
WEDNESDAY, 27 MARCH 2013

The House met at 10:00.

The Speaker took the Chair and read the prayer.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS – see p

WESTERN CAPE APPROPRIATION BILL [B 2—2013]

(Debate on Vote 5 – Education)

The MINISTER OF EDUCATION: Mr Speaker, I acknowledge the hon Premier, fellow members of Cabinet, the hon Leader of the Opposition, hon Members of the Provincial Parliament, the Superintendent-General of Education and all senior officials from the Western Cape Education Department, invited guests from the education community, ladies and gentlemen.

INTRODUCTION

Mr Speaker, thank you for giving me the opportunity to present the 2013-14 Budget for Education in the Western Cape.

It is my privilege to welcome a number of special guests to this important occasion for education in the Western Cape:

- My wife Cheryl;
- Prof Brian Figaji, Chair of the Education Council; and
- Peter Twine, a quality partner from Woolworths.

Thank you for joining us today.

I also want to mention as special guests three of our four educators who were recently awarded prizes at the National Teaching Awards. They are: Mr Ismail Teladia from Spine Road High School, Mr Warren Sparrow from Rondebosch Boys' Preparatory School and Ms Melanie van de Jar from Cedar High School. [Applause.] *In absentia*, I would also like to acknowledge our fourth recipient, Mr Derick Petersen from Imizamo Yethu Secondary School in Thembaletu in George, who won an award for secondary school leadership. [Applause.]

I would also like to welcome Sam Christie and Palesa Nkabane of the Michael and Susan Dell Foundation.

In 2009, when we tabled our strategic plan, I indicated that we were being realistic about the scope of the challenges in education facing us as a government. There would be no silver bullet and we committed ourselves to applying principles of good management and best practice to everything we do, so that we do the right things, within budget and on time. Steady and sustainable improvement would be the order of the day. I also said that the focus of this government would be on the learner in the classroom.

Four years later, our focus remains the same. Today's budget is motivated by what is in the best interests of the learners so that we can improve their life chances and create opportunities for them through the provision of quality education. This approach was reflected in our strategic plan which encompasses a sustained, focused and systematic approach to improving education. Although this plan has been our guide, we have not shied away from introducing further refinements as they have become necessary. No system involving a million children can be static year after year.

We have seen in the past how sudden changes in policy can damage the education system. Education needs stability and a sustainable long-term plan. It needs systematic, clear and sometimes bold change, not short-term projects, interventions and ill-conceived cash injections.

Mr Speaker, the hon members need look no further than the changes made to the national curriculum in the early years of our democracy to find an example of the damage which can be done to the future of our young people and the professional pride of our educators through

bad planning and poor implementation. For a while confusion and disruption in the system were the order of the day, impacting directly on the outcomes of the system.

Fortunately, much of this in the curriculum field is now a thing of the past and the more realistic implementation of the Curriculum and Assessment Policy Statement (CAPS) has proved to be clearer and more manageable.

We can confidently say that we have established, in the last four years, the foundation necessary to achieve our objectives and those described more recently in the National Development Plan. We have managed to weed out policies that were not working, introduce new ones and fine-tune successful ones each year. What we have now today is a maturing provincial education system which has responded positively to a number of systems improvements.

This year, together with the second-year roll-out of CAPS, we plan to further deepen and strengthen these strategies – re-enforcing the strategies we have developed since November 2009 and ensuring stability in the system so that ultimately our focus can remain on and improve the lives of those most important of people, our learners.

Mnr die Speaker, in 'n poging om die bes moontlike onderwys aan ons leerders te lewer, werk die WKOD nie op sy eie nie. Hy werk nou saam met sy susterdepartemente in hierdie regering, waar moontlik en toepaslik. Voorbeelde van hierdie transversale benadering kan gevind word in ons betrokkenheid by die program wat aangebied word by die MOD-sentrums deur die Departement van Sport en Kultuursake met die bekendstelling van die Geïntegreerde

Skoolgesondheidsprogram in ons skole deur die Departement van Gesondheid en in die ondersteuning wat ons ontvang van die Departement van Maatskaplike Ontwikkeling en die Departement van Gemeenskapsveiligheid in die verbetering van die veiligheid van ons leerders.

In addition, the WCED has entered into a number of agreements with various organisations to enhance the services it delivers in the interests of quality education. Recently, the WCED signed an agreement with the Michael and Susan Dell Foundation, aimed at improving learning outcomes through the use of financial incentives and school performance data. The foundation has allocated R16 million for use in 24 project schools, in addition to the department's investment in incentives and rewards.

THE BUDGET

Mr Speaker, earlier this month, the Minister of Finance, Economic Development and Tourism announced that within the Medium-Term Expenditure Framework (MTEF), the Western Cape Education Department would receive over a third of the provincial budget – an investment in education of R49,1 billion.

The department will receive R15,6 billion for the 2013-14 financial year. This is an increase of over R1,3 billion from the previous financial year which had an allocation of over R14 billion.

Public ordinary school education will continue to be the main focus of the department's funding, with an allocation of 72% of the budget. An amount of R37,9 million will be allocated to adult basic education and R351,4 million to our six FET colleges.

The Western Cape already leads the country in the provision of Special Needs Education. In the Western Cape, 5,7% of the budget is allocated to Special Needs, which amounts to R894,7 million. This represents an increase of R43 million from last year.

HOW DOES THIS BUDGET ALLOCATION AFFECT OUR LEARNERS?

As is the case in all large public school systems, the majority of the budget will be spent on our educators. They remain our most important asset as they are responsible for ensuring that our learners receive the best quality tuition and a fair chance to lead the lives that they deserve.

In the 2013-14 financial year, we have allocated R9,9 billion to teacher salaries. Educator training remains a key component of our strategy as it directly impacts the delivery of the curriculum to the learner. Since 2009, we have developed a sustainable and comprehensive programme for educators which include various specialised courses and support programmes at the Cape Teaching and Leadership Institute, such as ICT proficiency, special needs education, training for aspiring school principals, literacy and numeracy workshops and subject-specific training for various grades.

The teacher component of training and development has increased from R79 million in the 2009-10 financial year to R112 million in the 2013-14 financial year. In 2013, the department will train teachers of Grades 7 – 9 and Grade 12, for the introduction of the CAPS in these grades in 2014. A total of 250 schools will also receive training and school-based support in Language and Mathematics development as well as additional readers and learning support materials as part of our eight-year training and support plan.

Terwyl dit belangrik is dat ons gedurig help om daardie onderwysers wat nie presteer of wil verbeter nie se kapasiteit uit te bou, is dit ook nodig dat ons aan hulle teikens stel om te bereik en hulle so motiveer.

In 2012 het die WKOD die elektroniese skoolverbeteringsplan (SVP) van stapel gestuur, wat van skole verwag het om teikens te stel en planne te ontwikkel vir die verbetering van taal en wiskunde in grade 1 tot 9 en die vakke wat aangebied word in grade 10 tot 12. In 2013 is die SVP gestroomlyn en skole het weer teikens gestel en planne ontwikkel wat verbeterde leeruitkomst kan meebring.

The SIPS will also allow us to monitor absenteeism trends. A key priority for the Western Cape government is the protection of teaching and learning time, and we believe that there has been a positive shift in attitude by our educators and principals in subscribing to this principle. In the Western Cape, the latest reports reveal that educators are absent, on average, five days a year. This is well below the national average, which is 19 days per year.

Mr Speaker, this government believes that hard work should be recognised and progress rewarded. If a school produces improved results, it ultimately means that our learners' skills sets and opportunities are growing. Therefore, we want to reward our schools and incentivise them to continue this improvement.

Last year we launched an incentive programme that rewards primary schools that have improved the number and quality of passes in the Grade 3 and 6 language and mathematics systemic tests. An amount of R25 million was allocated to this incentive programme. In the 2013-14 financial year a further R30 million will be allocated towards this programme and distributed to schools to spend on maintenance or items that enhance their capacity to deliver a quality education to our learners.

Mr Speaker, if we discount educator salaries, the majority of the remaining proportion of this budget goes towards allocations which directly impact the learner. In fact, the majority of these allocations affect our poorer learners, with the poorer 60% of our school population receiving the greater allocations in terms of important indicators such as norms and standards funding, school feeding, new infrastructure and learner transport.

This is in line with the Western Cape government's policy in opening opportunities for people in poor communities, through education, health services, housing and social development programmes and is reflected in the overall budget of the Western Cape, with 76% of the Western Cape annual budget being directed towards poorer communities.

I am pleased that in this financial year we will see the implementation of approved proposals by the WCED that will result in additional funding for public schools serving poorer communities.

In the 2013-14 financial year, no-fee schools in Quintiles 1 – 3 will receive the same increased amount of R1 010 per learner which will contribute meaningfully to improving resources critical to the teaching and learning experience at these schools, improving the quality of education and ultimately improving opportunities for the learner. The cost of the equalisation of these per learner amounts in National Quintiles 1 – 3 will be R24 million in the 2013-14 financial year and R26 million in the 2014-15 financial year.

In addition, the Western Cape Education Department will increase funding at over 300 fee-paying schools serving less affluent communities. These fee-paying schools currently receive far less than R1 010. Therefore the department will reduce this gap this year by approximately 25% and in the 2014-15 financial year by as much as 73%. The cost of these allocations per year will be to the value of R18 million and R53 million respectively.

It is important to remember that the various amounts described above are in addition to what the department pays for the remuneration of staff in government employment at our public schools.

Mnr die Speaker, ons kan nie die feit ignoreer dat ons in moeilike ekonomiese tye leef nie, waar baie ouers van armer leerders eenvoudig nie kan bekostig om die kinders se skoolgeld te betaal nie en dat dit skoolinkomste van skoolgeld-skole affekteer nie.

Voorsiening vir geldelike kompensasie is vir die eerste keer in 2011 moontlik gemaak, waar skoolgeld-skole kon aansoek doen om skoolgeld-kompensasie om sommige van die uitgawes te dek van armer leerders wat vrygestel is van die betaal van skoolgeld.

Gevolgtrek het die WKOD meer as R20 miljoen in 2011 en R31 miljoen in 2012 uitbetaal as kompensasie vir skoolgeld-vrystellings. Hierdie bedrae was die hoogste in die land en in die 2013-14-boekjaar sal R45,3 miljoen beskikbaar gestel word.

This allocation again shows that the WCED is prioritising the education needs of all our learners, particularly those from our poorer communities.

Mr Speaker, it is a sad reality that many of our learners in this country rely on a meal at school as their only meal of the day. Over 427 000 learners currently receive a nutritious lunch meal in the Western Cape each day. This programme has expanded year on year, with allocations to the feeding scheme having over doubled since the 2009-10 financial year, increasing progressively from R112 million to R260 million in the 2013-14 financial year.

I am very excited to announce, following a pilot in the 2012-13 financial year, that learners at our feeding scheme schools will receive an additional breakfast meal which will be served five days a week before the start of school each day. This will not only provide more nutrition for our learners but will encourage them to arrive early at school, thus potentially decreasing latecoming.

In order to help assist over 50 000 learners in our poorer rural areas to get to and from school, we have allocated R222 million for learner transport.

School Safety is an ongoing concern and challenge for the department. We want our learners to be able to work and learn in an environment that is safe and secure, but the reality is that community conflict and violence can threaten our learners and schools either directly on the school premises or within the community.

Mr Speaker, I would like to take this opportunity to extend my appreciation to all our educators that work in areas where there is high gang or criminal activity. They attend school, not only having to face their own fears, but to also be confronted with frightened and traumatised young learners affected by violent events.

I would like to honour and thank these educators today, and others in similar circumstances, who work in these very difficult and extreme situations. We admire and value their courageous efforts in trying to create and secure a stable teaching and learning environment for our learners when there is violence and fear within the community and in their schools.

In order to try to protect our schools and our learners further, R25,5 million will be allocated to the department's Safe Schools programme. This represents an increase over the amount in the previous financial year and will be used to provide targeted support to schools to address issues such as youth development, substance abuse, conflict management and mediation, gangsterism and safety management. It will also be used to provide core security

infrastructure to schools such as alarm systems, safety gates and burglar proofing in order to deter trespassing, burglary and vandalism.

In order to assist with repairing vandalised schools and ensuring that the schools are safe environments for our learners, R20 million will be allocated to the Emergency Maintenance Fund which will assist in repairing schools affected by burglary and vandalism and extreme weather conditions.

Mr Speaker, R3,170 billion will be spent on infrastructure over the MTEF period. This will see the completion of 26 new schools, 46 replacement schools, 5 replacement classroom projects and 124 Grade R classrooms. Therefore a total of 72 new school structures will be built during this period. This will benefit over 86 000 learners, mainly from our poorer communities, who will be housed and taught in new and improved structures that are conducive to quality teaching and learning.

Furthermore, this plan also envisages shifting maintenance expenditure from its current 17% of the overall infrastructure budget to 40%, which will see existing schools receiving a facelift – improving the environment in which these learners are being taught. The maintenance plan also envisages day-to-day maintenance by schools, therefore decreasing the need to repair defective stock resulting from neglect and reducing the operational costs at individual schools.

Payments for electricity and water are some of the operational costs that schools need to address. In the last few years, schools have faced increased municipal bills that they cannot

afford to pay. In order to assist our schools in clearing this historical debt, the department has allocated R30 million in the 2013-14 financial year to supplement current expenditure levels on municipal services. Schools are also encouraged to implement appropriate green practices, including careful water use management and other conserving maintenance interventions.

Mr Speaker, the implementation of the Premier's Broadband project at schools will contribute to reducing some of our school's communication and other operational costs. It will also assist in the delivery of the curriculum through the provisioning of high quality curriculum material and teaching aids, improved communication and remote technical support. In preparation for the roll-out of broadband to our schools, the department will continue to invest in appropriate compatible equipment and hardware. There is no need for the department to wait for broadband access to be universally available before introducing these devices and making available software to support the curriculum.

Mr Speaker, I have yet to tell you about one of our really significant achievements to date and one that directly impacts our learners and their improvement in outcomes.

I made a commitment in the House two years ago to ensure that all learners in this province will have in their hands a textbook in every core subject they are taking by the end of the 2013-14 financial year.

I am pleased to report back to the legislature that we are well on track to fulfilling this commitment. Over R277 million has been invested in this plan in the last two years. Learners have received maths textbooks and readers in Grades 1 – 3, and textbooks in every core

subjects in Grade 4, 5, 6, 10, 11 and 12. We are now preparing to roll out the next stage of our plan to include learners in Grades 7 to 9 and further textbooks for Grade 12. An amount of R175,8 million will be allocated to this third and final roll-out in the next financial year.

We will also be investing R8,4 million in our High School Improvement Plan in the 2013-14 financial year which is directed at improving quality learner outcomes. This plan will focus primarily on improving the performance levels of our Grade 12 learners in the National Senior Certificate examinations and our underperforming schools.

It cannot be argued even by the opposition that this plan has not been a success. In 2009, 85 schools had achieved less than 60% in the National Senior Certificate examinations. However, since the adoption of the plan, the number of underperforming schools has consistently declined from 85 to 76 in 2010, 30 in 2011 and 26 in 2012. The strategy has proved successful and therefore its core interventions will remain the same in 2013. However, certain aspects have been refined and improved to ensure even better results.

Building on this experience and in order to broaden the basis of sound learning outcomes at the earliest stage in our school system the department has identified the primary schools that perform at an unacceptable level. These schools have been notified of the need to present improvement plans, indicating the steps they will take to reverse declining outcomes. As is the case with high schools, the department will provide appropriate support.

Improving literacy and numeracy results is a priority for us. The department will continue to promote and support a culture of reading, writing and calculating.

Mr Speaker, I have just outlined some of our major budget allocations in education. I think it will be agreed that the focus is primarily on the learner. However, a system will not succeed if all administrative and organisational processes do not work. Therefore we will continue to strengthen and deepen the responsiveness and efficiency of the department so that our schools are able to be managed and administered effectively. This will allow our schools to operate smoothly without any disruption to teaching and learning and to ensure that the learners' classroom time is fully utilised.

In the last three years, we have effected a range of systems improvements to ensure better quality service at the point of delivery. A number of business processes have been automated to allow access to online reporting and monitoring mechanisms.

The SIP, as indicated earlier, for example, is one initiative that will allow the department to monitor and assess resources at schools; absenteeism trends; learners on the nutrition programme and the department's learner transport scheme; staff and learner numbers, including past trends and projections; as well as the frequency of meetings with parents to discuss the academic performance of their children.

In addition to this, the department has developed the District Management Information System (DMIS), which allows district offices to capture, plan and report on all school visits more efficiently than before. This system increases accountability, reduces the time spent on reporting, facilitates problem-solving and supports service delivery.

‘n Ander area van verbetering is die versnelling in die vul van onderwyservakatures. Ons publiseer nou vakaturelyste tot vier keer per jaar om seker te maak dat permanente onderwysaanstellings betyds gemaak kan word. Ons het vanjaar ook ‘n nuwe aanlynstelsel ingevoer wat dit baie makliker vir onderwysers maak om aansoek te doen om vakatures in die provinsie. This initiative reflects the ongoing innovation with which the department seeks to improve the way it recruits staff.

Improved business processes have also led to an improved turnaround time for the appointment of principals, thereby reducing the periods for which the people responsible are in acting positions. By appointing leaders to these management positions in the school as quickly as possible, we are contributing to a positive school environment and ensuring greater stability within the system.

Mr Speaker, while we have managed to create a smarter and viable system, we do face one major threat which is progressively starting to creep into our school environments. This threat is individual and organisational self-interests that disrupt teaching and learning in our schools.

Mr Speaker, a public school system is there to provide for the learning needs of young people and to assist in breaking the cycle of poverty and through this to ensure a solid basis for individual development, economic growth and social stability. Public schools are not there for the playing of ideological games and the driving of agendas of people and structures which do not place the best interests of our young people first.

Unfortunately, increasingly we are seeing educators, SGB members, parents, organisations and political parties ignore the primacy of the learner in the education system so as to promote their own selfish interests. Such disruption of teaching and learning time can never be sanctioned by a government serious about the education of its young people.
[Interjections.]

The SPEAKER: Order! Order, hon members!

The MINISTER: Mr Speaker, in this regard it is appropriate that I touch on the matter of school closures which attracted much attention during 2012. School closures are not about political interests, it is not about protecting jobs ...

Ms M TINGWE: [Inaudible.]

The SPEAKER: Order, hon Tingwe!

The MINISTER: ... and it is most certainly not about race. [Interjections.] It is about the better opportunities the learner will receive at his or her new school.

Two weeks ago, I visited Raithby Primary School in the Winelands. As many of you recall, Raithby is the school that has accommodated learners from Tonko Bosman Primary School – a school I decided to close after very careful consideration and due process.

At first the community objected to the department's decision to recommend to me the closing of their school. However, it soon became apparent that the opportunities afforded to the learners at the new school would outweigh the personal ties many had with this school. The SGB rejected the offer to be represented in court – and on 31 December 2012, Tonko Bosman Primary School closed.

Mr Speaker, I am sure you are wondering how the learners from Tonko Bosman are coping in their new school. I did, so as mentioned, I visited the school to see for myself. What I found was a clean, happy school environment where quality teaching and learning is taking place. I met several of the learners from Tonko Bosman during the break and they all told me that they were happy at their new school, have made lots of new friends and are enjoying the new facilities such as the computer laboratory and sports and extra-curricular playing fields.

The move to the new school also meant additional educators for the Raithby Primary School, which has resulted in single grade teaching at the school. Therefore not only have we seen improved opportunities for the Tonko Bosman learners, but for the Raithby learners as well.

We will continue to do all we can to ensure that all our learners are given the best possible education at all times whatever the circumstances.

Mr Speaker, the interim interdict in this matter was handed down on 22 December 2012. The reasons for this interdict finally appeared a week ago on 20 March 2013. While the WCED has, in every way, met all the requirements of the interim interdict handed down to ensure that our learners are not further disadvantaged, it is now a matter of public record that I have

taken the step of approaching the Constitutional Court to ensure that we are always able to make decisions to the maximum benefit of the learners in our schools.

We are, however, looking forward to the review application in May 2013 on my original decision to close 20 schools, where we believe that the rights of learners to the best we can offer will be acknowledged rather than being denied, as has been the case till now.

Mr Speaker, in closing I would like to thank the Superintendent-General, her staff and the Ministry for their support and hard work during the past year. [Interjections.]

The SPEAKER: Order!

The MINISTER: It is sincerely appreciated.

Mr Speaker, I end by asking the citizens of the Western Cape to support and respect our learners' rights to education.

We need, more than ever, a whole of society approach to tackle the challenges we have in education. Let us protect and empower our learners by ensuring that their education needs come first, that their schools are safe from vandalism and theft, and that we promote, as a society, reading, writing and calculating, and shun latecoming, truancy and anti-social behaviour.

Parents have a large role to play in this and we appeal to them to help the department help their child so that they can be afforded the opportunities in life they deserve. It is about making education, in the Western Cape, Better Together. [Applause.]

Me C LABUSCHAGNE: Mnr die Speaker, ek ondersteun die begroting van die Wes-Kaapse Departement van Onderwys. Teen R15,602 biljoen vir die 2013-14-boekjaar is dit die tweede grootste spandering van die DA-regering in die Wes-Kaap – 36%. Dit is ook verblydend om te sien dat die begroting vir onderwys sedert 2009 teen 'n gemiddeld 15% per jaar vermeerder het.

Die realiteit wat onderwys moet aanspreek in Suid-Afrika is korrek volgens die Nasionale Ontwikkelingsplan (NDP) geïdentifiseer: 'n Miljoen jongmense verlaat elke jaar skool. Dit is dus nodig om te verseker dat verbetering in die onderwys ons jeug genoegsaam voorberei vir verdere opleiding of werkgeleentheid.

Die probleemstelling tans is egter veel meer gekompliseerd. Onderwys in Suid-Afrika word volgens die *Financial Mail* gekenmerk daardeur aan: die kwaliteit van matriekslaagvereistes en die feit dat nie die meeste van ons jeug genoegsaam voorberei vir verdere universiteitstudies nie; skole in landelike gebiede steeds probleme ervaar met die aflewering van studiemateriaal en die aanspreek van agterstand in infrastruktuur; 80% van die onderwysbegroting word aan salarisse bestee, sonder genoegsame verantwoordbaarheid met betrekking tot prestasie; die wilskrag ontbreek om standaarde toe te pas, soos byvoorbeeld prestasiekontrakte met onderwysers; asook die feit dat Suid-Afrika te veel al verander het aan beleid, sonder enige werklike suksesse.

