

MINUTES OF PROCEEDINGS

OF THE

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

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THURSDAY, 1 AUGUST 2013

1. The House met at 14:15.
2. The Speaker took the Chair and read the prayer.
3. [14:18] The Deputy Speaker made a general ruling regarding the conduct of Members in the House.
4. [14:21] The Chief Whip moved without notice: That, notwithstanding Rule 198, precedence be given to the Orders of the Day.

Agreed to.
5. [14:22] FIRST ORDER

Finalisation of the *Western Cape Investment and Trade Promotion Agency Amendment Bill* [B 1 – 2013] (Minister of Finance, Economic Development and Tourism).

Debate concluded.

Bill finalised (ANC dissenting).
6. [14:33] SECOND ORDER

Finalisation of the *Western Cape Seventeenth Gambling and Racing Amendment Bill* [B 3 – 2013] (Minister of Finance, Economic Development and Tourism).

Declarations made on behalf of ANC and DA.

Bill finalised
7. [14:35] THIRD ORDER

Consideration of principle of the *Western Cape Eighteenth Gambling and Racing Amendment Bill* [B 4 – 2013] (Minister of Finance, Economic Development and Tourism).

Declarations made on behalf of ANC and DA.

Principle of the Bill approved.

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8. [14:38] The Chief Whip moved without notice: That, notwithstanding Rule 161 (3) of the Standing Rules, the House proceeds with the finalisation of the *Western Cape Eighteenth Gambling and Racing Amendment Bill* today.

Agreed to.

Finalisation of the *Western Cape Eighteenth Gambling and Racing Amendment Bill* [B 4 – 2013] (Minister of Finance, Economic Development and Tourism).

There was no debate.

Bill finalised.

9. [14:40] FOURTH ORDER

Consideration of Report of the Standing Committee on Finance and Economic Development on the *Tourism Bill* [B 44D – 2012] (NCOP), dated 24 July 2013 (See Announcements, Tablings and Committee Reports, p 136) (Ratification of final mandate).

Declarations made on behalf of ANC and DA.

The mandate conferring authority on the Western Cape Provincial Parliament's delegation in the NCOP not to support the Bill with amendments was ratified.

10. [14:42] Interpellations.
11. [15:10] The Speaker welcomed the President of the Quebec Legislature, Mr Jacques Chagnon, and wished him a pleasant stay in South Africa.
12. [15:11] Questions.
13. [15:51] Questions to the Premier without notice.
14. [16:17] Mr M Ozinsky, with leave, made a personal explanation in terms of Rule 63(2).
15. [16:28] Statements by Members.
16. [16:50] Mr M G E Wiley moved without notice: That –

(1) the House expresses its deepest sympathy to the families of three police officers who were brutally murdered in the Western Cape in the past week:

- Constable Lungisa Depha of Harare SAPS, who was shot while on duty on 28 July 2013;
- Sergeant Landile Samuel Yengo of Khayelitsha SAPS, who was shot whilst departing for work on 28 July; and
- Sergeant Bafundi Mdlalo of Phillipi East SAPS, who was shot at his home on 29 July; and

(2) Members of the House be requested to rise in a moment of silence as a mark of respect to these fallen officers, also mindful of the fact that in total seven members of the South African Police Service were murdered in the Western Cape during July 2013.

Agreed to.

17. Ms D Gopie moved without notice: That the House extends its condolences to the family, friends and comrades of Norma Lottering, member of the Women's League of the African National Congress and community worker, who was killed in gang crossfire in Elsies River.

Agreed to.

18. Ms V Hani moved without notice: That the House extends its condolences to the family and friends of Moses Makhwenhwa, who was killed in a shack fire in Khayelitsha that left eight people homeless.

Agreed to.

