

Ms B A SCHÄFER: Thank you Speaker. Premier, that sounds very frustrating in a way ... [Interjection.]

Mr Q R DYANTYI: Ooooh!

Ms B A SCHÄFER: ...because I believe that all the Premiers were with you, as far as I can understand, but how can we as a province then take some of this insight forward into the next five to ten years to ensure that the Western

Cape benefits from those kinds of things that you have witnessed there? I mean it would really be a waste to think that we are at a complete loss and cannot move forward because we are stuck at a national level and a policy uncertainty level? [Interjections.]

Ms P MAKELENI: Uncertainty, when you are performing this ... [Inaudible.]

The SPEAKER: Thank you. [Interjections.] Order.

The PREMIER: The bottom line is this, that voters get the government they vote for, I am afraid, and in South Africa people still think that it is choice between races. It is actually a choice between a capable, competent and committed government and one that only sees the state as a front for looting. That is the choice and the sooner we get to make those choices, the better for the poor in South Africa, actually, Madam Speaker.

Now, we have heard a lot about the Oceans Economy, and I had the privilege of being asked to be the guest speaker at the opening of the Hamburg Port Festival and it is a huge event and there were Ocean Economy specialists from all over the world there, and I gave a seminar to a large number of the leading CEO's and others there, and I spoke about the prospects for South Africa, our Oceans Economy drive; I spoke about our special economics zone coming together in Saldanha, our deep-water port and a range of other things that we are trying to do with the small harbours, etc. etc. Afterwards several people came to me and said, "Look, South Africa talks a good game, but you

never follow up. You never deliver.”

They said, South African ports are amongst the most inefficient and expensive in the world, and so you can forget about this dream of, for example, getting an oil and gas hub for rig repair and other things until you have sorted out the inefficiency of your ports.

They said to me that, if there is a slight wind, which we easily cope with in the ports that we do business with all over the world, the dock workers say, they cannot operate in the wind and they go off for the day and it costs ships millions to wait in the harbour to be offloaded.

They say that if they are coming in and they need a tug to pull one of the ships in and it is going to take two and a half hours, but there is only two hours left on the shift, they have to wait till the next day. Now, if you go to a port such as Hamburg and I was taken on a very, very ... [Interjection.]

Ms P MAKELENI: They have apartheid in Hamburg?

The SPEAKER: Hon member Makeleni ... [Interjection.] If you have a question, kindly direct it to the Chair please.

The PREMIER: The question was “Did they have apartheid in Hamburg?” What they had in Hamburg ... [Interjections.] was that they were totally flattened by two World Wars. Flattened, flattened, flattened. [Interjection.]

And they had to build everything from scratch. I cannot believe it. I mean you know, sometimes the questions we get asked here are so extraordinary. Anyway ... [Interjection.]

Mr D JOSEPH: They had a Holocaust.

The PREMIER: They also had a Holocaust there, but we will leave that. What they have done, they have a port that is almost totally automated, and the thing moves cleanly and efficiently and with maximum precision and time management and we are competing against this. One of the key reasons is, that they operate on machines. So ... [Interjection.]

Ms T M DIJANA: [Inaudible.] rubbish.

Mr Q R DYANTYI: [Inaudible.] listen to this rubbish.

The SPEAKER: Order! [Interjections.]

Mr Q R DYANTYI: We are not supposed to be [Inaudible.]

The SPEAKER: Hon Premier, kindly take your seat please.

Mr Q R DYANTYI: [Inaudible.]

The SPEAKER: Hon member Dyantyi.

Mr Q R DYANTYI: You are right.

The SPEAKER: May I address you? If I heard you correctly you said, “are we supposed to listen to this rubbish?” ... [Interjection.]

Mr Q R DYANTYI: I did.

The SPEAKER: ... while the Premier was on the floor.

Mr Q R DYANTYI: Yes.

The SPEAKER: Was it directed at the Premier?

Mr Q R DYANTYI: I did.

The SPEAKER: Hon member Dyantyi, you would then have to withdraw and apologise ...

Mr Q R DYANTYI: No!

The SPEAKER: ... because that is unparliamentary.

Mr Q R DYANTYI: It is parliamentary.

The SPEAKER: Hon member Dyantyi ... [Interjection.]

Mr Q R DYANTYI: In this House it has always been parliamentary.

[Interjections.]

The SPEAKER: No. Hon member Dyantyi ... [Interjections.]

Mr Q R DYANTYI: In this House.

The SPEAKER: The context, the tone, the manner within which you came in here, it is unparliamentary. [Interjections.]

An HON MEMBER: No!

The SPEAKER: I am asking you to withdraw please. [Interjections.]

Mr P UYS: Madam Speaker ... [Interjection.]

The SPEAKER: Hon member Davids . [Interjection.]

Mr P UYS: The hon Premier has been saying rubbish all the time.  
[Interjections.] All the time.

The SPEAKER: Honourable ... [Interjection.]

Mr P UYS: That is the word she normally uses when she does not agree.

The SPEAKER: Hon member Uys ...[Interjection.]

Mr P UYS: That is her language!

The SPEAKER: I understand what you are saying, but just the manner, the tone and the whole way ... [Interjections.] No, so ... int

Mr Q R DYANTYI: I will change my tone.

The SPEAKER: Thank you, hon member Dyantyi.

Mr Q R DYANTYI: I will change my tone that she is speaking rubbish here!  
That is all I can say!

The PREMIER: Madam Speaker, ... [Interjection.]

The SPEAKER: Hon Premier - I need to ... [Interjection.]

The PREMIER: He did not hear a word I said.

The SPEAKER: I need to finish this. Just earlier on I cautioned hon member Tyatyam, there is no she and he in this House. [Interjection.] We are hon members.