Mnr die Speaker, dié opinie kan maklik bewys word deur die verskillende probleme wat die afgelope jaar onderwys gekniehalter het – soos byvoorbeeld die handboekfiasko in Limpopo en die sluiting van skole in die Noord-Kaap weens dienslewering-protokesaksies.

In die Wes-Kaap, daarenteen, gebruik die DA-regering die begroting om uiting te gee aan die erns van onderwys. Ek beaam Minister Winde tydens sy provinsiale Begrotingsrede, waarin hy gesê het:

Onderwys is alles. Niks kan as plaasvervanger daarvoor optree nie. ‘n Goeie opvoeding, waarin die leerder, ouer, onderwyser en skoolhoof ten volle geïnvesteer is, is die een ding wat ‘n hele gesin se toekoms kan verbeter in slegs een generasie.

Die bereidheid van die Wes-Kaapse regering om die NOP te verwesenlik, is ook deur die nasionale regering waargeneem en ek is opgewonde oor die uitbreiding van die NOP-loodsprojek om na-skool programme vir leerders in die Wes-Kaap te kan bied.

Mnr die Speaker, die Wes-Kaapse Onderwysdepartement (WKOD) gee gehoor aan die wekroep van President Jakob Zuma tydens sy staatsrede. [Tussenwerpsels.] Jacob. [Gelag.] Samewerking met onderwysers, ... [Tussenwerpsels.] Dit is die Afrikaans – Jakob. Samewerking met onderwysers, ouers, die gemeenskap en verskeie ander belanghebbendes ... [Tussenwerpsels.] ...

The SPEAKER: Order, hon members!

Me C LABUSCHAGNE: ... sal ons in staat stel om ons skole in sentrums van uitnemendheid te ontwikkel. Die WKOD is reeds besig om uitnemendheid in onderwys te bewerkstellig. Dit word gedoen volgens die 10-punt plan om die onderwysuitkomstes in die Wes-Kaap te verbeter.

Ontstellende syfers soos dat slegs een uit vyf matriek-leerlinge meer as 50% in wiskunde of wetenskap behaal, tesame met die jaarlikse uitslae van die ... [Tussenwerpsels.] ...

The SPEAKER: Order, hon members! Order!

Me C LABUSCHAGNE: ... Jaarlikse Nasionale Toetsing, beter bekend as ANAs, bewys die behoefte om geletterdheid en syfervaardighede aan te spreek. 'n Rekordgetal matriekleerlinge het die Nasionale Senior Sertifikaat-eksamen in 2012 geslaag ...

Mr M SKWATSHA: Mr Speaker, on a point of order: Is it in order for a member of the House to disrespect the President of the country? [Interjections.]

The SPEAKER: Order! Hon Skwatsha, that's not a point of order. [Interjections.] Order! Take your seat, hon Tingwe. Sit down. [Interjections.] Sit down, hon Tingwe. I've made my point. That's not a point of order. [Interjections.] Proceed, hon Labuschagne. [Interjections.] What is your point of order?

Nksz M TINGWE: Enkosi Somlomo, ndicela ubenomonde kunye nathi Somlomo.

The SPEAKER: What is the point of order?

Nksz M TINGWE: Umntu otolikayo apha uthi Jacob Zuma, uJacob Zuma noko ungumongameli wesizwe ingaba ilungile na loo nto njengelungu lepalamente uthi Jacob Zuma kuba njengba ndimamele uthi Jacob Zuma khange athi mongameli.

The SPEAKER: Hon members, I don't want to engage in this discussion, but it normally happens to the Premier also. Most members call her Helen in the House and no one complains. [Interjections.] Order, hon members! I'm not going to entertain this discussion. [Interjections.] Order, hon members! If I need to make a ruling on this I will do it later. Proceed, hon Labuschagne. You may continue. [Interjections.] I've made a ruling on this matter.

Mr M SKWATSHA: Mr Speaker, ...

The SPEAKER: No, hon Skwatsha! I've already made a decision. If I need to make a ruling I will look at it and do it later. That's my ruling on the matter.

Mr M SKWATSHA: I am rising on a point of order.

The SPEAKER: No, no, no! Hon Skwatsha, take your seat, please.

Mr M SKWATSHA: I am rising on a point of order.

The SPEAKER: Hon Skwatsha, take your seat, please. You may continue, hon Labuschagne.

Mr M SKWATSHA: No, Mr Speaker. The House has Rules.

The SPEAKER: Hon Skwatsha ...

Mr M SKWATSHA: A point of order is allowed in the House. [Interjections.]

The SPEAKER: Hon Skwatsha, I've allowed you to do so and I've made your ruling.

Mr M SKWATSHA: What is your ruling?

The SPEAKER: My ruling is that I will make a ruling on the matter later, if there is a need for it.

Mr M SKWATSHA: But I asked you a question.

The SPEAKER: What is the question?

Mr M SKWATSHA: Is it in order to disrespect the President of the country? I want to hear your ruling. Is it in order or not in order?

The SPEAKER: I will make a ruling later. Thank you very much. Continue, hon member.
Hon Labuschagne, over to you. [Interjections.] Order, hon members! Order!

Me C LABUSCHAGNE: Mnr die Speaker, 'n rekordgetal ... [Tussenwerpsels.]

The SPEAKER: Hon members, order!

Me C LABUSCHAGNE: 'n Rekordgetal matriekleerlinge het die Nasionale Senior Sertifikaat-eksamen in die Wes-Kaap in 2012 geslaag – 36 992, wat 'n slaagsyfer van 82,8% is – en beide die ANAs asook die onafhanklike provinsiale toetsing van graad 3-, 6- en 9-leerders is beduidend van suksesse wat behaal word en waar verdere toetreding vereis word.

Nksz M TINGWE: Ndithi akakho umntu wonditolikela ola lwimi luthethwa lilungu uLabuschagne.

The SPEAKER: From Afrikaans to isiXhosa, or to English?

Nksz M TINGWE: IsiNgesi kuthe cwaka.

The SPEAKER: Go to channel 5. Hon member, over to you.

Me C LABUSCHAGNE: Mnr die Speaker, verantwoordbaarheid in die onderwysstelsel is van uiterste belang. Prestasiekontrakte is in die verlede met skoolhoofde gesluit en die nuwe Skool Verbeteringsplan, beter bekend as die SIP, waarna die Minister ook verwys het, wat

elke skool moet voltooi, dien as elektroniese verantwoordbaarheid-hulpmiddel. Verantwoordbaarheid in die onderwys beteken egter ook dat belanghebbendes betrokke by die onderwyssektor gehoor moet gee. Die herhaalde fokus op veilige vervoer van leerders in die Wes-Kaap, selfs deur privaat vervoerskaffers, veronderstel dat groter verantwoordbaarheid vanaf die verskaffer ook verlang word. Sodoende kan voorvalle voorkom word waar 18 leerders in 'n 7-sitplek voertuig of 13 kinders agterin 'n bakkie vervoer word.

Beter verantwoordbaarheid in die beste belang van die leerder veronderstel ook dat organisasies die verbetering in die onderwysstelsel sal ondersteun. Die ondersteuning van die Nasionale Kongres van Skoolbeheerliggame vir die klassifisering van onderwys as 'n noodsaaklike diens getuig van wie se belang hulle op die hart dra. Dit gesien teenoor Sadtu se opposisie teen beide die noodsaaklike diensplan sowel as die implementering van biometriese teenwoordigheidsopnames vir onderwysers. Dit is 'n oop vraag of leerders se belange eerste gestel word deur Sadtu.

Vinniger reaksietyd en ondersteuning deur die WKOD sal veral vergemaklik word deur die effektiewe benutting van die Skool Verbeteringsplan – die elektroniese hulpmiddel. Die outomatisering vergemaklik ook administratiewe en besigheidsprosesses in die Onderwys, soos byvoorbeeld handboekbestellings en elektroniese aansoeke van ander ondersteuningsdienste soos voedingskemas asook e-werwing. Verdere verbetering in reaksietyd kan toegeskryf word aan die vooruitbeplanning van die departement om sodoende elke skool met genoegsame inligting en ondersteuning te verskaf. Voorbeelde hiervan is die effektiewe werking van die vier lyste van vakante poste per jaar, die vroeë inskryf van leerderstrategie vir die volgende jaar asook die jaarlikse beplanningskalender.

Mnr die Speaker, die prestasie van Wes-Kaapse onderwysers by die Nasionale Onderwys-toekenings – vier onderwysers in totaal – toon nie net die vlak van uitnemendheid van die beroep in die provinsie nie, maar kan ook gesien word as ‘n uitvloeisel van die fokus op volgehoue onderwyserontwikkeling in die provinsie. Die jaarlikse beplanningskalender toon volgehoue indiensopleiding vir CAPS asook doelgerigte opleiding vir skool-departements-hoofde, adjunkhoofde, skoolhoofde en skoolbestuurspanne. Op die manier word bestuur en leierskap in die onderwys ook verbeter.

Genoegsame en kwaliteit onderrig materiaal en handboeke is ‘n prioriteit in onderwys vir die Wes-Kaapse regering. ‘n Totaal van 1,6 miljoen handboeke is reeds aan die begin van 2013 in die Wes-Kaap afgelewer. Die regering het ‘n verbintenis gemaak om toe te sien dat elke leerder, in elke graad, ‘n handboek in elke vak het. Die mikpunt is reeds aan die realiseer. Die besteding deur die WKOD op nege handboeke vir elke seniorfase-leerder en sewe handboeke vir elke graad 12-leerder is bewys hiervan. Die programme vir handboekherwinning word in die opsig verwelkom.

Die begroting maak ook voorsiening vir die addisionele gebruik van tegnologie om by te dra tot onderrig in die klaskamer. Die Breëband-strategie sal aan 70% van alle provinsiale regeringsgeboue, landelike biblioteke en skole oor die provinsie hoë spoed Internet-toegang bied teen 2014. Opwindende moontlikhede bestaan reeds met die begrote R34 miljoen onder die Tesourie se Spesiale Projekte-begroting vir e-onderrig hardeware. Die moontlikhede vir kwaliteit onderrig in die elektroniese/digitale era is eindeloos.

Die vernaamste tegnologiese rolspelers – Apple en Samsung – het beide reeds groot platforme vir elektroniese onderrighulpmiddels. Apple, byvoorbeeld, het reeds meer as 80 000 rekenaartoeepassings, of Apps, gemik op onderrig. Plaaslike vervaardigers van sagteware soos Core Group het ook onlangs hul aanlyn handboektoepassingswinkel, ook bekend as die App store – ZA Books – bekendgestel.

‘n Onlangse simposium van die jaarlikse letterkunde-ondersteuningskomitee het ook die nuttigheid van selfone in die klaskamer ten toon gestel. Die gebruik van selfone in die klaskamer is in die Suid-Afrikaanse konteks dalk debatteerbaar, maar dit kan ook ‘n bekostigbare, werkbare alternatief wees vir interaktiewe, addisionele ondersteuning in die klaskamer.

Mnr die Speaker, armoede en veiligheid is twee van die daaglikse probleme wat onderwys in die gesig staar en benodig ook ‘n samelewing as geheel-benadering om dit aan te spreek. Die veilige skole inbelsentrum ontvang tot 20 000 oproepe per jaar en die program as geheel het ‘n drie-benige benadering tot veiligheid – die inbelsentrum, berading vir getraumatiseerde individue asook die fisiese beveiliging van skole. Laasgenoemde het ook ‘n groot finansiële impak op befondsing.

Tussen April 2012 en Februarie 2013 is meer as R5 miljoen spandeer op vandalisme en inbrake by skole. Sedert die begin van die jaar is daar gemiddeld een jong persoon per week dood weens gewelddadige misdaad, met onlangse gevalle van messtekery tussen leerders en gevalle van die besit van vuurwapens op die skoolgrond wat blyk om meer alledaags te raak. Die staande komitee het reeds positiewe terugvoer ontvang van een skool ten opsigte van die

skoolhulpbronbeampte-loodsprojek – waar polisielede aktief betrokke is by die beveiliging van skole. Ek hoop dat dit op 'n groter skaal by skole in die provinsie uitgerol kan word.

Mnr die Speaker, regstelling in die onderwys poog om gelyke geleentehede aan elke leerder in die provinsie te bied deur menslike en finansiële hulpbronne te voorsien aan veral distrikte en skole wat historiese onderinvestering beleef het. Tagtig persent van die begroting vir handboeke, skryfbehoeftes, leerdervoer en voedingskemas gaan aan die armste 60% van leerders. 'n Aantal van 427 500 leerders sal op 'n daaglikse basis voedsame maaltye ontvang danksy die Skoolvoedingskemas by 1 020 geïdentifiseerde primêre, sekondêre en spesiale skole. Die inisiatief van 'n ontbyt wat deur die Minister aangekondig gaan word, word deur ons verwelkom. Die staande komitee sal besoek daar gaan aflê.

'n Inisiatief van die WKOD om gelyke voorsiening vir alle leerders in kwintiel 1 tot 3 te maak, sal ook verdere verligting bring aan skole wat in 'n hoër kwintiel lê maar wie se behoeftes nie noodwendig minder is nie. So ook sal die leerdervoerskema, vervoer vir nagenoeg 50 000 leerders verskaf volgens streng veiligheidsmaatreels en goeie monitering van die stelsel.

Mnr die Speaker, regstelling moet egter ook verwys na die regstel van enige leemtes wat bestaan in die voorsiening van kwaliteit onderwys aan alle leerders in die Wes-Kaap. Ongelukkig word daar deesdae al meer verwag van die regering, en veral die Departement van Onderwys, om die verantwoordelikheid te dra vir die gedrag en optredes van leerders. Onlangse gevalle van geweld teenoor onderwysers en seksuele misdrywe onder leerders op

die skoolgrond is kwessies wat die samewerking van ouers, onderwyserunies en gemeenskappe in die breë konteks op 'n konstante basis verg.

Intervensies is ook noodsaaklik waar gapings vir regstelling bestaan. So, byvoorbeeld, sal daar verdere ondersoek ingestel moet word na die gemiddeld 2 000 skoolleerders wat jaarliks swanger word. Die intervensies wat die WKOD onlangs geïmplementeer het met die omkeerstrategie vir die graad 9-druipsyfer word verwelkom.

Instandhouding, migrasie en nuwe skole maak alles deel uit van die nuwe skoolinfrastruktuurplan, soos uiteengesit in die Verbruikersbatedbestuursplan, ook bekend as die U-AMP. Die nuwe infrastruktuurplan is einde 2012 bekendgestel en strek vanaf die 2013-14-boekjaar tot die 2015-16-boekjaar. Dit behels die voorsiening van 26 nuwe skole, 46 vervangingskole, 126 nuwe graad R-klaskamers en 420 skole wat instandhoudings en opknapping sal ontvang. Volgens die U-Amp, is die kostes verbonde aan vervangingskole en klaskamers R707 miljoen in die 2013-14-boekjaar en beloop instandhouding R168,6 miljoen.

Mnr die Speaker, in-migrasie na die Wes-Kaap is 'n realiteit waarvoor die WKOD tot die beste van sy vermoë voorsiening maak, maar daar moet definitiewe onderskeid getref word tussen in-migrasie wat druk op onderwysvoorsiening plaas en die onverantwoordelike en onwettige inmenging by onderwysvoorsiening. Besluitneming rondom die plasings tot skole moet in die beste belang van die kind geneem en uitgevoer word, met die nodige verantwoordelikheid van die ouer om die kind voor die begin van die skooljaar in te skryf.

Die priorisering van die Vroeë Kinderjare Ontwikkelingsentrum in die 2013-14-boekjaar word verwelkom as deel van die klem wat op die grondslagfase van onderwys geplaas word in die provinsie. Voldoende ontwikkeling by 'n VKO-sentrum sal help om ons jong kinders voor te berei vir die uitdagings wat aan hulle gestel gaan word in graad 1. Die R1,5 biljoen vir VKO-sentrums oor die 2013 medium termyn sal help om die universele uitrol van VKO-sentrums oor die hele provinsie in 2014 te verwesenlik. Die addisionele R100,6 miljoen in die latere jare van die medium termyn sal help om onderwyserkapasiteit te versterk.

Mnr die Speaker, vir al die bogenoemde redes ondersteun ek die begroting van die Wes-Kaapse Departement van Onderwys en bedank elke onderwyser vir hul volharding daarin om 'n beter toekoms vir ons leerders daar te stel. Ek bedank ook die departement, onder leiding van me Penny Vinjevold, vir hul toewyding en vir Minister Grant vir sy verbintenis om kwaliteit onderrig aan elke leerder in die provinsie te bied.

Ms M TINGWE: Mr Deputy Speaker, hon members and distinguished guests, education is a basic and fundamental right for all.

It is a very serious matter of concern that, to date, some learners still struggle to access schools. In some schools they still consider racial groups as a criterion for admission, regardless of the fact that the parents can afford to pay the school fees and have applied on time.

At some public schools they conveniently tell parents about the priority of accepting learners living in the surroundings of the schools, but when you check the class lists, you will see that

they have kids at Rondebosch public schools coming from as far as Platteklouf, but they reject the kinds from Athlone or Langa. The department needs to pay special attention to such tendencies and look into the fact that too much power is vested in the SGBs.

I was very surprised to receive a response from a district director, telling me that they cannot do anything other than what was decided by the SGB in order for a learner to gain access to a school, even if the school is the only English-medium secondary school in the area. Every learner has a right to access education. I would like to appeal to the DA-led government to walk the talk of a better society.

To date, we find that public schools have to use aptitude tests for school admissions. What if I fail the test but I have the capability to be in that school? Because I failed the test I will not be accepted at the school. That is a problem which needs serious consideration.

Mr Deputy Speaker, I am not satisfied with the department's support for and attention to the special schools – and I have raised this in the standing committee. It also needs to invest in such schools and not only chase after matric results. It is unacceptable today to find schools that are not user-friendly to learners with challenges. Extensive support to educators at such special schools also needs to be mainstreamed and championed by the department, even if it means that they must shift certain funds, such as the corporate funds, to these special schools.

The Education Department is the main custodian of education. This transfer of learners, who are in trouble with the law, to Social Development is totally unacceptable as Social Development has its own core responsibilities. They should rather find a way to work with

each other, because that is what I think better together and intergovernmental relations should be about.

Mr Deputy Speaker, I was also disappointed and disturbed to learn that important textbooks such as Technology for lower grades and matrices were still outstanding at many of the previously disadvantaged schools and that some learners had poor matric results. Yet, when I crossed to the Greenleaf public schools, all was intact. It got me thinking: Does the department really want to improve and reduce the underperforming schools, if by 5 March those textbooks were still outstanding?

It is a shame to note in the review of the 2012-13 financial year how brief it was for such a dramatic year full of activities. There was no mention of the closure of schools, no mention of learner transport cuts and a number of other activities that had a good stance in the previous year.

I want to thank the hon Carlisle, in his absence, for making schools and education infrastructure one of his priorities in this new financial year. I must say that he faces the most violent constituencies but he is always there. However, the same cannot be said about Minister Grant. He should learn from Minister Carlisle and become more involved with the communities, even in the most extreme and difficult situations.

We need to see implementation taking place, and we call upon the department to form part of our ... [Interjections.] ... oversight visit to get the real picture of what is happening at schools. A number of schools are falling apart. They are not fenced in and are high-risk white

elephants. We have a number of white elephant computer and science laboratories, which leaves much to be desired. You find these white elephants mostly in underperforming schools and previously disadvantaged communities.

The maintenance of schools is a mess. I call upon communities to take ownership of the school buildings and jealously safeguard them. The previously disadvantaged areas have become prisons and battlefields of gangsters.

I also challenge you, Minister Dan Plato, to come on board. [Interjections.] I also want to appeal to the department ... [Interjections.] ...

The DEPUTY SPEAKER: Order!

Ms M TINGWE: ... to swap around and get rid of principals and government officials who show no leadership and are corrupt. A thorough audit should be done by an independent audit firm of each and every school fund that has been transferred by the department.

The subdistrict officials need to know their responsibilities and boundaries and not participate in the functions of some schools. They are supposed to give leadership and direction. I want to stress this. As I have said in the standing committee, the SGBs especially in previously disadvantaged schools should be well taught about their rights, responsibilities and duties and not be in the pockets of the principals, because then they are not able to do their oversight work and be independent of the principals.

Reprimand the principals who deliberately overcrowd their schools in order to receive more funds. That is why we sometimes find classes of 75 and more kids.

I now come to school safety. The department and the Department of Community Safety need to ensure that they have strong teams in areas with high and medium levels of crime. It is disturbing to learn that there are still more schools which are left alone to find their own way in terms of their safety. Every school in this province should be safe and free, and the government of the day has the responsibility to ensure that this is implemented.

Minister, I am disturbed by the learner transport cuts in the areas such as Knysna and the Boland, without proper consultation. Some of the incompetent district officials did not even bother to call the SGBs or the parents to officially inform them of this. They decided to send letters at the end of December 2012 to inform them that their transport will no longer be there in 2013, and some learners were told which schools to go to, as if those officials will buy them new school uniforms.

This Minister shows no respect for the important stakeholders of education. Consultations and public participation are key, and it is very important that they sometimes meet and not be hand in glove with the committees and stakeholders.

The ANC is also disturbed by the decrease in the allocation to the Central Karoo district, as it is also one of the most poverty-stricken municipalities. The 44,19% increase in the allocation to the independent primary schools is a matter of concern. I believe that they should have focused more on the underperforming and poorer schools than on the independent schools.

Thank you to the educators and learners of the Bellville, Peakview and Zonnebloem Nest schools for the improved matric results and disappointing Minister Grant, who is still looking forward to closing the schools. I also want to congratulate the educators who won the National Teachers' Awards. They are here with us today, as mentioned by the Minister.

However, the DA-led government and especially Madam Premier Zille, in her absence, always make a noise about Sadtu members missing teaching time and being on other business rather than teaching. What about the ones who are here? Are they not missing teaching time as well? [Interjections.]

I now come to school nutrition. The department also needs to ensure that learners are given healthy and quality food, especially in the rural areas. I think monitoring is very important, because you find that they are giving poor quality food because people want to make money out of the school nutrition programme.