19. Ms C Labuschagne moved without notice: That the House –

- (1) congratulates D F Malan High School in Bellville on its outstanding achievement of being included in the prestige publication of the University of Cambridge in the United Kingdom, "The Guide to Excellence", for the second year in a row; and
- (2) notes that Cambridge, which is regarded as a leading university in the world, has identified 100 schools all over the world that have excellent education practices for this publication.

Agreed to.

20. Ms M Tingwe moved without notice: That the House extends its condolences to the family and friends of 10-year-old Ayanda Mfenku, who was killed by a bull in Philippi East.

Agreed to.

21. Mr H P Geyer moved without notice: That the House –

- (1) conveys its sincere condolences to the family, friends and colleagues of Mr Jan Le Fleur, and to the management of the Du Toit Group, Crispy Farming and the farm Coshla;
- (2) notes that –
 - (a) Mr Le Fleur was killed in a freak accident on the farm on Tuesday, 30 July 2013;
 - (b) during the past four years he was a production manager, and also an emerging farmer, on the farm Cashla of the Du Toit Group; and
 - (c) this year has been the first year that the trees started bearing fruit; and
- (3) further notes that –
 - (a) Le Fleur was nominated as the New Entrant into the Deciduous Fruit Industry in 2012, and that he accompanied the Western Cape Minister of Agriculture, Mr Gerrit van Rensburg, to Europe after winning the award; and
 - (b) he considered it a challenge to unite the emerging farmers and small farmers in the fruit industry to make it possible to compete successfully on the tough, economy-driven overseas markets.

Agreed to.

22. Ms J Witbooi moved without notice: That the House expresses its deepest sympathy to the family and friends of 23-year-old Wendell Daniels, who was shot and killed near his home in Ravensmead.

Agreed to.

23. Mr R B Lentit moved without notice: That the House –

- (1) notes with appreciation the work of the Sunflower Foundation during August, the month of Bone Marrow Donation and Leukaemia Awareness;
- (2) also takes note that –
 - (a) in 1999, the Foundation was formed by parents whose children had contracted leukaemia and had, in some heart-breaking instances, lost the battle against this disease;
 - (b) the Foundation was formed in support of the South African Bone Marrow Registry (SABMR) and that the aim of this NGO is to find tissue matches for patients diagnosed with life-threatening blood disorders in order to save lives.

Agreed to.

24. Ms B G Mbalo moved without notice: That the House –

- (1) condemns the on-going instances of rape and murder targeting gay and lesbian people in the Western Cape; and
- (2) notes that our province is the province where the highest number of reported homophobic attacks take place.

Agreed to.

25. Ms C Labuschagne moved without notice: That the House –

- (1) gives recognition to the successful efforts of schools in the Western Cape to reduce the rate of absence of learners;
- (2) expresses its gratitude and appreciation to the Minister of Education, the Department of Education, school principals, teachers, learners and parents, who have all contributed to reduce the rate of absence from 7.7% in 2009 to 4.1% in 2013.

Agreed to.

26. Ms C F Beerwinkel moved without notice: That the House –

- (1) acknowledges and congratulates Ashley Uys, a biotechnologist and founder of Medical Diagnostech, living in my constituency, who has developed and patented the following inexpensive test kits which are distributed internationally: a malaria test kit; an HIV test and pregnancy test kit and his latest, an app for a cell phone to test for drugs; and
- (2) notes that all of this was done with his own financing and contracts on trust with suppliers.

Agreed to.

27. Ms C Labuschagne moved without notice: That the House supports all the Members of the House who are participating in the PALAMA postgraduate studies at the University of the Witwatersrand and congratulates the Capetonian team on their first task team victory.

Agreed to.

28. Ms D Gopie moved without notice: That the House notes the firm stance taken by the Deputy President of the African National Congress, Cyril Ramaphosa, against gangs and drugs during his engagements with communities in Mitchells Plain.

Agreed to.

