
THURSDAY, 27 FEBRUARY 2014

The House met at 14:15.

The Speaker took the Chair and read the prayer.

ORDERS OF THE DAY

The SPEAKER: The Secretary will read the order of the day.

1. Reply by the Premier to the debate on the State of the Province Address.

The SPEAKER: I recognise the hon Premier of the province.

The PREMIER: Thank you very much indeed, Mr Speaker. First of all, Mr Speaker, I would like to thank everyone who participated in the debate and I would particularly like to thank our honourable Opposition for the wonderful testimonial they gave to this government during the debate, because Mr Speaker, after five years in office, the only criticism - the only valid criticism of this administration after a full five years in office - is one word that I used in one tweet once only and for which I have apologised. There is no other valid criticism in any one of their speeches here today. None of them holds water and in fact in many of the points that were raised

particularly by the hon member Mr Ozinsky, the answers have been given in this House time and again, but because they have nothing else to raise they keep on raising old hoary issues, and that is spelt h-o-a-r-y just for Hansard's sake, old hoary issues that in fact have been addressed a long time ago and found to be without foundation.

Now, Mr Speaker, it is clear that the only thing the ANC has left and the only thing at all is the race card.

Mr M OZINSKY: Carien du Plessis.

The PREMIER: Well, no-no, Carien du Plessis, and I am coming to her. I am coming to that.

Mr M OZINSKY: She worked for the ANC years ago [Inaudible.]

Ms L BROWN: She is [Inaudible.]

The PREMIER: She absolutely is.

Ms L BROWN: She [inaudible] two days.

The PREMIER: She absolutely is. Now Mr Speaker, I will come to that.

The SPEAKER: Order hon members!

The PREMIER: I will come to that because journalists play the race card all the time. For example they argue that I cannot be the leader of the Democratic Alliance because I am white. What is that if it is not playing the race card?

Mr M OZINSKY: Because you need a black leader for your party.

The SPEAKER: Order hon member Mr Ozinsky, order.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Why do you need a black leader for your party? Are you playing the race card?

The SPEAKER: Hon members, order!

Ms L BROWN: Which party do you have Carlisle? [Interjections.]

Mr M OZINSKY: Well the party in which [Inaudible.] [Interjections.]

The PREMIER: Now we have just heard Mr Speaker ... [Interjection.]

The SPEAKER: Hon Minister, hon members. [Interjections.]

The PREMIER: Mr Speaker we have just heard the hon member Mr Ozinsky play the race card again.

Mr M OZINSKY: Well why did you need a black leader? [Interjection.]

The PREMIER: And Mr Speaker ... [Interjection.]

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

Ms L BROWN: She is not. What are you talking about?

The PREMIER: This is quite extraordinary, because actually I feel quite ...
[Interjection.]

The SPEAKER: Hon member, hon member Mr Ozinsky order.

Mr M OZINSKY: Sorry, hon Mr Speaker, the Premier was addressing me
directly so I thought just to [Inaudible.] [Interjection.]

The SPEAKER: It does not mean that you have to respond on that hon
member Mr Ozinsky. [Interjections.]

Ms L BROWN: Do not talk again when she speaks to you.

The PREMIER: Mr Speaker, [Interjection.] I feel genuine pity for the hon
member Mr Ozinsky. He is the only member of the Opposition who has given

this government a run for its money in this term of office. We have experienced him often as manipulative and although he knows the answers to questions he twists them and raises them in this Parliament again and again, but nevertheless, despite his tactics I think he is a person of integrity and I think his real motivation for being here is that he wants justice in South Africa. Now I know that sounds like an obituary, Mr Speaker, and it is a political obituary because the irony is, Mr Speaker, that although the hon member Mr Ozinsky is the only person who has acted as an opposition in this House during this five years, he will not be coming back, Mr Speaker. [Interjections.]

Ms M TINGWE: How do you know? [Interjections.]

The PREMIER: He will not be coming back, Mr Speaker [Interjections.] because that is how it works in the ANC, Mr Speaker. The quality of your work is irrelevant. [Interjection.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Because he is not one of you. That is why. [Interjection.]

The PREMIER: Completely irrelevant. [Interjections.] The only criteria Mr Speaker, is if the person who can dispense patronage likes you or not. [Interjections.]

The SPEAKER: Order! Hon Minister, order. Order! Order hon Premier. Hon

Minister, hon Minister Carlisle [Interjections.] No. We cannot hear the Premier. It is too loud. Please.

Mr M SKWATSHA: He is threatening me.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: He is [Inaudible.] out of a strategy.

Me J WITBOOI: Hayi!

Mr M SKWATSHA: He is threatening me.

The SPEAKER: Continue hon Premier.

The PREMIER: Because, Mr Speaker, the only criterion for getting onto a list in the ANC is whether the person who dispenses patronage likes you or not and as we all know Mr Marius Fransman does not particularly like most of the members on the other side of the House.

The MINISTER OF HEALTH: Does that mean I am on the hon member Mr Ozinsky's side?

The PREMIER: Me too, that is why ... [Interjections.]

The SPEAKER: Order! Order hon.

The PREMIER: Me too. That is why I am saying nice things about him, Mr Speaker.

The SPEAKER: Order. Hon member Mr Skwatsha is it a point of order?

Mr M SKWATSHA: Yes, is the Premier allowed to mislead the House?

The SPEAKER: What do you mean? Order!

The PREMIER: I am telling the truth and you know it.

†Ndithetha inyani niyayazi man. Hlala phantsi.

*I am telling the truth man and you know it. Sit down.

The SPEAKER: Order! Okay take your seat. Hon member Mr Skwatsha, that is not a point of order.

Mr M SKWATSHA: But I am asking the question.

The SPEAKER: That is not a point of order.

Mr M SKWATSHA: Is the Premier allowed to mislead the House which is now ... [Interjection.]

The SPEAKER: That is not a point of order. She is allowed, but if you say

deliberate [Interjections.] deliberately. The Premier is not deliberately misleading anyone.

The SPEAKER: Take your seat honourable. Take your seat honourable.

†UNKsz PREMIER: Somlomo, ndithetha inyani. Niyayazi, niyayazi. Ndithetha inyani. Hhlala phantsi.

*The PREMIER: Mr Speaker, I am telling the truth. You know that. You know that. I am telling the truth. Sit down.

The SPEAKER: Take your seat honourable, hon members, hon members.

Mr M SKWATSHA: On a point of order.

The SPEAKER: Hon take your seat. Hon member Mr Skwatsha.

Mr M SKWATSHA: On a point of order.

†UNKsz PREMIER: Hlala phantsi.

*The PREMIER: Sit down.

The SPEAKER: I have answered your point of order. That is not a point of order. Please take your seat.

Mr M SKWATSHA: I am raising the point of order.

The SPEAKER: Hon Minister Carlisle.

Mr M SKWATSHA: I am raising the point of order.

The SPEAKER: Order! Take your seat. Minister Carlisle.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I would like to address you on this point of order that the hon member Mr Skwatsha raised.
[Interjection.]

Ms J WITBOOI: No! No! [Interjections.]

The SPEAKER: Order! Order! Minister, Minister, order! [Interjections.]
Minister, order! I have made the ruling on this matter. Can you take your seat also?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I have got to say ... [Interjection.]

The SPEAKER: Hon Minister take your seat!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: We know that she was not misleading. We know that.

The SPEAKER: Take your seat Hon Minister. I have made a ruling on this matter. [Interjections.] Over to you, Premier.

Mr M SKWATSHA: On a point of order sir, on a point of order.
[Interjection.]

†UNKsz PREMIER: Bayoyika.

*The PREMIER: They are scared.

The SPEAKER: Hon member Mr Skwatsha, I have made a ruling on this matter.

Mr M SKWATSHA: I am raising a point of order. [Interjection.]

The SPEAKER: What is your point of order?

Mr M SKWATSHA: A point of order.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: A new point?

Ms C F BEERWINKEL: It is in the rules that you can.

Mr M SKWATSHA: Am I hearing the Speaker saying that the Premier is allowed to mislead the House? [Interjections.]

The SPEAKER: Order! I did not say that hon member Mr Skwatsha.

Mr M SKWATSHA: What did you say?

The SPEAKER: Thank you. Hon Premier, please continue with your speech.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: You told me about it. How could you ... [Inaudible.]

The SPEAKER: Minister Carlisle! [Interjections.] Over to you Premier.

The PREMIER: Thank you, Mr Speaker. The truth that I was telling and the hon member Mr Skwatsha knows it is the truth, is that the struggle stalwarts on that side of the House are gone, to make way for someone that we were told yesterday did not know who President Mandela was until he was released from jail, and for a whole range of other people, who were in the National Party when the hon President Mandela was released from jail. [Interjections.]

Ms M TINGWE: You say that you ... [Interjection.]

The PREMIER: And that is what this great movement has become. Now, Mr Speaker, apart from it being very unfair to keep the list of the ANC hidden from the voters it is equally unfair to hide it from the hon members and the only person in the ANC that we know for sure is standing for election is the hon, the President Mr Jacob Zuma. Nobody knows who the ANC's

Premier candidates are. Nobody knows who is on their lists. [Interjections.]

The MINISTER OF HEALTH: It is a mystery affair. [Interjections.]

The PREMIER: And I really feel very sorry for the hon members on the other side... [Interjection.]

Ms L BROWN: Why?

The PREMIER: ... because it must be terrible to be in such insecurity. [Interjections.]

Ms L BROWN: We feel sorry for you.

The PREMIER: To be in limbo and so ...[Interjections.]

Mr M OZINSKY: Unlike the DA [inaudible] to rule by itself. [Inaudible.] the presidential candidate by yourself as well. [Interjections.]

Ms L BROWN: We have been around for 20 years now [Inaudible.] [Interjections.]

The PREMIER: And, Mr Speaker ... [Interjection.] You know if you are feeling as insecure ... [Interjections.]

The SPEAKER: Order! Order hon members!

The PREMIER: ... and as much in limbo as they all must be feeling, we have to make allowances for their pedestrian performance in the debate, and I do. Apart from that, this is the very first time, Mr Speaker, in this debate that I have ever heard the hon member Mr Ozinsky use the race card and we all know from inside the ANC's caucus that the hon member Mr Ozinsky has often pleaded with his colleagues not to use the race card ... [Interjections.]