Minister, I heard you speaking about late coming and absenteeism. More needs to be done in this regard, even if it means taking the principals to task, together with the leadership at the schools, because this is a matter of serious concern. If one school can do it, then I think the other schools need to learn from the one that has a better practice. I want to hear about the plan to improve the 188 underperforming primary schools and the 26 underperforming high schools in this province, because I have not heard you speaking much on that, Minister.

[1:10:05.7]

It is in this province where millions of rands are ... [Inaudible.] ... the very people it should serve. We have just seen this MEC not waiting for the High Court review in a few weeks' time, but he skipped approaching the Appellate Division and ran straight to the Constitutional Court to waste more hard-earned taxpayers' money on a fight in another case for the indefensible arbitrary closure of schools.

This incomparable urge to fight instead of duly consulting people has become a trademark of this DA-led provincial government. It is in this province where many school protests are taking place because the people have lost confidence in the department which does not listen to them or show regard for their needs. It even fails to come and accept their memorandum when they come to their own door.

The latest scandal rocking this provincial Department of Education is the unmasking of it as it artificially enforced gatekeeping to inflate its matric pass rate. It is this department that unduly failed learners more than once in certain phases and now, two months into the new academic year, many poor learners had to hastily be promoted to Grades 10, 11 and 12 without consideration for the available classrooms, teachers, timetables, sport and books. What a mess this Department of Education finds itself in.

It is inexplicable why Madam Premier, as a former Education MEC, allows this situation to deteriorate, and why this MEC has not been fired. In fact, it is not really surprising because she is the one that is running the department. That's why she is not taking the capable women who can take the Department of Education to greater heights. [Interjections.] Yes, I am looking at her. The truth is that it is because it affects refugees and the poor. It is these people

the DA does not care about. It talks a lot about them, but in practice it is these people who are disregarded.

The poor are not a priority of this DA-government. It mechanically follows instructions and expends the bare necessary money on the poor, but has a deep focus to fight the very people that need assistance most.

Me J L HARTNICK: Mnr die Adjunkspeaker, die visie van die Wes-Kaapse Departement van Onderwys is om geleenthede te skep vir almal deur verbeterde onderwysuitkomst. Om dit te kan voorsien aan alle leerders van hierdie provinsie het hulle 'n begroting van R15,6 biljoen vir die nodige beplanning en bestuur van die onderwysstelsel.

Deurdat ons almal bewus is van die ongelykhede in die verlede is dit verblydend dat die WKOD norme en standaardbefondsing toeken volgens die armoedkwintiele waar die armste skole ses keer meer kry as die meer gegoede skole sodat leerders bemagtig kan word vir toekomstige geleenthede. Die getal leerders wat die voorreg het om met graad R te begin, het drasties verbeter, en die opleiding wat aan opvoeders gegee word, in veral taal en wiskunde, word waardeer.

Mr Deputy Speaker, much has already been said about the Department of Education. Thus I would like to thank them for their responsiveness and efficiency in providing a good service, as well as administration and academic support to our teachers and schools.

Ek moet egter ook die seniorpersoneel bedank vir die bereidwilligheid om te reageer op versoeke van die staande komitee – baie dankie daarvoor.

I would like the Minister and his department to be aware that we will be exercising our oversight role in monitoring programmes led by the Department of Education, and hold them accountable for quality education in the Western Cape.

Ms J A VAN ZYL: Mr Deputy Speaker, the second largest chunk of the provincial budget goes into the Department of Education and this grows on an average of 15,6% year-on-year since the DA came into power.

Cope believes that the solution to unemployment will be delivered by an educated and skilled population. MEC Grant unwaveringly reiterated the vision of creating opportunities for all through improved education outcomes, and then he used the expression, “See the light or feel the heat”.

Mr Deputy Speaker, Cope supports the Minister one hundred per cent in his endeavours to turn the heat on where necessary.

Die sluit van onderpresterende skole en hofsake wat mag volg, kan ‘n debat vir ‘n ander dag wees. Alhoewel die substelsel leerderafwesigheid monitor, bly dit ‘n kwelpunt, maar meer so die totale “drop-out-of-school” – en my apologie aan al die taalpuriste!

Die Minister moet duidelike riglyne bekend maak ten opsigte van hoe dit aangespreek sal word. Die Minister van Vervoer en Openbare Werke het Maandag bekend gemaak hoeveel skole sy departement in die volgende drie jaar gaan bou of vervang, maar as die “drop-out”-syfer nie daadwerklik aangespreek word nie en hierdie ‘n algehele tendens word, sal al daardie nuwe skole werklik optimaal gebruik kan word?

‘n Voorbeeld is ‘n graad 9-leerder van die Laerskool Rheenendal naby Knysna waar die grusame busongeluk in Augustus 2011 plaasgevind het. Hy het in die hof getuig dat hy die skool verlaat het as gevolg van die erge trauma van die ongeluk. Watter maatreëls is getref vir deurlopende traumaberading vir juis leerders van hierdie skool?

Ouerbetrokkenheid is ‘n groot probleem, en ‘n program deur skoolbeheerliggame kan dit aanspreek sodat ouers verantwoordelik – en verantwoordbaar – is vir hul kinders se skoolopvoeding.

In die oorsigverslag van die departement is dit duidelik dat die verantwoordbaarheid hoë prioriteit geniet en dat alle amptenare se prestasiekontrakte teen 31 Maart 2013 geteken moet wees, met monitering wat jaarliks sal geskied.

Voorts plaas die departement klem op die volle kwota van onderrigtyd, en dit word verwelkom.

Geleenthede word op ‘n deurlopende grondslag aan onderwysers beskikbaar gestel in terme van verdere professionele ontwikkeling en voorbereiding. Die departement handhaaf ‘n

aanvaarbare rekord vir die voorsiening van teksboeke en leesboeke. Waar daar egter meer aandag aan gegee moet word, is by die herwinning van teksboeke vir hergebruik.

Misdaad, gepaardgaande met vandalisme, is uiters nadelig vir leerders om ongestoord aandag te gee aan hul skoolwerk. Op oorsigbesoeke is gevind dat rekenaarlokale geplunder word tydens inbrake, en in sommige gevalle is dele van voorafvervaardigde klaskamers stuk-stuk weggedra.

Hoewel 'n nasionale bevoegdheid moet hersiening van die Kwintiel-statustoekenning aan skole op 'n jaarlikse basis plaasvind, veral in die Wes-Kaap met 'n jaarlikse toenemende immigrasiesyfer.

Tydens die oorsigbesoek van die staande komitee het dit ook aan die lig gekom dat daar net een maatskaplike werker vir 30 skole in die metro toegeken word. Dit is ongeveer 31 leerders vir elke maatskaplike werker. Dit is totaal onvoldoende en hierdie tekort aan die nodige ondersteuning op maatskaplike vlak aan leerders kan bydraend wees tot die hoë “drop-out”-syfer.

Interdepartementele samewerking is van kritiese belang om elke aspek te kan aanspreek, soos veiligheid, sportaktiwiteite, gesondheid en maatskaplike ontwikkeling, want dit is onaanvaarbaar dat skole wat nie oor sportgronde beskik nie, sodanige fasiliteite teen bedrae, soos genoem aan die staande komitee, van tot R1 000 per Saterdag van munisipaliteite moet huur om hul sportaktiwiteite op skoolvlak voort te sit.

Mnr die Adjunkspeaker, Cope spreek sy dank en waardering uit aan die Superintendent-generaal, elke amptenaar en elke onderwyser met die enorme taak om, deur programme, die kinders van vandag te vorm om die leiers van môre te kan wees.

Mr M G E WILEY: Mr Deputy Speaker, schools have traditionally been seen by society as havens of tranquility – a refuge even. Sure, there are many examples of misuse, or some examples of misuse and abuse, but on the whole they have a special place of respect because teachers were held – and I am speaking in the past tense – in high esteem.

At school we received an education that prepared us for life. Life at school had boundaries and order and gave opportunities, whether in the classroom, in the gym or on the sports field. We learnt to work as a team and to co-operate with one another, to stick to routines and deadlines, although not always.

Much of this has changed, just as society has changed. In the Western Cape we are still lucky in that we had generally good, currently excellent, management in our schooling system that has seen standards maintained in the main, despite society and political pressures.

In our travels around the province as a standing committee, we visit schools and education institutions. In many areas schools are no longer seen – and I am talking about the communities – as places to be respected. They are simply seen as opportunities for exploitation and use. Little loyalty to the institution exists in some communities and in some schools.

Although most schools demonstrate a clear understanding of the direction of the Western Cape Education Department (WCED), that is not the case as far as certain uncertainties are concerned. Certainty is a constant companion, and some questions are raised. What will the effect be of the new national curriculum? We've had a couple of those. How does one secure the school premises from gangs by day and vandals by night, and how can we motivate staff to participate in extra-curricular activity? How do we motivate staff, parents and communities? Where will we get more and more competent teachers from? How do we keep pupils in school, and when we do, how do we keep them safe from the torrent of potential abuse from social media, to gangs, to drugs and to bullying? What do we attend to first? Do we repair buildings, resource classrooms, maintain grounds or develop sports facilities and halls?

Again the Western Cape Education Department has a clear strategic plan and has done a remarkable job in implementing it, despite the significant obstacles and challenges. Its building plan far outstrips anything that the ANC ever did and can do. Its academic results are the envy of other provinces. Its training opportunities for educators and board of governors are significant and extensive.

Support functions in catering for social issues, registrations and disasters are effective, but again uncertainty prevails mainly of a political nature. Changing national policy, unionised teachers, collapsing neighbouring provinces and negative societal influences, including latent poverty and disease, are having an effect that diverts valuable resources away from the core function of learning.

We've already heard from member Tingwe, Mr Deputy Speaker. We in the standing committee call her "the absent member". For her to lecture this department on its industry is absolutely hypocritical. [Interjections.] She's not even here. [Interjections.] Oh, she's back now! [Laughter.] Worse is the overt interference of the ANC and its affiliates when they ... [Interjections.] Well, unfortunately it is the truth. The longer we can keep our pupils in school, the greater the chance of keeping youths out of harm's way on the outside.

One worrying aspect of national policy is the insistence on a 40% Maths pass rate in Grade 9. Many children simply do not have the aptitude for Maths and will drop out to the easier Maths Literacy subject in Grade 10, where the pass rate is much lower. Many simply drop out of school as a result of this stipulation and then become societal problems in themselves.

The Minister, the HOD and the department must be congratulated on confronting the issues that are facing them, and confronting them head-on, and we look forward to observing their continued efforts to overcome the many challenges that lie ahead, most of which sit on the other side of this floor. [Interjections.]

The MINISTER OF EDUCATION: Mr Deputy Speaker, it's not often I am speechless. [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER: Let me start by saying that I take note of all the inputs from our hon members, and I am sure our officials have also taken note of what is relevant to improve education outcomes.

I would like to start off by thanking hon Ms Labuschagne for her remarks and her leadership of the Standing Committee on Education, and for her support of the budget. I, too, welcome her support for quality and expansion of post-school programmes.

I would also like to thank you for highlighting ongoing needs at our many rural schools and the importance of enhanced accountability and assistance. The understanding and value of the CIPs is clear, as is her support which made me share in terms of the ECD as well. Your emphasis on safety is taken very seriously, hence the pilot projects of using school-based policing especially trained for the purpose.

Mr Deputy Speaker, then I come to the hon Tingwe and I'll agree with her in one respect – that education is a basic and fundamental right. I think it will stop just about there. [Laughter.] Let me say that I note your concerns about admissions. It must be remembered that the powers and functions of school governing bodies are basically determined by national legislation. It is a product of your government.

The matter of admission policies is also currently before the Constitutional Court, and we will watch those cases with a great deal of interest. The department acts decisively wherever unacceptable admission practices are identified and reported. Please report them to us if you come across them. These are not, however, if I might say so, widespread, and I would

appreciate it if you would supply us with the names of any schools without textbooks.

[Interjections.]

We are not yet satisfied with our increased provision for special needs learners. We continue to attend to the matter in line with White Paper 6 and increased budget support for special needs, as outlined in my budget.

I now want to come to your comments about the special teachers in the House today. I want to say, firstly, that all are here with permission of their principals, and an understanding that no classes would suffer in their core subjects. Two of them are in the life-orientation field, and the third is in IT. [Interjections.] Let me tell you that these are teachers that won a national award.

Let me tell you also that I did take the trouble yesterday to phone the principal, Mr Petersen, in George to say well done to him on his gold medal, and thanking him for his decision to stay at his post in these critical last two days as a principal. These three teachers go out of their way to give outstanding support to our learners, far beyond the two or three hours that they would share in the House. I think it is a disgrace that you've singled them out.

[Interjections.]

I want to say to the hon Van Zyl that the department – and we are following what is happening in Knysna – is still giving counselling to the children, especially at this time during the inquiry.

I want to also say that drop-outs are receiving attention. We recently in Cabinet had the statistics for Census 2011, and we are getting further information in that regard to help us to reduce the incidence, primarily on the West Coast and the Karoo regions, and specifically for learners in the age group of 12 to 16 because the drop-out rate in those age groups is particularly high. We are taking note of it and we are dealing with it as effectively as we can.

I've also taken note of your comments regarding textbook retention. It's an ongoing issue for us because we invest millions of rand, as you've heard, in textbooks, and we must make sure that they are where they should be for as long as possible.

Mr Deputy Speaker, I want to thank the hon member Wiley for his comments. Regarding problems in Education in the Western Cape, I just want to say that I do not wake up at three o'clock in the morning and worry about the supply of teachers. We are very lucky that we have four wonderful universities in the province supplying us with more than enough enthusiastic, young potential teachers. So that is not something that keeps me awake.

The retention rate is something that we are working hard on as one of our core functions, but we will find, over time, that the retention rate will only start to build as the cohorts, that have had a proper grounding in the foundation and intermediate phases, make their way through the system so that we have a high proportion graduating in Grade 12.

Mr Deputy Speaker, I want to conclude and thank all those who took part in the debate and for team work from all our partners in Education who are represented here today and *in absentia*. In particular I want to talk about the Education Council and two critical projects

which they have, namely reviewing our Maths and Science strategy as well as infrastructure, in consultation with Chet, or the Centre for Higher Education Transformation.

I also want to thank the members of the standing committee who really do attend the standing committee meetings and keep us on our toes; my Cabinet colleagues and the Premier for her leadership; and the Superintendent-General and her team, especially our district officials, our principals and our teachers.

I want to thank my Ministry. We have been reduced by one or two numbers, but we will soldier on until the end of our term. Thank you all for your outstanding support and guidance.

Finally, last but not least, my wife, and the love of my life, thank you. [Applause.]

Debate concluded.

The DEPUTY SPEAKER: Order! That brings us to the end of this debate. We will now suspend business for a minute or two to allow for the rotation of officials in the bays.

WESTERN CAPE APPROPRIATION BILL [B 2—2013]

(Debate on Vote 2 – Provincial Parliament)

The SPEAKER: Mr Deputy Speaker, members of the Executive and Members of the Provincial Parliament, I hereby submit the Western Cape Provincial Parliament's budget for the 2013-14 financial year.

The budget that is before the House is to support and enable the members to perform their role of passing laws and executing oversight over the Executive.

The Western Cape Provincial Parliament also has the obligation to facilitate public access and involvement in the business of the Legislature. Before I go into the details of the budget, we need to consider if Parliament is doing its functions well and to look at what improvements can be made that will enable it to become a more effective Parliament.

Mr Deputy Speaker, for Parliament to remain relevant we need to look at ways to attract and involve the public, especially the young people of the province. [Interjections.]

The DEPUTY SPEAKER: Order, hon Ozinsky! Please give the Speaker a chance.

Me A ROSSOUW: Mnr die Adjunkspeaker, op 'n punt van orde: ek maak beswaar teen wat mnr Ozinsky nou gesê het. Hy het gesê hy respekteer die Adjunkspeaker; met ander woorde, hy respekteer nie die Speaker nie.

Die ADJUNKSPEAKER: Orde! Ek het dit nie gehoor nie, maar ek vra die agb lid om asseblief die Speaker 'n kans te gee. Please continue, Speaker.

The SPEAKER: We also need to embrace modern technology to facilitate effective communication and to make processes easier.

Mr Deputy Speaker, in the coming financial year the Western Cape Provincial Parliament's proposed budget is R102,627 million. This represents 9,64% from the current year's budget and 7,21% of the current year's revised estimate.

Compensation of employees

Mr Deputy Speaker, there is an increase of 14,59% from the main budget for the compensation of employees. The Western Cape Provincial Parliament has made huge strides in its recruitment effort. To date, the vacancy rate is 6% of the funded positions. Two unfunded positions will be funded with effect from 1 April 2013. This compares favourably with the public service compensation.

The role and function of the Western Cape Provincial Parliament will evolve and change and individual jobs may in future be redefined and regraded, where necessary.

Goods and services

There is an increase of 5,74% on the main budget for the 2013-13 financial year. Provision has been made in the 2013-14 financial year for the further roll-out of the e-filing system, the upgrading of the telephone infrastructure, the launch and the maintenance of the website and the implementation of the library modernisation project.

Provision has also been made for the development and review of new education material in support of education programmes.

Under goods and services there are the enabling allowances for members. Here there is an increase of 5% on the main budget. The Whips of the parties are currently looking at the enabling allowance allocations and will make a proposal that will be considered.

The budget for the standing committees increases by 25% on the main budget. This is to provide for an anticipated increase in public hearings and visits because of an increase in legislation that requires public inputs.

Transfers and subsidies

Mr Deputy Speaker, there is an overall increase of 7,3% on the main budget.

Constituency allowance

The constituency allowance paid to members' parties is in line with the allocation paid by the National Assembly. An increase of 6,3% is budgeted to cover the increase in allowance that will be paid by national Parliament for the 2013-14 financial year.

The secretarial allowance

The secretarial allowance increases by 6,3% from the main budget of the 2012-13 financial year. Similarly, as with the enabling allowances, the Whips are currently assessing the secretarial allowances and will come up with a proposal to be considered.

Provision has been made to increase the members' constituency programmes from R8 000 to R8 500 per member per event, with a maximum of three events per member per year.

Capital expenditure: Machinery and equipment

There has been a 79,53% increase from the main budget. Provision is made for the reclassification of Government Motor Transport expenditure from Goods and Services to Capital expenditure.

For software there has been an 80,97% decrease. This is due to the software licences which were paid in full in the 2012-13 financial year, and provision is only made for maintenance.

Mr Deputy Speaker, in conclusion, progress has been made in enhancing the service to the members, and the WCPP's good record in respect of co-operative governance has laid the basis for the budget.

I know that there are still challenges, Mr Deputy Speaker, but with the support of the members we will address this in the coming year.

Me A ROSSOUW: Mnr die Adjunkspeaker, dit is vir my 'n besondere eer om 'n lid van die Wes-Kaapse Provinsiale Parlement te wees. Na 19 jaar waardeer 'n mens elke jaar wat jy hier is en die bydrae wat jy kan lewer vir jou gemeenskap daar buite.

Dit is vir my 'n groot eer om vandag weer eens aan hierdie debat deel te neem, wat heel waarskynlik een van my laaste paar is wat oorbly, aangesien volgende jaar se verkiesing vinnig besig is om nader te kom.

Daar word so dikwels kritiek uitgespreek oor die vloer na die Speaker, gemik op sy bestuur en werksaamhede van die Wes-Kaapse Provinsiale Parlement. Ek dink die manier waarop agb lid Ozinsky in die Parlement optree – en die opmerking wat hy netnou gemaak het – bewys net weer eens die disrespek nie net teenoor die amp wat die Speaker bekleed nie, maar ook teenoor hierdie instelling.

Mnr H P GEYER: Dit is 'n skande.

Me A ROSSOUW: Baie min erkenning word gegee aan die feit dat ons reeds vir die afgelope aantal jare skoon ouditverslae ontvang het en weer eens verlede jaar as een van die beste Provinsiale Wetgewers aangewys is. As 'n mens na die lede aan die oorkant van die Huis luister, sal jy nie sê dat dit die geval is nie.

Mnr die Adjunkspeaker, hierdie prestasie kom nie vanself nie. Ons bedank u vir die bekwame leiding asook die ondersteuning wat u van die topbestuur, van die Adjunkspeaker en van die personeel as geheel ontvang om dit moontlik te kan maak.

Die befondsing van die Parlement vir die huidige boekjaar het, soos die Speaker reeds gesê het, met 7,21% gestyg en ons het nou ongeveer R102 miljoen om ons uitgawes te kan dek. Dit bly egter problematies om die korrekte berekening te maak om te bepaal of ons hierdie fondse elke jaar volledig sal spandeer, soos wat ons aan die einde van elke boekjaar sien as gevolg van poste wat nie gevul kan word nie en komitees wat hul begrotings in party gevalle nie kan ... [Tussenwerpsels.]

Die ADJUNKSPEAKER: Gaan voort, agb lid. Ek sal dophou. Agb Ozinsky, u maak 'n bietjie te veel kommentaar daar. Give her a fair chance.

Me A ROSSOUW: Daar is ook ledevoordele, onder andere, wat ons ontvang wat in party gevalle nie ten volle gebruik word nie.

Die Speaker het na die behoeftes van lede verwys en gesê dat ons as Swepery bymekaar moet kom. Ons het reeds so 'n vergadering vroeër in die kwartaal gehad, maar ons sal beslis, wanneer ons na Aprilmaand terugkom, hierdie vergadering so gou as moontlik moet hou om ons behoeftes voor te lê.

Die behoeftes van lede wissel en dit hang baie af van waar hulle woon en ook waar hul kiesafdelings is. Sommige van die lede se fondse is reeds al in die middel van die boekjaar uitgeput vir die doel waarvoor dit begroot is, terwyl ander steeds fondse aan die einde van die boekjaar het. Ek dink nie die bedoeling is dat lede nie ondersteun kan word om hul dienste as Lede van die Parlement te lewer of om hier te kan kom nie.

Ons in die Swepery sal deeglik moet besin oor wat ons voorstel moet wees. Ek sal vra dat die Speaker, saam met die Hoof Finansiële Beampte, deeglik daarvoor sal dink en sal besluit op watter manier dit moontlik sal wees om mekaar te kan help. Daar is baie keer vir spesifieke kousfondse, soos lede se fondse, nog geld bewillig. Ek wil vra of ons nie dit miskien kan kruissubsidieer nie.

