
THURSDAY, 14 APRIL 2016

The House met at 14:15

The Deputy Speaker took the Chair and read the prayer.

ANNOUNCEMENTS, TABLING AND COMMITTEE REPORTS - see p

The DEPUTY SPEAKER: You may be seated. Order. We proceed to Interpellations on the Order Paper, on the Question Paper. First interpellation, hon member Mngasela to Minister Bredell. I see the hon Minister Bredell.

INTERPELLATIONS

Municipal Grant Funding Model: restructuring of

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

Whether there are any proposals to restructure the Municipal Grant Funding Model in South Africa?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Mr Deputy Speaker. The Constitution assigns exclusive and concurrent powers to each sphere of government. National Government is exclusively responsible for functions that serve the national interest and are best centralised. Provincial and Local Government receive equitable shares and conditional grants to enable them to provide basic services and perform their functions.

National Departments per province and Municipal stakeholders have raised concerns with the Local Government Funding Framework and the fact that the last review was done in 2003. Though transfers to Local Government have grown significantly in recent years, providing municipalities with greater resources to deliver basic services, concerns were raised with the formula that was used to allocate these grants.

To address these concerns the National Treasury, together with relevant stakeholders, conduct continuous reviews to ensure that provinces and municipalities have the appropriate balance of available revenue and expenditure responsibilities, while taking account of the resources available and the principles of predictability and stability. A review of Local Government equitable share was completed in 2013 and a new formula has been phased in from 2013/2014 to the 2017/2018 financial years. The new

formula incorporates a revenue adjustment factor that considers the fiscal capacity of the recipient municipalities. The mechanisms for allocating funds to provinces and municipalities are continuously reviewed to improve their efficiency. The Local Government infrastructure grant system is being reviewed to improve the efficiency and effectiveness of infrastructure grants to municipalities. The first phase of the review was completed in September 2014. The second phase of the review was done in 2015 and focuses on the following:

- †1. Dit het gefokus op die rasionalisering van die aantal toekennings wat elke munisipaliteit ontvang;
2. Groter differensiasie in die tipes toelaes en vlakke van toesig vir verskillende munisipaliteite;
3. Lewenssiklus batebestuur om die funksionaliteit van bestaande infrastruktuur in stand te hou;
4. Die versekering van administratiewe toesig om *ad hoc* vermenigvuldiging van toelaes te vermy;
5. Die standaardisering van verslagdoening om aanspreeklikheid te verhoog; en
6. Die verbetering van prestasiemonitering en doelwitmonitering.

Klein veranderings aan sekere toelaes is reeds geïmplementeer om in lyn met die strategiese rigting van die hervormings te wees. Die nuwe munisipale afbakeningpogingstoekenning is in 2015 MTUR bekendgestel. In 2015/2016 word die toekennings gelykop verdeel tussen die munisipaliteite wat geraak

word deur samesmelting en kategorieëveranderinge om hul voor te berei vir die afbakenings.

- *1. Rationalising the number of grants that each municipality receives;
- 2. Greater differentiation in the types of grants and levels of oversight for different municipalities;
- 3. Life-cycle asset management to sustain the functionality of existing infrastructure;
- 4. Strengthening administrative oversight to avoid ad-hoc proliferations of grants;
- 5. Standardising reporting to increase accountability;
- 6. Improving performance monitoring and benchmarking.

Small changes to certain grants have already been implemented to align with the strategic direction of the reforms.

A new municipal demarcation transition grant was introduced in the 2015 MTEF. In 2015/16, allocations are divided equally across the municipalities affected by amalgamations and category changes to prepare for the demarcations.

†Die ADJUNKSPEAKER: Agb Minister, u tyd is ongelukkig verstreke eers.

*The DEPUTY SPEAKER: Hon Minister, your time has for now unfortunately expired. †Hon member Mnqasela?

Mr M MNQASELA: Thank you, Mr Deputy Speaker. It has become evident that municipalities in the current structure of grant funding are not able to meet their basic needs and it will be interesting to see how this review of the grant funding model is expedited to ensure that basic services, as proposed by the Financial and Fiscal Commission, include the following:

As per schedule 4(b) and 5(b) of the Constitution, services like water, sanitation, electricity, refuse removal, municipal environment, health services, fire fighting, storm water management, municipal roads - all of these should be essential services. In terms of Section 152 of the Constitution, to empower municipalities they should have the following: they must provide water, they must provide all of these that I have mentioned here.