29. Mr M G E Wiley moved without notice: That the House –

- (1) congratulates Schean Marais of Zeekoevlei, aged 13, who won a gold medal in the heavyweight kumite at the World Karate Federation Youth World Cup held in Corfu, Greece during July 2013; and
- (2) notes that he is the first South African to achieve this particular distinction at these championships.

Agreed to.

30. Ms V Hani moved without notice: That the House notes that we are celebrating the national day against child labour under the theme “A Future without Child Labour” today and condemns all forms of abuse involving child labour, especially on our farms.

Agreed to.

31. Mr M G E Wiley moved without notice: That the House –

- (1) acknowledges the exceptional contribution being made by Mr Peter Cole in his efforts to train and mould top class athletes; and
- (2) notes that Mr Cole, a businessman and former champion sportsman himself, coaches athletes in various disciplines and that his recent successes include –
 - providing 11 flat water canoe paddlers to the national squad in order to participate in the World Marathon Championships in Denmark in September;
 - training five of the athletes who participated in the inaugural surf ski world championships in Portugal in July, where three won world titles;
 - helping Fish Hoek Surf Lifesaving to its fourth consecutive national championship title.

Agreed to.

32. Ms N P Magwaza moved without notice: That the House congratulates the newly appointed CEO of Groote Schuur Hospital Dr Bhavna Patel on her appointment.

Agreed to.

33. Ms M Tingwe moved without notice: That the House sends a message of condolences to the children and family of the late Pumla Ngcongca-Mgobozi, a community builder and a selfless parent to many children in Langa.

May her soul rest in peace.

Agreed to.

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34. [17:03] The House discussed the following subject in the name of Mr E J von Brandis:
The infrastructure investment and development in the Western Cape.
Debate concluded.
35. The House adjourned at 18:10.

R G HINDLEY
Secretary to Provincial Parliament

NOTULE VAN VERRIGTINGE

VAN DIE

PARLEMENT VAN DIE

PROVINSIE WES-KAAP

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DONDERDAG, 1 AUGUSTUS 2013

1. Die Huis kom om 14:15 byeen.
2. Die Speaker neem die Stoel in en lees die gebed voor.
3. [14:18] Die Adjunk Speaker doen 'n algemene aankondiging met betrekking tot die gedrag van Lede in die Huis.
4. [14:21] Die Hoofswep stel sonder kennisgewing voor: Dat, ondanks die bepalings van Reël 198, die Dagorders voorrang het.

Goedgekeur.

5. [14:22] EERSTE ORDER

Finalisering van die *Wes-Kaapse Wysigingswetsontwerp op die Investerings-en Handelsbevorderingsagentskap* [W 1 – 2013] (Minister van Finansies, Ekonomiese Ontwikkeling en Toerisme).

Debat afgesluit.

Wetsontwerp gefinaliseer (met teenstem van ANC).

6. [14:33] TWEEDE ORDER

Finalisering van die *Wes-Kaapse Sewentiende Wysigingswetsontwerp op Dobbelary en Wedrenne* [W 3 – 2013] (Minister van Finansies, Ekonomiese Ontwikkeling en Toerisme).

Stemverklarings namens ANC en DA.

Wetsontwerp gefinaliseer.

7. [14:35] DERDE ORDER

Oorweging van beginsel van die *Wes-Kaapse Agttiende Wysigingswetsontwerp op Dobbelary en Wedrenne* [W 4 – 2013] (Minister van Finansies, Ekonomiese Ontwikkeling en Toerisme).

Stemverklarings namens ANC en DA.

Beginsel van die Wetsontwerp goedgekeur.

8. [14:38] Die Hoofswep stel sonder kennisgewing voor: Dat, ondanks die bepalings van Reël 161 (3) van die Staande Reëls, die Huis die finalisering van die *Wes-Kaapse Agttiende Wysigingswetsontwerp op Dobbelary en Wedrenne* [W 4 – 2013] vandag hanteer.

Goedgekeur.