Mnr die Adjunkspeaker, die Swepery kom jaarliks bymekaar. In die verlede het ons 'n bietjie lank gewag voordat ons presies weet wat die bedrae is wat na ons as partye toe kom sodat ons ons begrotings betyds kan opstel en finaliseer. Hierdie jaar gaan moeilik en anders as vorige jare wees met die verkiesingsjaar in sig. Vanaf Juliemaand gaan die wiele anders rol en die ratte anders draai. Ek doen dus 'n ernstige beroep op u dat ons vroeër sal weet presies wat die bedrag is, alhoewel ons min of meer ons somme kan maak.

Nietemin, ons waardeer die meevallertjie wat ons as partye ontvang het, wat spesifiek vir meubels en toerusting aangewend sal word. Ons waardeer ook die vergunning wat aan ons gegee is dat ons tyd sal kry om daardie fondse te kan spandeer.

Die donateursfondse wat deur die Speakersforum bestuur word as deel van die Ondersteuningsprogram van die Wetgewers, die sogenaamde Legislature Support Programme (LSP), die sektorfondse, is spesifiek geormerk vir “gender”-ontwikkeling van provinsiale Parlementslede – die vroue spesifiek; jammer manne – en dit is ook beskikbaar aan vroue in ons gemeenskappe.

Vroeër in die jaar het 11 dames 'n kursus oor "Women in Management" by Stellenbosch se Besigheidskool bygewoon. Dit was baie suksesvol. Ons het daarna met mnr Ferndale en sy afdeling ook 'n baie suksesvolle werkswinkel gehad vir vroue uit ons gemeenskappe – vroue in leierskapposisies wat gemeenskapswerk doen. Dit was by die Hessequa Munisipaliteit op Heidelberg gehou, en ons is baie dankbaar aan hulle daarvoor.

Meer as R273 000 is bewillig. Ek is nie seker of ons 100% daarvan gaan spandeer nie, maar ons gaan baie naby aan daardie bedrag ten volle kan spandeer. Ek weet die reëling is dat gelde wat nie teen die einde van die boekjaar spandeer word nie, heel waarskynlik sal moet teruggaan. Ek wil vra of ons nie 'n projek kan voorlê sodat daardie geld nog steeds spandeer kan word nie.

U het in die Reëlskomiteevergadering gemeld dat ons nog nie weet wat in die nuwe boekjaar vir ons beskikbaar gaan wees nie. Ek weet julle het 'n Speakersforum vroeg in die nuwe kwartaal, en ek wil vra dat daar so spoedig moontlik duidelikheid oor daardie bedrag geld gegee moet word. Hoe later ons eers weet wat die bedrag is, hoe moeiliker gaan dit wees om daardie geld te spandeer. Daan gaan 'n nuwe parlement sit met die geld wat nie spandeer is nie. Ek dink nie ons sal graag daardie indruk wil laat dat daar 'n geleentheid vir vroue-ontwikkeling was waarvan nie gebruik gemaak was nie.

Mnr die Adjunkspeaker, juis hierdie week was 20 dames se name voorgelê om 'n kursus by die Skool vir Publieke Leierskap te volg. Hulle is op die oomblik besig om die finale berekening oor hul reiskostes uit te sorteer, maar ek wil namens die dames wat daardie kursus bywoon en die dames wat op Heidelberg was – en ook ons as vrouens – dankie sê dat die

Wes-Kaap deel van daardie program is. Baie dankie vir daardie geleentheid wat aan ons gegun is.

Die Speaker het ook in sy toespraak melding gemaak van die herdenkingsdae – of soos ons sê die “special events” – op ons kalender en dat die bedrag daarvoor verhoog gaan word tot R8 500 per lid per jaar.

Mnr die Adjunkspeaker, ek het Saterdag ‘n sportdag gehad. Minister Plato was daar en ons het ‘n ongelooflike dag met die gemeenskap gehad. Ek weet daar word baie keer in debatte in die Huis oor hierdie spesiale dae gepraat. Ons is deel van die publieke uitreikingsaksie van die Parlement. Op hierdie manier kom ons by baie meer mense uit om aan hulle die boodskap van menseregte, Vrouedag of Jeugmaand oor te dra.

U het ook aan ons die vergunning gegee dat dit op ‘n wyer basis kan geskied. Menseregtedag hoef byvoorbeeld nie net in Maart gevier te word nie, en dieselfde geld vir Jeugdag, Vigsdag en al daardie ander dae wat ons kan herdenk. Baie dankie, mnr die Speaker. Elkeen van ons wat al hierdie geleenthede met ons gemeenskappe bygewoon het – en dis nie partypolitieke geleenthede nie maar wonderlike geleenthede – waardeer hierdie aksie ongelooflik.

Mnr die Adjunkspeaker, ons waardeer ook die feit dat die aantal vakante poste afgeneem het. Daar is huidiglik 13 poste vakant. Ek weet egter nie of dit vandag nog die geval is nie, want dalk is daar al poste gevul sedert ons bymekaargekom het. Ek hoop nie daar was bedankings intussen nie. As voorsitters en lede van die staande komitees is ons baie dankbaar dat die probleme rakende die komiteekoördineerders feitlik heeltemal uitgesorteer is. Ek dink daar is

nog een vakature van senior koördineerder wat ek glo binnekort uitgesorteer sal word. Ons is dankbaar vir die hoë kwaliteit personeel wat u aanstel en vir die ondersteuning wat die komitees kry om hulle werk te doen.

Mnr die Adjunkspeaker, ek dink ons komitees probeer om sinvolle komiteevergaderings te hou en met goedvoorbereide dokumente die vergaderings te kan hanteer. Ons bedank die Speaker daarvoor, asook die personeel wat betrokke is met die keuring van daardie lede.

Mnr die Adjunkspeaker, ek wil die kwessie van die aanstel van navorsers vir ons komitees noem. Die Speaker het in sy vorige begroting vir elke politieke party 'n aansienlike bedrag geld gegee. Ek weet nie of die bedrag vir die kleiner partye heeltemal voldoende is nie, maar ek dink ons twee groter partye is baie dankbaar vir die geld wat gegee was sodat ons basies partypolitieke navorsers kon aanstel. Ek dink egter die behoefte bly steeds bestaan dat die komitees ook navorsers sal moet hê. Ek wil vir u vra dat dit ook tog in ag geneem moet word. Ons kan dit ongelukkig nie agterweë laat nie.

Mnr die Adjunkspeaker, ek kan vandag nie anders as om te sê dat ek redelik teleurgesteld is dat ons erfenisprojek van die Estetiese Komitee nie kon realiseer soos wat ons graag wou gehad het nie. Die voorsitter het verskeie pogings aangewend. Ons het gedurende die jaar 'n uitstekende voorlegging gehad. Daar was 'n proses gewees op Sourcelink om terugvoering te kry van mense wat dit kon hanteer. Dit was nie suksesvol nie, en ons het weer 'n ander poging aangewend.

Ons wil graag die geskiedenis op een of ander manier opteken van hoe ons gekom het tot hier waar ons vandag is en hoe ons in 1994 begin het. Ons almal wat hier sit, het uit verskillende hoeke hierheen gekom en ons is almal besig om 'n nuwe Suid-Afrika te bou. 'n Mens wil graag sien dat dit in hierdie Parlement uitgebeeld word.

Mnr die Speaker, ek sou graag wou sien dat ons ten minste, voordat ons in 2014 die deure toemaak en aan 'n nuwe span oorgee, die huidige geskiedenis van hierdie instelling op een of ander manier kan uitbeeld. Hulle is besig om foto's van al die leiers, soos die Speakers, die Adjunkspeakers, die Sekretarisse en so aan wat voorheen hier was, in te samel. Dit moet op so 'n manier uitgestal word dat wanneer die publiek ons gebou besoek hulle in die geskiedenis van die gebou kan deel. Voor 1994 was daar 'n ander geskiedenis, maar ek praat van die huidige geskiedenis.

Daarmee saam wil ek ook vra dat die institusionele rekordhouding van die provinsiale Parlement meer doelbewus opgeteken moet word. Nie alle gebeure van hierdie instelling word opgeteken in die verslae van die komitees wat ter tafel gelê word nie – ons jaarverslae, jaarlikse prestasieplanne en ander dokumentasie. Ek wil versoek dat ernstige oorweging ...

Mr M SKWATSHA: Mr Deputy Speaker, on a point of order: We cannot hear the speaker on the floor. The hon Botha is making a noise. [Interjections.]

The DEPUTY SPEAKER: I will determine that. Please continue.

Me A ROSSOUW: Ek wil die Speaker versoek om ernstige oorweging daaraan te skenk dat daar op bestuursvlak besluit moet word oor hierdie rekordhouding – hoe ons dit moet hanteer en hoe dit gedoen kan word.

In April neem 'n nuwe kontrakteur die Hansard-kontrak oor. Ons wens hulle alle voorspoed toe met hierdie taak. Tydens my vorige begrotingsredes het ek my baie duidelik uitgespreek oor die kontrak wat in die huidige termyn opgeskort moes geword het as gevolg van onbevredigende diens wat gelewer was.

Die huidige span, wat as 'n tussentydse maatreël ons Hansard hanteer, verdien net lof vir die bekwame en professionele wyse waarop hulle dit doen, ...

'n AGB LID: Hoor, hoor!

Me A ROSSOUW: ... asook die tydige beskikbaarstelling van 'n volledige konsep-Hansard van 'n volle sitting. Ons het die Hansard van die Openingsrede baie gou gekry. Die Donderdag met die repliek het ons alreeds die Hansard gehad sodat ons lede daarna terug kon verwys. Kollegas, ek dink nie eens dit gebeur by die nasionale Parlement nie.

Ek wil namens elkeen van ons vir elke dame wat by Hansard betrokke is baie, baie dankie sê. Ek weet nie wat hul pad vorentoe is nie, maar ons kan nie bekostig dat hulle vir hierdie stelsel verlore raak nie. Ons wens hulle sterkte toe vir die pad vorentoe. Hulle het 'n standaard daargestel waarop die nuwe span sal moet voortbou.

Mnr die Adjunkspeaker, toe ons in 1994 hier begin het, het ons 'n personeelkorps van 42 lede gehad. Indien die 13 vakante personeelposte gevul word, sal hier 100 personeellede wees.

Ons het egter steeds dieselfde akkommodasie as wat ons op daardie stadium gehad het. Ons het reeds baie gedoen om dit te moderniseer, soos oopplan-kantoorruimtes. Ek sien die oopplan-kantore word nou weer kantoorruimtes gemaak en so skuif ons maar die hele tyd rond om beter akkommodasie vir ons personeel te kry.

Die hele probleem wat elke keer in 'n komiteevergadering uitgespel word, is oor die "precincts of Parliament". Ek weet nie lekker wat die Afrikaanse woord daarvoor is nie – die teenwoordigheid van wat is werklik die Parlement.

Die ADJUNKSPEAKER: Die gebied van die Parlement.

Me A ROSSOUW: Die gebied van die Parlement. Dankie, mnr die Adjunkspeaker. Dit kan nie langer iets wees wat maar net onder die mat gevee word nie. Dit veroorsaak probleme vir ons. Hierdie instelling is 'n sleutelveiligheidspunt. Meer as net die Speaker is in beheer van hierdie gebou.

Ek wil eerder nie weer na die kwessie van 'n ander gebou verwys waarvan ons soveel keer gepraat het nie. Ek dink my kollega hier langs my gaan netnou verder oor die fasiliteite praat, so ek wil nie te veel daarvoor sê nie. Die gesprek oor die fasiliteite wat beskikbaar is vir hierdie Parlement kan nie langer uitgestel word nie. Dis 'n politieke gesprek, dit is 'n administratiewe gesprek, en ons wat hier sit, gaan dalk nie die vrugte daarvan pluk nie. As

ons egter daaroor stilbly, gaan ons nageslagte wat hier gaan sit steeds in dieselfde posisie wees. Dit is 'n totaal onaanvaarbare ... [Tussenwerpsels.]

The DEPUTY SPEAKER: Order, Minister Carlisle! Order! Please continue, Ms Rossouw.

Me A ROSSOUW: Ons hou hier in die Raadsaal komiteevergaderings; dit is verkeerd. 'n Mens hou nie in 'n raadsaal komiteevergaderings nie. Ek dink nie daar is ooit 'n vergadering in die Ouditorium gehou sonder dat een of ander voorsitter nie gefrustreerd is oor die opset daar nie. Dit bewys net dat ons meer fasiliteite nodig het want ons het dikwels groot vergaderings. Ons het dikwels openbare verhore hier. Die plek leen hom nie daartoe nie, mnr die Adjunkspeaker.

Agb lid Ncedana ...

Die ADJUNKSPEAKER: Agb lid, u is besig met 'n baie goeie toespraak, maar u tyd is ongelukkig amper verstreke.

Me A ROSSOUW: Is my tyd amper verby?

Die ADJUNKSPEAKER: U laaste sin.

Me A ROSSOUW: O gits! Ek wil agb lid Ncedana bedank vir sy passie vir die gebruik van ons tale en vir die feit dat hy die bevordering vir die gebruik van isiXhosa so vooropstel. Die

Speaker het gesê daar is ses kanale beskikbaar, maar as ek met die tolke praat, gaan dit nie net oor die ses kanale nie; die losie is ook nie geskik sodat ons gelyktydig ... [Tyd verstreke.]

Nksz M TINGWE: Sekela-Somlomo, Umsebenzi ong onwabanga nongaphathekanga kakuhle emsebenzini akayi avelise iziqhamo ezincumisayo. Imbi into eqhubeka kule Ndlu yoWiso-mthetho. Abasebenzi abaphathekanga kakuhle kwaye nobuhlanga bukhona kodwa ke akothusi oko phantsi kwalo rhulumente njengoko wayetshilo uSomlomo wangaphambili ukuba ufuna ukuqinisekisa ukuba bambalwa abasebenzi abantsundu koko kuzogcwala abebala uxolele ukubakhangela eMntlakapa. Xa kungokunje kuzalisekiseka ezoo ntetho. Uyicacisa njani intokuba athi umsebenzi onesakhono onamava nosele kulithuba engumsebenzi angaze ayibone inyweba yokunyuselwa kwinqanaba elingentla kodwa ofike izolo apha the lo unesakhono nala mava. Kufuneka lo unganyuselwanga afundise lowo ungumphathi wakhe umsebenzi lo kufuneka ewenzile.

Noko Sekela-Somlomo nawe Somlomo utshintsho mpathontle luyafuneka kubasebenzi. Naba basebenzi bakwiexcess boze baphume nini kuloo mbiza. Naba basebenzi okokoko babangababesenzi bethutyana boze babe zizigxina nini. Sipi isidima seetoliki zalo mzi xa kuseneetolika ezingaqeshwanga sigxina nanamhlanje. Andizokuyeka Sekela-Somlomo ukungxola, ngoba sithi gqolo ukuhlonela iinkolo zethu ezahlukeneyo nokuthi senze njengoko kesenziwa kwaNdlunkulu yoWiso-mthetho. Sibenomzuzu wokubonisa imbeko nentlonipho khe sithi cwaka umz: le yokuthandaza iyijongela phantsi inkolo kaLungu Ozinsky kuba yena akavani nomthandazo. Yintoni le inzima ukuba sibenomzuzu woba sithi cwaka kule Ndlu yoWiso-mthetho. Oko naphatha DA oko nasixelela ngokonga, eyona nto indibhidayo ke Sekela-Somlomo minyaka le xa kuvalwa iincwadi zemali kujulwa imali njee. Kunyaka

odlulileyo sibone siphwa iitables, kulo nyaka sibona oomabonakude abakhulu nezitulo ezintsha kuba kaloku ininzi le mali mayihambe ijulwa nje. Kwenzeka njani ngezinto ebenizakuqala ngazo nangezicwangciso ebenizibekile ngaphambili?

It might also be very interesting to hear how the public access the presiding officers. It is very strenuous and demoralising sometimes to work with impartial presiding officers, who cannot rise above political differences.

Something that also continues to be a concern is a public window into this Legislature, namely the website of this institution. Besides the awkward acronym name, WCPP, which is not user-friendly, this website is still not up to standard and we are told the new media officer was only recently appointed to work on the matter. It is not completely reflecting the situation fully, as the present media manager was appointed a while ago as the new media manager and a not much improvement followed. Now a second member must pick up the pieces.

The credibility of the information on this website needs to be verified as its veracity is at stake. [Inaudible.] This is just one example on the website now that I printed today, which you can read. It is an explanation of our symbols that claims the steps in our emblem represents The Seven Steps in the Bo-Kaap. I have no knowledge of any iconic steps in the Bo-Kaap, but anyone in the Cape will tell you that there are well-known Seven Steps that were left after the bulldozing of District Six.

Now it seems that this important part of our history, as member Rossouw just mentioned today, is distorted, or at least the Steps were moved to another area without informing the people of the province.

What is also disturbing is that the Rules Committee has been reduced to providing services to the DA-controlled Legislature. In fact, the DA does not take the Rules Committee seriously at all. The DA's commitment and use of the Legislature, as a tool of our democratic platform for public debate, also raises many other issues too.

The DA is quick to complain about other Speakers in other provinces and at a national level, but here it does not lead by example. In fact, the DA is actively seeking for ways and means to sideline this Speaker and turn him into a presiding officer with little discretion or powers. In fact, the DA ...

The DEPUTY SPEAKER: Hon Tingwe, can I just interrupt you there. I am not sure what you are going to say, but just be careful. The criticism of a presiding officer can only be by a substantive motion.

Ms M TINGWE: Okay.

The DEPUTY SPEAKER: So if you become very personal, then I must stop you there.

Ms M TINGWE: All right. The DA also fears public participation with all it has. It was a shame to learn, member Botha, through you, Mr Deputy Speaker, that we were the only

province out of nine provinces that did not go through the public participation process on the revised public involvement model as all the other eight provinces have done. We are the only one that has not done so.

I would also urge members to take public involvement very seriously in this Legislature because those are the people who have put us here. If we fear to go and engage them, who do you want to engage? These walls alone? It's not proper. I also want to say right at the outset that we need to enhance it in order to have a fully fledged public participation component, because five people only will not do justice to the massive work that public involvement and public participation is supposed to be doing. I think we need to improve that.

Mr Deputy Speaker, I am disturbed to learn that ever since we've started in this Legislature this year, the Petitions Committee – which I think is also another tool for public participation – has not met, has not sat, and I am trying to find out how many petitions have come to the House before we even close. That means, indeed, we are not serious about public participation.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Mr Deputy Speaker, ...
[Interjections.]

The DEPUTY SPEAKER: Order! Is that a point of order or a question?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: It is a point of order. The hon member Ozinsky just mentioned that this government uses the petitions for toilet paper, and this is not true. [Interjections.]

The DEPUTY SPEAKER: Yes, that's a point ... [Interjections.] Order! [Interjections.] Order! Order! That is a point of debate; it is not necessarily related to the procedures in the House. Please continue. [Interjections.] Order!

Ms M TINGWE: Thank you. That leaves me with only one deduction: That the DA not only takes this Legislature seriously enough as a constitutional tool, but that the DA also does not want direct public scrutiny or public accountability.

I would also want to make the appeal, Mr Deputy Speaker, that there should be a separation of powers. We can't have the frontbenchers telling the presiding officers what to do and what not to do all the time. This is also not surprising, as this is how we've come to know this DA at many other places where it leads municipal administrations. It only wants to engage where it feels safe, but not with all people from all walks of life. Therefore, the DA is not a party for all in the province, but only for some.

Mnu M NCEDANA: Hayi mandibulele kuwe Somlomo ngoba wenze le nkcazelo. Ndiyitsho intokokuba noko ikhona inkqubela kunemeko ebekuyiyo ngaphambili, ewe imicelimingeni isemininzi apha kweli phondo. Ngakumbi lo mcelimngeni ujongene nabasebenzi balapha epalamente. Iyinyaniso intokokuba abasebenzi balapha ubuninzi babo abinwabanga ngendlela abaphethwe ngayo apha epalamente nangendlela abacikicwa ngayo okanye abacekiswa ngayo

ngenxa yontokokuba kucingelwa ukuba bangabantu bombutho wezopolitiko othile. Le nto ibuhlungu kwaba basebenzi, uninzi lwabo abanye babasebenzi abalapha abazinikwa ibonuses abanye bezinikwa ibonuses. Le nto Somlomo ndiyayicela ibe yenye yezinto oyithathela ingqalelo njengoba ubuthembisile kulo nyakamali uphelileyo ukuba uzazijonga ezi zinto ndiyafuna ukuyivuma intokuba ndiyawubona ukhona umgama owuhambileyo kodwa ke usekhona lo mgama kufuneka uqinisekisile intokokuba nawo uyalungiswa.

Okunye okungumcelimngeni nendicinga intokokuba uSekela Somlomo ebekhe wayiphendula kwintlanganiso ebesinayo abantu imali abayibhatalwayo abasebenzi balapha isencinci kunamanye amaphondo. Ewe ndiyava intokokuba ukhona umsebenzi owenziwayo ukusondela kulo myinge ubhatalwa kwamanye amaphondo. Andenzi mzekelo ngepalamente yeSizwe ndithetha ngamanye amaphondo ngoba silahlekelwa ngabaququzeleli beekomiti basebenze nathi kangangeenyanga ezintathu nezine ifumane umsebenzi ibe isiya kwiphondo oliqondayo ukuba liphondo elifana neNorthern Cape umntu axolele ukushiya lowa azakutshata naye ngenxa yentokokuba esazi eNorthern Cape uzakufumana umvuzo ongcono. Zizinto ekufuneka sizijongile ezo kule micelimumngeni esinayo apha.

Enye yezinto ke Somlomo ngulo mcimbi wesithuba seofisi, imibutho yezopolitiko emincinci efana nale yam zithi ngoku zincinci zinjalo zifuthaniselwe kwiofisi enye. Le nto yenza singakwazi ukuwenza ngendlela efanelekileyo umsebenzi wethu nestafu sthu singakwazi ukwenza umsenzi waso ngendlela ephucukileyo. Le nto iyingxaki efuna ukulungiswa khonukuze neminye imibutho yezopolitiko ikwazi ukwenza imisebenzi yayo ngendlela

ephucukileyo. Umgaqo-siseko walapha uthi siyakuhlonipha iinkolo zabantu. Le nto yokunyanzeliswa ngenkolo ethile Somlomo ixhomekeke kule ofisi yakho ayixhomekekanga kwiNkulumbuso, ixhomekeke kule ofisi yakho njengoSomlomo intokokuba xa kuvulwa le Palamente makusetyenziswe zonke iinkolo ngoba apha asimelanga nkolo ithile simele zonke iinkolo njengokuba silapha epalamente.