Ms M TINGWE: Haibo!

An HON MEMBER: What?

The PREMIER: ... because it undermines the ANC's tradition of non-racialism. But now for the first time the hon member Mr Ozinsky has obviously concluded that if you cannot beat them you have to join them and so he started playing the race card probably because he is so desperate to get some kind of position after this election.

Ms M TINGWE: Really!

The PREMIER: That if he does not play the race card he knows he has not got a chance. [Interjections.] Because you know, Mr Speaker, we all in this House know about something called an "oyster card". An "oyster card" is what one uses on the London underground to use any train to anywhere.

Mr M OZINSKY: We are not [Inaudible.]

The PREMIER: But let me tell you, I will explain why it is so relevant to people like you. The race card is the ANC's oyster card, wherever they want to go, whatever arguments they want to make, whatever gravy train they want to catch, they just use the race card and it is a free pass to anywhere.

Mr M OZINSKY: That is why [Inaudible.] bad leadership in your party.

The PREMIER: And that is why, Mr Speaker ... [Interjection.]

The SPEAKER: Order hon members!

The PREMIER: ... the hon member Mr Ozinsky is using the race card now, but even with an oyster card your credit eventually runs out and so the credit will run out of the race card and it will do so very soon.

Mr M SKWATSHA: Chase him away [Interjection.]

The PREMIER: So we heard.

Mr M OZINSKY: [Inaudible.] another marriage partner.

The PREMIER: So we heard ... [Interjection.] Are you talking about

President Zuma with another marriage partner? Good.

Mr M OZINSKY: That is what you call the [Inaudible.]

The SPEAKER: Order hon member Mr Ozinsky.

The PREMIER: Ja.

An HON MEMBER: Number 11.

Mr M OZINSKY: The race card, the [Inaudible.]

The SPEAKER: Hon member Mr Ozinsky. [Interjections.]

The PREMIER: For example, Mr Speaker, the hon member Mr Ozinsky refers to the hon Lindiwe Mazibuko as black “cannon fodder”.

Mr M OZINSKY: Yes!

The PREMIER: As black “cannon fodder”.

Mr M OZINSKY: Why is she not a presidential candidate?

The PREMIER: That white DA people deliberately put in the front of the battle to be shot down by the enemy.

Mr M SKWATSHA: But that is what we see.

The PREMIER: Now apart from the fact that no-one deployed Lindiwe to the position as Leader of the House on the DA's side in the National Parliament, amazingly ... [interjections]

Mr M OZINSKY: Oh she [Inaudible.]

The PREMIER: Amazingly she chose to stand for that position and she fought a very good election battle inside the DA to get that position.

Ms L BROWN: Not without [Inaudible.]

The PREMIER: But you know it is a total misnomer to call anyone in the DA "cannon fodder". Anyone. Because to be "fodder", Mr Speaker, there has to be a cannon. [Interjection.]

Mr M SKWATSHA: Call Julius.

The PREMIER: There is absolutely no ANC cannon in the National Assembly.

Mr M OZINSKY: You obviously do not spend any time there.

The PREMIER: I certainly do because I often go and watch debates, unlike most ANC members there who are not in the House, but we will leave it at that. [Interjections.] Mr Speaker, you will recall that Dennis Healey once said of Sir Geoffrey Howe that being attacked by him ... [Interjections.]

Mr M OZINSKY: He is another colonialist.

The SPEAKER: Order, hon member Mr Ozinsky.

The PREMIER: Being attacked by him in politics was like being savaged by a dead sheep. That is exactly what the so called ANC cannons in the national party are like. [Interjections.] In fact the hon Mazibuko drives them all like a sheep to slaughter and does it very well.

Ms M TINGWE: And Ramphele?

Mr M OZINSKY: Then why is she not a presidential candidate if she is so good?

The PREMIER: But then we had the classic ... [Interjection.] Then we had the classic case of the hon member Mr Ozinsky saying that “we would let the Princess Vlei development go ahead because it is in a black area.” That is what he said. [Interjections.] Now I have heard everything, Mr Speaker. I wish to remind the hon member Mr Ozinsky that it was under the ANC’s watch that the Princess Vlei development was put out to public tender.

Mr M OZINSKY: But we did not resurrect it [Inaudible.]

The PREMIER: Without even applying their minds to the complex zoning issues, and of course the hon member Mr Ozinsky would know that when a tender is awarded, the successors in government have to respect people's legal rights.

Mr M OZINSKY: It was an unsolicited bid. It was not a tender.

The PREMIER: Well, whether it was ... [Interjection.]

Mr M OZINSKY: It was not a tender [Interjections.]

The PREMIER: Whether it was a tender or ... [Interjection.]

Mr M OZINSKY: It was an unsolicited bid [Inaudible.]

The PREMIER: ...or whether it was an unsolicited bid the ANC signed the documents, Mr Speaker.

The SPEAKER: Hon members, especially hon member Mr Ozinsky. I have warned you several times. Please.

The PREMIER: And we know ... [Interjection.]

'n AGBARE LID: Jaag hom uit!

The SPEAKER: Can you ... No.

The PREMIER: We know, Mr Speaker ... [Interjections.]

Mr M OZINSKY: Mr Speaker, on a point of order. Yet again, the Premier addressed me directly.

The PREMIER: I was being straight forward.

Mr M OZINSKY: She said “the hon Ozinsky knows.” Well, the hon Ozinsky does not know, because it was not a tender. [Interjections.]

The PREMIER: Well, the hon member Mr Ozinsky should know.
[Interjections.]

The SPEAKER: Order! Order! Order, hon member, take your seat please.
[Interjections.]

The PREMIER: Mr Speaker. [Interjections.] Mr Speaker, as the honourable ...
[Interjections.]

The SPEAKER: Order hon members!

The PREMIER: As the hon member Mr Ozinsky knows the deal was done under the ANC and as the hon member Mr Ozinsky also knows, Mr Speaker, [Interjection.] successive governments have to honour the legal obligations of previous governments.

An HON MEMBER: Yes.

The PREMIER: And he also knows what the argument was that the ANC used at that time when they rushed with undue haste to do an unsolicited bid. He said at the time ... [Interjection.] The ANC said at the time, Mr Speaker, that the DA was only opposing that development because we did not want people in black areas to have a mall. So you see, Mr Speaker, the race card is an all purpose oyster card. It will take you wherever you want to be even on trains that are simultaneously going in the opposite direction. [Interjections.]

Me J WITBOOI: Nie waar nie.

The PREMIER: When the ANC wanted the development they said the DA's opposition was because we were racist and when we have to respect at least the legal obligations that we inherited from them, they say we do not want to cancel it because we are racist. So you cannot win with them. They find a race angle in every single thing. [Interjections.]

Mr M OZINSKY: When will you cancel it?

The PREMIER: But they have to do it. They have to do that, Mr Speaker, because the ANC knows why every tender or every unsolicited bid is put in place by them and they do not need us to tell them [Interjection.] because the Reverend Frank Chikane has already told the whole world that every single tender and every single unsolicited bid under the ANC is there with the purpose of making someone in the ANC rich.

The MINISTER OF HEALTH: Ja.

The PREMIER: And that is exactly what lay behind Princess Vlei at the time. [Interjections.] So, Mr Speaker ... [Interjections.]

Mr M G E WILEY: How can you not believe the Reverend? He is a Priest.

Mr M OZINSKY: Why did he not cancel it then? He had the power [Interjections.]

Ms M TINGWE: The Priest is always right.

Mr M G E WILEY: Who, the Reverend? [Interjections.]

The SPEAKER: Hon members, Order!

Mr M OZINSKY: [Inaudible.]

The SPEAKER: Hon member Mr Ozinsky! Hon member Mr Ozinsky.

Mr M OZINSKY: Yes sir.

The SPEAKER: It seems you now totally undermine my authority.

'n AGBARE LID: Ja.

The SPEAKER: I have requested order several times but you carry on. Premier, you may continue.

The PREMIER: Thank you very much, Mr Speaker. I also notice from his speech that the hon member Mr Ozinsky has been counting toilets in the city despite the fact that most of them are white and that does not seem to bother him. I am amazed that he has not played the race card on the colour of toilets yet, but that is coming. What the hon member Mr Ozinsky will not tell you, Mr Speaker, is that the number of toilets in informal settlements under the Democratic Alliance government has increased by 280% since we took over the city in 2006 from the ANC. What he also will not tell you is what vandalism of toilets costs the ratepayers. Just this year [Interjections.] Just this year [Interjections.] Just this year, Mr Speaker, in this financial year the City of Cape Town has spent an estimated R112 million on the vandalism of sanitation infrastructure. No wonder that people have to march to express

their rage.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: The new ANC.

The PREMIER: Yes. Now, we saw the ex-ANC members, Andile Lili and Loyiso Nkohlhla organise a march here today and that march was considered to be illegal. We on this side of the House do not like the notion of an illegal march in a democracy. We believe the people should have free speech and be able to march under most circumstances in a democracy and we will always defend people's rights to do that because it is a constitutional right. But this march was prohibited because - and I am reading from the police sworn affidavit based on intelligence:

“That the applicants had lied in their application and had presented themselves as representing an organisation that was under different leadership from the one that they actually are under.”

So, they lied in material respects. They misrepresented their relationship to ex-ANC councillors Andile Lili and Loyiso Nkohlhla and then on the basis of a video taken while the hon Lili - or the dishonourable Lili may I say and the equally dishonourable Nkohlhla - were mobilising for this march in which they again threatened to make the city ungovernable, Mr Speaker, and in which they again threatened violence. On the basis of that the police affidavit read that the march poses a real threat to the safety of participants, traders, formal businesses in the area as well as the public in general and if the march were

to go ahead there would be a risk of serious injury, disruption to traffic and injury and extensive damage to property.

Now, this is on the basis not of a thumb-suck, Mr Speaker, but of intelligence sources monitoring the mobilisation for this march and monitoring the language used by the organisers who then tried to hide their involvement in the march with a falsified submission to the City of Cape Town, seeking permission. Now that is the ANC method and that is how they work and looking at the Twitter pictures that came across to me of all the people being arrested, I noticed that they were all the pooh-protestors, all the buddies of Lili and Nkohla, again on a mission to make this city ungovernable.