†Mnr Q R DYANTYI: Daar kom dit!



[Mr Q R DYANTYI: There it comes!]

The SPEAKER: You are an hon member too, so please manage yourself in a way that is honourable. Thank you, hon member Dyantyi. [Interjection.]

Mr Q R DYANTYI: I promise. Honourable Premier.

The SPEAKER: Thank you.

Mr K E MAGAXA: You really asked for that one. [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: You ask rubbish questions!

The PREMIER: I am completely relaxed by the interjection of the hon Dyantyi, because he did not hear a word I said. He had just come in and told me I was talking rubbish while he was still walking ... [Interjection.]

Mr Q R DYANTYI: I was listening to you. You have just been all over the world doing nothing.

The PREMIER: So, the bottom line is that unless we build an efficient and capable state, all of these dreams we have and that we fully support, and we are working like anything to try and create a foundation for a successful Oceans Economy, unless Portnet and Transnet up their game dramatically, we are not going to make any progress. [Interjection.]

It is a well-known fact that climate change is causing a lot of the ice that used to block the seas and sea passages in the Northern Hemisphere is melting away, which will open sea passages in the Northern Hemisphere, which will make it totally unnecessary for ships to come around the Cape at all, anymore and that will make our Oceans Economy entirely redundant if that happens.

So, what we have to do is, up our game, realise that we are competing with the world's best and if we want to turn every debate into a race debate, we must be prepared to continue with the total disaster of having 9,5 million people unemployed in our country. Thank you, Madam Speaker.  
[Interjections.]

The SPEAKER: Thank you. That concludes Questions to the Premier without Notice. We have run out of time. [Interjections.]

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Ms S W DAVIDS: You closed all the factories after 1994.

The MINISTER OF SOCIAL DEVELOPMENT: Because of you!

Ms S W DAVIDS: You owe money to Switzerland and Europe and all over!  
[Interjections.] You closed the factories!

The SPEAKER: Hon members ... [Interjection.]

Ms S W DAVIDS: You closed the factories!

The SPEAKER: Hon member Davids, we have to get on with proceedings. I do not think we have to be subjected to this, please. We now move to Statements ... [Interjection.]

Ms S W DAVIDS: [Inaudible.] I am sorry.

The SPEAKER: I have accepted your apology, thank you. Next time just try and keep it together. We now move to Statements. I see the DA.

## **STATEMENTS BY MEMBERS**

*[The Deputy Speaker takes the Chair.]*

Mr D G MITCHELL (DA): Thank you, Madam Speaker. The ANC's supposed new election head, Mr "Brown Envelope" Ebrahim Rasool ... [Interjection.]

An HON MEMBER: Hey!

Mr D G MITCHELL: ... has called for the Bambanani Volunteer Programme to be reinstated in the Western Cape to assist the police ... [Interjections.]

The DEPUTY SPEAKER: Order. [Interjections.] Order!

Mr D G MITCHELL: ... and law enforcement agencies. [Interjections.]

The DEPUTY SPEAKER: Order! Order, allow the member the time.

Mr D G MITCHELL: The programme, piloted by the ANC when it was still in government in the Western Cape, was labelled – and I quote: “a complete failure” by the then Chairperson of the Proudly Manenberg and was disbanded as a result.

In a memorandum handed over to then Western Cape Premier, Lynne Brown, Proudly Manenberg stated that the volunteers were being exploited and victimised by the Department of Community Safety. The wages had not been increased and the volunteers were ill-treated.

†Sies! [Sis!] Mr Deputy Speaker, the Community wanted the project to be disbanded and the resources handed to the communities to start their own programmes. This, Mr Deputy Speaker, is exactly what the Western Cape Department of Community Safety did under the new DA-led Government, having funded countless Neighbourhood Watch Organisations which has been a tremendous success.

If the ANC wants to try and take the Western Cape again, why is Mr “Brown Envelope” Rasool proposing to reinstate failed programmes under the ANC?  
[Interjections.]

†‘n AGB LID: Hy gaan luise vang!

[An HON MEMBER: He is going to catch lice!]

Mr D G MITCHELL: Indeed, this is proof that the ANC ... [Interjection.] seeks to bring back the very same maladministration and corruption to this province, with no new alternatives other than corruption, because that is what the ANC knows, Mr Deputy Speaker. [Interjections.] Perhaps the ANC should leave governance in the Western Cape to the DA ... [Interjections.] because where we govern, we govern well. [Interjections.]

The DEPUTY SPEAKER: Order! Hon member Mitchell, your last sentence please. Your time has expired.

Mr D G MITCHELL: Proposing outdated and failed governance to our people, Mr Deputy Speaker, is proof that the ANC is completely out of touch with the needs of our people and will take our province back given half the chance to govern again. [Applause.]

The DEPUTY SPEAKER: Thank you, your time has expired. [Interjections.] Order. [Interjections.] Order members! I want silence before I see the next member. The ANC, hon member Nkondlo.

†UNksz N D NKONDLO: Uhlungu umntwana efundiswa ngamaqhinga, afundiswe amaqhinga ngabantu abadala.

[Ms N D NKONDLO: It is very sad when a child is being taught how to trick,

being taught trickery by adults.]

†Mr Deputy Speaker, lies, lies and more DA lies!

I am worried about you, Mitchell. [Interjections.]

The DA misleads the public, newspapers shout out as the Patricia de Lille saga continues. The Cape Town Mayor exposed the DA in court papers that shows racist and sexist traits ... [Interjection.]

Ms T M DIJANA: DA liars!

Ms N D NKONDLO: ... and you do not want to learn that. You are still very young. [Interjections.] Since the DA declared war against its former provincial leader ... [Interjections.]

Mr D G MITCHELL: No-no, on a point ... [Interjections.]