Kufuneka siqinesikise ukuba iyalungiswa le nto, siphinde siqinisekise intokokuba lo mcimbi wentatho-nxaxheba yabantu baseNtshona Koloni kwimicimbi yalapha ePalamente ngakumbi lo wokufundisa abantu intokokuba le Palamente yenza ntoni, uyipha ingqalelo enkulu ngoba iyasilela kakhulu. Senze umzekelo apha intokokuba ngexesha besifika bekukho intokokuba abantu bemane besiza bazokumamela iingxelo yapheliswa loo nto. Xa kukho iingxoxo apha kuthwa ngoku ukuba ufuna ukuzisa abantu apha kuthwe akukho mali funeka nizizisele kanti belikade lukhona uhlahlo lwabiwo-mali lokuzisa abantu apha bazokuba yinxalenye yeengxoxo ezenzekayo apha khonukuze bazibonele intokokuba le mibutho ezi zinto izithethayo ifika izenze napha kwezoo ndawo bahlala kuzo. Ndiyabulela kakhulu.

Mr R B LENTIT: Mr Deputy Speaker, I welcome the 7,21% increase for Vote 2, from R95,7 million allocated in the 2012-13 financial year to R102,6 million for the 2013-14 financial year. [Interjections.] May I continue, Mr Deputy Speaker?

The DEPUTY SPEAKER: Please continue.

Mr R B LENTIT: In the previous financial year, Mr Deputy Speaker, the Western Cape Provincial Parliament was faced with various challenges, with staff issues being of the greatest concern. Since the matter has been resolved it is pleasing to note that the Western Cape Provincial Parliament has made a bigger investment in its staff. In doing so, the provincial Parliament has proved that it strives towards efficiency in its operations, informed decision-making and a general professional attitude.

The 9% increase in Programme 1 is largely due to this and it is noted that the compensation of employees has increased by 17,15%. The provision that has been made for improving conditions of service and performance awards adds greater value for staff. It is reassuring to know that the staff numbers of this institution has grown to 98 in order to deliver the high quality service that is required of a modern and functional institution. All of this is evident in the successful recruitment of qualified, quality, skilled and experienced managers and staff to be employed by Parliament.

Furthermore, Mr Deputy Speaker, the budget also makes provision for the reprioritisation of operating systems that will benefit and contribute to the efficiency of running our various departments. I look forward to the launch and maintenance of the website and the implementation of the library modernisation project, which I feel is long overdue.

I would like to express my gratitude to the Speaker and you, Mr Deputy Speaker, as well as to the management and staff of the Western Cape Provincial Parliament. Together all of you make up one of the country's most efficient and professional legislative bodies.

It is a team of hardworking individuals who keep the various internal departments functioning effectively. The professionalism and the manner in which business is conducted and issues addressed in Parliament make me proud to be a member of a functioning, regional Parliament.

Mr P UYS: Mr Deputy Speaker, three years ago Speaker Esau and his Office committed themselves to looking strategically at how space is used. This was repeated and affirmed by the current Speaker with a view to improving the relationship with the Department of Transport and Public Works and to protect the space and integrity of the Legislature's precinct.

The Speaker and the Secretary explained that talking and letters to the Department of Transport and Public Works was not producing any results or even a response.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I've received nothing.

Mr P UYS: They said they would put a service level agreement in place with Public Works.

Mr Deputy Speaker, until now this has not materialised.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Nothing.

Mr P UYS: It's clear that MEC Carlisle and his department do not take them seriously. The result is that there is no proper input on planning issues or maintenance.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: [Inaudible.]

Mr P UYS: Mr Deputy Speaker, in the APP it is mentioned that attention will be given to the implementation of the Accommodation and Facilities Plan. I know there is talk about looking at the third floor of this building, but in the absence of a plan there is nothing to implement.

Maybe the staff and members will just be squeezed even more tightly into the existing space. At this Legislature they can't even tell us where exactly our precinct is. Nobody can tell us that.

Mr Deputy Speaker, at the same time I must welcome the proposed changes to the library. This will make the flow of information, specifically looking at the electronic side, more accessible and available to the members and staff.

More than a year ago, a majority decision was taken to obtain the services of a research institution to conduct the work of the research project into the heritage of the Legislature and to explore all developments, changes and influences from 1400 to the present. The ANC opposed this, because information is already available on this and some of it would simply be a duplication. It was also opposed because of the cost involved and the fact that it would be a one-sided rewriting of history.

At the last Rules Committee meeting it was announced that no service provider is forthcoming and that this proposal will not be taken forward. We welcome this. Linked to this is the lack of progress made with the valuation of paintings in this building – and, of course,

outside the building – and the recording thereof in a catalogue and asset register. We have been promised that a catalogue is available, but to date we have not received it.

Mr Deputy Speaker, the Legislature receives funding from the European Union and the absence of a report on the donor funding received and utilised is of concern. The Legislature further stands to lose R677 000 if it doesn't submit action plans by tomorrow. Mr Deputy Speaker, it is important that you tell us today where we stand in regard to this.

Mnr die Adjunkspeaker, 'n nasionale oorsigmodel is deur die Speakersforum ontwikkel. Ons het 'n onderneming van die Speaker gekry dat die model verwerk sal word vir die besondere omstandighede. Ons sal graag van u hoor wanneer dit aan die Reëlskomitee voorgelê sal word vir finalisering.

Gemeenskapsbetrokkenheid en -deelname is baie gebrekkig en moet die vraag gevra word waarom begrotingsbesprekings, jaarverslae en openbare verhore so swak deur die gemeenskap bygewoon word. [Tussenwerpsels.] Ja, openbare opvoeding en uitreiking moet verstrek word, maar daar sien ons weer hierdie Wetgewer se eie tekortkominge.

Die rol wat die voorsitters speel, laat die publiek baie maal nie welkom voel nie ... [Tussenwerpsels.] ... en hulle word geen geleentheid gegee om vrae te vra en insette te lewer nie. Die ligging van openbare verhore en die toeganklikheid daartoe is egter ook nie geskik vir veral arm mense wat nie vervoer het nie. Gewoonlik bly hulle baie ver en kan nie by die verhore kan uitkom nie.

Mnr die Adjunkspeaker, petisies kan nie tot hul reg kom nie en die interne prosesse sal aangepas moet word. 'n Mens bespeur ook die algemene houding dat dit net 'n las of politiek is en nie dat daar werklike, geldige behoeftes in die gemeenskap bestaan nie.

Mnr die Adjunkspeaker, R188 700 is spandeer op 'n huurvlug vir vyf lede en twee personeellede vir die openbare verhore vir die Wetsontwerp op Gemeenskapsveiligheid. Daar was geen dringendheid of rede vir die gebruik van 'n huurvlug nie. Dit was voor die opening van die Wetgewer en daar was geen druk op enige lid of personeellid om dit baie vinnig af te handel nie. Hulle kon 'n bus gehuur het vir onder R20 000, maar daar is besluit om R188 000 te spandeer. [Tussenwerpsels.]

Die MINISTER VAN GESONDHEID: [Onhoorbaar.]... die hele wêreld vol.

Mnr P UYS: Dit was ook nie 'n kwessie van of die verhore met of sonder die huurvlug kon voortgaan nie. Die huurvlug was irrelevant en het geen waarde toegevoeg tot die verhore nie. Dit was slegs 'n vermorsing van die belastingbetaler se geld. Mnr die Speaker, u sal aan ons moet verduidelik waarom die besluit geneem is wat tot die vermorsing gelyk het en wat u houding in die verband in die toekoms sal wees.

Mr Deputy Speaker, serious risks were identified pertaining to this Legislature. This includes a lack of communication strategy to regulate the access and flow of information to the public, which is the core function of the Legislature with regards to the community out there.

Also, there is lack of research to provide for the technical and content knowledge of members when it comes to decision-making and legislative oversight. We know that research is not a priority. The senior research post was unfunded and could not be filled. It was unfunded, not because of the unavailability of funding, but because of an unwillingness to fill the position. The inability to attract and retain human resources for the Legislature influenced the delivery and support to members and the functioning of the Legislature.

Mr Deputy Speaker, the IT section is totally understaffed. There are six posts but only 50%, that is three, are filled. We clearly see the effect of this on the quality of service and the downtime of the system. We saw it again yesterday before the sitting of the House.

Also, the upgrading of the website – and member Tingwe referred to that – is still in the pipeline and this has been the situation for many years now. There is no progress. Every year we have to hear that there is a problem with the procurement process.

There isn't a problem with the procurement process, Mr Deputy Speaker, but rather with the indecision regarding a proper ground study that must be undertaken before deciding on a specific approach. Now we had to hear that the approach that was taken with Microsoft and the Microsoft route is not going ahead and, again, a new process has been initiated.

Mr Deputy Speaker, the new Hansard service provider has been referred to and the provider will start on 1 April 2013. The Rules Committee was not part of the process and we hope that the necessary key performance indicators, induction and support are in place.

Mr Deputy Speaker, the Rules Committee should meet on a more regular basis – hon Tingwe also referred to that – and caution must be taken not to merely cancel Rules Committee meetings every time for no reason at all.

I would like to thank the hard-working staff. There are a lot of hard-working staff members in the Legislature supporting the members in an outstanding way – and it's not going unnoticed – whether it is in terms of the personnel, finance members' support or training, or support with Palama. We really thank them for doing that. I must just caution them that they should remain professional and resist being drawn into politics in the Legislature.

Mr H P GEYER: Mr Deputy Speaker, let me first react to the uncalled-for comment of member Tingwe on petitions.

Die MINISTER VAN GESONDHEID: Waar's sy?

Mr H P GEYER: As things stand today, to be exact, at 09:50 I was handed two petitions.

‘n AGB LID: O, maar dis baie.

Mr H P GEYER: If the hon members on the other side of the House, who are members of the Petitions Committee, read the e-mails they received they will realise that they have been contacted in this regard. [Interjections.]

Mr M OZINSKY: So, when did it ... [Inaudible.] [Interjections.]

Mr H P GEYER: I want to say to the hon members on the other side of the House that the Petitions Committee does not have meetings simply for the sake of having meetings. We are not like the ANC who just meet, seat and eat. [Interjections.]

Ek wil vir die agb lid aan die anderkant sê sy moet pasop: as jy 'n rek trek en jy los die verkeerde kant, dan skiet hy jou in die gesig. [Tussenwerpsels.]

Mr Deputy Speaker, I am pleased to say that for this past year we can report favourably on the provincial Parliament and things have started to happen in this institution. [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Mr H P GEYER: If we merely cast our eyes around the House, we see improvements. We see improved seating facilities, we see a tremendous improvement in the audio system ...

Me J WITBOOI: [Onhoorbaar.]

Die ADJUNKSPEAKER: Orde, agb Witbooi, asseblief!

Mr H P GEYER: ... and we see visual aid LCD screens. All of these attributes enhance the functioning of this institution.

Mr Deputy Speaker, we are pleased that the final stages of the Governance Board have been reached and that the Governance Board will be introduced sooner rather than later. However, Mr Deputy Speaker, it needs to be said that there are still concerns that need to be addressed.

The equal application of all three official languages, especially the interpreting of Afrikaans and English into isiXhosa, has been long overdue. As it is the constitutional right of every member, and person visiting this Parliament, to listen to the proceedings in the language of their choice, it is imperative that this project be executed without delay.

The authentication and certification of all paintings in Parliament need to be attended to with great urgency. It is not merely because of the monetary value of these paintings, Mr Deputy Speaker, but also because of the historical value enshrined therein.

It is equally important, Mr Deputy Speaker, to put a tight security plan in place to ensure that these painting and heritage assets will be handed over to the next generation of guardians, the future members of the Western Cape Provincial Parliament.

Mr Deputy Speaker, another important aspect is the cataloguing of these heritage assets. We need to be serious about these assets: The loss of our heritage is something that cannot be replaced. By thoroughly cataloguing these heritage assets, we will ensure that the items are valued and properly taken care of.

Mr Deputy Speaker, to maintain the good standards that Parliament has achieved it is imperative to ensure that risk management factors are identified and diligently managed. The

House then needs to be informed as to how the assets will be managed in future.

[Interjections.]

Mr Deputy Speaker, we need urgently to attend to the current status of the ICT with particular reference to staffing. This Parliament needs to function on all four cylinders. Only then can we expect to grow and excel ... [Interjections.] ...

The DEPUTY SPEAKER: Order! Order! Order, hon member! Mr Ozinsky, along the row on that side there is too much talking. You are interfering with the member who is speaking. Please continue, member.

Mr H P GEYER: ... and I'm glad the Speaker addressed this in his budget speech. The most important issue is this building and the precinct of the Legislature. We have all been subjected to inconvenience and disruption due to the noise and other building site activities. Fortunately, it seems that there is light at the end of the tunnel – and I sincerely hope it is not tunnel vision.

Mnr die Adjunkspeaker, ons is dankbaar vir die verbeteringe wat aan hierdie gebou aangebring is, eerstens, om ons veiligheid te verseker en, tweedens, om 'n bydrae te lewer ten opsigte van ons gerief. Die historiese, geskiedkundige, estetiese en argitektoniese waarde van hierdie gebou is egter net so belangrik.

Nogtans, mnr die Adjunkspeaker, voldoen hierdie gebou nie aan ons huidige behoeftes nie. Daar is 'n gebrek aan kantoorruimte vir personeel, die komiteekamers is beperk en daar is ook 'n tekort aan parkering. Hierdie probleme gaan met tyd net vererger.

Die Wetgewer beskik oor 'n wonderlike ruimte wat ons as 'n ouditorium gebruik, met kameras en skerms wat inter-provinsiale kommunikasie kan bewerkstellig, maar dis jammer dat hierdie stelsels nie altyd in werkende orde is nie. Ek beseft dat konstruksiewerk aan hierdie gebou deel is van die oorsaak van die wanfunksionering van sensitiewe elektroniese toerusting, maar ek vertrou dat ons in die toekoms die ouditorium beter sal kan benut met befondsing uit die begroting.

Mnr die Adjunkspeaker, ek aanvaar daar sal ook aandag gegee word aan die klokkiestelsel en die lui van die klokkies wanneer sittings 'n aanvang neem. Die klokke in die westelike deel van die vyfde verdieping is nie hoorbaar nie. Die enkele "ding-dong"-klok in die ruimte waar lede tee drink, is glad nie hoorbaar in die lede se eetsaal nie. Dit sal waardeer word indien dit reggestel kan word terwyl konstruksie tans nog aan die gang is.

'n AGB LID: Die klokke lui.

Mnr P UYS: Die klokke lui vir hom.

Mr H P GEYER: Mr Deputy Speaker, the precinct of the Western Cape Parliament has not been clearly defined. We find ourselves in the peculiar situation where we share the facilities.

Mr Deputy Speaker, it is of the utmost importance that the Speaker engages with the Minister

of Transport and Public Works on the accommodation that would be required of the Legislatures building as well as the parking facilities in the future.

Mr Deputy Speaker, should the latest census count have an effect on the size of Legislatures, the subsequent enlargement of specific Legislatures in South Africa could pose a bigger problem in the near future, should the need arise. I would therefore urge you to be proactive and do the necessary research into the possible requirements of a larger Legislature.

Mnr die Adjunkspeaker, die ANC gebruik die NRVP vir politieke gewin en gebruik staatsgeld om hul 2014-verkiesingsveldtog te loods onder die vaandel daarvan, soveel so dat die Wes-Kaapse Premier, die agb Helen Zille, nie die NRVP se sitting bygewoon het nie. Slegs twee Premiers – die Premiers van Mpumalanga en die Noordweste – het die geleentheid bygewoon, want hulle was baie naby. Die ander sewe Premiers, waaronder me Zille, was afwesig.

Mnr M OZINSKY: [Onhoorbaar.]

Mnr H P GEYER: Juis daarom is dit baie belangrik om te kyk hoe die agb Ozinsky die geleentheid gebruik het vir politieke gewin in plaas daarvan om 'n produktiewe en konstruktiewe bydrae tot die bevordering van demokrasie in ons land te maak.

Tydens ons besoek aan Carolina het agb Max Ozinsky aan die debat deelgeneem op ANC-tyd, wat op sigself 'n aanvegbare gebruik is.

Mnr P UYS: Daar's niks aanvegbaar nie.

Mnr H P GEYER: Hy was daar as 'n spesiale afgevaardigde van die Wes-Kaapse Provinsiale Parlement.

The LEADER OF THE OPPOSITION: Should he have spoken for the DA?

Mr M OZINSKY: Do you know how Parliament works?

The LEADER OF THE OPPOSITION: Please be careful ... [Inaudible.]

'n AGB LID: Jy mag mos eintlik nie meer praat nie.

Mr M OZINSKY: Why did your member ... [Inaudible.]

Die ADJUNKSPEAKER: Orde! Orde! Daar is net een spreker aan die woord en dis die agb Geyer. Mnr Geyer, gaan asseblief voort.

Mnr H P GEYER: Dankie, mnr die Adjunkspeaker. Die agb Ozinsky het weer eens gister en vandag 'n tirade gelewer, wat ook onomwonde bewys dat daar by hom 'n totale afwesigheid van respek is, nie net teenoor die Wes-Kaapse Parlement as instelling nie, maar teenoor almal wat hy aanspreek – soos sy onbeskofte optrede teenoor die Speaker netnou.

Me E PRINS: Hy praat net die waarheid.

The LEADER OF THE OPPOSITION: Exactly.

Mr M OZINSKY: Mr Deputy Speaker, on a point of order: If the member would like to make allegations against another member isn't there a procedure for that?

Me E PRINS: Ja.

The DEPUTY SPEAKER: Yes, there is a procedure, but he's just mentioning it now. If he wants to follow it up he needs to come to the House with a substantive motion.

Mr M OZINSKY: So, is it parliamentary for him to attack me without a substantial motion?

An HON MEMBER: If you attack the ...

The DEPUTY SPEAKER: I ruled previously that members should refrain from doing it. There's a very strict ruling about that, Mr Geyer, so Mr Ozinsky in that sense is correct.

Me E PRINS: Minister Carlisle ook.

The DEPUTY SPEAKER: Refrain from doing it too harshly without a substantive motion. I've said casual references are in order ...

An HON MEMBER: Be gentle with him.

The DEPUTY SPEAKER: ... and this is what I regard it as at this stage.

Mr H P GEYER: I will refrain, Mr Deputy Speaker.

Mnr die Adjunkspeaker, laastens wil ek praat oor die klein jakkalsies wat die wingerd verniel.

Me E PRINS: Jakkalsies ... [Onhoorbaar.]

Mnr H P GEYER: Hierdie Huis is 'n trotse plek en verdien die respek wat so 'n instelling toekom. Ek verwys na die klein dingetjies wat, wanneer hulle korrek uitgevoer word, getuig van respek, goeie maniere en dissipline. Lede kom laat vir sittings, in plaas daarvan om gereed te wees wanneer die Speaker die Huis instap.

Dit is ook opmerklik hoeveel lede nie die nodige goedgesmanierde buiging maak wanneer hulle die Huis verlaat of terugkeer nie. Dit gaan nie oor die persoon in die Stoel nie, maar oor die instelling – die Wes-Kaapse Provinsiale Parlement. Kom ons wees trots hierop.

An HON MEMBER: That's just beautiful.

Mnr H P GEYER: Ek vertrou dat die Hoofswepes van die onderskeie partye sal sorg dat reg geskied.

Mr Deputy Speaker, I have confidence in this House and I know the Western Cape Provincial Parliament lies close to the heart of each and every member of the House. Oversight is part of our duty towards this institution and therefore, Mr Deputy Speaker, I have the confidence to support the budget and we will collectively hold the Speaker accountable for that which he has undertaken to do in this financial year.

It is my pleasure to support the 2013-14 financial year's budget.

The SPEAKER: Mr Deputy Speaker, let me start with the Chief Whip, hon Rossouw. You made mention of the paintings of the WCPP. As I recall, the catalogue went out to all the members ...

An HON MEMBER: No.

The SPEAKER: ... with all the paintings we have in the provincial Parliament.

An HON MEMBER: No. [Interjections.]

The SPEAKER: The catalogue was out and it was discussed at a Rules Committee meeting. I think the Chief Whip was present and hon Uys was also present.

Mr P UYS: Ask your Chief Whip.

Mr M SKWATSHA: Ask your Chief Whip.

Mr M OZINSKY: Was it sent to us or did you give it to the Chief Whip? Sort out your story.

The SPEAKER: According to the latest information that I have, the catalogue is out.

Mr P UYS: No, no, no. [Interjections.]

The DEPUTY SPEAKER: Order!

The SPEAKER: That is the latest information that I have, Mr Deputy Speaker, but I will make sure that the catalogue is out with a list of all the paintings. [Interjections.] Thank you, Chief Whip.

I just want to respond to hon Tingwe, who said the officials or the staff ...

Mr M OZINSKY: She just crossed the floor. [Interjections.]

The LEADER OF THE OPPOSITION: She crossed the floor, yes. [Laughter.]

The SPEAKER: Where's hon Tingwe? Oh, okay, she's there. [Interjections.]

The DEPUTY SPEAKER: Please continue, Mr Speaker.

The DEPUTY SPEAKER: Hon Tingwe, I'm not going to deal with speculations that the officials or the staff are not happy.

Mr M SKWATSHA: But the staff are not happy.

Mr M OZINSKY: It's not speculation.

The SPEAKER: I'm not sure about it. Hon members, we have tried ... [Interjections.] Order, hon Skwatsha! Mr Deputy Speaker, can you protect me, please. [Laughter.]

The DEPUTY SPEAKER: Order! Order! [Interjections.] Order! When the Speaker speaks I must listen. Will you please come to order!

The SPEAKER: I sit in that Chair, so I'm used to saying "Order!" [Laughter.]

The DEPUTY SPEAKER: Please continue, Mr Speaker. I will protect you.

The SPEAKER: Mr Deputy Speaker, we have tried our best as the Western Cape Provincial Parliament ...

Mr M OZINSKY: It wasn't good enough.

The SPEAKER: ... to make sure ...

Mr M SKWATSHA: [Inaudible.]

The SPEAKER: ... that we keep our staff and officials happy. [Interjections.] The implementation of the remuneration study to find a median in the market has been finalised and implemented. [Interjections.]

The DEPUTY SPEAKER: Order! Minister Fritz, leave hon Ozinsky alone. He was quiet until now. [Interjections.] Order! Order! [Interjections.] Order, hon Ozinsky!