Of course that is absolutely true. [Interjection.] Of course it is absolutely true and I would like to commend ... [Interjections.] Mr Speaker, I would like to commend the SAPS and the Metro Police and the traffic authorities for containing this ungovernability campaign.

An HON MEMBER: Hear-hear!

The PREMIER: And if the ANC wonders why we cannot deploy all the security to Manenberg and other places where they are sorely needed it is because people who live in proper houses or university residences and have access to proper toilets ... [Interjections.]

The SPEAKER: Order! Hon Premier. [Interjections.]

The PREMIER: ... are mobilising their fellow South Africans to make this city ungovernable and to vandalise infrastructure. [Interjections.]

The SPEAKER: Hon Premier. Is it a point of order?

Mr K E MAGAXA: Mr Speaker, is it in order for the Premier to address Lili while he is expected to respond to our questions? [Interjections.]

The SPEAKER: Honourable ... [Interjections.]

Mr K E MAGAXA: There is no Lili ... [Inaudible.] He is not here.

The SPEAKER: Take your seat honourable. That is not a point of order. [Interjection.] Hon members.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Go and read your book of rules.

The SPEAKER: Hon members, order! Minister, order. [Interjections.] That is not a point of order. The Premier is making... Continue, hon Premier. [Interjections.] Continue, hon Premier. You may continue.

Mr K E MAGAXA: Sorry, Mr Speaker. Mr Speaker what is it because it is more than five minutes ... [Interjections.]

The SPEAKER: That is not a point of order.

Mr K E MAGAXA: That is more than five minutes. [Interjections.]

An HON MEMBER: [Inaudible.] not sorry, Chair.

Mr K E MAGAXA: The Premier for more than five minutes is addressing the issue of Lili [Interjections.] And we have not raised any issue about [Inaudible.] [Interjections.]

The SPEAKER: Order! Order! Hon Minister Madikizela let me give you a chance and we stop. [Interjections.] Order!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Where is my book?

The SPEAKER: Order! Minister Madikizela.

The MINISTER OF HUMAN SETTLEMENTS: Mr Speaker, is that why the hon member ... [Interjections.]

The SPEAKER: Order! What is it, hon? Honourable, is it a point of order, Minister Madikizela?

The MINISTER OF HUMAN SETTLEMENTS: Yes.

The SPEAKER: What is your point?

The MINISTER OF HUMAN SETTLEMENTS: It is a point of order, Mr Speaker. [Interjections.]

The SPEAKER: What is your point Minister?

The MINISTER OF HUMAN SETTLEMENTS: Through you, Mr Speaker, I just want to raise a point of order on the issue that was raised by hon member Mr Magaxa.

Ms M TINGWE: The Speaker has ruled.

The SPEAKER: What is it hon Minister? [Interjections.]

The MINISTER OF HUMAN SETTLEMENTS: The point of order from my side to him is that ... [Interjections.]

Ms L BROWN: Think quickly. Think quickly now!

Mr P UYS: He cannot think quickly. [Interjection.]

The MINISTER OF HUMAN SETTLEMENTS: The point of order from my

side ... [Interjections.]

The SPEAKER: Take your seat. Take your seat, hon Minister. Hon Minister, please.

The MINISTER OF HUMAN SETTLEMENTS: I am addressing you Mr Speaker. [Interjections.]

The SPEAKER: Please take your seat.

The MINISTER OF HUMAN SETTLEMENTS: I am addressing you on a point of order.

The SPEAKER: You do not have to respond to his point of order, hon Minister. Thank you very much. [Interjections.] Thank you Minister.

The MINISTER OF HUMAN SETTLEMENTS: Is that why the SACP attacked the ANC for dismissing Lili?

The SPEAKER: Thank you, honourable Minister. Thank you very much. [Interjections.] Order hon members! Hon Premier, over to you.

The PREMIER: Thank you very much.

Mr M SKWATSHA: No.

The SPEAKER: No-no-no hon member Mr Skwatsha, I did not allow you to stand. Can you take your seat please. Hon member Mr Skwatsha, take your seat. I will allow you to ... [Interjection.]

Mr M SKWATSHA: The rules allow for a point of order.

The SPEAKER: Hon member Mr Skwatsha, take your seat.

Ms L BROWN: Not in this House. In any other [Inaudible.]

The SPEAKER: Continue hon Premier.

Mr M SKWATSHA: No. A point of order, Mr Speaker. A point of order.

The SPEAKER: What is your point of order?

Mr M SKWATSHA: Yes, it is allowed.

The SPEAKER: What is your point of order?

An HON MEMBER: What is your point of order?

The SPEAKER: What is the point of order hon member Mr Skwatsha?

Mr M SKWATSHA: Is the hon Minister allowed to embarrass the Democratic Alliance?

The SPEAKER: Take your seat. Hon members order. [Interjections.]

The MINISTER OF HEALTH: You are a joke!

The SPEAKER: Hon members. You are called “hon members” because people respect you.

An HON MEMBER: Yes.

The SPEAKER: And what you are doing now in this House is really totally unacceptable and we have guests who are sitting there, who I think expect better than what you are doing in this House. [Interjections.]

An HON MEMBER: Better [Inaudible.]

The SPEAKER: Please, please hon members, behave as hon members. Thank you. You may continue hon Premier.

The PREMIER: Thank you very much, Mr Speaker. I love the hon member Mr Magaxa’s speeches, I really do, because they remind me of the Marxists that I mixed with at university in the 1970s, in industrial sociology, one SA, and it is always the same every single time.

Ms M TINGWE: Haibo!! Yes.

The PREMIER: Now, I just have to remind the hon member Mr Magaxa that the Berlin Wall collapsed over a quarter of a century or almost a quarter of a century ago, and it is time he woke up to the fact that his ideology has been overtaken and left very far behind.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: [Inaudible.] mistaken as a wish.

The PREMIER: Now, apart from playing ... [Interjections.]

Mr M OZINSKY: It is about time [Inaudible.]

The PREMIER: Apart from playing the race card [Interjections.], Mr Speaker, the ANC relies on another strategy and that is manufacturing outrage. They manufacture outrage and I found a wonderful definition of manufactured outrage in the following. It says:

“Manufactured outrage is a falsified outrage to claim the moral high ground and to denigrate your opponents in a cynical bid to increase your own support.”

Now let us look at the one thing that the ANC can hold against me during my

term of office and that is the use of the word “refugee.”

Mr M OZINSKY: Which you never apologised for.

The PREMIER: Which I ... [Interjection.]

Mr M OZINSKY: You apologised to the DA [Interjections.]

An HON MEMBER: Ah, come on man!

The MINISTER OF HEALTH: Sorry Ozinsky, hoor!

The PREMIER: That I apologised for, Mr Speaker, on national television. [Interjections.] That I apologised for on national television, because I realised that it was really hurtful to some people and I felt very bad about that, because in my own family we use the word “refugee” for the people that we love the most, my parents and grandparents, and I have never ever seen it as an insult, but when I realised that there are people who do [Interjections] it was a very painful thing to me and I apologised without reservation.

The SPEAKER: Order!

Mr M OZINSKY: Do so now.

The PREMIER: But why do I say, Mr Speaker, that the ANC’s outrage is

entirely manufactured? The reason that I say that is because it is so selective. Last year when Minister Nathi Mthethwa was trying to explain why crime statistics had gone up in the Western Cape, particularly murder and attempted murder, he said that it was because of the presence of so many economic refugees in this province and I did not hear one single peep of outrage from the ANC [Interjections.] So you can see how selective it is and how manufactured the outrage is.

Ms L BROWN: He was not referring to the Eastern Cape. He was referring to [Inaudible.]

Mr M OZINSKY: Yes, precisely!

Ms L BROWN: He was referring to [Inaudible.] [Interjection.]

The SPEAKER: Order! Order!

The PREMIER: No!

Ms L BROWN: [Inaudible] are refugees.

The PREMIER: No. He put them in another category. [Interjections.]

The SPEAKER: Hon Leader of the Opposition, Ms Brown, order.

The PREMIER: In fact ... [Interjections.] The hon Ms Brown is entirely wrong because he spoke of two lots of people. He said “people who came from other countries and economic refugees”, so he put people who were asylum seekers and then he said “and economic refugees”. He added them on as a separate category.

Mr M OZINSKY: [Inaudible.] the refugees on [Interjections.]

The PREMIER: That is what he was doing, but it is quite clear to me Mr Speaker that the hon people on the other side of the House think it is fine to blame murder and attempted murder on asylum seekers, and it shows just how xenophobic that side of the House is. So, whatever Minister Mthethwa meant, and he was certainly not talking about people from other countries in Africa, but whatever Minister Mthethwa meant there was enough room for outrage but they all kept quiet because ... [Interjections.]

Mr M OZINSKY: What is your point?

The PREMIER: Because it is entirely selective and the outrage with me was manufactured outrage and you can hear that it still is.

The MINISTER OF HEALTH: Skande!

The PREMIER: And let us hear what the hon Nomvulo Mokonyane said in her State of the Province Address two years ago. She was explaining why the

health system in Gauteng is so dysfunctional and she said that the reason was, Mr Speaker, that “health migrants” kept coming up and clogging Gauteng’s Hospitals.

Mr M OZINSKY: That is not like refugees.

The PREMIER: Well when I spoke about “migrants” in my State of the Province Address there was another lot of manufactured outrage. So, Mr Speaker, you know that outrage is manufactured when it is selectively applied.

Mr M OZINSKY: Well just apologise.

The PREMIER: And I have not heard Minister Mthethwa apologise and I have not heard Premier Mokonyane apologise and the bottom line is that the ANC has not even asked them to apologise. Dead silence! [Interjections.] I would like to recommend that they go and listen to the song “Refugee of the heart”, it is a very nice song by a guy called Steve Winwood. You might have heard of him.

The SPEAKER: Order! Hon member Ms Hani, order.