But, Mr Deputy Speaker, it happens that you have municipalities that do not have capacity to provide these basic services. Now there is a great need to fast-track this exercise and ensure that no municipality struggles to provide these basics to the people otherwise it becomes a matter of those who have will have more, and those who have nothing will continue to have nothing.

If you go to the far-flung municipalities it is clear that if they need a road, for instance from other departments like Public Works, they need to come with match funding, and if they need a bridge, they have to come with match funding. Children in some places are at risk of falling into rivers and all of

the other challenges that you will find in these municipalities. Now we do need a review and a complete overhaul of this kind of funding. [Interjection.] [Time expired.]

The DEPUTY SPEAKER: Thank you, hon member. Your time has expired. Hon member Joseph?

Mr D JOSEPH: Thank you, Mr Deputy Speaker. I think it is important that we bring to the attention of this House that the Western Cape Provincial Parliament and the Western Cape Government take a long-term view on the municipal infrastructure grants. For example we have the Cape 2040. And all municipalities are included, no one is excluded at this stage, but I think as we have heard from my colleague that the building of infrastructure is very important, which is based on the capacity of every municipality. [Interjection.]

There are historical disadvantages in communities and therefore a policy of redress is very important to bring about the equitable share of the future based on assessment of the model of planning and of good leadership. The upcoming Local Government Elections will produce new leaders who along with existing, experienced councillors will also review the MIG funds, the new model or better model for municipal infrastructure grants. I think the suggestion, made by the hon Minister, that we review this could go a long way. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. Hon member Dyantyi, your chance now.

Mr Q R DYANTYI: We have just heard three members of the DA trying to talk about proposals. We have had nothing from three of them, from the Minister, from the Chairperson of the Standing Committee and the Chairperson of Finance – nothing. Now I am not surprised, that is the DA for you. When it comes to ideas and policies they just know zilch on those issues. It is so bad.

Now let me do this – maybe it is even unfair to ask the Minister this question, because there is no way he is going to be able to answer this question. It would have been better to have asked your colleagues in the National Assembly to ask COGTA this question - not him. [Laughter.] You are really unfair to him, with due respect ...[Interjections.]

The DEPUTY SPEAKER: Order.

Mr Q R DYANTYI: Let me make this point. [Interjections.] Let me make this point.

The DEPUTY SPEAKER: Order.

†Mnr Q R DYANTYI: Kan julle nou luister asseblief?

*Mr Q R DYANTYI: Can you now please listen? †Let me make this point ...[Interjection.]

The DEPUTY SPEAKER: Hon member, your time is running out. Go for it. Your time is running out, please continue.

Mr Q R DYANTYI: Let me just remind them, before 1994 there was no coherent and unified system of local governments in our country. Instead there was a fragmented system, comprising of a thousand local authorities for white people, Africans in urban areas, African communities in our homelands, Indian and Coloured communities. The arrangement was systematically designed to divide the people. If we look today, we have a different system of local government, altogether. I was hoping that they were raising this question because they are looking for manifesto ideas. Please just tune in on Saturday and listen to what the leading party in this country is going to be saying to you in terms of the issue of grant funding. [Interjections.]

The DEPUTY SPEAKER: Order. Order. Order, give the member a chance to continue.

Mr Q R DYANTYI: In so far as the answer to this question goes, for over two years now there have been proposals on the table. I do not know why it is being asked. I would have expected for you, as the DA, to tell us what kind of ideas you have in terms of the implementation of this? The issue is

not even a kind of one size fits all grants scenario. Let me just say this to you ...[Interjection.]

The DEPUTY SPEAKER: Hon Member Dyantyi, your time has now expired.

Mr Q R DYANTYI: It is a pity. What a waste of time. [Time expired.]

The DEPUTY SPEAKER: Thank you. Your time has expired. I see the hon member Hinana. Order.

Mr N E HINANA: Thank you, Mr Deputy Speaker. The review of the equitable share must be implemented. It is indeed very futile to allocate resources to municipalities that cannot afford to spend them but equally so that municipalities must be assisted in terms of spending the resources they are allocated. [Interjection.]