The DEPUTY SPEAKER: Order! [Interjections.]

Mr D G MITCHELL: Do not come patronise here!

The DEPUTY SPEAKER: Order!

Ms N D NKONDLO: May I request your protection, Mr Deputy Speaker?

The DEPUTY SPEAKER: Order, order! Just one second. I did not see why the member was standing up. Hon member Mitchell was there a point of order, a question, what was it? [Interjections.]

Mr D G MITCHELL: Mr Deputy Speaker, I am rising on a point of order because that member is casting a direct aspersion on me because I happen to be young. How dare she?! [Interjections.]

The DEPUTY SPEAKER: Order. Order, order, order. [Interjections.] No please come, let us get back to order. That is not a point of order. [Interjections.] That is a debating point. Hon member, you may continue now in silence. [Interjections.]

†UNksz N D NKONDLO: Enkosi, Sekela Somlomo.

[Ms N D NKONDLO: Thank you, Mr Deputy Speaker.]

The DEPUTY SPEAKER: I have to appeal to your own members to calm down. Order.

Mr K E MAGAXA: How dare?

The DEPUTY SPEAKER: Hon member Makeleni and your group, please calm down.

†UNksz N D NKONDLO: Isimilo.

[Ms N D NKONDLO: Respect.] † Since the DA declared war against its former provincial leader De Lille, she has become the party's biggest rival. In fact, the ill-considered and badly timed steps against her turned into the DA's downfall.

It does not matter who wins, the bruised DA will not recover from the torpedoes it has taken under the waterline. The DA Titanic is taking in water and is going down. Mutiny and rogue self-appointed shadow captains on that ship cannot prevent it from disaster. [Interjections.]

While the spoil-sport DA is doing its utmost to isolate De Lille, she is buoyantly coming back as she has the public understanding and confidence. The desperate DA fabricated fraudulent fake news against her abusing the Auditor General's name. Shame on the DA.

On a daily basis the embattled DA shoots itself in the foot as foolish DA bosses stick to their self-destruction course, more DA leaders are hunted down and the fire is spread to other municipalities like in Berg River and Drakenstein and DA provincial leader Madikizela stands with his arms folded. [Applause.]

The DEPUTY SPEAKER: Thank you. I see the DA, hon member Wiley.

Mr M G E WILEY: Thank you, Mr Deputy Speaker. Following the DA win in the Western Cape in 2009 the ANC said they did not recognise the DA win



and the province should be made ungovernable. Project Reclaim was born, a covert project by the ANC, with the aim to destabilise the Western Cape.

It concentrated on exploiting human weaknesses, especially amongst DA members and Opposition councillors, using inducements, and worse to force by-elections. The ANC would pour in almost limitless resources, using national departmental budgets, to sway the voters and thereby swing the balance in municipalities.

Once captured they stripped the resources, often to fund the ANC, channel funds to pet projects and enrichment schemes and create a home for cadre deployment. For the ratepayer it was just neglected services and incompetent administration. If they did not topple the municipality other methods included a starvation of services by national departments – creating dysfunction.

Service delivery protests and strikes became the reality. Destabilisation became the norm. When the disgraceful document was leaked the project died away, in no small part because of excellent DA service delivery.

But now it would appear the Reclaim is back with a vengeance. It is no coincidence that a recycled, but still disgraced, former Premier Rasool, has taken over the ANC election campaign.

So in 23 days in May, 39 instances of riotous behaviour and vandalism have

been brought about in this province, destroying houses, trains, cars and power stations. DA councillors have been threatened and attacked.

Little known pastors and other unelected 'leaders' suddenly champion community issues that lead to apparent spontaneous protests ...  
[Interjection.]

Mr Q R DYANTYI: Where are you now ... [Inaudible.]?

Mr M G E WILEY: ... except that the protests are accompanied by trays of well-prepared Molotov cocktails and well developed shields to ward off police ammunition. Well-rehearsed deployment tactics ... [Interjection.] show that there is extensive professional training. Now live ammunition is being used against state law enforcers.

Daily reports of blackmail attempts, threats and financial inducements of hundreds of thousands of Rands to councillors to change sides are streaming in.

Where are the intelligence services? Where are the funds coming from? Some say the Chinese are very active. We know that they love Rasool. We know they are directly helping the Independent Media stable because they said they were going to do so. [Interjection.]

The DEPUTY SPEAKER: Order.

Mr M G E WILEY: Who is running the extensive social media campaign? Is it the Chinese and the Russians? [Interjection.]

The DEPUTY SPEAKER: Order. Thank you hon member, your time has expired. [Interjections.] Order. Members, the noise level coming from the left-hand side, is too high. I want to appeal to you to bring down the noise level. If you want to speak to your colleague next to you do it in a more peaceful way. I see the DA again as the EFF is not here. I see the DA. [Interjections.]

Ms L M MASEKO (DA): Thank you, very much, Deputy Speaker. Focusing on our nation's future economic growth, jobs and education, which empowers young people, is important.

Mr D G MITCHELL: Yes!

Ms L M MASEKO: South Africa needs to be a safe nation where our daughters can walk around freely and that can only be achieved where we have zero tolerance to corruption. [Interjection.]

Mr Deputy Speaker, I am highlighting this because there are many negative effects of corruption caused in this country like the Marikana massacre, and not forgetting to mention the Esidimeni tragedy. [Interjections.]

To me, the worst is violence against women and children, including human

trafficking. When I drive through Worcester's roads during the night, I see girls that look as young as 14 years old flaunting their bodies to men, some of whom are 40 years, even older.

Mr K E MAGAXA: In this country.