The PREMIER: And when I went to Brazil last year I heard many people speaking about the traffic refugees from Sao Paulo who go and live in Rio de Janeiro, and we all know that on this issue the honourable Opposition in this

House have been refugees from reason, Mr Speaker.

Ms L BROWN: From where?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Refugees from us too. [Interjections.]

The PREMIER: Yes.

Ms M TINGWE: Haibo. [Interjections.]

Mr M OZINSKY: Well we have gone very far.

The PREMIER: Refugees from reason - that is what they are. Let me say that I was, and this is serious, Mr Speaker, I was very moved by the hon member Mr Skwatsha's account of growing up and the difficulties that his parents faced under the migrant labour system and the pass laws of apartheid, and those stories are borne like scars in our land still today and had a devastating effect on families and family structures with all the incredibly ghastly social consequences that we still see today.

My own mother, and I was happy and lucky enough to grow up in a family with two parents...My own mother volunteered every single day at the Black Sash Advice office in Johannesburg and in the evening she would tell us these horror stories of what she had worked on during the day and so we -

unlike many other young white South Africans - learnt a great deal about the impact of apartheid on the lives of people like Mr and Ms Skwatsha.

I want to say to the hon member Mr Skwatsha that it is good that his parents told him about his own history and that of many others. I know how important it is to come and to face the pain of your past and I do not like to be self-referring in the context, but in my case we only really found out the depth of the pain of the past when we read my grandfather's memoirs, after he died, that he left for us. Then we learnt all about Kristallnacht and my grandfather's imprisonment and all the family members who were not lucky enough to get to England or any other place in the world as refugees and the lucky ones became refugees, believe me.

I remember looking at my grandmother's photo-album in her tiny little flat in Hillbrow and when I asked who her 13 siblings were she would go through them and say: "Well he died and she died and Tant Eleni had this and this one died". She never once told me that they died in the concentration camps. I had to learn that afterwards. Mr Speaker, I have often wondered why my parents have never told me about that or why my grandparents while they were still alive never spoke about that, and there were some good things about it and some bad things about it.

One thing I am very grateful for is that having come here in absolutely penury with nothing and us having started our lives in poverty in a house with corrugated iron walls with pit toilets and a school with bucket toilets,

they did what they had to do to ensure that we got an education, that we knew the meaning of hard work and there was one thing that was never allowed in our house and that was self-pity or self-indulgence.

Mr Speaker, we have to face the past and we have to look at it honestly, but no-one has the monopoly on suffering - no-one. It is what shapes us and we have to face it and acknowledge it and apologise for it if we were in any way involved, but now our task is to build one nation with one future.

Mr Speaker, the hon member Mr Skwatsha had another complaint that I was not as sympathetic with. He says that when he goes into restaurants he does not believe there are enough black people there. Now quite frankly I do not think he has been then to Cubana, but he would not go there because that is the place frequented by Marius Fransman.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: They all better get used to it. These ones.

The PREMIER: But I wonder ... [Interjections.]

Ms L BROWN: We like Cubana. We go there every Friday. [Interjections.]

The PREMIER: But I wonder whether the hon Fransman wants us to pass a law in this province to make restaurants demographically representative or whether they have to be every night or whether we can balance out dinner and

lunch.

Ms L BROWN: You spoke so well earlier; and now you do not understand.

The PREMIER: And if he does that ... [Interjections.]

An HON MEMBER: There is your solution.

Ms L BROWN: You spoke so well earlier.

The PREMIER: If he does that, Mr Speaker, he will create a whole new class of people called “restaurant refugees” and he would not want to do that, would he? Can you imagine what Mzoli would say if we applied a quota to his restaurant? So, Mr Speaker, let me get on to what a few other people said in this debate. Let us get on to the hon leader of the opposition, Ms Brown.

She started off by refuting claims that we do not get the funding we need for the massive demographic shifts that we face in this province.

Ms L BROWN: Yes.

The PREMIER: But she is quite wrong, because the Fiscal and Finance Commission’s formula, Mr Speaker, works in retrospect and so when the Census was done in 2011 and it was found that our population had grown almost 30% in ten years in this province, the adjustments to the budgets that

we get according to the formula were made and only came into operation, I think it was last year. It is actually this year.

An HON MEMBER: It is being phased in.

The PREMIER: And so it is going to be phased in so that there is not too much of a shock to the national system given the extent of the demographic shifts to the Western Cape and Gauteng.

Ms L BROWN: No it is to the provincial system.

The PREMIER: It is to the national system actually, because if they shift all the money there will be a shock nationally as every province loses huge amounts of money except Gauteng and the Western Cape so the money follows where the people are, and so that is why they are phasing it in. She does not understand the fiscal system.

Ms L BROWN: All funding happens over [Inaudible.] years at a time.
[Interjection.]

The SPEAKER: Order! Order! Hon Ms Brown.

An HON MEMBER: It does not.

The PREMIER: That was the direct quote that was made in the letter to me

that we had to “prevent a shock to the system”, because it would cause too much disruption of services in the provinces that had lost so many people. [Interjection.] That is the reason.

Ms L BROWN: So did you get the money or did you not?

The PREMIER: The money is now being phased in ten years later.

Ms L BROWN: But that is not [Inaudible.]

The PREMIER: And already since [Interjection.] Already since the Census, just this year, Mr Speaker, just this year, and they will only be counted at the next Census. Just this year we have had 10 000 new learners coming into this province from the Eastern Cape, desperate to find schools.

Ms L BROWN: 7-billion.

The PREMIER: And we are supporting them and helping them and battling to ensure that they can get into school and get a decent education. [Interjection.]

The point is that the formula of the Fiscal and Finance Commission does not take account of the real time movement of people. It works retrospectively and it does not take account of circular migration at all because people come to the Western Cape for hospital treatment or to have a baby and then go back

to their homes and we do our best, and who would not come here? I mean you know I have read reports of what is going on in the health system in the Eastern Cape. Just recently I read the most heartbreaking report of twins who were born blind [Interjection.] because a piece of equipment was not working and those kids were born blind. They took a case of medical malpractice and they won R6.6 million in compensation, but to fix the machine or to buy a new one would have cost a fraction of that amount, and that is why I can understand entirely why people do not want to give birth in the Eastern Cape and do not want to go to hospital in the Eastern Cape. We are saying we would love to welcome and give them the best possible service. We need the money that is earmarked, to do so.

Now, we have the hon member Ms Brown saying that the Western Cape leads the nation's housing backlog. Now let us look at that statistic. Since human beings modernised the caves of the Southern Cape and those humans, those early humans who modernised the caves of the Southern Cape were thought to be the first domesticated humans in the world, Mr Speaker. Since then 1 068 572 formal dwellings have been built in the City of Cape Town so just over a million since people were in caves.

If we had to eradicate all informal dwellings by 2040 we would need to build just as many houses as have been built in recorded history. That is how great the challenge is. We have to double the number of houses in the city and that is the extent of the challenge and that is why we have to upgrade where people are currently living. Now according to Stats SA's labour market stats

in the last year of recording, according to the hon member Ms Brown, she said the Western Cape lost 37 000 jobs. The hon Ms Brown also said it was the only province to shed jobs in this period. Then the hon Ms Brown said again that the official unemployment figure in the Western Cape had slipped to 23.9% compared to the 24.9% national average.

An HON MEMBER: That is it.

The PREMIER: Now that is completely wrong, Mr Speaker. I am not going to say the hon Ms Brown was misleading the House because I do not think she did so deliberately.

Mr E J VON BRANDIS: She is confused.

The PREMIER: But she is either confused or some researcher is writing her fairytale for her, Mr Speaker.

An HONOURABLE MEMBER: Sy is deurmekaar.

The PREMIER: Because she took ... [Interjection.]

Ms L BROWN: You cannot imagine that I write myself.

The PREMIER: I met the person who writes your speeches. [Interjections.]

Ms L BROWN: [Inaudible.]

The SPEAKER: Hon member Ms Brown.

Ms L BROWN: Anybody else ...[Inaudible.]

The PREMIER: I am sure that is racist. I am sure that is racist.

The SPEAKER: Hon Ms Brown, can you give the Premier a chance to reply to ... [Interjections.]

The PREMIER: I met the guy who told me he writes your speeches so I was just taking it firsthand from a researcher that you have got there. You have got to actually upgrade his research skills, hon member Ms Brown.

Ms L BROWN: I do not have a researcher.

The PREMIER: Because they were cherry-picking from very old information.

Ms L BROWN: No-no from [Inaudible.]

The PREMIER: The hon member Ms Brown ... [Interjections.]

The SPEAKER: Hon member Ms Brown, order.

The PREMIER: Unlike her researcher the hon member Ms Brown knows that the employment stats for the whole of 2013 are out in the latest Stats SA quarterly labour survey and this is what it looks like. In the whole of South Africa ... [Interjections]

An HONOURABLE MEMBER: Jy moet mooi luister.

The PREMIER: ... the unemployed population has grown by 141 000 in one year since the end of 2012. That is the whole of South Africa. The narrow unemployment rate in the whole of South Africa - that is the narrow unemployment rate which does not include those who are so discouraged because they cannot find work that they have given up looking. The narrow unemployment rate in the whole of South Africa currently stands at 24.1%. The broad unemployment, which also includes those who are no longer seeking work because they are so discouraged by their failure to find work, that broad unemployment rate Mr Speaker is 36%. That is over a third of the population under the ANC Government nationally. Now let us hear what is happening in the Western Cape, Mr Speaker, in those same statistics. In the Western Cape, while a 141 000 more people in the rest of South Africa lost their jobs, a 132 000 more people were employed here in the same period.

An HON MEMBER: Yes, put that in your [Inaudible.]

Mr M OZINSKY: It is seasonal. It is farm workers.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Oh rubbish man.
[Interjections.]

The PREMIER: And of all the jobs created in the whole of South Africa in that period even though the net loss was in the rest of South Africa, 20% of all people employed during that period were in the Western Cape. One out of nine provinces. The Western Cape's unemployed shrunk by 48 000 since that period.

Mr M OZINSKY: In June / July [Inaudible.]

The PREMIER: And our narrow unemployment rate currently stands at 21%, not 23.9% as alleged by the hon member Ms Brown and far lower than the national narrow unemployment rate of 24.1%.