The problem is that municipalities do not have people who have expertise in spending the money they have been allocated and therefore the lack of spending that money impacts negatively on communities where the municipalities do have a mandate to spend in terms of service delivery to the people that they are supposed to serve. In particular, transport grants need to be managed by the municipalities as they are the ones who best understand the needs of their constituency and would thus be in a position to make decisions on spending.

Provincial Government would of course need to oversee the process, and I make it clear that I believe municipalities need to be assisted, because if we abdicate the responsibility of giving direction to municipalities, year in year out, we will talk about municipalities who cannot afford to spend ...[Interjection.]

The DEPUTY SPEAKER: Order, hon member. Your time has unfortunately expired.

Mr N E HINANA: Thank you. [Time Expired.]

The DEPUTY SPEAKER: Hon member Mnqasela?

Mr M MNQASELA: Mr Deputy Speaker, let me further emphasise a need to ensure that the review of Local Government Grant Funding receives priority, because for instance if you look at the Department of COGTA nationally, they change Ministers as if they are changing their underwear. [Laughter.] In the last 5 years to 6 years, nobody remembers who the first Minister was. In fact people do not even know who the current Minister is, and that actually becomes a problem for local government who need consistency, because that is the coal face of service delivery.

Now, hon Minister, you have said in the APP that you are making efforts to engage the national counterpart on this very issue. Now, we are encouraging you, as the Democratic Alliance, to rise and challenge the national

counterparts and embrace this call by the Democratic Alliance to review the current Grant Funding to Local Government. We can no longer afford those municipalities that are financially unsound ...[Interjections.]

The DEPUTY SPEAKER: Order.

Mr M MNQASELA: ... that are struggling – no man, no, no. [Interjections.]

The DEPUTY SPEAKER: Order.

Mr M MNQASELA: Section 39 of the Rules – please. [Laughter.]
[Interjections.]

The DEPUTY SPEAKER: Order. Hon member, please continue.

Mr M MNQASELA: Thank you, Mr Deputy Speaker. They are trying to drown me out. You cannot drown me out. [Interjections.]

The DEPUTY SPEAKER: Please, hon member Olivier. Give the hon member a chance off. He is almost finished.

Mr M MNQASELA: Mr Deputy Speaker, we are tired of hearing about turnaround strategies, we are tired of hearing every Minister that comes turnaround, turnaround. How many times must we turnaround? Let us get

one thing clear: give municipalities enough funding, and that is very simple. Thank you very much. Thank you.

The DEPUTY SPEAKER: Order, please come – order. Order. Please come to order before – Order! Hon member there at the back. Hon Minister you may proceed.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, thank you for the opportunity again. I will be very brief. We are coming on a very long time with the new grant model we debated. The problem that we currently have is that we are on our sixth Minister in six years, so you start all over again, all over again. There is no consistency. But, the biggest issue in this debate, I think, is that we need to realize that our municipalities must also not become grant dependent. Our municipalities must be able to survive on their own. So a grant is one part of making municipalities sustainable, a grant is one part of a supporting mechanism to municipalities.

The problem that we currently have is that we actually also need a complete review of our municipal financial systems; a complete review of those systems and the income streams, otherwise municipalities are going to run into trouble. With us pushing for the new Bills, the municipalities always lose money at the end of the day. So it is going to be very important that we do get National on board to design this new financial model so that the municipalities will be in a position to deliver the necessary core services to

the poorest of the poor; services like water, electricity, refuse removal and sanitation. So that is their function, that is what they must do. We are very fortunate in the Western Cape that we do have very competent mayors [Interjections.] and very competent municipal managers. The municipalities that we are struggling with and the hon Member can take me up on this – the municipalities that are not performing are all ANC controlled municipalities. I thank you. [Applause.]

[Debate concluded.]

The DEPUTY SPEAKER: Order. That disposes of the first interpellation. We move onto the second interpellation. I again see hon Minister Bredell.

†Mnr Q R DYANTYI: Hulle mors net jou tyd!

*Mr Q R DYANTYI: They are just wasting your time!

The DEPUTY SPEAKER: Hon member Dyantyi please, you have been too noisy up to now.