Finalisering van die *Wes-Kaapse Agttiende Wysigingswetsontwerp op Dobbelary en Wedrenne* [W 4 – 2013] (Minister van Finansies, Ekonomiese Ontwikkeling en Toerisme).

Daar was geen debat nie.

Wetsontwerp gefinaliseer.

9. [14:40] VIERDE ORDER

Oorweging van Verslag van die Staande Komitee oor Finansies en Ekonomiese Ontwikkeling oor die *Tourism Bill* [B 44D – 2012] (NRVP), gedateer 24 Julie 2013 (Sien Aankondigings, Tertafelleggings en Komiteeverslae, bl 136) (Ratifikasie van finale mandaat).

Stemverklarings namens ANC en DA.

Die mandaat wat die Wes-Kaapse Provinsiale Parlement se afvaardiging na die NRVP magtig om nie die Wetsontwerp met amendemente te steun, is bekragtig.

10. [14:42] Interpellasies
11. [15:10] Die Speaker verwelkom die President van Quebec Wetgewer, mnr Jacques Chagnon, en wens hom 'n voorspoedige verblyf toe in Suid-Afrika.
12. [15:11] Vrae.
13. [15:51] Vrae aan die Premier sonder kennisgewing.
14. [16:17] Mnr M Ozinsky doen met verlof 'n persoonlike verduideliking ingevolge Reël 63(2).
15. [16:28] Verklarings deur Lede.
16. [16:50] Mnr M G E Wiley stel sonder kennisgewing voor: Dat –
- (1) die Huis sy innige medelye betuig teenoor die families van die drie polisiebeamptes wat in die afgelope week op brutale wyse in die Wes-Kaap vermoor is:
 - konstabel Lungisa Depha van Harare SAPD, wat op 28 Julie 2013 geskiet is terwyl hy aan diens was;
 - sersant Landile Samuel Yengo van Khayelitsha SAPD, wat geskiet is toe hy op 28 Julie werk toe vertrek het; en
 - sersant Bafundi Mdlalo van Phillipi-Oos SAPD, wat op 29 Julie by sy huis geskiet is; en
 - (2) Lede van die Huis versoek word om op te staan en 'n oomblik van stilte te handhaaf uit eerbied vir dié polisiebeamptes wat met hulle lewens geboet het, terwyl daar daarop gelet word dat sewe lede van die Suid-Afrikaans Polisie diens gedurende Julie 2013 in die Wes-Kaap vermoor is.

Goedgekeur.

17. Me D Gopie stel sonder kennisgewing voor: Dat die Huis sy medelye uitspreek teen die familie, vriende en kamerade van Norma Lottering, lid van die Vroueliga van die African National Congress en gemeenskapswerker, wat in kruisvuur tussen bendes in Elsie'srivier doodgeskiet is.

Goedgekeur.

18. Me V Hani stel sonder kennisgewing voor: Dat die Huis sy medelye uitspreek teenoor die familie en vriende van Moses Makhwenhwa, wat gesterf het in 'n plakkershutbrand in Khayelitsha wat agt mense haweloos gelaat het.

Goedgekeur.

19. Me C Labuschagne stel sonder kennisgewing voor: Dat die Huis –

- (1) die Hoërskool D F Malan in Bellville gelukwens met sy uitstekende prestasie om vir die tweede agtereenvolgende jaar in die Universiteit van Cambridge in die Verenigde Koninkryk se prestige publikasie, "The Guide to Excellence", opgeneem te word; en
- (2) daarop let dat Cambridge, wat as 'n leidende universiteit in die wêreld gereken word, vir hierdie publikasie 100 skole regoor die wêreld geïdentifiseer het wat oor uitnemende onderwyspraktyke beskik.

Goedgekeur.

20. Me M Tingwe stel sonder kennisgewing voor: Dat die Huis sy medelye uitspreek teenoor die familie en vriende van die 10-jarige Ayanda Mfenku, wat in Philippi-Oos deur 'n bul gedood is.