Now listen to this, Mr Speaker, because this is the most important thing. The Western Cape's broad unemployment rate is almost exactly the same as the narrow unemployment rate and that is very, very significant because it says to us that people in the Western Cape, Mr Speaker, have not given up looking for work ... [Interjection.]

The MINISTER OF HEALTH: Yep, there is hope.

The PREMIER: ... because they are not desperate because they believe and

they know that they can get work because employment is going up.

The MINISTER OF HEALTH: The DA gives them hope.

The PREMIER: So, in the Western Cape the broad unemployment rate is 22% as opposed to 21%, only 1% difference. The broad unemployment rate is 22% according to Stats SA, compared to the national broad unemployment rate of 36%. 22% in the Western Cape; 36% nationally, Mr Speaker.

In addition, if we had to remove the Western Cape figure from the national average the national broad unemployment rate would be nearly 38%.

Mr M OZINSKY: Lies, bad lies. [Interjection.]

Ms L BROWN: More lies.

The PREMIER: That is absolutely true and that is the truth from Mr Pali Lehohla, the Statistician General who walks around in a yellow suit. [Interjections.] And he walks around in a yellow suit I am sure not because he is an ANC supporter, but just because he likes yellow. It is clear why the hon Ms Brown chose to cherry-pick from Stats when you look at these figures.

Mr M SKWATSHA: What is the point you are making about the yellow suit?

The PREMIER: I love the yellow suit. You know the big bird in Sesame Street. Just like that. Now, Mr Speaker, the hon member Ms Brown claims that new factories opened in Atlantis and that the Saldanha IDZ is because of national government interventions and that the only reason why the Saldanha IDZ is showing real strides and is working is because of the national government. Now, let me read you a little story from City Press.

Ms L BROWN: From where?

The PREMIER: City Press. It is not a DA newspaper.

Ms L BROWN: Did you...[Inaudible.]

Mr M OZINSKY: That is where Carien works.

The PREMIER: The Department of Trade and Industry [Interjections.] The Department of Trade and Industry ... [Interjections.]

Ms L BROWN: I cannot be called patronising. Do not worry.

The SPEAKER: Order! Order hon members, order, order!

The PREMIER: The Department of Trade and Industry has publicly... and if I were you Hon member Ms Brown, I would blame the researcher for writing such nonsense as was in your speech, because if you are so bad at research

then it really gives me an opening to be patronising. Thank you, Mr Speaker.
Now, the City Press article ... [Interjection.]

Ms L BROWN: You see I am so used to being patronised by you. It is quite alright. Go ahead, Madam Premier.

The PREMIER: I will. If you leave me one moment, I will go ahead. Thank you very much, Mr Speaker.

“The Department of Trade and Industry has publicly admitted that all three operating industrial development zones in Coega, East London and Richards Bay have not performed. Marked by pomp and ceremony at its launch in Port Elizabeth in 2000 many in Nelson Mandela Bay and throughout the Eastern Cape hope the Coega IDZ at the Port of Ngqura just outside Port Elizabeth would be an economic saviour that would create much needed jobs and deliver the area’s inhabitants from abject poverty. Others however were pessimistic. They saw a white elephant. [Interjection.]

Then they say how that has failed and they also look at the Richards Bay IDZ and how that has failed.”

So, I come to the point, Mr Speaker. Why is the Saldanha IDZ performing so well? What is the difference between all the other IDZs and the one in Saldanha? The difference Mr Speaker is that the one is under DA government

and the other three are under ANC government.

Ms L BROWN: Coega is doing very well and you know that.

Mr E J VON BRANDIS: Ag, come on!

Ms L BROWN: Very well!

The PREMIER: Now, Mr Speaker, the hon Opposition has this quaint logic that says that just because the money comes from the central *fiscus* these are all ANC projects. The money to every single province in South Africa comes primarily from the central government *fiscus* so the question is what is the difference between a province that is working to grow jobs, to grow employment, and the eight others that are going in the opposite direction. Mr Speaker, the difference is DA government and the way that money is managed makes an enormous difference to the outcomes that you get from that management.

The MINISTER OF HEALTH: Hear-hear!

The PREMIER: And so, Mr Speaker, if the ANC wants to supply this completely false logic of saying that if the money comes from the central *fiscus* it must be ANC projects and ANC delivery well why do they not just continue that false logic a little bit backwards and do a pro rata analysis of which parties' supporters pay pro rata more tax and then we will see who is

funding all these projects.

Ms L BROWN: What?

The PREMIER: But you see that is their faulty logic [Interjections.] And if they are going to use false logic [Interjections.] If they are going to use false logic ... [Interjections.]

The SPEAKER: Order! Order hon members.

The PREMIER: I will take their own false logic to its own false conclusion.

The SPEAKER: Order!

The PREMIER: I will take its own false logic to its own false conclusion.

Ms L BROWN: But that is [Inaudible.]

The PREMIER: We all pay our tax unlike one Julius Malema. [Interjections.]
We all pay our tax ... [Interjections.]

The SPEAKER: Order hon members!

The PREMIER: We all pay our tax unlike people like Julius Malema and we are all delighted that our tax is used for massive redistribution to the poor.

[Interjections.]

Mr M OZINSKY: Talk about the race card.

The PREMIER: And as you can see in this province we spent 76% of the budget on the poor. That is what we want. That is right. [Interjections.] But the ANC must not come with false logic that this is ANC money. It is not ANC money and if they claim it is we can easily do the calculation and trace it back to the source, to get a false conclusion from their false logic, so.

Ms L BROWN: And where is your source; in my researcher?

The PREMIER: I would never use your researcher. I promise you, even though he says he was trained by my husband.

Ms L BROWN: I am going to hire my researcher from you.

The SPEAKER: Order! hon member Ms Brown order.

The PREMIER: Alright, now ... [Interjection.]

Ms L BROWN: My researcher. [Laughing.]

The PREMIER: Mr Speaker, we are very committed to ensuring that we cut red tape and make the Western Cape a good destination for investment and

we are committed to improving skills in our province. In this term we have spent R1.7 billion on skills development projects, almost eight times what the President has spent on Nkandla, which is great. It shows you how much Nkandla cost. R1.7 billion on skills development programmes, and we have provided training to 98 327 people, most of them who are young. We focused on rooting out corruption, which I think we did very well, and the hon member Ms Brown has a lot to say about the fact that we accuse the ANC administration of being corrupt, but when we came to office no-one was convicted. [Interjections.]

Ms L BROWN: Not ANC officials, not ANC officials.

The PREMIER: Let me repeat, let me repeat that we have ... [Interjection.]

Ms L BROWN: Arrested.

The PREMIER: We have ... [Interjections.]

Mr M OZINSKY: [Inaudible.]

Ms L BROWN: Lynne Brown.

The PREMIER: We have sent to the South African Police Service dossiers for investigation of 120 people that we believe are corrupt.

Ms L BROWN: How many were ANC officials as you always say?

The PREMIER: Well you saw the report from Mr Brian Williams.

Ms L BROWN: I am talking about ANC officials [Interjections.]

The PREMIER: He numbered a whole slew of ANC officials who were corrupt.

Ms L BROWN: No-no that is not ... [Interjection.]

The SPEAKER: Order hon member Ms Brown.

Mr M OZINSKY: Why did you ... [Inaudible.]

The PREMIER: And before they could go to their disciplinary hearings they all ran away and got redeployed to top positions across the government nationally.

Ms L BROWN: We are talking about ANC officials.

The SPEAKER: Hon member Ms Brown, order.

The PREMIER: Well no-one gets deployed to top positions in the national government unless they are ANC cadres.

Ms L BROWN: Really?

The SPEAKER: Hon member Ms Brown.

The PREMIER: Absolutely and we know exactly where they are.

Ms L BROWN: You tell this fairytale all the time. [Interjection.]

The PREMIER: So out of the 120 ... [Interjection.]

The SPEAKER: Hon member Ms Brown, order.

The PREMIER: Out of the 120 matters that were registered with the South African Police Service [Interjection.] We have not been able to get any feedback [Interjections.] whatsoever. No feedback from the police and sometimes the cases that we believe should be watertight are not prosecuted by the prosecuting authority, so we know exactly what is going on there Mr Speaker, but to suggest that we have not followed up by laying charges of corruption or other criminal charges is completely wrong. Nothing has come of the brown envelope case, of the Hip-Hop case ...[Interjection.]

Mr M OZINSKY: But there was nothing wrong in their appointment according to [Inaudible.] [Interjection.]

Ms L BROWN: But nothing happened. It did not happen.

Mr M OZINSKY: There was nothing wrong with their appointment. You said so yourself.

Ms L BROWN: Exactly.

The PREMIER: Now, we come to the fables of the hon member Ms Beerwinkel. Oh my goodness, the fables of the hon member Ms Beerwinkel. There are so many that I can actually refute and I think she must use the same researcher as the hon member Ms Brown [Interjections.], because I can refute almost every sentence in her speech. [Interjection.] Firstly she says we have hired the same bus company that was involved in the Rheenendal ... (intervention)

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Carols by Candlelight.

The PREMIER: Carols by Candlelight. That is for sure. No, I will not make a pun on her surname either, because my mom told me that you never do that. We have hired the same bus company involved in the Rheenendal bus accident to transport learners in the area. That is completely not true, because the Western Cape Education Department placed a restriction on signing any new contracts with the bus company after the accident for three years, in line with our procedures.

An HON MEMBER: Jo! That is deliberate ... [Inaudible.]

The PREMIER: The Western Cape Education Department could not legally cancel other contracts that the department had with the company at the time ... [Interjections.]

Ms L BROWN: [Inaudible.] the Western Cape Department.

The PREMIER: And we sought legal opinion on the matter.

Mr M OZINSKY: Now you say you did not ... [Interjection.]

The PREMIER: Textbooks and furniture not being delivered to schools.
[Interjections.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Ah, come on!