Ms L M MASEKO (DA): These are men who are dads, †ooms, oupas; [uncles, grandfathers;] that have kids, †niggies, dogters, kleindogters, [nieces, daughters, granddaughters,] the same age as their own. This breaks my heart and soul. I acknowledge that we all come from different family structures and we have to tackle different challenges thrown at us. It is now an everyday norm to hear that a child is lost due to human trafficking, a baby is raped and killed, and a woman murdered and thrown onto a dumping site. [Interjections.]

When will this stop? Are we a nation that forgot about the spirit of Ubuntu? Where is our men's moral compass? My plea to men in our province and in our whole country is to take a lead and to start saying "not in my name" These kids need to grow up knowing their value. You have a responsibility to be father figures to these kids; and not be their clients or even their killers. I thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. The ANC, hon member Beerwinkel.

Ms C F BEERWINKEL (ANC): Thank you, Mr Deputy Speaker. I will be

short. The DA deceives people with unfounded claims of good governance and service delivery, while the experience of Western Cape residents on the ground is much different.

In fact, service delivery protests are growing daily. Siqalo, Hermanus, Parkwood, Vrygrond and everywhere else. [Interjections.]

Mr M G E WILEY: Orchestrated by your party!

Ms C F BEERWINKEL: Dissatisfaction causes people to take to the streets. [Interjections.]

The DEPUTY SPEAKER: Order.

Ms C F BEERWINKEL: And the DA leaders are rejected as people realise that the DA-in-government is truly not interested ... [Interjection.]

The DEPUTY SPEAKER: Hon member Dijana, you are interfering with the microphone of hon Beerwinkel. You may proceed hon member.

Ms C F BEERWINKEL: ... nor does it care at all. A DA ward councillor for Bonteheuwel had protesters angered with his insensitive utterances and social media posts that backyarders and homeless people must get a job and buy their own homes.

This happens against the grim backdrop of unspent housing allocations in numerous DA-run municipalities amounting to billions of rands annually returned unused.

And where Western Cape municipalities under-spend and even lose allocations meant to assist the poor with houses, infrastructure and services. Here the flagship City of Cape Town at 2 April this year had an actual cumulative spend of less than 40%. That meant that more than R4 billion was not yet spent or committed even though the financial year is looming.

Currently there are rumours of R13 billion irregular expenditure and then they fabricate Auditor-General reports and falsify the Auditor-General's signature. The DA is bad for local government and its claims ring hollow ... [Interjections.] when the facts and figures are considered.

Mr R D MACKENZIE: Zero clean audits. Your case, zero clean audits.

Ms C F BEERWINKEL: These service ... [Interjections.] delivery protests are just stark reminders of what we have often said. The focus cannot solely be on compliance to laws and regulations and clean audits. Are you listening? [Interjections.] Clean audits mean nothing! Public participation in municipalities is non-existent.

The DEPUTY SPEAKER: Member, your time has almost expired. Finish off please.

Ms C F BEERWINKEL: IDP documents are compiled by consultants and budgets are finalised without the input of the people but, again, if you are prepared to undermine and discredit your own people why would you care about the suffering ... [Interjection.]

The DEPUTY SPEAKER: Thank you, hon member.

Ms C F BEERWINKEL: ...of the poor to include them in public participation.  
[Applause.]

The DEPUTY SPEAKER: Your time has expired. I see the DA, hon member Schäfer.

Ms B A SCHÄFER (DA): Thank you, Mr Deputy Speaker. Danah Boyd, senior researcher at Microsoft Research said and I quote:

“There is a fine line between creating an informed citizenry and creating a fearful citizenry”.

Indeed, the media’s ability to objectively inform the public, comes with a solemn responsibility to report truthfully and with integrity. And with this in mind, an article on the front page of yesterday’s *Cape Argus* entitled: “20 000 workers set to be evicted” is nothing more than deliberate fearmongering, devoid of fact or truth.

This story has the potential to create violent tensions between communities in the Drakenstein Municipality. When the reported facts were tested, they were found to be untrue. How is it that a journalist ... [Interjection.]

Mr S G TYATYAM: By you.

Ms B A SCHÄFER: ...can report so recklessly and without the necessary discretion?

Mr S G TYATYAM: By you.

Ms B A SCHÄFER: The definition of fearmongering is “the action of deliberately arousing public fear or alarm about a particular issue”. We have witnessed this dangerous tactic in action by the ANC with the Bell Pottinger campaign ... [Interjection.] which used fearmongering ... [Interjection.] to divide races around white monopoly capital, and attack South Africa’s social cohesion for political gain.

It is inconceivable that the respected profession of journalism can stoop so low as to employ this very same tactic to the detriment of our people. Mr Deputy Speaker, a democratic society is only as strong as its independent, free and objective press. It is gravely worrying to see that journalists are using fearmongering to sell stories. [Interjections.] This type of behaviour further drives polarising politics which harms our society. [Interjections.]



The DEPUTY SPEAKER: Order.

Ms B A SCHÄFER: The DA respects a free and independent press, but we must expect integrity and the utmost discretion from journalists. The well-being of our society depends on it and we will not sit idle while fake news runs rampant. I thank you. [Applause.]

The DEPUTY SPEAKER: The ANC, hon member Dijana.

Ms T M DIJANA (ANC): Thank you, Mr Deputy Speaker. The DA lies to the public. [Interjection.]

Ms P MAKELENI: Again!

Ms T M DIJANA: It came to light this week that the colonial DA-run governments are not truthful about more water for the present drought. There is little relief for residents with looming inflated and punitive water tariffs, and the DA collapse continues. More ratepayers are fed up with the DA tricks, smoke and mirrors they get.

Even the Strandfontein plant burns more than a quarter of a billion rands for a two-year lease and it is not tested for pollution. The latest deception is the DA's urgency to have desalination installations by dodgy overseas partners, while local expertise is overlooked.