Corruption, impact and effect on service delivery

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

What are the (a) effects of corruption and (b) impact on service delivery

to the people of South Africa?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Dankie, mnr die Adjunkspeaker. Suid-Afrika het groot vordering in die stryd teen korrupsie gemaak, maar daar is nog steeds ernstige uitdagings. Hierdie uitdagings vereis 'n daadwerklike poging van alle sektore, plus die vennootskappe met die sektore, die burgerlike samelewing en die internasionale gemeenskap. Die onderliggende oorsake van korrupsie sluit in: armoede, swak institusionele beheer en toesig, politieke woelinge, morele verval, gierigheid en oormatige ambisie. Korrupsie in die openbare sektor is meer simplisties gestel, diefstal van die armes. Dit is omdat korrupte aktiwiteite die effek het om finansies en hulpbronne van die armes te ontnem, hulpbronne en finansies wat hulle broodnodig het vir basiese dienste. Die slegte lewenstandaarde van die meerderheid van ons landelike inwoners is 'n bewys van die afwesigheid van goeie regering wat 'n teenmiddel van korrupsie is.

Die broodnodige ontwikkeling het voortgegaan om die plaaslike gemeenskappe regoor Suid-Afrika te ontwyk. Dit het landelike armoede in plaas van landelike ontwikkeling meegebring. Die voorkoms en voortgesette armoede, en die gebrek aan dienslewering hou nog verband met die hoë vlak van korrupsie in Plaaslike Regering. Dit is duidelik in die gebrek aan basiese noodsaaklikhede van die lewensmiddele soos kos, skooling, klere en 'n lae toegang tot noodsaaklike dienste soos gesondheid, onderwys, krag, water, goeie padwerke, ens.

Agbare Speaker, die meeste munisipaliteite in die Wes Kaap het anti-korrupsie planne en programme in plek. Hoe ondersteun die Departement van Plaaslike Regering die munisipaliteite? Oor die afgelope 3 jaar het ons uitgebreide opleiding in munisipaliteite gedoen. Daar was bewusmakingsprogramme, bedrog en voorkomingsprogramme, instellings van anti-korrupsie en etiekkomitees, die anti-korrupsie opleiding van raadslede en amptenare.

Bewusmaking: Ons het plakkate vir munisipaliteite ontwikkel om te versprei in openbare ruimtes oor “Blaas die fluitjie” inisiatief oor korrupsie. Vanjaar het ons ‘n sakgrootte boekie met betrekking tot fluitjieblaas ontwikkel. In die volgende paar maande sal ons bemarkingsmateriaal versprei om die munisipaliteite te help. Opleiding oor etiek is uitgerol in alle distrikte, sowel as individuele plaaslike munisipaliteite aan raadslede en personeel. Na afloop van die verkiesing wil ons deurlopende opleiding aan die nuutverkose raadslede voorsien.

Anti-korrupsie en in blitslyngevalle: Ons ontvang klagtes van die Staatsdienskommissie, munisipaliteite, die gemeenskap en die Provinsiale Forensiese Dienste by die Department van die Premier. Alle gevalle is opgevolg en in sommige gevalle is regstellende aksie geneem. Ek dank u.

*The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: South Africa has made great strides in

the fight against corruption; however, there are still serious challenges. These challenges require a concerted effort from all sectors, plus partnerships with the sectors, civil society and the international community. The underlying causes of corruption include poverty, weak institutional controls and supervision, political turbulence, moral decay, greed and excessive ambitions.

Corruption in the public sector more simplistically is “theft from the poor”. This is because corrupt activities have the effect of depriving the poor of the finances and resources they require for basic services. The deteriorating standard of living of the majority of rural dwellers is evidence to the absence of good governance which is an antidote of corruption. The much needed development has continued to elude the local communities across South Africa. It has been rural poverty instead of rural development. The prevalence and perverseness of poverty and absence of service delivery is still associated with the high level of corruption in Local government. This is evident in the lack of basic necessities of life like food, shelter, and clothing and low access to essential services like health, education, power, water, good road network etc.

Most municipalities in the WC have anti-corruption plans and programmes in place. How does the Department of Local Government support municipalities?

Over the past three years we have done extensive training in municipalities

on: awareness raising, fraud prevention plans, the establishment of Anti-corruption/Ethics Committees and anti-corruption training to Councillors and officials.