Goedgekeur.

21. Mnr H P Geyer stel sonder kennisgewing voor: Dat die Huis –

- (1) sy diepe medelye betoon teenoor mnr Jan Le Fleur se familie, vriende en medewerkers, en die bestuur van die Du Toit-groep, Crispy Farming en die plaas Coshla;
- (2) daarop let dat –
 - (a) mnr Le Fleur op Dinsdag, 30 Julie 2013, in 'n fratsongeluk op die plaas gesterf het;
 - (b) hy die afgelope vier jaar die plaas Cashla van die Du Toit-groep as produksiebestuurder, en ook as 'n opkomende boer, behartig het; en
 - (c) vanjaar die eerste jaar was wat die bome begin vrugte dra het; en
- (3) voorts daarvan kennis neem dat –
 - (a) Le Fleur in 2012 as die Nuwe Toetreder tot die Sagtevrugtebedryf benoem is, waarna hy saam met die Wes-Kaapse Minister van Landbou, mnr Gerrit van Rensburg, na Europa gereis het; en
 - (b) hy dit as 'n uitdaging beskou het om die opkomende en kleinboere van die vrugtebedryf te verenig om sodoende suksesvol mee te ding op die strawwe, ekonomies-gedrewe oorsese markte.

Goedgekeur.

22. Me J Witbooi stel sonder kennisgewing voor: Dat die Huis sy innige meegevoel uitspreek teenoor die familie en vriende van die 23-jarige Wendell Daniels, wat naby sy huis in Ravensmead geskiet is en gesterf het.

Goedgekeur.

23. Mnr R B Lentit stel sonder kennisgewing voor: Dat die Huis –

- (1) gedurende Augustus, die maand van Beenmurgskenking en Bewustheid van Leukemie, met waardering kennis neem van die werk van die Sunflower-stigting;
- (2) ook daarop let dat –
 - (a) die Stigting in 1999 gevorm is deur ouers wie se kinders leukemie opgedoen het en, in sekere hartseergevalle, die stryd teen dié siekte verloor het;
 - (b) die stigting tot stand gekom het ter ondersteuning van die Suid-Afrikaanse Beenmurgregister (SABMR) en dat die oogmerk van dié NRO is om ooreenstemmende weefsel te vind vir diegene wat met lewensbedreigende bloedsiektes gediagnoseer is, met die oog daarop om lewens te red.

Goedgekeur.

24. Me B G Mbalo stel sonder kennisgewing voor: Dat die Huis –

- (1) die voortslepende voorvalle van verkragting en moord veroordeel wat gay en lesbiese persone in die Wes-Kaap as teiken het; en
- (2) daarop let dat ons provinsie die provinsie is waar die grootste getal gerapporteerde gevalle van homofobiese aanvalle voorkom.

Goedgekeur.

25. Me C Labuschagne stel sonder kennisgewing voor: Dat die Huis –

- (1) erkenning gee aan die geslaagde poging van skole in die Wes-Kaap om die afwesighedsyfer van leerders te verminder;
- (2) sy dank en waardering uitspreek teenoor die Minister van Onderwys, die Departement van Onderwys, skoolhoofde, onderwysers, leerders en ouers, wat almal bygedra het om die afwesighedsyfer van 7.7% in 2009 tot 4.1% in 2013 te verminder.

Goedgekeur.

26. Me C F Beerwinkel stel sonder kennisgewing voor: Dat die Huis –

- (1) erkenning gee en sy gelukwensing oordra aan Ashley Uys, 'n biotegnoloog en stigter van Medical Diagnostech, wat in my kiesafdeling woonagtig is, wat die volgende goedkoop toetstoestelle ontwikkel en gepatenteer het wat internasionaal versprei word: malaria toetstoestel; 'n toetstoestel vir MIV en swangerskappe en sy jongste, 'n toepassing vir 'n selfoon wat gebruik word om vir dwelmmiddels te toets; en
- (2) daarvan kennis neem dat dit alles gedoen is met eie finansiering en kontrakte waar daar op verskaffers vertrou word.