Just read Wednesday's *Business Day* letter by activist Terry Crawford-Browne who slams the DA and its leaders for their conniving to steal from the taxpayer in order to line party pockets. Former DA caucus chair, Rodney Lentit, also affirms this. The DA must be investigated for corruption. [Interjections.]

The DA has no other plan for drought relief, save the water security our National Government provides. In fact, the DA still has to explain why desalination will only kick in by 2021, while other and private efforts are but a drop in the bucket. The crooked and useless DA should get out of government soonest, I prophesy.

†UNksz P Z LEKKER: Amasela!

[Ms P Z LEKKER: Thieves!]

An Hon MEMBER: Yoh!

Ms P Z LEKKER: It stinks!

The DEPUTY SPEAKER: Order. The DA, hon member Wenger.

Ms M M WENGER (DA): Thank you, Mr Deputy Speaker. The history of policing under apartheid in South Africa was one of brutality and it was characterised by a lack of accountability. At the dawn of our democracy, the constitutional assembly created an accountability framework for the police.

The Constitution of the Republic of South Africa and following national and provincial legislation now provides for several oversight and accountability mechanisms over the South African Police Service. However, in this time there has been an increase and a proliferation of private security, as well as private-public partnerships and several other forms of policing activity.

In 2015/6 there were an estimated 488 666 registered and active private security officers. [Interjections.] Private security guards now outnumber the SAPS two and a half times. The activities and scope of private security has also evolved to include what we would consider to be traditional policing functions.

Mr Deputy Speaker, the changing policing environment has important consequences for governance and for accountability. Accountability, recourse and safeguards against policing service providers that act arbitrarily, with impunity of brutality, whether they come from private, public or a combination is important because public accountability is a key democratic tenet.

However, it appears that there is little in place for a public accountability mechanism for private security for non-criminal complaints, outside of regulatory compliance. Many criminologists and those working in the industry agree that there is inadequate accountability for private security policing.

This, Mr Deputy Speaker, is very concerning as it comes at the cost of citizens not having satisfactory recourse and safeguards against harm and abuse from the private security sector. I therefore urge as this Province's legislative body, we look into this matter so that the necessary public accountability can be fashioned for the citizens of this province. I thank you.

[Applause.]

Hon MEMBER: Well done.

The DEPUTY SPEAKER: Thank you. That brings us to the end of Members Statements. We move on to Notices of Motion. Are there any motions where notice is given? Hon member Dijana?

### **MOTIONS WITH NOTICE**

Ms T M DIJANA: Thank you, Mr Deputy Speaker. I give notice that I shall move:

That the House debates the doubtful effectiveness of water augmentation strategies of the Western Cape DA-run Government. I so move.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Thank you. Notice is taken. Hon member Simmers?

Mr T A SIMMERS: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the recent Maintenance and Water Loss Report and the success of the Western Cape's ability to reduce its total water losses. I so move.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Thank you. Notice is taken. Hon member Davids?

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. I give notice that I shall move:

That the House debates inadequate housing delivery for the poor under the DA in the Western Cape.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Thank you. Notice is taken. [Interjections.] Hon member Mngqasela?

Mr M MNQASELA: Thank you, Mr Deputy Speaker [Interjections.]

The DEPUTY SPEAKER: Order.

Mr M MNQASELA: I give notice that I shall move:

That the House debates the successes of the Western Cape municipalities under the watchful eye of the Democratic Alliance, as announced by the Auditor-General of South Africa yesterday, 23 May 2018. I so move.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Thank you. Notice is taken of that. Hon member Dyantyi?

Mr Q R DYANTYI: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the instability in the Western Cape municipalities under the DA. [Interjections.]

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Thank you. Notice is taken of that. Hon member Schäfer?

Ms B A SCHÄFER: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the fake news and fearmongering prevalent in the Western Cape media and its effect on the residents of the Western

Cape. I so move.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Thank you. Notice is taken of that. [Interjections.] Are there any further? For the last time, are there any further under this heading? Then we move on to Motions without Notice. I see hon Simmers. Hon member Simmers first.

### **MOTIONS WITHOUT NOTICE**

Mr T A SIMMERS: Thank you, Mr Deputy Speaker, I move without notice:

That the House notes and congratulates Hessequa Municipality for becoming the first municipality in South Africa to commission a solar powered desalination plant at Witsand; that the House further notes that the plant will produce 100 kilolitres of water per day, powered by solar energy only and will have an increased capacity of 300 kilolitres per day during the festive season. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Davids?

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. I move without notice:

That the House notes Cape Town Mayor De Lille is working tirelessly to break barriers for affordable integrated housing in the inner city, following the announcement that she agreed to housing activists' proposals to include a condition for the City ... [Interjections.]

The DEPUTY SPEAKER: Order.

Ms S W DAVIDS:

... and developers to have at least 20% of space for affordable housing in major developments, like a 42-storey building that is set to be completed in 2020; notes further the Zero-To-One Tower will be the tallest Cape skyscraper and appeals to the Provincial Government to include conditions for affordable housing for all future developments in the province. [Interjections.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice?

An HON MEMBER: Yes!

The DEPUTY SPEAKER: Is there an objection?



An HON MEMBER: Yes!

The DEPUTY SPEAKER: There is an objection. It will be printed on the Order Paper. Hon member Maseko?

†‘n AGBARE LID: Jy is laat.

[An HON MEMBER: You are late.]

Ms L M MASEKO: They caught me. [Laughter.]

An HON MEMBER: I object.

The DEPUTY SPEAKER: Order.