The SPEAKER: The purpose of the remuneration study was to find a way to close the gap between those officials who are earning big salaries. Even amongst the managers there was a gap. You would find there were managers earning about R400 000 per annum and others R700 000 per annum. That was the issue.

The MINISTER OF HUMAN SETTLEMENTS: The legacy of the ANC.

The SPEAKER: It was the legacy of the ANC. [Interjections.] After we took over in 2009 the gap was a serious problem.

The MINISTER OF HUMAN SETTLEMENTS: Yes.

The SPEAKER: That's why we did a thorough remuneration study ...

An HON MEMBER: No, no, no.

The SPEAKER: ... and we implemented that. That was the legacy of the ANC; that is not our legacy. [Interjections.]

The DEPUTY SPEAKER: Mr Ozinsky, order! Mr Ozinsky, we're trying very hard to go home early today, so please refrain from making interjections all the time. Mr Speaker, please continue.

The SPEAKER: Hon Tingwe mentioned that we were just dumping sometimes, but I totally disagree that we are dumping money. I do not sit in the Programming Authority. It is where the requests are coming from. It's from the political parties, not from me. Everything that we gave to you was requested by the Programming Authority, on which the Chief Whip of the DA and the Whip of the ANC serve.

Mr H P GEYER: Hon Tingwe never attends the Programming Authority meetings.

The SPEAKER: Now you are blaming the provincial parliament unjustly. I will deal with what you are saying later, hon Tingwe, because it is unacceptable to say that we are just dumping money.

The MINISTER OF HUMAN SETTLEMENTS: She never attends the meetings.

Ms M TINGWE: Oh, please!

The SPEAKER: I'm coming to that one, hon Madikizela. We had several Rules Committee meetings. [Interjections.] Hon Uys is here ...

Mr M OZINSKY: Mr Deputy Speaker, on a point of order: Is it parliamentary for the Speaker to address a member directly?

The DEPUTY SPEAKER: He will do it through the Chair.

Mr M OZINSKY: He doesn't know the Rules.

An HON MEMBER: You do it frequently. [Interjections.]

The SPEAKER: Hon Uys was part of the meetings.

Mr P UYS: Which meeting is that? [Interjections.]

The SPEAKER: Mr Deputy Speaker, let me not entertain this. In future, I will make sure that the requests coming from the political parties will be dealt with very thoroughly. It's not going to be easy.

Mr Deputy Speaker, let me deal with the website we spoke about. The service provider has been appointed to upgrade the website and the launch of the new website is scheduled for the new ...

Mr M SKWATSHA: Mr Deputy Speaker, on a point of order: I don't think it's in order for the Ministers to be laughing at the Speaker. [Interjections.]

The DEPUTY SPEAKER: Order! Order! I did not ...

Mr H P GEYER: You're a bad example on the other side.

The DEPUTY SPEAKER: Order! Hon Skwatsha, that's a frivolous point of order. Please continue, Mr Speaker.

The SPEAKER: Mr Deputy Speaker, a service provider has been appointed and the upgrading of our website will start in the new financial year on 1 April 2013. Also, the training on the e-filing has commenced in the current financial year. Full implementation of the e-filing for all units at the WCPP will commence on 1 April 2013. So, we are busy with that, hon Tingwe.

Coming to hon Ncedana, ...

An HON MEMBER: He's gone out.

Mnr H P GEYER: Hy hou al lang naweek.

SOMLOMO: Ndisiza kuwe mhlonitshwa u Ncedana uphi , mhlonitshwa u Ncedana, uthethe okokuqala apha ngabasebenzi abanga zifumaniyo imali ezongezeleweyo. Umcimbi wemali

ezongezelelweyo, into esiyikhuphayo, thina sikhupha lento kuthiwa yimali eyongezelelweyo ngokuzinikela, imali eyongezelelweyo yokuzinikela yintoni, kukho umahluko phakathi kwemali eyongezelelweyo nokuzinikela.

Kukho abantu abathi bazinikele ngaphezu kokuba bekulindelekile, lonto ibangele ukuba bafumane i imali eyongezelelweyo ngokuzinikela, lemali yokuzinikela ayonto nje ifunyanwe ngumntu wonke, kwaye siyaqinisekisa ukuba asikuniki ngokwenza kwakho umsebenzi kodwa sikunika ngokuthi wenze ngaphezulu komsebenzi wakho ebekufanele ukuba uwenzile, yiyo lonto ibangele le ukuba uve ukuba abanye abazifumananga ke mntaka ka Ncedana ngoba azinikwa umntu wonke.

Mr M SKWATSHA: Will the Speaker take a question?

The SPEAKER: No, I'm not going to.

The DEPUTY SPEAKER: The Speaker is not prepared to take a question. Please continue, Mr Speaker.

SOMLOMO: Mntaka Ncedana uphinde wathetha ngento yokuba iPalamente ayibavumeli okanye awusababoni bantu beze kuhambela epalamente. ngoku inqubo esithi siyilandele kwinkonzo zokufikelela kuluntu ixesha elininzi kuye kuphunywe kuyiwe ngaphandle ebantwini. kwiveki ephelileyo besinomhlangano wemithetho, uyakhumbula ndisithi kusasa ndandibone kugcwele abantu apha besiza bezikubona ipalamente, ndade ndakuphendula olohlobo ndilapha emhlanganweni basekhona abantu abazayo epalamente, akhona amaqela

azayo apha epalamente kodwa sithi nathi siyipalamente kumele into yokuba siphume siye ebantwini singalindeli abantu besoloko besiza kuthi, inkqubo esinayo leyo esiyiqhubayo, lento ithethe ukuba abantu basenelungelo, sisaya kubo nabantu basenelungelo lokuza epalamente.

Enye into othethe ngayo mntaka Ncedana yindawo enkulu yenkantolo ukwenzela imibutho ekhoyo. Ndiba sonke siyabona yokuba sihleli nengxaki, ingxaki yokuba kuxakekiwe kuya phuculwa ipalamente, ingxaki ebangele into indawo ibencinci, abantu abaninzi bakhala ngento yokuba abanayo indawo yokupaka.

Ndithe xa ndithetha ke kwiveki ephelileyo emva komhlangamno wemithetho wethu nonobhala wepalamente ndathi into esizakufuneka siyenze, kuzakufuneka siqinisekise into yokuba ababantu bangena ndawo yokupaka siyazama nokuba kulapha ngentla kufuphi kuthi. Ukuthi bakwazi ukuba nendawo yoku paka, kuba kunzima ukupaka nje imoto yakho apha esitratweni. Kodwa ke umcimbi wendawo ngumcimbi ebekufanele ukuba uyaxovulwa, ayingomcimbi nje esizakuthatha isiqgibo sithi makwenzeke lento. ndinethemba ke kwixesha elizayo umcimbi wendawo uqwalaselwe, lonto iyakubangela ukuba kubekho uqhagamshelwano olubanzi nenkonzo zemisebenzi yoluntu ukuzama into yokuba kuxoxwe lomcimbi. Ndidlule kuwe mntaka Ncedana.

Hon Lentit, thank you very much. I now come to you, hon Uys. You mentioned the researchers. You mentioned the vacancies and that the post for a senior researcher had not yet been advertised. There is one senior researcher position and three researcher positions in the establishment. The one senior researcher position will be funded from 1 April 2013.

Currently, two of the three of positions have been filled. The third researcher position has been advertised and also the additional funding has been given to political parties to assist them with research. So I'm not sure about your statement, hon Uys.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: He got it wrong. [Interjections.]

The SPEAKER: Hon Uys, you also make mention of the ICT vacancies. Let me update you about these vacancies. The shortlist is currently being drawn up for the senior ICT officer. The position for the ICT assistant became vacant once again due to an internal appointment. The position is in the process of being advertised. We will advertise the position very soon.

The salary offer for the ICT officer was rejected by the recommended candidate. So there was a successful candidate for the post, but he totally rejected the salary that was offered to him. We discussed a better offer, but he also rejected that. So we will make sure that we advertise the post very soon.

Hon Uys, you also mentioned the donor funding. We had a meeting and I requested the Secretary to have a meeting to discuss the issue of these funds. As you may recall, these funds meant for us were allocated late. According to my information, we are one of the provinces that are spending the funds. Therefore I will make sure that we submit a report in order to get the funds so that we can carry on with our programmes.

You also mentioned that the Western Cape Parliament, compared to those in the other provinces, is paying our workers very little. We don't compare ourselves to other provinces.

[Interjections.]

The DEPUTY SPEAKER: Order! Order!

The SPEAKER: The Western Cape Provincial Parliament does not compare itself to other provincial Parliaments in terms of the salaries. [Interjections.] We don't compare ourselves with the national Parliament ... [Interjections.]

Mr M SKWATSHA: [Inaudible.]

The DEPUTY SPEAKER: Order, hon Skwatsha! [Interjections.]

The SPEAKER: It may not have been you, hon Uys, but there was a question about why the other provinces are paying more than the Western Cape. What I'm saying is that we don't compare ourselves with national. We can't compare ourselves with national. [Interjections.] There's no Speaker's Forum agreement on salaries. The Speaker's Forum doesn't discuss the salaries of the workers.

The LEADER OF THE OPPOSITION: They shouldn't.

The SPEAKER: So we don't really compare ourselves to others. [Interjections.] We make sure that we pay our staff reasonable salaries and we create an environment that is conducive for them to work in.

Mr K E MAGAXA: You don't compare yourselves. You are earning like the other Speakers.
[Laughter.]

The SPEAKER: Mr Deputy Speaker, in conclusion, let me take this opportunity to thank the officials, the Secretary, Mr Hindley, and the managers for their support, also the members, especially Mr Uys and the other members who serve on the Rules Committee. I'm not talking to you, hon Tingwe, because you are always absent from the meetings, but thank you very much for your contribution. [Laughter.]

Mr M OZINSKY: Mr Deputy Speaker, on a point of order: Should the Speaker not address the member as hon Tingwe?

An HON MEMBER: He said hon Tingwe.

The SPEAKER: Hon Tingwe, ...

The DEPUTY SPEAKER: The Speaker did correct himself.

The SPEAKER: ... thank you very much for your contribution and we hope that in future we will be able to deal with the challenges that we are facing as the Western Cape Provincial Parliament. Thank you very much. [Applause.]

Debate concluded.

The DEPUTY SPEAKER: Order! Can I just make a comment ... [Interjections.] Order! Order! Can I just make a further comment in relation to the point of order which the hon Ozinsky raised when Mr Geyer was speaking. The gist of the previous ruling was – and I just want to confirm that – that reflections of a very personal nature on the character of a person are not acceptable without a substantive motion.

References to members in their political activities are okay, because if we stop that we stifle debate totally. We can't stop that. So if a member refers to another member in the sense of what he did in his political activities as a member, that is acceptable unless he crosses the line and goes too far. It's a very fine line, but I wanted just to recognise that and keep it in mind. We don't allow very personal attacks on the characters of one another; for that you need a substantive motion.

That ends this part of the session. I will now suspend business. We will resume at 14:00.

BUSINESS SUSPENDED AT 13:00 AND RESUMED AT 14:04.

WESTERN CAPE ADDITIONAL ADJUSTMENTS

APPROPRIATION BILL [B 5—2013]

(Consideration of principle)

The MINISTER OF FINANCE, ECONOMIC DEVELOPMENT AND TOURISM: Mr Deputy Speaker, may I ask that we move to the finalisation of the Bill.

Debate concluded.

Principle of Bill approved.

WESTERN CAPE ADDITIONAL ADJUSTMENTS**APPROPRIATION BILL [B 5—2013]**

(Finalisation)

The SPEAKER: Order! There's no speakers' list for this Order. Is there any objection to the Bill being finalised? No objection.

There was no debate.

Schedule agreed to.

Clauses and title agreed to.

Bill finalised.

The DEPUTY SPEAKER: Order! The Bill will be sent to the Premier for assent.

WESTERN CAPE APPROPRIATION BILL [B 2—2013]

(Consideration of Votes and Schedules)

The DEPUTY SPEAKER: We will now consider the Votes and parties will be entitled to make a declaration of Vote if there's a need for that.

Ms C F BEERWINKEL (ANC): Mr Deputy Speaker, the ANC as the Opposition in the Western Cape sadly announces that it will not be voting for the Budget of the 2013-14 financial year.

An HON MEMBER: A vote against the poor.

Ms C F BEERWINKEL: We are, however, very grateful to the national government for increasing the budget by R7 million after the last census of 2011. [Interjections.] Please listen. [Interjections.]

The DEPUTY SPEAKER: Order!

Ms C F BEERWINKEL: This is the biggest budget, proportionately, ever in the Western Cape. This increase, Mr Deputy Speaker, should put to rest the racism of the Premier's mantra that the provincial Purse is under pressure because of the movement of refugees from the Eastern Cape and that it places education, health and housing, etc, under pressure.

[Interjections.]

Mr H P GEYER: Mr Deputy Speaker, on a point of order: Is that true that there are refugees on their way to the Western Cape?

An HON MEMBER: Where's the point of order?

The DEPUTY SPEAKER: That is not a point of order; it has nothing to do with the proceedings of the House.

The LEADER OF THE OPPOSITION: [Inaudible.] Read your Rules.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, I rise on a point of order with regard to the hon Beerwinkel. She said, "This will place to rest ..." – let me get her exact words – "... the racism of the Premier." It's my understanding that it is unparliamentary to refer to another member as racist.

The DEPUTY SPEAKER: Yes, you are quite correct. I didn't pick that up. Did the hon member refer to the Premier as being racist?

HON MEMBERS: No.

The DEPUTY SPEAKER: If that is so you must withdraw that.

An HON MEMBER: Withdraw.

The LEADER OF THE OPPOSITION: [Inaudible.]

The DEPUTY SPEAKER: Order! Order, hon Brown! [Interjections.] If you said that or you implied that, it remains unparliamentary. It is for you to decide whether you implied it or said it. I didn't hear that.

Ms C F BEERWINKEL: I will repeat the sentence, Mr Deputy Speaker, because it refers to the mantra, not the Premier in her personal capacity. [Interjections.]

Though the national division of revenue weights education, health and human settlements as a priority, what is of concern is the underspending, normally, on infrastructure spend and conditional grants.

The DEPUTY SPEAKER: Sorry, are you still coming to that specific sentence, or did you finish it?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: You were going to read it.

Ms C F BEERWINKEL: No, I said it. I read it. [Interjections.]

The DEPUTY SPEAKER: Hon Carlisle, was that the sentence at stake?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: No, I just heard the word “mantra”, I heard nothing else.

The DEPUTY SPEAKER: I didn’t hear anything unparliamentary there, so please continue.
[Interjections.]

Ms C F BEERWINKEL: Another concern is the unallocated amount in the explanation as given. As the ANC we believe those funds could have been better used ... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Ms C F BEERWINKEL: Mr Deputy Speaker ...

Die HOOFSWEEP (DA): Mnr die Adjunkspeaker, ek vra dat terwyl die woord nou nie herhaal word nie, ons die Hansard sal trek en dat u daarna sal kyk.

Die ADJUNKSPEAKER: Ek sal daarna kyk. Ek was nie seker of sy dieselfde sin herhaal het nie. Indien nie, sal ek ... [Tussenwerpsels.] Orde! Ons sal na die Hansard kyk en indien dit so is, sal ek daarvoor ‘n beslissing gee.

An HON MEMBER: Thank you, Mr Deputy Speaker. Corrupted ... [Inaudible.] ... Hansard.

Die ADJUNKSPEAKER: Agb lid, u het net drie minute vir 'n stemverklaring. Die tyd is byna verstreke.

Ms C F BEERWINKEL: Another concern is the unallocated amount and the explanation given for the special project budget where there are no plans given that make any sense at this stage. The ANC believes that those funds could have been better used and allocated to the needs of the deprived communities, especially in the rural areas.

The Western Cape remains in a social and economic crisis. Our people remain poor, unemployed and live in appalling conditions. Rape, sexual abuse and murder cover the pages of the media. Drug and alcohol abuse result in broken family and communities. For the Western Cape it looks like business as usual, never mind the fact that we are still the rape, TB and the fetal alcohol syndrome capital of the world.

No visible plans for these serious problems are evident. The ANC, therefore, will not vote for the budget for the 2013 financial year.

Mnu M NCEDANA (COPE): Enkosi kakhulu sekelaSomlomo siza kuluxhasa ulwabiwo mali ngoba lunyuswe nesizathu sokuba inyuswe sesokuba kukho abantu abaninzi abahluphekileyo abasuka kwamanye amaphondo besiza kweliphondo, ngethemba lokuba njengokuba siyixhasa nje izakuthi ke njengoko ihlalutyiwe isetyenziswe ukuphucula ubomi bababantu ngokuse nyanisekweni ingabi yinto nje ethethwayo.

Siphinde sigxininise le ntetha ke besesitshilo lento yokubana ngokwe APPs njengobana zibekiwe olobiwo mali lusetyenziswe ka njalo siyiphephe into yokuba sibenohlehlengiso phakathi enyakeni nohlehlengiso olo oluthi luthathe imali kwezimali besezijonge ukunceda ababantu bahluphekileyo lusiwe kwamanye amacandelo angelo ncedo ncam kwababantu abahluphekileyo.

Mr R B LENTIT (ID): Mr Deputy Speaker, the ID supports the Vote which is in favour of the poor people of the Western Cape.

Mr G C R HASKIN (ACDP): Mr Deputy Speaker, in contrast to the ANC the ACDP will not be opposing the Bill. We believe that implementation is key and we wish the governing party well in that respect. We do see that there are numerous opportunities to improve service delivery, to improve on the audit findings that have been coming from the Auditor-General and to improve performance responsiveness and accountability. We would hope that these opportunities are seized in this year by the governing party.

Me A ROSSOUW (DA): Mnr die Adjunkspeaker, die DA ondersteun hierdie begrotingspos ten volle. Ons is dankbaar vir al die geleentede wat geskep gaan word vir mense wat nie bevoorreg is om op hulle eie te kan aangaan nie, en ons wens elke departement sterkte toe met die implementering daarvan.

Votes 1 to 14 agreed to (ANC dissenting).

Schedule agreed to (ANC dissenting).

Clauses 1 to 10 agreed to (ANC dissenting).

Short Title agreed to.

WESTERN CAPE APPROPRIATION BILL [B 3—2013]

(Finalisation)

The DEPUTY SPEAKER: Order! As there's no list of speakers is there any objection of the Bill being finalised? There is no objection and it is agreed to. The Bill will be sent to the Premier for assent.

There was no debate.

Bill finalised.

WESTERN CAPE COMMUNITY SAFETY BILL [B 8—2012]

(Finalisation)

The MINISTER OF COMMUNITY SAFETY: Good afternoon, Mr Deputy Speaker, ladies and gentlemen, the hon members and the visitors in the gallery as well. Today is a day that

we have waited some time for. There has been a lot of hard work, long hours, consultations with hundreds of people and road trips to all corners of the province to ensure that we had as much public participation as possible.

It brings me great joy today to debate the much needed Western Cape Community Safety Bill. One would think that the reason for such a Bill is obvious, but it appears that no matter how much we explain the value of this Bill, a minority just refuses to understand. Mr Deputy Speaker, none is so blind as he that will not see.

The history of policing under apartheid was one of brutality. It was a history of a profound lack of accountability and it was a history of a police force that operated in an environment of secrecy. At the dawn of our democracy all of those speaking on the side of transparency and accountability in the Constitutional Assembly wanted to create a proper framework of accountability by the police to the communities that they served.

Mr Deputy Speaker, there was much debate about where this accountability could most effectively be monitored. The argument advanced by those visionary individuals in that assembly was that South Africa is a big country, with many towns and cities and many communities with different needs and priorities and, therefore, the best way to achieve the effectiveness of the police would be if the service were monitored at the level of the provinces.

Therefore, Mr Deputy Speaker, section 206, which gives provinces powers of oversight over the police, was purposefully included in the Constitution of the Republic of South Africa and

accountability by the provincial Police Commissioner to the provincial Executive was built into our Constitution. This was done precisely to ensure accountability and to safeguard against a return to a police service that acted with complete impunity.

Mr Deputy Speaker, that is unfortunately where we are headed now. Let me paint a picture for you: The year is 2005. A once effective specialised drug and gang police unit, a unit that operated throughout the country, is disbanded.

The year is 2008. The Scorpions, praised by many for their thorough investigations and zero tolerance approach to crime and corruption, is disbanded. Perhaps they were too effective. After the damage was done, a few years later in 2011, the South African Constitutional Court ruled that the legislation that disbanded the Scorpions and replaced them with the Hawks was not consistent with the Constitution.

The year is 2009. The Police Commissioner at the time, Bheki Cele, said that police must “shoot to kill” and not worry about "what happens after that." A local newspaper at the time pointed out, and I quote:

Cele's philosophy on shooting before being shot, which he has preached in KwaZulu-Natal during his time as MEC for community safety, has led to the province having more deaths in police custody under review than any other province during the past year.

The year is 2011. There is a service delivery protest in Ficksburg. An unarmed protestor is shot and killed at point-blank range. Six officers are arrested in connection with the man's death. This man was Andries Tatane, one name among the many that we should know about.

The year is 2012. There are vigilante killings, vigilante violence, mob justice, petrol and burning tyres and necklacing. These examples of the collapse of faith in the justice system, right on our doorstep, regularly make the front pages of newspapers. Civil society organisations are making appeals to government, crying for help, telling anyone who will listen that there is a complete breakdown in the relationship with the SAPS. After numerous avenues are exhausted, the Premier of the Western Cape appoints a commission of inquiry. The police Minister takes us to court to stop the commission. That court battle is still ongoing. In the same year, we had the Marikana massacre where police shot and killed 34 miners – a tragedy where many lives were lost on both sides.

The year is 2013. A man is tied to the back of a police van, dragged through the streets and beaten to death in a police cell. That man's name was Mido Macia. Also just let me show you the headline of one of today's newspapers. It states: "Shocking new stats on police brutality". Cases of police brutality have increased by more than 300% in the past decade. This does not paint a picture of the police service that was envisioned for a democratic South Africa.

Mr Deputy Speaker, we do not need to accept this as the status quo. I want to repeat this: We do not need to accept this as the norm, as the status quo. The drafters of our Constitution foresaw the important role that provinces would play in having oversight over the police service. Therefore, today is a historic day because, for the first time in our democracy in

South Africa, we are legislating on provincial oversight over the police. Today we are making history.