The PREMIER: I said we did not give new contracts. Then the hon member Ms Beerwinkel made the wild allegation that we did not deliver textbooks and furniture to schools [Interjections.] The Western Cape Education Department delivered all textbooks ordered by schools in time for the start of the 2014 year. The department has placed top-up orders for additional textbooks for schools that experienced unexpected growth because people did not apply for their children to be there or people are still arriving at schools

without registering, without applying, without doing any of that. So, we can only provide as much as schools order and if far more pupils arrive than were anticipated, obviously we have to make contingency plans subsequently, but that is not the fault of the department. The department also delivered 99.5% of furniture requested by schools and the deliveries cover all major items requested by the schools. The Western Cape government has replaced one supplier who must have been an ANC cadre who defaulted on orders and expects to deliver the remaining supplies very shortly.

Then there was the allegation - another fable - that there is a shortage of teachers in De Doorns. Now there are 33 learners per teacher on average in the De Doorns area. This is below the national norm but nevertheless most schools are coming under increasing pressure because of new arrivals coming into the area and the department has allocated two more posts to Van Cutsem Combined School and one more to Hexvallei Secondary with another post under consideration, and we will consider applications for growth posts carefully as required.

Then there is this bizarre notion that there are 78 learners in classrooms in Barrydale. Yes, there was one point at which one Grade 10 class at Barrydale High had 77 learners, but we have since then allocated two more teaching posts to Barrydale High and the school now has 33 learners per teacher which is below the norm of 35. [Interjection.]

Ms L BROWN: [Inaudible.]

The PREMIER: So then why were you complaining when there are 33 learners in a class and you bring fairytales here?

Ms C F BEERWINKEL: I said the parents acted.

The PREMIER: Parents are supposed to act. It is not a huge sacrifice for parents to act. That is why we have governing bodies.

Ms L BROWN: Nobody ever acts [Inaudible.] at Grove Primary.

The SPEAKER: Order!

The PREMIER: Of course they do. I had to take the whole government to court at Grove Primary School. Parents really have to act at Grove Primary School.

Ms L BROWN: We are talking about a long time ago. [Interjections.]

Mr K E MAGAXA: There is transformation.

The PREMIER: I promise you parents are so active at functional schools, which is why they are functional and I thank the parents of Barrydale. [Interjections.]

The SPEAKER: Order hon members.

The PREMIER: But they are not martyrs. That is what parents do everywhere.

The SPEAKER: Hon member Mr Magaxa order.

Mr K E MAGAXA: [Inaudible.]

The SPEAKER: Order hon member. [Interjections.]

The PREMIER: Then the other fable, Mr Speaker, of the hon member Ms Beerwinkel is that R70 million has been taken away from the ECD infrastructure budget to fund Quintiles 4 and 5 schools so that they could be classified as no-fee schools. This is not true, Mr Speaker. It is a fairytale.

Ms L BROWN: Why do you budget on ... [Interjection.]

The PREMIER: The department will use funding from the National Treasury to fund no-fee schools in Quintiles 4 and 5. The provincial Minister of Education has discretionary powers to allocate this funding, but the department cannot use non-recurrent once off funding from an infrastructure budget to fund a recurring expenditure that must be sustainable and no-fee-schooling is a recurring expenditure, Mr Speaker. [Interjections.]

And then we come to the biggest fable of all that newspapers picked up as

they helped to manufacture the outrage and that was that there are 900 learners still waiting placement in schools in Mitchells Plain. [Interjections.]

The SPEAKER: Hon members!

The PREMIER: Well the hon member Ms Beerwinkel added one nought too many and even for the least numerically literate people they will know that there is a difference between 900 and 90. Our figure says 90. Hon member Ms Beerwinkel's figure says 900 and we know that ours is the correct one.

Ms L BROWN: We live there so we know it is 900.

The PREMIER: You do not live in there. Let me tell you.

Ms L BROWN: It is 900.

The PREMIER: It is 90.

Ms L BROWN: It is 900. You are clueless about it.

The PREMIER: We have traced everyone except 28. So, 28 of the 90 are untraceable and the balance of 62, 50% of them are in Grade 8 and have only contacted the department in the last 14 days, and all of them are being placed. Many of them have come late into the schooling system and many of them have been offered other schools, but they want to get their school of

choice because parents are obviously chasing quality as any sensible parent would and they do not want the schools that they have been offered. They want schools in Mitchells Plain and are therefore there, Mr Speaker.

Mr Speaker, there are many other points that hon members made.

Ms L BROWN: So you want to go line by line.

The PREMIER: There are many other points that speakers made, Mr Speaker. I would like to thank all the speakers on this side of the House for analysing various aspects of our governance in making the Western Cape “Better Together.”

Mr M OZINSKY: We are not saying anything about ... [Inaudible.]

Mr E J VON BRANDIS: Ag, come on, man!

The PREMIER: I would like to thank all of the speakers across the board and Mr Speaker, thank you very much indeed for enabling me to reply to this debate and I rest my case. Thank you. [Applause.] [Interjections.]

The SPEAKER: Order! Thank you. Order hon members! That concludes the debate of the Premier’s State of the Province Address. The business of the House will be suspended for ten minutes to allow the guests to leave the gallery. Thank you very much.

The House adjourned at 15:18

The DEPUTY SPEAKER: Please be seated.

Mr P UYS: Mr Deputy Speaker, may I address you? The Speaker did adjourn the House for ten minutes and I am just concerned that members - they really stick to the ten minutes and that is why there is ... [Interjection.]

The DEPUTY SPEAKER: Are we still missing some members?

Mr P UYS: I think we must get the bells going and then ask ... [Interjection.]

The DEPUTY SPEAKER: I am quite happy with that. Let us ring ...
[Interjection.]

Mr P UYS: And wait for just the ten minutes please.

The DEPUTY SPEAKER: Yes, that is fine; just ring the bell.

The House resumed at 15:28.

The DEPUTY SPEAKER: Please be seated, thank you. The Secretary will read the second order of the day.

2. Introduction and First Reading – *Western Cape Additional Adjustments Appropriation Bill* (2013/14 Financial Year) [B 2 – 2014]

The DEPUTY SPEAKER: The Minister of Finance.

The MINISTER OF FINANCE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much, Mr Deputy Speaker. The Western Cape is to receive an additional allocation of R33.037 million from the national resources for national conditional grants following the adjusted estimate of the provincial expenditure, 2013.

According to the Division of Revenue Act the National Treasury reallocates money from provinces where it is not or will not be spent. Funds are reallocated from Limpopo and the Western Cape was one of the provinces to receive Limpopo's unspent allocation.

An HONOURABLE MEMBER: Mooi!

The MINISTER OF FINANCE, ECONOMIC DEVELOPMENT AND TOURISM: In the Western Cape a large portion of the money has already been spent on dealing with increased demand for sanitation services. Mr Deputy Speaker, in the adjusted estimates of the provincial expenditure 2013 that I tabled on 21 November last year, provincial departments had the opportunity to make technical adjustments to the appropriations voted in the main budget of 2013/14. As part of the processes at national level to

reallocate funds, an additional R36,037 million was allocated to the Western Cape, resulting in the following increases:

1. The National Health Insurance Grant to the Department of Health: R2, 453 million. This amount is allocated to pay for sessions worked by general practitioners.
2. The Community Library Services Grant to the Department of Cultural Affairs and Sport. They receive R1,484 million. This money will be used to buy library materials for the public libraries across the province.
3. The Human Settlements Development Grant for our Department of Human Settlements; they receive R32,1 million. Of the R32 million R7,5 million will be used for service sites in Kannaland and R4,6 million will be used for land in Chatsworth, Swartland Municipality. R20 million is allocated for sanitation, specifically the eradication of the bucket system. This will be allocated against funds already spent for access to basic services in Swellendam, Theewaterskloof, Bitou, Mossel Bay, Oudtshoorn and Matzikama Municipalities. The relevant national departments are compiling the amended payments schedules and once approved by National Treasury the transfers will take place and this is expected to happen in the month of March.

The Western Cape Government welcomes these adjustments, Mr Deputy Speaker. In the recent past we have had to do far more with far less per head than other provinces. Despite this we have ensured that service delivery in our province is the best in the country as reflected in the 2011 Census and other government and international measurements. I thank you, Mr Deputy Speaker.

The PREMIER: And Stats SA.

An HONOURABLE MEMBER: Mooi!

An HONOURABLE MEMBER: Hoor-hoor!

The DEPUTY SPEAKER: Thank you. The Secretary will read the Bill for the first time. [Interjection.]

First Reading – *Western Cape Additional Adjustments Appropriation Bill* (2013/14 Financial Year) [B 2 – 2014]

The DEPUTY SPEAKER: The Bill together with the papers tabled will be referred to the relevant committees for consideration and report. The Secretary will read the third order of the day.

3. Consideration of Report of the Standing Committee on Finance and Economic Development on the *Special Economic Zones Bill* [B 3D –

2013] (NCOP), dated 29 January 2014 (See Announcements, Tablings and Committee Reports, No 1, dated 3 February 2014, p 1) (Ratification of final mandate).

The DEPUTY SPEAKER: Order! When the House could not sit during the past few days the Legislature received the report of the Standing Committee on Finance and Economic Development on the Special Economic Zones Bill, conferring authority on the Western Cape delegation in the NCOP to support this Bill. This mandate was sent to the NCOP.

Are there any objections to the ratification of the confirmative authority on the Western Cape delegation in the NCOP to support the Bill? Any objections?

Agreed to.

The DEPUTY SPEAKER: The Secretary will read the fourth order.

4. Consideration of Report of the Standing Committee on Finance and Economic Development on the *Legal Metrology Bill* [B 34B – 2013] (NCOP), dated 20 February 2014 (See Announcements, Tablings and Committee Reports, No 6, dated 21 February 2014, p 9) (Ratification of final mandate).

The DEPUTY SPEAKER: When the House could not sit during the past few days the Legislature received the report of the Standing Committee on Finance and Economic Development on the Legal Metrology Bill, conferring authority on the Western Cape delegation in the NCOP to support this Bill. This mandate was sent to the NCOP.

Are there any objections to the ratification of the confirmative authority on the Western Cape delegation in the NCOP to support the Bill? No objections?

Agreed to.

The DEPUTY SPEAKER: The Secretary will read the fifth order.