Ms L M MASEKO: Mr Deputy Speaker, I move without notice:

That the House notes and commends the South African National Biodiversity Institute's Kirstenbosch South Africa Exhibit, which won gold at the Royal Horticultural Society Chelsea Flower Show on Tuesday. I commend Leon Kluge and Kirstenbosch Botanical Gardens for winning South Africa's 36<sup>th</sup> gold medal in the 43 years our country has participated. The Exhibit is a unique display of indigenous Cape Fynbos with the vibrant township of Khayelitsha in the foreground.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection? [Interjections.] The motion is agreed to. Honourable ... [Interjections.] Is there an objection?

An HON MEMBER: Yes!

The DEPUTY SPEAKER: Sorry, there is an objection. It will be printed on the Order Paper. [Interjections.] Hon member Beerwinkel?

Ms C F BEERWINKEL: Mr Deputy Speaker, I move without notice:

That the House expresses its sincere condolences to the families of two learners who lost their lives in a horrific accident on Saturday on the Ashton-Swellendam Road; they are Sandiswa Mabitshi, Grade 7 learner at VRT Pitt Primary School and Anishia Mabitshi, Grade 9 learner at Swellendam Senior Secondary. The two were cousins. The third learner is still unconscious and in hospital.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: I take it there is no objection to that motion being moved without notice? There is no objection to the motion itself? Agreed to. Hon member Botha?

Ms L J BOTHA: Thank you, Mr Deputy Speaker. I move without notice:

That the House notes, commends and congratulates Minister Nomafrench Mbombo, the HOD, Dr Beth Engelbrecht and the entire Western Cape Health Department for their efforts in reducing the HIV/AIDS and TB mortality rate; further notes that between 2009 and 2013 this Department managed to reduce the combined mortality rate from 8 849 to 5 999. During this period ... [Interjections.]

The DEPUTY SPEAKER: Order.

Ms L J BOTHA:

...the HIV/AIDS mortality rate was reduced from 4 662 to 3 534, while TB's mortality rate was reduced from 4 188 to 2 465 [Interjections.] This is a clear demonstration of the Department's commitment to addressing the effects of these diseases by ensuring that preventative measures are put in place and that access to treatment is also available. I so move.

*[Motion as moved by Member.]*

Ms M N GILLION: Objection.

The DEPUTY SPEAKER: Is there an objection?

Ms M N GILLION: Yes.

The DEPUTY SPEAKER: It will be printed on the Order Paper. The objection is against the fact that is moved without notice. I see the hon member Gopie?

An HON MEMBER: It is the first time.

Ms L J BOTHA: You do not know why you are objecting to it.

An HON MEMBER: The first time.

Ms M N GILLION: We know why.

The DEPUTY SPEAKER: Hon member Gopie, you may proceed ...[Interjections.] Order. [Interjections.] Allow the member to proceed please.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House notes with concern the alleged subtle racism incident that occurred in the SuperSport studios which forced former Springbok rugby legend, Ashwin Willemse, to complain about being patronised and undermined by his two fellow analysts, Nick Mallett and Naas Botha; notes further the widespread calls from members of the public for Mallett and Botha to be suspended pending investigation; [Interjection.] calls for a probe of the virtual privileged sport domination by SuperSport and Multichoice; and commends Sports Minister Xasa's involvement.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? [Interjections.] There is an objection to the fact that it has been moved without notice. It will be recorded. Hon member Wenger? [Interjections.] Hon Mackenzie, I will get to you.

Ms M M WENGER: Thank you, Mr Deputy Speaker, I move without notice:

That the House notes with concern the worsening police to population ratio in the Western Cape from 1 officer per 385 residents in 2016 to 1 officer per 509 residents in 2018 ... [Interjections.]

The DEPUTY SPEAKER: Order.

Ms M M WENGER:

...and calls on the National Government to properly resource the police in the interests of safety.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion – there is an objection to the fact that it has been moved without notice? It will be recorded on the Order Paper. Hon member Mackenzie, it is now your turn.

Mr R D MACKENZIE: Thank you, Mr Deputy Speaker. I move without notice:

That the House congratulates Jaden Molander from Mitchells Plain on his selection to participate in the National Kumite Karate Championships and hopes he achieves national colours. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Makeleni? Do you have one? Hon Lekker, hon member Lekker, sorry.

†UNksz P Z LEKKER: Enkosi, Sekela Somlomo. [Thank you, Mr Deputy Speaker.] I move without notice:

That the House notes that police launched Operation Thunder, which will be carried out by members of specialised units to deal with crime and gangs in the Western Cape; notes further that this operation is part of a national iron fisted approach in which tactical response teams and tracking teams will be included to fight high risk intelligence operations against cash-in-transit heists, armed robberies, gangsterism, murders, taxi violence and political killings and commends the SAPS and Minister Cele for this decisive move. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Kivedo?

[Interjection.]

Mr B D KIVEDO: I am sorry. Thank you, Mr Deputy Speaker. I move without notice:

That the House welcomes the Western Cape's 2017 NSC pass rate that has increased from 82,8%...

†Verskoon tog, laat ek net die bril – [Apology, let me just adjust the glasses – ] [Laughter.] Thank you, Mr Deputy Speaker.

That the NSC pass rate has increased from 82,8% to 84,3% following the completion of the Supplementary Examinations in March 2018. A total of 933 candidates passed the supplementary examinations, while an additional 105 candidates also passed their matric after successfully applying for re-marks, and further this means that an additional 1088 candidates have now achieved their National Senior Certificate for 2017.

I so move. Thank you.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection. Agreed to. Hon member Beerwinkel?

†Mnr Q R DYANTYI: [Onhoorbaar.] raak oud!

[Mr Q R DYANTYI: [Inaudible.] getting old!]

†Mnr B D KIVEDO: Almal se kinders, nê?

[Mr B D KIVEDO: Everybody's children, hey?]