Awareness raising: We developed posters for municipalities to distribute in public spaces on blowing the whistle on corruption campaign. This year we produced a pocket size booklet with regards to blowing the whistle. In the next few months we will distribute marketing material to assist municipalities.

Training on Ethics/Anti-Corruption was rolled out in all districts as well as individual local municipalities to councillors and staff. After the elections we intend to provide continuous training to the newly elected councillors.

Anti-corruption Hotline cases: we receive complaints from the Public Service Commission, Municipalities, Community and the Provincial Forensics Services at the Department of the Premier. All cases are followed up and in some instances remedial action taken.

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

Mr M MNQASELA: Mr Deputy Speaker, I thank the hon Minister for the eloquent ...

Mr Q R DYANTYI: [Inaudible.] he did not say anything!

Mr M MNQASELA: .. and quite precise way of analysing the disease, but we need to cure ...[Interjection.]

The DEPUTY SPEAKER: Hon member Dyantyi you are on the speaker's list a little bit later on.

Mr M MNQASELA: We need to cure this disease. Currently we have a situation where we have seen municipalities recycle corrupt officials as municipal managers.

Mr Q R DYANTYI: In George.

Mr M MNQASELA: You have seen what has happened in municipalities like Oudtshoorn, you have seen what has happened in Kannaland, you have seen what has happened in Matzikama, you have seen what has happened in Beaufort West and in Cederberg. We have nothing to learn from hon member Dyantyi and his party, the ANC.

Having called for this interpellation, I appreciate the response that we got from the Minister that we should see more and more corrupt politicians and corrupt officials being charged and prosecuted. Eventually we want to see them behind bars for corruption, fraud and all other social ills. We cannot afford to have corrupt people standing in front of us, like the President of this country, saying that you must go this way, yet they go that way. If you

are corrupt ...

Mr D JOSEPH: And he goes to Dubai.

Mr M MNQASELA: ... and you go to Dubai. You don't even know that you are in Dubai, and you come and want to be the Minister of Local Government, and think that you can teach a lesson. We need exemplary leadership in this country.

Ms P Z LEKKER: Which you don't have.

Mr M MNQASELA: We need leadership with good moral values. We need leadership that understand ethics and the oath that we take when take public office.

And that is why this debate, this discussion is very important. Now no amount of mockery and heckling will resolve this problem. We must all stand together and resolve the question around corruption. This is one thing that will destroy this country. We can no longer lose good money after bad, because we do not charge corrupt officials and corrupt politicians.

†Amasela mawabanjwe aye kwesimnyama isisele, hayi lo ndize wenziwa phaya phezulu. Sifuna abantu bayazi ukuba amasela azi ukuba amaqothaqikili norhoxetyeni siza kubavalela. Iyavakala?

*Thieves should be arrested and kept in prison for a long time not what they are doing up there which is child's play. We want people to know that thieves and corrupt officers will be apprehended and kept in prison. Is that clear?

The DEPUTY SPEAKER: Order, order. Hon member, your time has expired. No, hon member Dyantyi, you are a little too fast. It is not your turn. It is hon member Max. Hon member Max?

Mr L H MAX: Mr Deputy Speaker, the hon Minister already indicated the effects of corruption on service delivery. I must say that corruption, theft and fraud, committed with tax money, is a crime against humanity. In Oudtshoorn it was recently reported that 10 Oudtshoorn officials in the municipality were investigated and suspended.

They identified 132 instances where officials contravened the regulations, two cases of corruption and eight of fraud. Now we can understand as to why Oudtshoorn collapsed.

Mr Q R DYANTYI: The DA!

Mr L H MAX: But this is not, you know, by default when this was identified. This was as a result of committed political leadership by the Minister. He initiated these investigations. Now that is what I call - this Minister is not a snollygoster [Laughter.] but a person who puts the people first. [Laughter.][Applause.] He puts the people first. He know his constitutional

responsibility and we as an oversight Committee are fully briefed. He does not hide anything from us. And we question his Department. But we are committed to support him wherever this rare ugly animal of corruption raises its head.

Mr R D MACKENZIE: Yes!

Mr L H MAX: Service delivery is a DA culture. [Interjections.][Applause.] Service delivery is a DA motto. Service delivery is in our heads, it is in our hearts and it is in our bones. [Applause.] Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Order. Hon member Dyantyi, just one second. Let the House just calm down. Order. Order. Just calm down. Order. I want silence before the hon member Dyantyi starts. Hon member Dyantyi, you may proceed.