The Constitution clearly states that:

- (3) Each province is entitled—
 - (a) to monitor police conduct;
 - (b) to oversee the effectiveness and efficiency of the police service, including receiving reports on the police service;
 - (c) to promote good relations between the police and the community; ...

That we find in section 206(3) of the Constitution. The Constitution further states that in order for provinces to carry out these functions, a province—

- (a) may investigate, or appoint a commission of inquiry into, any complaints of police inefficiency or a breakdown in relations between the police and any community; ...

Mr Deputy Speaker, what the Bill seeks to do is to regulate the activities of the province. It does so by setting out how we should be performing oversight over the police – that includes the SAPS and the municipal police – in order to give effect to these constitutional provisions. It seeks to clarify what oversight means in a practical way and how the Western Cape government should be fulfilling this oversight responsibility.

Oversight remains critical to our efforts to increase safety for all the people of the Western Cape as effective oversight can act as a catalyst for improved policing, thereby making the province safer for our communities. This is why we are asking the SAPS and the municipal police for reports regarding their efficiency and service delivery. It is in order to monitor and assess the efficiency and effectiveness of the police service.

We want to know, for example, how many issued firearms were lost and stolen; how many arrests resulted in a prosecution; and, of those, how many convictions were secured. We want to know this so that we, as the democratically elected government of the Western Cape, can ensure the deployment of limited resources when and to where it is most needed.

The Bill also proposes the creation of a provincial police ombudsman to investigate complaints about police inefficiency and the breakdown in relations between the community and police.

Safety concerns differ from province to province and there is no one-size-fits-all approach to crime. In fact, section 206(2) of the Constitution explicitly provides for differing policing policies for different provinces. This is simply because each province has different needs when it comes to safety. With this in mind, we are trying to improve the identification of the policing needs and priorities of our communities, which must be taken into account by the Minister of Police in the determination of national policing policy.

Mr Deputy Speaker, we want to make this process not only more effective and holistic, but also more transparent by requiring that it be debated regularly in a multiparty forum in the

provincial Parliament. Importantly, this Bill seeks to develop and introduce provincial police oversight models and to promote good relations between the police and communities.

Mr Deputy Speaker, it seems that the national government clearly recognises the importance of oversight – and that is important. This is why the ICD was strengthened and transformed into the Independent Police Investigation Directorate (IPID) with additional powers and strengths and the Civilian Secretariat Act was promulgated. Both of these draw their powers from Chapter 11 of the Constitution. The Community Safety Bill draws its powers from the very same chapter.

By way of background, the Western Cape Cabinet granted, in principle, approval for the preparation of draft legislation in May 2010 in respect of provincial oversight of the police in terms of the Constitution. After the main parts of the Bill were drafted, expert workshops were facilitated by the Department of Community Safety, involving various constitutional and other experts.

On 7 December 2011, Cabinet approved the draft Community Safety Bill. On 16 February 2012, the draft Bill was published in three official languages for public comment and was forwarded to various role-players, including the SAPS and the national Secretariat of Police. An extended period of three months was allotted for interested parties to comment on the draft Bill with the due date set on 15 May 2012.

Before the Bill was introduced in the provincial Parliament various consultation workshops were held. The national government and local government were also asked to comment on the

Bill. We then held consultation workshops in Caledon, Worcester, Vredenburg, George and Beaufort West, as well as with all 13 provincial government departments and the Provincial CPF Board.

More than 600 people attended these sessions, of which the majority were SAPS officers, municipal officials and office bearers, as well as CPF and neighbourhood watch members. We also received written comment in excess of 300 pages from civil society organisations and NGOs. The Bill was then redrafted to include comments received, and was tabled in the provincial Parliament late last year.

Mr Deputy Speaker, in conclusion, it is not the intention of the Bill to take over the running of the police, but it is about how the provincial government should fulfil its constitutional responsibility to improve the efficiency and effectiveness of the police. We cannot simply be bystanders when it comes to maintaining safety. The intention of the Bill is to fix the future for a safer Western Cape for all of us. [Applause.]

Mr M G E WILEY: Mr Deputy Speaker, normally I would not dedicate a speech to anyone, but today I would like to do so. I would like to dedicate this speech to those men and women who wear a uniform in defence of our nation, both externally and in the Republic.

We often forget that as public representatives we form legislatures, we form governments, and we make laws and policies. In doing these things, we also directly affect the lives of others. Sometimes what we do or say costs people their lives, and you've already heard some

of the points made by the hon Minister in his speech. Our burden of responsibility is huge and we are held accountable.

For me and others who have volunteered to serve, the loss of our paratroopers this week is felt as a deep wound and one trusts that those who are placed in positions of authority would do what is just and right to ensure that their sacrifice was not in vain. In the fullness of time, when the whole truth is revealed, no mercy should be shown to any person, no matter how lofty they may appear to be, who plays with the lives of loyal South Africans.

Similarly, the ordinary police officer, especially those in the Visible Policing Unit, the ones who so frequently are the victims of brutal murder, must be remembered today because the Bill before the House today is largely about them.

On the way to work early this morning I listened to the Minister of Police trying to defend the indefensible, following yet more revelations of police misconduct, mismanagement and general disgrace. What I failed to hear was a single syllable of accountability from this man. It was almost as if one were listening to some dispassionate observer and not the executive member directly responsible for all policing matters in the country.

Yesterday, before the national parliamentary portfolio committee he voiced concern about the top SAPS leadership, about recruiting standards, about the general malaise the SAPS find themselves in today and where, according to statistics given yesterday, 41% of those polled say they do not trust the SAPS. In times of crisis true heroes stand out and stand up. Minister

Mthethwa is not a hero; he is the crisis. [Interjections.] He has demonstrated a betrayal of trust and a dereliction of duty such as I have seldom seen in a public office bearer.

His callous disregard for the welfare of the ordinary member on the ground is now becoming legendary. He is largely the reason why we are here in this Chamber today. That the SAPS is in crisis is now common cause. That the provinces have a constitutional duty to perform in relation to this national function is also without dispute. Just how that duty is to be performed is the question.

Again, it is the Minister, who, every step of the way, has been obstructive and totally lacking in the art of governance in his portfolio, let alone co-operative governance. He is currently challenging in the Constitutional Court the Premier's clear legal right, supported by a High Court decision, to convene a judicial commission of inquiry into policing in Khayelitsha where, incidentally, the community necklaced their latest "criminal suspect" earlier this week. It brings the total of necklacings in that area to six, and for the last year, 80.

Minister Mthethwa has repeatedly stated that he will challenge this Bill in the Concourt. During the hearings process he gave his approval to the Secretary of Police to instigate ANC members and other bedfellows to oppose the Bill. Yet the Minister has done nothing to respond to the province's pleas – and I'm not talking just about the Western Cape – for guidance, let alone draft guidelines for provinces to be able to do their work. On the contrary, we are seen to be a hindrance, if not a problem.

On the contrary, Minister Mthethwa instructed the Secretary to withdraw SAPS' Police Legal Service's contribution to the Bill where amendments were recommended. I repeat, the SAPS' Legal Services Department submitted amendments to the Bill, the Minister then got the Secretary to withdraw that submission and then submitted a blanket rejection of the Bill. [Interjections.] They saw the Bill as necessary with some amendments; that's the SAPS itself. [Interjections.]

It was submitted to us and then they tried to create the impression that they never submitted it. So it is as a direct result of this Minister's and his predecessor's failure to perform that this province has undertaken the initiative to research, workshop, compile and now debate a Bill that will give certainty of direction to those who are dedicated to bringing about a safer environment. [Interjections.]

What can the provinces do and what powers do they have in this regard? I read to you the excerpt from the Constitution, section 206(3) to (5):

- (3) Each province is entitled—
 - (a) to monitor police conduct;
 - (b) to oversee the effectiveness and efficiency of the police service, including receiving reports on the police service;
 - (c) to promote good relations between the police and the community;
 - (d) to assess the effectiveness of visible policing; and
 - (e) to liaise with the Cabinet member responsible for policing with respect to crime and policing in the province.

That refers to the national Cabinet member. Clause (4) states, and I quote:

- (4) A provincial executive is responsible for policing functions—
 - (a) vested in it by this Chapter;
 - (b) assigned to it in terms of national legislation; and
 - (c) allocated to it in the national policing policy.

Both of these are already in place. You've already heard from Minister Plato, whose department has sponsored this Bill, how extensively they've prepared the drafts for this Bill. You have also heard what the Bill is all about from the Minister.

Briefly, to recap for members' purposes: Clause 2 of the Bill, which is on your desk, is the purpose of the Act. I would like to read that to you, because it really forms the basis of the whole discussion. The purpose of the Act is:

- (a) to regulate and to provide for the carrying out of the functions of the province as referred to in sections 206 ... –

I've already read that to you –

... and 207 of the Constitution, as well as the provincial Constitution; ...

This is the statutory obligations. Clause 4.5 goes on to state:

- (i) determine policing needs and priorities;
 - (ii) monitor policing conduct;
 - (iii) oversee the effectiveness and the efficiency of the police service;
 - (iv) including receiving reports for on the police service;
 - (v) promote good relationships between the police and the community;
 - (vi) assess the effectiveness of policing;
 - (vii) investigate any complaints of police inefficiency or a breakdown of relations between the police and the community;
 - (viii) require the provincial Commissioner to report to and appear before the provincial Parliament;
 - (ix) institute proceedings for the removal or transfer of or disciplinary action against the provincial Commissioner; and
- (b) support the objects of the civilian secretariat and the provincial secretariat.

Clause 3, which deals with the functions of the Minister, is essentially a repeat of the constitutional provisions. Clause 4: Monitoring, has to do with the oversight and assessing of the police. Here I want to stop briefly. The monitoring, oversight and assessing role of the police is to:

- (a) attend protests, crime scenes and any other scene of police activity to observe and record the interaction between the police and community; ...

We've heard examples of how critically important that will be. I continue:

- (b) to monitor and evaluate the allocation, distribution, use of human and other resources for policing;

Then, more importantly, something you deal with on a daily basis if you're doing your job as a public representative:

- (c) inspect police stations or other police premises in order to monitor police contact;
- (d) oversee the effectiveness and efficiency of police service;
- (e) oversee the effectiveness and efficiency of the police service in dealing with complaints from the community regarding policing in the area;
- (f) evaluate the relations between the community and the police;
- (g) monitor the treatment and conditions of persons held in police custody in order to determine the recognition by the police;

Unfortunately I can't ask you to indicate by a show of hands when last you were in a police cell to see what the conditions are like. [Interjections.]

Mr Deputy Speaker, I also wanted to touch on the issue relating to clause 5: Directives for establishing police forums and boards. This is a critical factor, both this and clause 6: Accreditation of neighbourhood watches. This is where the strength of our communities lies: to be able to support anticrime measures and thus make a contribution to a safer society. It's

the whole of society approach and they are entitled to do so. Unfortunately there is no proper guidance, as far as legislation is concerned, for them to be able to fulfil their functions.

In this particular regard I'll read clause 5.1:

In order to promote good relations between the SAPS and the community, the provincial minister may issue directives regarding the establishment of community police forums and boards in terms of sections 19.1; 20 and 21.1 of the South African Police Service Act, ... –

in other words, it's being done in conjunction with the national legislation –

... including directives relating to ...

Then there are the requirements for the terms of office and the requirements for indemnity, etc. Subclause 3 of clause 5 is important. It states that the head of department may assist community police forums and boards by providing funding, training and resources.

In the past, the Department of Community Safety provided funding. Unfortunately, because the Auditor-General said that it was beyond our mandate, it had to be stopped. Because the police then took over the running, as they insisted on doing, of community police forums, many of them have collapsed. [Interjections.] Others have become totally politicised.

As a direct result of this there are now many communities who are not being served by community police forums. This Bill will now empower the province to fund the police community forums.

Clause 6 deals with the accreditation and support of neighbourhood watches, and I want to touch on this for a minute. Neighbourhood watches are playing an enormous role in the combating of crime in many areas at the moment. Communities are spending millions of rand on essential high-technology items like SMS systems and things of that nature. In clause 7 it touches on that as it deals with CCTV cameras, SMS-ing and things of that nature. They've done enormously innovative things and this is to cement that relationship and to try and spread good practices around.

What the accreditation does is it also prevents vigilantism. We have a situation where some neighbourhood watches really are just a sign on the side of the road with a couple of active people, but in other areas people are walking around in trench coats and sawn-off shotguns.

That sort of thing has to stop. It has to be regularised and the positive energy of the neighbourhood watches has to be harnessed. They also need to be properly equipped and trained in order to be able to protect themselves and their communities. I have already touched on clause 7.

Clause 8 addresses the matter of an integrated information system. Without information you cannot plan, and without a plan you cannot participate in the statutory obligation of the policing needs and priorities, which has to be done on an annual basis.

Clause 9 deals with confidentiality and disclosure. Many people are going to come into contact with sensitive information. It is a critical trust factor and, therefore, people have to be governed by a confidentiality and disclosure clause.

Clause 10 deals with the establishment of the ombudsman for the service delivery complaints not covered by IPID or the secretariat, as some people like to think. They do not deal with that; it's SAPS' internal discipline mechanism. It is also incomplete and does not give feedback to the community.

Clause 11 is concerned with the appointment of the ombudsman. That covers everything as far as the finances, reporting, independence, functions, complaints to and investigations of the ombudsman are concerned.

The ombudsman is a person who is going to be appointed and he'll be totally independent. The Premier will appoint him for a period of five years and that person will hear service delivery complaints. My phone is constantly ringing with people complaining about the fact that the SAPS does not fulfil its minimum standards obligations of having two people per vehicle, two vehicles per sector, 24 hours a day, seven days a week.

Most police stations with two sectors at the moment can scarcely muster three, let alone four, and if you're damn lucky, five members on a shift. In other words they are failing the people of this Republic as a result.

Municipal police services are covered in clause 21. They are also subject to the Bill and when it becomes an Act they will also be subjected to reporting. It's a critical factor and they fully support the Bill.

Clause 22 deals with recording requests and recommendations and clause 23 with policing needs and priorities I mentioned to you that that is a statutory requirement on an annual basis.

Clause 24 covers co-operation and intergovernmental relations. The Bill is geared for fostering better relations with national departments and the national Minister.

Clause 25 speaks to a provincial safety advisory committee. It is a safety advisory committee, which will be an advisor to the Minister. In composition, its term of office will be three years and how often it will meet is in clause 28.

Clause 29 deals with awards for recognition of outstanding service within the community in anticrime activities.

Clause 30 is concerned with offences, for instance, should people fail to co-operate with the ombudsman. It's a standard procedure for any commission of this kind.

Clause 31 deals with regulations and clause 32 with delegations, in other words delegations from the Minister to the Head of Department.

Since it was brought to Parliament in November 2012, it has been thoroughly scrutinised, interrogated and, where appropriate, amended. An extensive public participation programme was implemented. The public was asked, via the media nationally and in the three official provincial languages, for input. The database of CPFs was used and, via them, neighbourhood watches, to solicit for written comment on the Bill.

Once this was received the committee embarked on a province-wide public hearing process, which had been widely advertised, by both radio and print advertisements. Close to 350 persons, 21 CPFs and neighbourhood watches, political parties, government departments, municipalities, universities and many other civil society organisations attended. All inputs were collated and tabulated.

The committee sought legal opinions, the department was interrogated and proposals were made in the submissions. In short, the amendments finally agreed to were minor. The primary objection relating to the constitutionality of the Bill was the common theme submitted by the ANC and the organisations directly allied to it.

As already mentioned, these orchestrated efforts had identical wording and they were taken as a whole in our considerations. Given that none of the legal opinions received were of the opinion that the Bill was unconstitutional, the committee, with the exception of the ANC, supported this point of view.

The A Bill before you – that's the short version – shows you the amendments agreed to by the committee, the most significant of which was the replacement of the Minister with the head

of department in clause 7, relating to database and partnerships with community organisations.

I want to thank the committee for the spirit in which they approached this task that required considerable concentration to grasp the legal niceties. I want to thank the staff of Parliament, especially Lizette Cloete and Mario Sassman and their staff for working long, long hours. I also want to thank the parliamentary legal advisor, Adv André le Roux, as well as Bardine Hall, the legal advisor in the Premier's department. Lastly, I thank the Department of Community Safety for always being available to answer the questions.

I want to ask the House to support the Bill.

In conclusion, I do owe the House an apology. In my considerations when we were going to travel around the province, I made an error of judgment in that I used a chartered flight. I want to tell you something, though: If it hadn't been for the fact that the ANC-instigated unrest situations had made using our roads a dicey option that decision wouldn't have been taken.

Also, if it hadn't been for all the corruption in the ANC departments that had resulted in the Auditor-General making the procuring of services so difficult that you cannot get the cheapest possible prices, then things would have been different. In any case, I did make a mistake and I apologise for that.

Mr G C R HASKIN: Mr Deputy Speaker, the ACDP rises in support of the Bill before us today. We wish to dedicate our support of the Bill to all the victims of crime, to the victims of police abuse in detention, to the victims of lost docket and fiddled evidence and to the victims who don't even bother to go the SAPS to report a crime, because they know it's going to go nowhere.

We know that at least 50% of crimes committed are not reported and it's because the people of South Africa and the Western Cape have lost their trust in the SAPS. This Bill is aimed at addressing this and ensuring that the SAPS become more accountable so that we can have improved oversight, monitoring and accountability; both by ourselves and the department.

Mr Deputy Speaker, even our own experience in this House – and my own experience – when asking questions of the Minister has been to have the SAPS telling us the exact opposite in this House ... [Interjections.] ... to what the victims of crime have been telling us. So, we, even in the House, have been misled by the SAPS. That simply has to stop.

We have to do things in such a way that we restore the faith and trust of ordinary South Africans, including us, in the SAPS. If we cannot trust the SAPS then whom can we trust? Who is it that we can trust if we cannot even go to the local SAPS official in uniform and report a crime? [Interjections.] If we cannot flag down somebody who's driving past in a marked vehicle and ask that person for help, which we cannot do at the moment, then the SAPS are failing us.

Of course, we're not talking about the majority of the SAPS officials; let's be clear about that. We're talking about a minority, but the minority are creating a perception that is unacceptable to the rest of the SAPS members and to all of South Africa. It's also affecting our international image.

I'd like to just conclude, Mr Deputy Speaker, because I only have two minutes, by cautioning the Minister. I just want to say that the authority that he'll be given in this Bill when it becomes an Act should please be exercised consistently, inclusively and equitably. Let there not be allegations made that there's been favouritism and certainly not political elitism as a result of the exercising of his authority. [Time expired.]

Ms J L HARTNICK: Mr Deputy Speaker, with the purpose of the Act in mind, I support the Western Cape Community Safety Bill. The Bill is essential when considering the spate of police brutalities occurring in South Africa.

The Bill's purpose is to determine policing needs and priorities; monitor police conduct; oversee the effectiveness and efficiency of the police service; promote good relations between the police and community; assess the effectiveness of visible policing; investigate any complaints of police inefficiency or the breakdown in relations between the police and any community; require the Provincial Commissioner to report to and appear before the provincial Parliament; and institute proceedings for the removal or transfer of, or for disciplinary action to be taken against the Provincial Commissioner.

Mr Deputy Speaker, of these aims the promotion of good relations between the police and the community and the investigation of any complaints of police inefficiency, or the breakdown in relations between the police and any community, are especially applicable to the Western Cape.

The Western Cape has been faced with an increasing number of mob justice occurrences with fatal outcomes. This Bill speaks to the vigilante killings in our communities as they are due to the breakdown in relations between the police and the communities.

Mnr die Adjunkspeaker, gedurende die openbare verhore was dit opvallend dat ondersteuners van die ANC met vooropgestelde agendas die vergaderings bygewoon het. In George, Beaufort-Wes, Vredendal, en selfs hier in Kaapstad, was presies dieselfde stellings gemaak. Ek wil egter die Voorsitter gelukwens dat, ongeag die beledigende aanmerkings wat na sy kant toe geslinger is, hy almal die geleentheid gegee het om deel te neem.

In conclusion, Mr Deputy Speaker, prevention is better than cure.

Mr M NCEDANA: Mr Deputy Speaker, listening to the Minister and member Wiley, I can't help but feel the Bill seeks to deal with issues to do with anger ... [Interjections.] ... in the sense that we know that there are issues between the Provincial Police Commissioner of the Western Cape and the executive government in the Western Cape. [Interjections.] You must listen; I've not stated my point yet. Therefore I hope this Bill has not been established to be used as a tool to continue fighting with the police.

We agree with some sections of the Bill as they seek to promote community participation and to revive the effectiveness of the community police forums. However, clause 19 and clause 20 deal respectively with reporting by the Provincial Commissioner and the loss of confidence in the Provincial Commissioner. Now we think that that is the real issue because we know that this government has said they do not have confidence in the Commissioner and I do not think that that is part of the Constitution as quoted by both of you. The Constitution does not make provision for the Executive to move a vote of no confidence in the Commissioner. That is not stated there.

I, therefore, hope that this Bill will be used to ensure that policing in the Western Cape is effective as opposed to being used as a weapon with which to fight against the national government.

Mr M G E WILEY: Section 207(6) of the Constitution is very clear. [Interjections.]

Mr K E MAGAXA: Mr Deputy Speaker, I must raise my deep disappointment ...

Mr H P GEYER: You disappoint me.

Mr K E MAGAXA: ... with the DA. You call yourselves a democratic organisation, but we went for public hearings together – and I participated in the process from the word go till the end – and 99% of all the people who participated rejected the Bill.

Mr G C R HASKIN: They didn't know why. [Interjections.]

Mr K E MAGAXA: It's on record. If hon Wiley had enough skills to gather and keep that information he would know very well that if there ever was anything that was rejected by our people it is that Bill.

Mr M G E WILEY: Why have you been replaced on the committee? You're not even on the committee anymore.

Mr P UYS: Keep quiet, man. Keep quiet. [Interjections.]

Mr K E MAGAXA: I'm really disappointed. Despite the fact that even in his role as the chairperson ...

The MINISTER OF HEALTH: He's the best.

Mr K E MAGAXA: ... he gave a very fraudulent performance.

The PREMIER: What?

The MINISTER OF HEALTH: What?

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: He was interfering with the processes. [Interjections.]

The DEPUTY SPEAKER: Order! Order! May I just address that point? Hon Magaxa, you are making very serious allegations against a member of the House. [Interjections.] I want you to temper your language specifically and be careful about what you say. That is unparliamentary. Withdraw that, please.