5. Consideration of Report of the Standing Committee on Agriculture and Environmental Planning on the *National Environmental Management: Integrated Coastal Management Amendment Bill* [B 8D – 2013] (NCOP), dated 19 February 2014 (See Announcements, Tablings and Committee Reports, No 6, dated 21 February 2014, p 9) (Ratification of final mandate).

The DEPUTY SPEAKER: When the House could not sit during the past few days the Legislature received the Report of the Standing Committee on Agriculture and Environmental Planning on the National Environmental Management: Integrated Coastal Management Amendment Bill, conferring

authority on the Western Cape delegation in the NCOP to support this Bill. This mandate was sent to the NCOP.

Are there any objections to the ratification of the confirmative authority on the Western Cape delegation in the NCOP to support the Bill? No objection?

Agreed to.

The DEPUTY SPEAKER: The Secretary will read the sixth order.

6. Consideration of Report of the Standing Committee on Agriculture and Environmental Planning on the *National Environmental Management: Air Quality Amendment Bill* [B 27D – 2013] (NCOP), dated 19 February 2014 (See Announcements, Tablings and Committee Reports, No 6, dated 21 February 2014, p 9) (Ratification of final mandate).

The DEPUTY SPEAKER: When the House could not sit during the past few days the Legislature received the Report of the Standing Committee on Agriculture and Environmental Planning on the National Environmental Management: Air Quality Amendment Bill, conferring authority on the Western Cape delegation in the NCOP to support this Bill. This mandate was sent to the NCOP.

Are there any objections to the ratification of the confirmative authority on the Western Cape delegation in the NCOP to support the Bill? No objection?

Agreed to.

The DEPUTY SPEAKER: The Secretary will read the seventh order.

7. Consideration of Report of the Standing Committee on Premier, Gender, Disabled and Youth on the *Public Administration Management Bill* [B 55B–2013] (NCOP), dated 20 February 2014 (See Announcements, Tablings and Committee Reports, No 6, dated 21 February 2014, p 10) (Ratification of final mandate).

The DEPUTY SPEAKER: When the House could not sit during the past few days the Legislature received the Report of the Standing Committee on Premier, Gender, Disabled and Youth on the Public Administration Management Bill, conferring authority on the Western Cape delegation in the NCOP not to support the Bill. This mandate was sent to the NCOP.

I see we have a speaker's list before us and I will see the first speaker, the hon member Ms Hartnick.

Ms J L HARTNICK: Mr Deputy Speaker, considering the DA's ethos of an open opportunity society for all, we commend some of the aims of the Public Administration Management Bill in principle but are opposed to the Bill as a whole on various levels. We commend the following objectives of the Bill as it serves to; prohibit public service officials from conducting business with the State; requires employees to disclose any financial interest; deals with capacity development training; use of information and communication technology in public service; builds the public administration guided by discipline, ethics and integrity; provides for minimum norms and standards and provides for office standards of compliance. Mr Deputy Speaker, these are the noble aims of the Bill that we agree to in principle but we also have serious concerns. Of the concerns we have, which I am sure Minister Botha will elaborate on later, I refer to the one serious concern which caused great suspicion amongst DA members - the process the Bill followed.

Mr Deputy Speaker, in 2008 the PAM Bill was initially introduced in the National Parliament and was subsequently withdrawn for further consultation in November of that same year. On 31 May 2013 under a new Minister, hon Lindiwe Sisulu, the Bill was resuscitated and republished for comment, with submissions to be sent by the 28 June 2013 deadline. As a result of the questionable short period of time numerous requests were made to extend the deadline and period for public comment, including a request from the Premier of the Western Cape, hon Helen Zille. The date was then extended to 31 July

2013 which is still a very short period for commentary. The ANC tried to close the democratic space.

On 31 August 2013 the Department of Public Service and Administration received 27 submissions and had consultations with many government departments, municipalities and organised labour. The Bill was then withdrawn on 12 November 2013 and on 14 November 2013 reintroduced to the NCOP as a Section 76 Bill, even though it was initially tagged as a Section 75 Bill. On 28 January 2014 the Provinces were briefed by the NCOP Select Committee on Cocta to provincial legislatures on the PAM Bill.

Mr Deputy Speaker, what caused more scepticism was the fact that the NCOP notices did not include dates for public hearings with reference to the PAM Bill. It was only after the Western Cape government made the national government aware of this convenient exclusion, was it corrected as it democratically should. Also adding to the suspicion of this Bill is the fact that while the original Bill was drafted as a 150 page document the new reintroduced version had been cut down to 17 pages. This drastic cut-down leaves one to question the credibility of the Bill as a whole.

Mr Deputy Speaker, the process is only but one of the concerns the DA has with the PAM Bill and therefore we cannot support it in the best interest of public service officials in all three spheres of government and their families.

The DA rejects the PAM Bill as the intention is to introduce the ANC national democratic revolution. The DA rejects the PAM Bill. [Interjections.]

An HON MEMBER: Amandla!

The DEPUTY SPEAKER: Thank you. [Interjections.] The Hon member Mr Haskin. [Interjections.] Order!

Mr G C R HASKIN: Thank you, Mr Deputy Speaker. [Interjections.] Mr Deputy Speaker, the ACDP also harbours concerns with regards to this Bill. Firstly, although we would welcome the establishment of the national school of governance we lament the fact that this is in fact the fourth reincarnation of the same entity since 1994. Palama has been replaced by NSG because it outsourced its curriculum and its examinations, but yet 11.3 A in the Bill provides for the outsourcing in the same way so there seems to be no point in replacing Palama with this body, and the costs that are associated with it.

Section 5 transfers and Section 6 secondments provide for consultation in concurrence between relevant executive authorities, seemingly negating the open opportunity application interview, short-listing and appointment processes that involve non-state employees. It provides for executive, in

other words political appointments at all levels, not just at provincial top management as we would understand it here, and it negates all efforts to end cadre deployment, although of course it confirms President Zuma's commitment to retain cadre deployment at all costs. We welcome the establishment of the Public Administration Ethics, Integrity and Disciplinary Technical Assistance Unit. Its focus on ethics and integrity in public administration is well overdue and should inform all appointments of all State employees everywhere. However 15.5 A says that when an institution discovers an act of corruption such corruption should be immediately reported to SAPS for investigation, seemingly negating or ignoring the role of internal departmental disciplinary processes and the role of FIUs that have been established here and elsewhere. We are concerned too that this is only going to overburden SAPS and they are already overburdened and not able to keep up with their current workload so given these and various other concerns that I do not have time to elaborate on in two minutes, we cannot support the Bill in its current form, unless these are resolved. Thank you Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. The hon member Ms Brown.

Ms L BROWN: I think the hon member Mr Haskin got my researcher. Mr Deputy Speaker, thank you very much. I have to say that both the Chairperson of the Standing Committee and hon member Mr Haskin - I think the point of this Bill is not actually to do with the fact that it has not gone

through extensive public participation as the hon member Ms Hartnick says. I think if you look at the response to us on public participation there were 38 written submissions received from institutions, numerous individuals, government departments, municipalities, the whole of organised labour, Nedlac, media, business, civil society, academia, SALGA, legal experts, the public service accountability monitoring, corruption watch, the National Steering Committee of Municipal Managers, Cape Chamber of Commerce and so forth. I can go on and on about who participated in the Bill. This is one of the longest serving Bills. [Interjection.]

An HON MEMBER: Well it is necessary.

Ms L BROWN: And it is essentially creating an effective public service, as contemplated in the Constitution which the Premier probably does not understand, because you think that you are the only one in control of everything everywhere.

The PREMIER: Yes.

An HON MEMBER: The Premier is patronised.

Ms L BROWN: It is essentially creating - I do not think she cares whether I am patronising or not. I care about it. It is essentially - and I think her patronising me is probably more accurate than I do to her, so now and then I do it.

The PREMIER: [Inaudible.] chip on your shoulder now.

Ms L BROWN: No-no-no-no. I mean I ... [Interjection.]

An HON MEMBER: That is a nice label.

Ms L BROWN: You must remember that I fought against a whole lot of things and I will fight against you patronising me too.

The PREMIER: Good.

Ms L BROWN: It is essentially creating - and therefore I do not have to have a chip on the shoulder. I am sure that would be terrifying to you. You would like us to do that. [Interjection.] It is essentially creating an effective public service as contemplated in the Constitution, the NDP and so forth. There have been extensive negotiations. The Bill in its original form builds a

framework for a seamless public administration; addresses the challenges raised by the AG at all levels and over the many years that it has been serving and other state entities on the problems and challenges in creating a clean administration. It provides elements for the building of a capable state. It also tries to equitably distribute resources across the three spheres of government and this is quite pitiful because the DA will be denying the 72 000-odd and I might not have the figure right, because I did not ask my researcher to give me that figure, but they might be denying over 72 000 officials in the province an opportunity to benefit from a movement towards a single public service eventually.

Mr M G E WILEY: [Inaudible.] A staff member applying for any post anywhere. [Interjections.]

Ms L BROWN: It would include salary parity. You see the DA thinks that everything it touches turns to gold.

An HON MEMBER: Oh yes. [Interjections.]

Ms L BROWN: The problem Madam DA and Madam Premier is that I do not think you have seen the backyards of the Manenberg in a very long time.

The PREMIER: Oh, really.

Ms L BROWN: Or I do not think you have seen the backyards of the Khayelitsha. [Interjections.]

The PREMIER: Oh, really!

Ms L BROWN: And when you speak about how well performing it all is you only speak about those people who pay taxes and bring the most taxes to the country. [Interjections.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: You confine us to Camps Bay. [Interjections.]

Ms L BROWN: You are speaking about those people. [Interjections.]

An HON MEMBER: Speak through the Chair.

Ms L BROWN: You do not speak about our people.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Your people? No.

Ms L BROWN: “Creates formability of staff within the public servants”,
Clauses 5 to 7 deals with that adequately.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: It is cadre
deployment.

Ms L BROWN: Where there are skill shortages employees with necessary
skills and knowledge may be seconded. It gives an opportunity for all our
officials to help to build together.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Come on, you are
naïve.

Ms L BROWN: Our national public service.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: It creates the
possibility for a fascist state.

Ms L BROWN: And it might sound naïve because you will know that after 1994, before 1994 all the civil servants came here so we have got to spread that out so that we have the ability to be able to ... [Interjection.]