†Mnr Q R DYANTYI: Ek is so bekommerd oor die bloukoppe daai kant, ek is so bekommerd.

*Mnr Q R DYANTYI: I am so worried about the blue heads on that side, I am so worried.

The answer to the question, simply put, hon member Mnqasela: the impact of corruption on service delivery is that it robs the poor, increases poverty and it really destroys ordinary people's lives.

That is the most simple answer you will ever get to your general question. [Interjections.] But let me then make this point, having answered that question, that when the ANC, on the 3rd of August, takes over municipalities in this province, we ... [Laughter.][Interjections.]

The DEPUTY SPEAKER: Order.

Mr Q R DYANTYI: ... are vigorously going to implement anti-corruption programmes by working together with communities and councillors. We will ensure that all councillors abide by a strict organisational code of conduct, something that is not happening as we speak. We will prevent municipal officials and councillors from doing business with municipalities, as we see across this province. When we take over those municipalities on the 3rd of August that is what we are going to do, because we have policies. [Interjections.]

Mr L H MAX: Wake up and smell the [Inaudible.]

The DEPUTY SPEAKER: Order, order. There are too many comments from this side as well. Hon member Dyantyi, please continue.

Mr Q R DYANTYI: We are also going to continue holding corrupt officials and councillors - not what the DA does in the City of Cape Town, in George and everywhere else where they are governing. [Interjection.] As we speak today we have listened to you - the corrupt activities in Oudtshoorn, in

Knysna, in Bitou, in the City of Cape Town, in – the list is endless, under your own watch. And yet you come here and ask a very funny question as to what corruption does to issues of service delivery. It is really surprising. I am really intrigued. But let me continue and share what we, as the ANC, will do, because none of them are telling us what they are going to be doing. [Interjections.]

The DEPUTY SPEAKER: Hon member Dyantyi, I am afraid you cannot continue now, your time has expired.

Mr Q R DYANTYI: It is a pity. It is a pity. [Time expired.]

The DEPUTY SPEAKER: Hon member Hinana?

Mr N E HINANA: *Ja*, Mr Deputy Speaker, what I wanted to say to the House: just imagine if Minister Bredell was corrupt, and stood here denouncing corruption, or the Leader of the Western Cape, the Premier Helen Zille, if she was corrupt and stood here and said that corruption is not acceptable.

Mr Q R DYANTYI: Do you want to be a Chairperson of the Standing Committee?

Mr N E HINANA: But what is happening is that everyone is denouncing corruption and that we must not be corrupt because we are depriving the

people. Does the President of this country, the main thief in South Africa, does he understand that he robs the people of South Africa? When we talk about delivering service to the poor, those are the very people that are being deprived because of corruption, because of the ANC that is led by corrupt people.

Ms P MAKELENI: One minute.

Mr N E HINANA: The point that I wanted to make is that if anyone disputes the independent judgment about Western Cape service delivery, then they must challenge those outcomes.

The Auditor General recommends the Western Cape as the best run province, together with its municipalities. If you have a problem with that, I always say challenge it. The fact that you accept it is because that everyone agrees that the municipalities under the DA wards are very productive and indeed provide good service delivery to the people, and even the ANC members do agree with that. Thank you. [Time expired.]

The DEPUTY SPEAKER: Order, hon member. Your time has expired. The hon member Mngasela.

Mr M MNQASELA: Thank you, Mr Deputy Speaker. I wish hon member Dyantyi would listen now, through you, Mr Deputy Speaker. We have got these two books.

Mr Q R DYANTYI: Those books are [Inaudible.]

Mr M MNQASELA: This one, now lecture number 1 – this one is the Municipal Finance Management Act. Can you repeat after me? [Interjections.] Okay. And this one ... [Interjections.]

The DEPUTY SPEAKER: Order.

Mr M MNQASELA: ... this is the Constitution of this country. I want to read for this House - in terms of local government and governance, the municipality must do the following:

“It must structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of the community, and participate in the general development programmes of its jurisdiction.”