Goedgekeur.

27. Me C Labuschagne stel sonder kennisgewing voor: Dat die Huis al die Lede van die Huis wat deelneem aan die PALAMA-nagraadse studie by die Universiteit van die Witwatersrand ondersteun en die Capetonian-span gelukwens met hul eerste spantaakoorwinning.

Goedgekeur.

28. Me D Gopie stel sonder kennisgewing voor: Dat die Huis kennis neem van die ferm standpunt ingeneem deur die Adjunkpresident van die African National Congress, Cyril Ramaphosa, teen bendes en dwelmmiddels gedurende sy samesprekings en vergaderings met gemeenskappe in Mitchells Plain.

Goedgekeur.

29. Mnr M G E Wiley stel sonder kennisgewing voor: Dat die Huis –

- (1) sy gelukwensinge oordra aan die 13-jarige Schean Marais van Zeekoevlei, wat 'n goue medalje gewen het in die swaargewigafdeling van kumite by die Wêreld Karate-federasie se Wêreldbeker vir die Jeug wat in Julie 2013 in Korfu, Griekeland gehou is; en
- (2) daarop let dat hy die eerste Suid-Afrikaner is om dié bepaalde onderskeiding by dié kampioenskap te behaal.

Goedgekeur.

30. Me V Hani stel sonder kennisgewing voor: Dat die Huis kennis neem daarvan dat ons vandag die nasionale dag teen kinderarbeid onder die tema “ 'n Toekoms sonder Kinderarbeid” vier en alle vorme van misbruik wat met kinderarbeid verband hou, veral op ons plase, veroordeel.

Goedgekeur.

31. Mnr M G E Wiley stel sonder kennisgewing voor: Dat die Huis –

- (1) erkenning gee vir die buitengewone bydrae wat deur mnr Peter Cole gemaak word as deel van sy poging om atlete van hoogstaande gehalte af te rig en te vorm; en
- (2) daarop let dat mnr Cole, 'n sakeman en self 'n voormalige kampioensportman, atlete in verskeie dissiplines afrig en dat sy onlangse suksesse die volgende insluit:
 - die verskaffing van 11 kano-roeibote vir platwater aan die nasionale span met die oog daarop om in September aan die Wêreld-marathonkampioenskap in Denemarke deel te neem;
 - die afrigting en voorbereiding van vyf van die atlete wat in Julie aan die eerste wêreld branderski-kampioenskap in Portugal gaan deelneem het, waar drie van hulle wêreldtitels verower het;
 - die verlening van bystand aan die Branderlebensredding van Vishoek wat hulle in staat gestel het om hulle vierde agtereenvolgende nasionale kampioenskapitel te wen.

Goedgekeur.

32. Me N P Magwaza stel sonder kennisgewing voor: Dat die Huis sy gelukwensinge oordra aan die nuut aangestelde hoof uitvoerende beampte van die Groote Schuur-hospitaal, Dr Bhavna Patel, met haar aanstelling.

Goedgekeur.

33. Me M Tingwe stel sonder kennisgewing voor: Dat die Huis 'n boodskap van medelye stuur aan die kinders en familie van wyle Pumla Ngcongca-Mgobozi, 'n gemeenskapsbouer en 'n onselfsugtige ouer van baie kinders in Langa.

Mag haar siel in vrede rus.

Goedgekeur.

34. [17:03] Die Huis bespreek die volgende onderwerp in die naam van mnr E J von Brandis:

Die infrastruktuur belegging en ontwikkeling in die Wes-Kaap.

Debat afgesluit.

35. Die Huis verdaag om 18:10.

R G HINDLEY
Sekretaris van die Provinsiale Parlement