†'n AGBARE LID: Ja, almal se kinders.

[An HON MEMBER: Yes, everybody's children.]

Ms C F BEERWINKEL: Mr Deputy Speaker, I move without notice:

That the House expresses its sincere gratitude to the Minister of Sport and Recreation and also good to mention, she is the first female Minister of Sport and Recreation, Ms Tokozile Xasa, and the Deputy Minister Gert Oosthuizen for hosting the opening of the Railton Sports Centre in Swellendam, built with a generous conditional grant for Upgrading of Sports Facilities.

An HON MEMBER: Wow!

Mr Q R DYANTYI: Object. [Laughter.]



Ms C F BEERWINKEL:

We trust that Swellendam Municipality will adhere to the Minister's vision to use Sport to transform and unite communities.

*[Motion as moved by Member.]*

Mr Q R DYANTYI: Wow!

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Davids first.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. I move without notice:

That the House notes warnings that according to court papers 20 000 farm workers are set to be evicted in the Drakenstein Municipality; further notes these heartless evictions regularly take place in cold and rainy conditions where people are left homeless next to public roads; and that all these people might end up in informal settlements, putting pressure on the towns in that municipality.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved? There is an objection to the fact that it has been moved without notice. It will be

printed on the Order Paper. Hon member Gillion first.

Ms M N GILLION: Thank you, Mr Deputy Speaker. I move without notice:

That the House commiserates with the family and friends of two Overberg residents murdered in separate killings, namely Romano Louw from Genadendal and Heinico Goliath from Greyton. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. [Interjections.] Hon Joseph. Hon member Joseph first, then I will come to member Olivier.

Mr D JOSEPH: Thank you, Mr Deputy Speaker. I move without notice:

That the House notes the incident last week where a well-known South African Rugby Springbok walked out of the sport debate due to alleged differences with his colleagues; further notes that the management after investigating said it was not a racial dispute and called on the SuperSport management to release the reason for the walkout of Ashwin Willemse. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being moved without

... [Interjections.] Is there an objection? No objection. [Interjections.] Is there an objection?

An HON MEMBER: Yes!

The DEPUTY SPEAKER: It will be printed on the Order Paper then. We move on to the next person.

An HON MEMBER: I thought you would object!

The DEPUTY SPEAKER: The hon member Olivier, I said. Hon Olivier, you may proceed.

Mr R T OLIVIER: Mr Deputy Speaker, I move without notice:

That the House notes and condemns the latest stunt...

No sorry, that is not the right one. [Interjections.][Laughter.] Mr Deputy Speaker I move without notice:

That the House notes with concern that a Western Cape school function was shut down after a group of girls were found passed out; further notes the learners attended a function at Immaculata High School in Wynberg on Saturday and were apparently drinking alcohol; calls on the Western Cape Education Department to note this as a warning of what

will be the new norm in Western Cape schools ... [Interjections.] if its Bill is passed into law to allow alcohol to be served and sold on state school premises; condemns the illegal presence of alcohol ... [Interjections.]

The DEPUTY SPEAKER: Order.

Mr R T OLIVIER:

... at school functions and calls on schools to be more vigilant.

*[Motion as moved by Member.]*

An HON MEMBER: Objection.

The DEPUTY SPEAKER: Any objection – I believe there is an objection to the motion being moved without notice. It will be printed on the Order Paper. Any further? Hon member Nkondlo at the back.

Ms N D NKONDLO: Thank you, Mr Deputy Speaker. I move without notice:

That the House notes with concern the death of more people in the Delft Taxi violence; notes further that on Monday morning Nazeem Daniels, the head of the Delft, Cape Town Taxi Association, was murdered at that rank; implores MEC Grant to urgently find innovative solutions to bring the war to an end and conveys condolences to the Daniels family. I so

move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to that motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Mackenzie?

Mr R D Mackenzie: Mr Deputy Speaker, I move without notice:

That the House notes that tomorrow, 25 May is Africa Day; wishes all on the mother continent a very happy Africa Day and may we all celebrate our cultures and unite in our diversity. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Gillion first.

Ms M N GILLION: Thank you, Mr Deputy Speaker. I move without notice:

That the House conveys its condolences to the family, friends and comrades of stalwart unifier and Grabouw community leader, Mam Thembisa Nqoloba, who passed away. †Hamba Kahle Umkhonto. [Go

well.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Mackenzie, do you still have one?

Mr R D MACKENZIE: No.

The DEPUTY SPEAKER: Not? You do not? Hon member Lekker?

Ms P Z LEKKER: Mr Deputy Speaker, I move without notice:

That the House notes with concern that gang wars in the province continue to claim lives of innocent people in communities following the killing of two mothers in separate incidents in Bonteheuwel and Uitsig, which left eight children orphaned and the carnage of men, women and children continues unabated. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Beerwinkel?

Ms C F BEERWINKEL: Mr Deputy Speaker, I move without notice:

That the House sends its heartiest congratulations to the four players from Railton, Swellendam, that have been chosen for the national trials of the Homeless Football World Cup in 2018. This happens between 24 and 27 May. We also thank Oasis Foundation for taking care of the players over this period and the players are Rudi Petersen, Jerome Booi, Benedict Tietie and Yandisa Madolo.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Are there any further? Hon member Dyantyi?

Mr Q R DYANTYI: Mr Deputy Speaker, I move without notice:

That the House notes race discord within the DA led to yet another black Mayor being targeted as the DA now wants to remove Bergrivier Executive Mayor, Evert Manuel; notes further this is the second DA removal since the adoption of the ill-considered and probably illegal De Lille clause; and condemns the DA's protection of the likes of Premier Zille and Diane Kohler-Barnard by the party's controlling backroom boys.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Order, order. [Interjections.] Order. Did I hear the member say “lies” of the hon Premier?