Now this is Section 153 of the Constitution. This is exactly what we expect of municipalities, but because of corruption this is not happening. A case in Kannaland has been reported to me where the municipality has now decided to bill DA people differently to ICOSA people. And the ANC is in a coalition there. The ANC does not know how to govern. You are part of the government there, you are in a coalition in Kannaland.

Now if you go to areas like Matzikama, you have got cases where mayors and municipal managers are employing friends and †“skoonsusters” *sisters-in-law. †Now we cannot ...[Interjection.]

The DEPUTY SPEAKER: Hon member, please finish off. Your time has expired.

Mr M MNQASELA: That kills service delivery because you end up employing people who are not qualified for the job.

The DEPUTY SPEAKER: Thank you, your time has expired.

Mr M MNQASELA: Thank you very much. [Time expired.]

The DEPUTY SPEAKER: Hon Minister Bredell?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, thank you very much and thank you to the hon Chairperson of the Standing Committee. The hon member Dyantyi told us today what he is going to do when the ANC will govern, but what he didn't tell this House is that they have governed this province and they did nothing. [Interjections.]

When they governed this province their leaders ran in the streets with brown

envelopes to try and bribe the newspapers so that they could get good stories out in the newspapers. That is what they have done to this province. In 2009 there wasn't one clean audit in this province and that is a fact. That is a fact. Five years later, we have got 23 out of 30 clean audits. We have got 29 unqualified audits and the municipality who doesn't have an unqualified audit is an ANC run municipality.

We can only build this country on values and the DA understands that, the ANC will never. If we look at today's newspapers, and it is not me telling you this, it is in the newspapers – it is independent people. They will tell you that on financial systems, on budgeting, on asset management, the Free State received a staggering 25%; the North Cape a staggering 26%; Gauteng, the economic hub of South Africa, 30%. Now I ask you, where is the corruption in this country, Mr Deputy Speaker?

In the Western Cape we received 60% [Applause.] the best in the country. And, the big difference between the ANC and the DA is that for the DA, 60% is not good enough. Our targets will go up to 80% to 90% to 100%, because we have got service delivery in our hearts and we need to serve our people. [Applause.] That will be the ideal. The ANC will never govern this province again because when they had the opportunity, they turned their backs on the voters and the voters in this province are not stupid. Thank you. [Applause.] [Debate concluded.]

The DEPUTY SPEAKER: Thank you. Order. That is the end of this

interpellation. We move onto the third interpellation. Order! Order. The third interpellation, the hon member Lentit to Minister Bredell again. I see the hon Minister Bredell.

Weather-related disasters, effects of carbon pollution

3. Mr R B Lentit asked the Minister of Local Government, Environmental Affairs and Development Planning:

(a) What are the effects of carbon pollution on weather-related disasters in the province and (b) what measures does his Department have in place to curb the effects of emissions and to reduce carbon emissions?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Mr Deputy Speaker. †My twee lede van my Staande Kommittee hou my besig, die voorsitters, en dit is hoe ons werk. Dit is hoe ons die gemeenskap dien, mnr die Adjunkspeaker. Ons is nie bang vir werk nie, ons loop nie met bruin koevertjies in die strate nie. Ons werk vir ons mense. Die impak van klimaatsverandering is reeds duidelik in die Wes-Kaap, sowel as die negatiewe impak en die ondermyning van ekonomiese en maatskaplike ontwikkeling. Die impak sluit egter alle sektore in en aansienlike deurlopende monitering word benodig. Klimaatsverandering is 'n sistemiese probleem. Die klimaatsverandering is

‘n sistemiese probleem wat ‘n gekoördineerde reaksie van die Regering vereis. Hierdie word erken deur die Wes-Kaapse Regering in die vorm van Kabinet-goedgekeurde Wes-Kaapse klimaatsveranderingstrategie.

Die volgende is ‘n paar onlangse waargeneemde tendense in die Wes-Kaap:

1. Die algemende tendens van stygende temperature, bv. Dinsdag 3 Maart, 2015, was die hoogste temperatuur ooit aangeteken in ‘n 100 jaar in die Wes-Kaap, naamlik 42°C. Dit het ooreengestem met ernstige brande.
2. ‘n Verhoging in die verdampingstempo wat eerstens ons vermoë om water te stoor verminder, en tweedens die grond- en plantegroei-uitdroging.
3. Vermindering in die aantal reëndae. Die bewys van die tendens in die omvang van die erns van reënvaltekorte.
4. Die groter winterstorms wat ons gaan kry wat ‘n geweldige impak in ons munisipale infrastruktuurdomein gaan hê.
5. Waargenome verhoogde voorvalle van brande.
6. Die verhoogde intensiteit van droogtes.