An HON MEMBER: It is the only government [Inaudible.]

Ms L BROWN: To create a South Africa that works for all the people, black, white, poor, rich ...[Interjections.]

The PREMIER: That is our slogan!

Ms L BROWN: ...people who live in rural areas [Interjections.] People who live in urban areas, that all of them are able to do so. In fact, Madam Premier, this Bill is actually in your portfolio and you are not even going to be speaking on it.

Mr P UYS: Yes, I wonder why.

Ms L BROWN: Because you spend all your time heckling me. You should be ashamed of yourself.

Mr P UYS: Yes. [Interjections.]

Ms L BROWN: So and then I want to say something and this is not [Interjection.] This is not a criticism at our Chairperson of the Standing Committee but there is a public participation process that happens in this province.

The MINISTER OF HUMAN SETTLEMENTS: You are patronising our Chair.

Ms L BROWN: We go to Knysna, Oudtshoorn, Caledon, Worcester and Vredenburg. [Interjections.] Of course I do not go. The ANC has one representative and hon member Ms Hani goes and if I go it will be expenditure that is wasteful because we only have one representative on that.

Mr M G E WILEY: That is called democracy actually.

Ms L BROWN: Within five areas that they travel to, the hon member Ms Hani tells me that they have actually only had 17 members of the public participating. Now I think this is something that we must be looking at as [Interjection.] members in the legislature otherwise this becomes wasteful expenditure. We must look at it. We must improve on our public participation

so that our people can participate in the laws that we want in this country, in this province and in this country.

Mr M G E WILEY: What you do not understand [Inaudible.]

Ms L BROWN: Unlike the DA who actually does not give - I mean, does not care about public participation.

An HON MEMBER: Yes.

Ms L BROWN: The public must participate in what we are doing.
[Interjection.]

The MINISTER OF HUMAN SETTLEMENTS: Yes, we do not [Inaudible.]
with the ANC [Inaudible.]

Ms L BROWN: And we must really work at making it possible for them to participate [Interjections.] So the ANC and fortunately this is a NCOP Bill so the ANC on this side of the House will be supporting this Bill [Interjections.] Because we know that it will carry in National Assembly. Thank you, Mr Speaker.

The DEPUTY SPEAKER: Thank you hon member Ms Brown. Order! The hon Minister Botha.

The MINISTER OF HEALTH: Mr Deputy Speaker, thank you very much for the opportunity. [Interjections.]

Ms L BROWN: Why are you speaking?

Mr P UYS: Why is - yes.

Ms L BROWN: The MEC of Health.

The MINISTER OF HEALTH: The Bill is nothing but an opportunistic effort by the ANC to create a highway for cadre deployment in South Africa.

An HON MEMBER: Yes.

The PREMIER: That is right; a highway for cadre deployment, yes. [Interjection.]

The MINISTER OF HEALTH: That is the only purpose of this law, and so by the way the Western Cape did public participation. That is more than what you can say across the road. There was no public participation.

Ms L BROWN: That is not true. You are lying now.

The MINISTER OF HEALTH: Well it was insufficient in any case.

The PREMIER: Excuse me?

Ms L BROWN: The leader of government ... [Interjections.]

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

The MINISTER OF HEALTH: I would have expected a kiss on the cheek at least, but anyhow. [Interjections.] This Bill is nothing but an opportunistic effort to obtain the administrative control over all governments in South Africa regardless of who won them in an election. [Interjections.] It is a gross contempt, Mr Deputy Speaker, to the authorisation and independence of the functions of local government and provinces. It is a desperate attempt by

the ANC and the ruling party nationally to retain and gain control of provinces and some municipalities. [Interjections.]

It is actually an exposé of a governing party knowing that it is losing control and will lose control over many more government municipalities, who now have to resort to draconic measures such as this Legislation to ensure its control over those governments.

Mr H P GEYER: Why?

The MINISTER OF HEALTH: Regardless of what the election outcomes would be. This Bill together with many other efforts to centralise and nationalise functions of control and control by the ANC is an indication to what extent the governing party will go to retain their control by even disregarding the Constitution. [Interjections.]

Mr Deputy Speaker, this Bill is in essence a direct opposition or opposing direct opposition to the national development plan and its goals to develop South Africa to success. [Interjection.]

Ms L BROWN: Why? Tell us why? Tell us why?

The MINISTER OF HEALTH: And now that means again [Interjections.] again that it is only lip service that the ANC is supporting their own NDA. Premier - ag, Mr Deputy Speaker, ja and the Premier for that matter [Laughter.], and the hon Ms Brown, the DA will not allow this Bill to be passed [Interjections.] and if it is passed with a majority we will certainly challenge it because ... We will challenge it. It is simply unconstitutional.

Ms L BROWN: You should march on us.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: We will.

The MINISTER OF HEALTH: And we have many other governments that will support us in doing so as was indicated during the public hearings when many municipalities also expressed their opposition to this. [Interjections.] It is also, Mr Deputy Speaker, in conflict. It was not well thought through. It is in conflict with many other legislations currently in our country [Interjection.]

Ms J WITBOOI: It is correct, really.

The MINISTER OF HEALTH: And to name only a few it is in conflict with labour legislation. It is in conflict - I will get to that. There is a whole list of them, but Mr Deputy Speaker it is about the unconstitutionality which I think is the most serious thing. This possibility that staff or employees can be seconded without their consent. [Interjection.]

An HON MEMBER: Summoned.[Interjection.]

The MINISTER OF HEALTH: Without the government receiving their consent, who is going to pay the salary, who will do the disciplinary hearing, who will that employee work for actually if he is seconded? [Interjections.] And it means ...[Interjection.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: This is going to be a colour-free service. [Interjections.]

The MINISTER OF HEALTH: It means that the ANC can deploy their cadres to head all our departments and to head all our governments, which is something which is not acceptable. The Minister also - let me rather say she gave us the wrong impression, if I want to express it nicely, by indicating that SALGA was supporting this act. SALGA is not supporting this act.

Ms L BROWN: They are. They are.

The MINISTER OF HEALTH: According to SALGA ... [Interjection.]

Ms L BROWN: They told us here [Inaudible.]

The MINISTER OF HEALTH: According to SALGA, the Bill encroaches on the constitutional integrity of local government.

The PREMIER: Yes.

The MINISTER OF HEALTH: It limits the right of individual municipalities as employers and their employees. [Interjections.] The Bill gives the Minister of the DPSA, as well as the unit stated within the Bill, regulatory and oversight powers over local government and also provinces and local government will now be accountable to both the ministry of DPSA and Cocta.

The MINISTER OF HUMAN SETTLEMENTS: Who is the [Inaudible.]

The MINISTER OF HEALTH: So, Mr Deputy Speaker, it is not acceptable in two instances, it is unconstitutional in terms of the independence and rights of government spheres ... [Interjection.]

The DEPUTY SPEAKER: Order!

The MINISTER OF HEALTH: And also in terms of the employers involved. The Bill must ensure multi consent of all these parties to be able to execute its right to second members. There are also many other questions about the secondment which is not dealt with in the Bill. There is no indication who will pay. There is no indication how long it will be effective. There is no indication who the employer will eventually be so there are many things that are uncertain and therefore unacceptable as SALGA has also indicated.

The officials doing business with the State, that whole disclosure of interest component to the Bill, actually is welcomed by us, Mr Deputy Speaker, and my colleague hon member Ms Jenny Hartnick has elaborated on those things which we do support in the Bill in principle but it does not give any time line or any timeframe when employees must do these declarations, or how these declarations will be done, what will happen with officials after they have terminated their services with us, how long will this be effective, be applicable after they have left our employment, what is the consequence? There is no indication of what the consequence will be if they are guilty of

doing business with the State. There is no mention made of when officials must declare the interest. There is no indication of a penalty or consequences as I have mentioned and/or how often they should do that and actually, Mr Deputy Speaker, the Western Cape model should be followed and that is already done and the national government should just take that on board.

The national school of governance is also a major concern. Although we support the concept and the principle of training there is no role.

The PREMIER: This is cadre deployment.

Ms L BROWN: Do not worry; do not [Inaudible.]

The MINISTER OF HEALTH: There is no role explained of what the current schools and governance and public administration at universities and other institutions will be dealt with.

Ms L BROWN: It will be one [Inaudible.]

The MINISTER OF HEALTH: There is no indication of the cost that would be applicable and who would carry those costs regarding the training. The

existing training academies were not consulted properly so they have not had the opportunity to give their proper input into this and then obviously there is a major concern over who will fund this whole training process and where the infrastructure would be for this and the whole operation structure and the cost of the implementation.

Then the Public Administration Ethics, Integrity and Disciplinary Assistance Unit - that is now a new unit which is replaced by a new concept which is now called the Anti Corruption Bureau. This new unit must provide technical assistance and support the institutions in all spheres of government regarding the management of ethics, disciplinary matters, and my question is - does this unit not impact on the existing structures that we have in other spheres of government such as we have for instance with the forensic investigative unit, so that conflict and that potential conflict is also not being dealt with?

So, Mr Deputy Speaker, in conclusion, the independence and the autonomy of government spheres and the right of employers and the fact that this law is in direct contravention to many other existing legislations in South Africa, makes it impossible for the DA to support this and if the ANC would push it through we will challenge it. Thank you.

The MINISTER OF HUMAN SETTLEMENTS: Yes.

The DEPUTY SPEAKER: Thank you, hon Minister Botha. That concludes the debate. I want the Chief Whip to also give attention. That concludes the debate on this order. Are there any objections to the ratification of the confirmative authority on the Western Cape delegation in the NCOP not to support the Bill? Any objections?

HON MEMBERS: Yes.

The DEPUTY SPEAKER: There is an objection. I then put the question, those in favour of the adoption of the report will say “aye”.

HON MEMBERS: Aye.

The DEPUTY SPEAKER: Those against, no?

HON MEMBERS: No.

The DEPUTY SPEAKER: I think the ayes have it, and so they have. The objection of the ANC will be recorded.

Ms L BROWN: Thank you very much.

The DEPUTY SPEAKER: That also brings us to the end of business for the day and the House is adjourned.

The House adjourned at 16:00