The MINISTER OF HEALTH: You must read the Rules.

Mr K E MAGAXA: I withdraw that word.

The MINISTER OF HEALTH: And apologise. [Interjections.]

The DEPUTY SPEAKER: And address the Chair when you speak, please.

Mr K E MAGAXA: I think the microphone is on this side, Chair. Chair, the chairperson of that standing committee ...

The MINISTER OF HEALTH: It's not the Chair, it's the Deputy Speaker.

Ms M TINGWE: Please!

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: ... whose responsibility it was to chair those public hearings consistently interfered by performing the role that is not his to play.

Mnr J J VISSER: Praat oor die wetsontwerp.

Mr K E MAGAXA: He did so by consistently arguing in support of the Bill. He did so right throughout, from the first venue to the last.

Mr M G E WILEY: But we do support the Bill.

Mr K E MAGAXA: The ANC joined the overwhelming rejection of this underwhelming Western Cape Community Safety Bill, which was dismissed outright at all the hearings.

The MINISTER OF HUMAN SETTLEMENTS: The meetings did not agree with you.

Ms N P MAGWAZA: You were not there ... [Inaudible.] [Interjections.]

Mr K E MAGAXA: This whole process was and is a waste of money. The ANC is of the opinion that the safety and security of all communities in the Western Cape will not be enhanced by the measures sought in this Bill. [Interjections.] In particular the historically disadvantaged working class and poorer communities will not see or feel a difference, but it clearly serves to advance the politics and position of the DA only as a reactionary formation in this country.

The ANC is of the view that it only creates constitutional, legislative and intergovernmental conflict and will create a crisis to further the DA's political agenda of opposition for the sake of opposition. [Interjections.] Mr Deputy Speaker, the main concern ... [Interjections.] That's why they cannot be tolerant and listen.

Their main concern is to unduly expand the powers of the MEC and that will lead to the promotion of the DA-aligned being deployed in all kinds of positions. The DA wants to use the police structures in order to get access to poor black communities where it doesn't have access.

The MINISTER OF HUMAN SETTLEMENTS: No, we have access ... [Interjections.]

Mr K E MAGAXA: It is unacceptable that the DA toys with such an important function as crime fighting. The same was seen with the DA's cheap political point-scoring with the defunct Zille commission in Khayelitsha. [Laughter.]

The ANC says this Bill is illegal and unconstitutional. It will lead to fruitless and wasteful expenditure; the vast duplication of functions will breed intentional conflict, also in communities. The unintentional consequences of this political expediency will soon catch up with the DA in this regard.

My personal suspicion, Chair – and this is also shared by many observers and experts – is that, indeed, the DA is going to politicise the SAPS and policing.

The PREMIER: Nonsense.

Mr K E MAGAXA: A politically divided police force will not be able to face the challenges of escalating crime. [Interjections.]

This unacceptable process already started with the DA actively undermining the police and our protectors in blue, not to speak of openly siding with hardened criminals like gangsters and drug dealers, some of whom support and fund the DA.

The DEPUTY SPEAKER: Order! Order! When you make that comment, are you referring to specific members in the House, or just generally? [Interjections.]

Mr K E MAGAXA: The DA in general.

The DEPUTY SPEAKER: Thank you. Please continue. [Interjections.]

Mr K E MAGAXA: It discredits our police on a large scale and only feeds the bad lion, instead of building the strength of the good lion that could serve us better. Shame on the DA!

The power-hungry DA is only interested in getting more control, so it undermines a national government competence, as with this Bill.

An HON MEMBER: What competence?

Mr K E MAGAXA: All of these attempts to discredit the national government are part of a concerted effort of gerrymandering and tomfoolery. Yes, the DA seeks to grab power at all costs for the MEC, which it is not entitled to do. [Interjections.]

The DEPUTY SECRETARY: Order! Order!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I wonder if the hon member would take a question, sir?

Mr K E MAGAXA: No.

The LEADER OF THE OPPOSITION: The DA never takes questions.

Mr K E MAGAXA: Yes, the DA confuses oversight with control. The always-drowsy MEC is being overloaded with more powers while he fails to exercise the powers currently at his disposal. This confirms the suspicions that the DA wants to manipulate the police and many other structures. Community police forums are legal structures and are the people's organs.

Die MINISTER VAN GESONDHEID: Drink 'n bietjie water, ouboet.

Mr K E MAGAXA: Now the DA wants to elevate vigilante groups through generating neighbourhood watches at the expense of well-established legalised structures.

The parallel structures to gather information will clash with or usurp police intelligence gathering, the activities of the envisaged provincial ombudsperson will clash with the work of the Independent Police Investigation Directorate (IPID), the Public Protector, civil oversight and the Civilian Secretariat for police as will the gathering of complaints against the SAPS clash with existing channels of dealing with grievances.

I have no doubt in my mind that the DA is being frivolous and vexatious in seeking to abuse the SAPS for cheap political gain in an underhanded way. I suspect it will sooner rather than later be forced to eat some of these words in the Bill, if not all, as it is open to challenges.

It is common knowledge that the DA is obsessed with its hatred of the current Provincial Commissioner ...

The PREMIER: That's complete nonsense.

Mr K E MAGAXA: ... who they would want to get of him. They hate him because he is accountable to the National Commissioner, who happens to be an African actually. This is a racist fight that we are talking about here. [Interjections.]

The most important point here is the fact that any organisation, vigilante group or body called by a vague name like "neighbourhood watch" can be given accreditation or recognition. That means any other group could be legalised. [Interjections.]

The DEPUTY SPEAKER: Order! Order! The noise level is too high please.

Mr K E MAGAXA: It opens the doors to rogue elements and all kinds. Yes, it brings with the cows various ticks and fleas, such as the many armed private security staff employed by neighbourhood watches.

The privately funded staff and equipment, like the heavy armaments, could cause a lot of problems. With the associated staff of these neighbourhood watches also being smuggled into the equation it surely cannot be seen as innocent oversight. [Interjections.]

We do not need more uncontrollable private reserve police personnel. These people would do better to join the SAPS and be trained as reservists. [Interjections.] Don't howl.

What is more disconcerting is that it is unclear whether all of these elements will also be screened as the clearance of neighbourhood watches are not even entrenched in the Bill. It seeks to include these elements into the system with access to more than just what meets the eye.

Vague reference to accreditation needs more elucidation as criminal elements that could be part of neighbourhood watches may have an influence over or gain access to sensitive intelligence if it is all left to politicians to decide to whom to give accreditation. In fact, the safekeeping of information is one aspect that is of severe concern to many ordinary people when this Bill is discussed.

If it is left to the discretion of the MEC – and the Bill is not even clear about that, actually – it could lead to the rewarding of political supporters. The undue emphasis on giving recognition to neighbourhood watches also looks like the DA is seeking to displace community policing forums or disrupt their working with the SAPS. It all will lead to unnecessary tensions and more bureaucratic red tape.

We see very little in the Bill of the Metro Police or subsidiary municipal policing services in the province, like law enforcement and traffic services. The operational matter of the removal or discipline of the Provincial Commissioner in a regimented structure is open to political interference and meddling in working matters where politics have no place.

If truth be told, this Bill ...

Mr M G E WILEY: Is a good Bill.

Mr K E MAGAXA: ... is about doing away with the current provincial Commissioner ...

[Interjections.] ... and replacing him with a surrogate of the DA-led government.

[Interjections.]

The functions of the MEC could be increased here today, but it will be in conflict with policy determined at another sphere of government. An MEC cannot grab powers that are not expressly allocated to him in law. That is tantamount to a criminal offence, actually.

[Laughter.] This is a lesson the DA does not want to learn.

The MINISTER OF HEALTH: Tell Jackie Selebi that.

Mr K E MAGAXA: Provincial legislation cannot be in conflict with the Constitution or any other national law. Too many powers will bring it in conflict with other laws as it is giving undue powers and pushing for too much control by reading into laws what is not there.

The MINISTER OF HUMAN SETTLEMENTS: What do you suggest?

Mr K E MAGAXA: It looks as if the DA believes legislation can be cooked up here that will trump national legislation. It can't. There are too many conflicts of interest in this matter for comfort. Many of the new arrangements will ultimately compromise security arrangements and sensitive information. It is abundantly transparent that the DA plays risky politics.

All the words and explanation in the world will not take away from the fact that the DA is embarking on an experiment for its own sake and not in the interest of the people it serves. The SAPS is not the DA's private provincial police structure. Sorry about that. [Interjections.] No! It falls under a national Commissioner, the law and the South African Police Service Act. Therefore it cannot report to a provincial politician or be bullied by a localised provincial political party.

The secessionist DA must learn a very important lesson: The Western Cape is part of the unitary Republic of South Africa. [Interjections.]

The DEPUTY SPEAKER: Order! There is a little too much commentary from this side.

Mr K E MAGAXA: It is not a ratty republic on an island somewhere. It is high time that the DA changes its frame of reference and plots its way back to being on the map of the whole of South Africa. [Interjections.]

The DA has so accept the responsibility of being the second level of government ...

The MINISTER OF TRANSPORT AND PUBLIC WORKS: [Inaudible.]

The DEPUTY SPEAKER: Order, Mr Carlisle!

Mr K E MAGAXA: ... and they have to perform their duty as a government, not as an opposition. You are not in opposition here. [Interjections.] You are here because you have won an election in this province.

The MINISTER OF HEALTH: That's why we have a Bill, you know. [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Mr K E MAGAXA: When are you going to listen?

The MINISTER OF HEALTH: Never!

The DEPUTY SPEAKER: Order! Order, Minister Botha!

Mr K E MAGAXA: You are here because you have won an election in this province and, therefore, you have an obligation to execute your responsibilities by improving the lives of the people. If you were doing your job ... [Interjections.] ... as the leading party, there would be salutation here, not protests. There would be houses here, not protests. There would be enough jobs here, not poverty. All these things contribute to the crime that we need to look at. [Interjections.]

The ANC rejects this DA Bill as futile and objectionable attempt that is unconstitutional and untenable. [Applause.]

Me A J DU TOIT MARAIS: Mnr die Adjunkspeaker, die Wes-Kaapse Wetsontwerp op Gemeenskapsveiligheid is reeds deur die staande komitee goedgekeur en die Wes-Kaap is die eerste provinsie wat wetgewing van hierdie aard sal instel. Die wetgewing moet gesien word as wetgewing wat die aard van samewerkende regering sal versterk en nie as 'n poging om dit af te breek nie.

Ek vind dit dus onaanvaarbaar dat die agb Magaga 'n persoonlike aanval loods teen agb Wiley.

'n AGB LID: Lady Gagga. [Gelag.]

Die ADJUNKSPEAKER: Orde! Orde! Die agb lid kan voortgaan.

Me A J DU TOIT MARAIS: Dit verstrek my vermoede dat ...

Mr K E MAGAXA: You look like Lady Gagga. [Laughter.]

Ms A J DU TOIT MARAIS: Thank you very much. [Laughter.]

Dit versterk my vermoede dat agb Magaxa so min van die wetgewing weet soos 'n kat van saffraan af.

Buurtwagte en gemeenskapspolisieforums vervul 'n belangrike funksie in siviele oorsig. Binne die huidige misdaadsituasie in Suid-Afrika dien hierdie strukture dikwels as die oë en ore van die SAPD. Gemeenskappe en die polisie is wedersyds afhanklik van die inligting en mannekrag wat deur hulle voorsien word.

Die wetgewing maak onder klousule 5 voorsiening vir die uitreiking van voorskrifte vir die stigting van gemeenskapspolisieforums. Die wetgewing erken die belangrikheid van hierdie forums en wil die forums aanmoedig om te verstaan dat die wetgewing nie hul rol gaan wegneem nie. Intendeel, die rol van die forums moet verseker dat beter oorsig oor die dienslewering van die polisie gehandhaaf word.

Polisieforums moet ook sorg dat die polisie doeltreffend en bevoegd optree, veral rakende die ontvangs van verslae oor die SAPD. Soos waargeneem word, is die huidige beeld van die SAPD nie wat dit moet wees nie. Die publiek het die persepsie dat die polisie nie daar is om te help nie, en ook nie wil help of ingryp wanneer hulle gevra word nie.

Die voorgestelde wetgewing maak ook voorsiening vir die vrywillige akkreditasie van buurtwagte en gemeenskapspolisieforums. Hierdie register wat opgebou word, sal help met die beplanning van opleiding en ondersteuning vir buurtwagte en gemeenskapspolisieforums, sowel as om te verseker die nodige befondsing en hulpbronne word aan hulle verskaf om hul werk doeltreffend te verrig. Dit sal tot die voordeel van die buurtwag of forum wees om aansoek te doen vir akkreditasie omdat hulle beter bystand en hulpbronne sal ontvang.

Agb Magaxa gebruik beslis woorde soos “abuse”, “manipulation” en “control” die heelyd in sy toespraak. Dit wys jou dit is die verwysingsraamwerk van die ANC, wat beslis nie die DA se verwysingsraamwerk is nie.

Die provinsiale regering sal verplig word om jaarliks ‘n lys van geakkrediteerde buurtwagte te publiseer om sodoende akkurate en relevante inligting aan betrokke gemeenskappe te kan verskaf. Dit sal die gemeenskappe beter en breër insae gee in die aktiwiteite van gemeenskapsveiligheidsorganisasies in hul omgewing.

Die wetgewing versterk gemeenskapspolisieforums om beter oorsig oor polisdienlewering te bied. Dit sal ook die verantwoordelikheid van die forums verbeter. Gereelde terugvoering en die indiening van verslae gaan verseker dat probleme met dienslewering uitgelig kan word, en sodoende help om aandag te vestig op probleme wat aangespreek moet word.

Daar sal van die buurtwagte en forums verwag word om goeie rekords te hou om sodoende by te dra tot ‘n goeie geïntegreerde datastelsel. Navorsing het bewys die daarstelling van meer

as een stel data verseker meer akkurate inligting, wat verbeterde beplanning en dienslewering gaan verseker.

Dit is belangrik om te weet dat alle inligting wat deur die buurtwagte en polisieforums ingesamel word, deur die wetgewing beskerm word en nie aan enige persoon of organisasie bekend gemaak mag word nie. Dit is slegs vir regeringsgebruik.

In die huidige politieke klimaat is hierdie instellings dikwels gekaap vir politieke of persoonlike gewin. Daarom word hierdie voorgestelde wetgewing verwelkom en ons hoop die nasionale Minister van Polisie gryp hierdie geleentheid aan om beter samewerkende regering daar te stel. Dit sal tragies wees indien hy hierdie geleentheid om polisie-dienslewering te verbeter van die hand wys, veral in die lig van die gebeure van die afgelope tyd.

Die wetgewing word ondersteun en ek wens die departement sterkte toe met die implementering daarvan. [Applous.]

Die ADJUNKSPEAKER: Orde! Agb Minister, voor u praat, kan ek net vir die publiek sê u is baie welkom in die gallery. U is toeskouers hier om te luister na die debat, maar u vorm nie deel van die debat nie. Moet asseblief nie hande klap nie.

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, I just want to make a couple of observations on some of the matters raised by the members. I just want to redirect the fear that we're interfering with the SAPS. The Bill in no way seeks to control or interfere

in the operations of the SAPS. That statement is taken completely out of context and is completely wrong.

In terms of the Constitution of the Republic of South Africa, the control and management of the SAPS rests with the national government and not with the provincial government. At the same time, the Constitution clearly states that each province is entitled to monitor and oversee police conduct; and I've already mentioned all of those issues.

With regard to what is happening in the House today, I want to put it to the ANC, Mr Deputy Speaker, that the people of the Western Cape can see right through the ANC today. They vote against the budgets and they vote against the Community Safety Bill. They vote against everything and sweep it off the table and then they claim they care for the poor. This is the manner in which they care for the poor. It's very nice, but outside this House they want to give a beautiful picture of a party who cares for the poor. It's not the case. [Interjections.] They are lying to the public and to their own electorate out there.

Mnr R B LENTIT: Skande!

The MINISTER: Furthermore, Mr Deputy Speaker, it seems to me that the ANC is actually preventing us from getting at the criminals out there, the gangsters, the druglords and the high-profile people involved in the criminal world. It is as if they are giving us a clear message that we must not touch that terrain. [Interjections.] We must not interfere in that terrain, because it is their territory.

To the member who referred to gangs and those guys, don't even enter into that debate with me. I can say to you, hon member, through the Deputy Speaker, if you want to enter into that debate with me you will fall right off the bus. [Interjections.] Let me tell you there are enough indications in writing of your party's close links with the underground and the criminal world and of your corrupt activities out there. That is in writing. [Interjections.]

Mr H P GEYER: Why don't you object?

Ms E PRINS: And you're doing nothing.

An HON MEMBER: No, we've done something.

The MINISTER: We do a lot about that; absolutely a lot about that. [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Mr M SKWATSHA: Could I persuade the Minister to take a question?

The MINISTER: No.

Mr M SKWATSHA: I want to ask you ...

The DEPUTY SPEAKER: Order! Order! Minister Plato, you've said no. Please continue with your speech.

The MINISTER: Mr Deputy Speaker, with regard to the member's point about the hearings: I attended all the hearings. I was there and other members were there as well. What was evident, as one of our members said at the very beginning, was the orchestrated behaviour of the ANC at those hearings ...

The PREMIER: Yes.

The MINISTER: ... from day one.

Die PREMIER: Skande!

The MINISTER: It was clear that they had come with an intended political agenda ...

The PREMIER: Yes.

The MINISTER: ... to not let us debate the Bill with the people present.

The MINISTER OF HEALTH: You tried to hide it.

The MINISTER OF COMMUNITY SAFETY: That was the point. Why are you not mentioning that?

An HON MEMBER: You tried to hide it.

The MINISTER: At all the hearings it was a case of all the organisations knowing exactly what to ask. In George, Beaufort West, Vredendal and all over there were the same questions every time. Nothing differed. It was organised to derail the operations of this provincial Legislature. [Interjections.] The member was there and he must keep his mouth shut with regard to that because it is true.

Mr K E MAGAXA: You were sleeping all the time.

Ms E PRINS: What are you saying?

The DEPUTY SPEAKER: I heard that. Minister Carlisle, I ruled yesterday that “shut up” is unparliamentary and the same goes for “keep your mouth shut”.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I didn't say it.

The DEPUTY SPEAKER: Sorry, I meant Minister Plato. Please withdraw it.

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, I withdraw that word.

The DEPUTY SPEAKER: Thank you.

The MINISTER: Mr Deputy Speaker, what hon Wiley as a chairperson tried to do ...

Mr P UYS: Tried.

The MINISTER: ... is to see that there that the process flowed. He gave guidance and leadership. That is what he was doing. [Interjections.] From the ANC's side present at the hearings there were obvious dubious agenda. In Cape Town, however, there was a different mix of people. It was well balanced with a number of people also clearly in support of the Bill.

The fact that the member called the Bill illegal, the legal advice we've received paints a completely different picture. The legal advice is of the opinion that the Bill does not infringe on any condition of the current Constitution of the country; it is in line with the Constitution.

Let me say something about the obsession with the Provincial Police Commissioner. I want to confirm the statement I made yesterday during my budget speech. You tried to drive a wedge between my Office and the Office of the Police Commissioner. Let me tell you that the relationship between me and Gen Lamoer is a very good relationship. There is no breakdown in communication between the current Provincial Police Commissioner and I.

I want to state that for the record. We see each other every week and we raise the issues. I phone him with problems and he phones me. I phoned him yesterday with problems I had picked up in certain communities. He picks up the phone and we deal with the issues immediately, right there and then, in a highly professional manner.

With regard to the neighbourhood watches – and the member paid an awful lot of attention to that. On a daily basis I pick up problems between the SAPS and neighbourhood watches in various areas.

The PREMIER: Yes.

The MINISTER: For the very first time we're going to give neighbourhood watches their legal standing within a legal framework. For the very first time! Why is it that you're against that? [Interjections.] Why is the ANC against that? They don't want neighbourhood watches to operate when neighbourhood watches are doing a good job. There are members in the SAPS, who are also in other organisations like the ANC, who try to destabilise and stop the work of neighbourhood watches. I'm asking the question in this House today: Why? [Interjections.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Why?

The MINISTER OF COMMUNITY SAFETY: It is because you're protecting the criminals in the communities. You don't want neighbourhood watches to be the ears and eyes of the community and to identify the criminals and watch what's going on in the community. That is clear.

Mr Deputy Speaker, I want to thank hon Marais for her support for the Bill. Hon Hartnick, thank you very much for your input. Let me also say to Cope I note all the issues you have raised. There's no anger in how we raise our issues – definitely not.

You also raised the problems between the Police Commissioner and this government. When we call the Police Commissioner to report to this government he comes. He is quite often at Cabinet meetings to give input on each and every issue. He brings the Hawks and his intelligence team with him and we ask questions and we interrogate issues.

That is a clear sign of a very good relationship, but we have to admit, Mr Deputy Speaker, that there are systemic problems in the SAPS. I said it yesterday and I want to repeat it today. That is what we address. There are too many complaints about police ineffectiveness and brutality and that sort of thing. We want to plug those holes and that is why we're doing what we're doing. Definitely, I note your other point that we must not use the Bill as a tool to get at the police. That is definitely not our intention.

Thank you to all the members for their valuable input and thank you, Mr Deputy Speaker. May I propose that we support the Bill as it stands. [Applause.]

Debate concluded.

Question put and the House divided:

Ayes – 23: Botha, T L; Bredell, A W; Carlisle, R V; Figlan, A M; Fritz, A T; Geyer, H P; Grant, D A C; Haskin, G C R; Hartnick, J L; Labuschagne, C; Lentit, R B; Madikizela, B S; Marais, A J D; Meyer, I H; Plato, D; Rossouw, A; Van

Rensburg, H G; Visser, J J; Von Brandis, E J; Walters, M C; Wiley, M G E;
Winde, A R; Zille, O H.

Noes – 13: Beerwinkel, C F; Brown, L; Gopie, D; Hani, V; Magaxa, K E; Mbalo, B G;
Ozinsky, M; Prins, E; Skwatsha, M; Stali, Z C; Tingwe, M; Uys, P; Van Zyl, J A;
Witbooi, J.

Bill finalised (ANC dissenting).

The DEPUTY SPEAKER: Order! The Bill will be sent to the Premier for assent.

The House adjourned at 15:30.