Mr Q R DYANTYI: Sorry?

The DEPUTY SPEAKER: Did the member say “lies” of the hon Premier? Was that the word that you used?

Mr Q R DYANTYI: No!

The DEPUTY SPEAKER: Oh, then I ... [Interjection.]

Mr Q R DYANTYI: I can repeat.

“...and condemns the DA’s protection of the likes of Premier Zille”

The DEPUTY SPEAKER: The “likes”?

Mr Q R DYANTYI: Ja,

...of Premier Zille and Diane Kohler-Barnard and the party’s controlling backroom boys.



The DEPUTY SPEAKER: Okay. Your point has been made. I misheard you there. Any objection to the motion ... ? [Interjections.] There is an objection to the motion being moved without notice. It will be printed on the Order Paper. Hon member Mnqasela?

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House strongly condemns the irresponsible behaviour of the Economic Freedom Fighters and its leadership in encouraging the illegal occupation of public and private land, further notes that these acts are tantamount to incitement of violence to cause harm, economic sabotage ... [Interjection.]

An HON MEMBER: That is your problem!

†ILUNGU ELIBEKEKILEYO: Hayi suka!

[An HON MEMBER: Go away!]

Mr M MNQASELA:

...and elements of espionage. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to that motion being moved without

notice? No objection to the motion itself? The motion is agreed to. Hon member Gopie first.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House notes DA National Leader, Mmusi Maimane, supported former Springbok rugby hero, Ashwin Willemse, when he stood up against racist inference which ... [Interjection.]

Hon MEMBER: Yes.

Ms D GOPIE:

... Maimane said too many South Africans still experience it and that racial superiority should be replaced by equality; and noting Maimane also opposed colonialism and historical privilege some right-wing elements in his party still cling to. [Interjections.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to the motion being ... [Interjections.] – Order. There is an objection to the fact that it has been moved without notice. It will be printed on the Order Paper. Hon member Maseko?

Ms L M MASEKO: Thank you, Mr Deputy Speaker. I move without notice on

behalf of the DA:

That the House extends its condolences to the family of Mr Nazeem “Arab” Daniels and the taxi community of Delft. I so move.  
[Interjections.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? [Interjections.] No, objection to the motion itself? We will have a look at the motions moved. If a similar one has been moved before, that one will fall away then. [Interjections.] We continue. Anymore? Hon member Lekker?

Ms P Z LEKKER: Mr Deputy Speaker, I move without notice:

That the House notes the Western Cape police ombud, Vusi Pikoli, has left the employment of the province on 30 April 2018 as he gave a month’s notice, but the hon Premier has yet to inform this Legislature; notes the advertisement ... [Interjection.]

Ms B A SCHÄFER: Read your emails!

Ms P Z LEKKER:

... and other notices ... [Interjection.]

Mr D G MITCHELL: That was in my email!

Ms P Z LEKKER:

...have belatedly ... [Interjection.]

Ms S W DAVIDS: Please stop defending!

The DEPUTY SPEAKER: Order.

Ms P Z LEKKER:

...been issued about his leaving ... [Interjection.]

Ms S W DAVIDS: Stop defending! [Interjection.]

Ms B A SCHÄFER: Read your emails!

Ms P Z LEKKER:

Notes the Premier has various mechanisms to directly inform this House like executive statements; and calls on this House to follow proper processes in nominating a replacement. I so move. [Interjections.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objection to that ...[Interjections.] There is an objection to the fact that it has been moved without notice. It will be printed

on the Order Paper. Are there any further? Hon member Mngasela?

Mr M MNQASELA: Thank you, Mr Deputy Speaker. I move without notice:

That the House congratulates the successes of the Western Cape municipalities as announced by the Auditor-General of South Africa yesterday, 23 May 2018.

Mr Q R DYANTYI: [Inaudible.] Just enjoy the moment!

Mr M MNQASELA:

Recognises that 21 out of 33 municipalities which were found to be best run in the country are in the DA-led Western Cape Province, this province; Further notes the many challenges in failing municipalities throughout the country with irregular expenditure increased from 50% last year to 75% this year; accounting for a staggering R28,4 billion. I so move.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Any objections ... [Interjections.] There is an objection to the fact that it has been moved without notice, so it will be printed on the Order Paper. Are there any further? Hon member Magaxa?

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. I move without notice:

That the House notes South Africa's President, Cyril Ramaphosa, announced that he donates half of his annual salary to the charitable work of the Nelson Mandela Foundation and congratulates him for setting the example in the National Government's 'Thuma Mina' Campaign. I so move. [Applause.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: I take it there is no objection to the fact that it was moved without notice and no objection to the motion itself? Agreed to. [Interjections.] Order. Are there any further? For the last time, are there any further Motions? Order. Order. Do you still want to move one? Hon member Tyatyam?

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. I move without notice:

That the House congratulates and welcomes the production "InHisQuest" directed by Mandla Mbothwe; "InHisQuest" embodies a continuation of the pursuit for meaning in Steve Bantu Biko's statement and mission towards a society with a more human face. It tells a yearning story to bring back "Inkomo Zobawo" ["our father's cows"] to complete the liberation of black people, †Isidima Somntu Omyama Masibuye. [bring back the black man's dignity.] Mandla holds a MA at UCT; he is a senior lecturer and artistic director for many plays; Mandla is a former

student activist, former chairperson of TOSCO and COSAS.

*[Motion as moved by Member.]*

Ms T M DIJANA: He is one of our own!

The DEPUTY SPEAKER: Is there any objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Are there any further? If not, then that brings us to the end of business of the day. The House is adjourned.

The House adjourned at 18:12.