Die reaksie tot klimaatsverandering moet twee benaderings insluit. Hierdie

is mitigering, en dan die aanpassing. Mitigering fokus op die vermindering van die oorsake van klimaatsverandering. Dit beteken dat alle sektore 'n rol het om te speel in die vermindering van koolsuurgas en ander groenhuiskas-afskedings deur om te skakel van fossielbrandstof na die hernubare energie deur meer energie-effektief te raak en deur verminderde energieverbruik. Ons het reeds 'n sekere hoeveelheid verwarming in ons stelsel ingebou waarby ons nou moet aanpas ten einde die ekonomiese en sosiale kompeterende Provinsie te bly. Hierdie gedeelte van ons klimaatsreaksies word genoem assessering of "adaptation" – dit vereis dat alle sektore voorbereid is op 'n nuwe klimaatsoperasionele omgewing.

Die Wes-Kaap klimaatsveranderingstrategie is goedgekeur deur die Wes-Kaap Kabinet in 2014. Die strategie beklemtoon 9 fokus areas:

1. Energie doeltreffendheid;
2. Hernubare energie;
3. Beboude omgewing;
4. Klinieke, infrastruktuur;
5. Rampbestuur;
6. Geïntegreerde afvalbestuur;
7. Menslike nedersettings;
8. Die volhoubare vervoer;
9. Verdere watersekuriteit en doeltreffendheid;
10. Biodiversiteit;
11. Kus- en rivierbestuur;

12. Voedselsekuriteit; en
13. Gesonde gemeenskappe.

*My two members of my Standing Committee keep me occupied, the Chairpersons, and that is how we work. That is how we serve the community, Mr Deputy Speaker. We are not afraid of work; we don't roam the streets with small brown envelopes. We work for the people. Climate change impacts are already particularly evident in the Western Cape and are negatively impacting and undermining economic and social development. The impact, however, covers all sectors and requires a lot of continuous monitoring. Climate change is a systemic issue that requires a whole of coordinated government approach in responding. This is recognised by the Western Cape Government through the Cabinet approved Western Cape Climate Change Response Strategy 2014. The following are some recent observed trends in the Western Cape:

- General trend of rising temperatures for example, Tuesday, March 3rd 2015 was the highest temperature ever recorded in 100 years in Cape Town at 42°C. This coincided with severe fires.
- An increase in evaporation which, firstly, increases stress on our ability to store water and secondly, dries out soils and vegetation.
- Reduction in rainy days. It is evidence of a trend in increasing severity of rainfall shortage.
- Increasing winter storms that will have a large impact on our municipal infrastructure domain;

- Observed increased fire incidences;
- Increasing intensity of droughts;

Responses to climate change have to encompass two approaches, these are Mitigation and Adaptation. Mitigation focuses on reducing the cause of climate change. This means all sectors have a role in reducing carbon dioxide and other Greenhouse Gas emissions by switching from fossil fuel use to renewable energy, becoming more energy efficient and reducing energy consumption.

We have already built in a certain amount of warming into our system that must now be adapted in order to remain an economically and socially competitive province. This side of the response is called Assessment or Adaptation; it requires that all sectors are prepared for a new climatic operating environment.

The Western Cape Climate Change Response Strategy (WCCCRS) was approved by the Western Cape Cabinet in 2014. The Strategy is developed as a coordinated climate change response. The Strategy highlights nine focus areas:

Energy efficiency;

Renewable energy;

Built environment;

Clinics, infrastructure;

Disaster management;
Integrated waste management;
Human Settlements;
Sustainable transport;
Further, water security and efficiency;
Biodiversity;
Coastal and estuary management;
Food security; and
Healthy communities.

†The DEPUTY SPEAKER: Hon Minister, your time has expired after the nine points. The next speaker, hon Mr Lentit.

Mr R B LENTIT: Thank you very much, Mr Deputy Speaker. Since the Industrial Revolution humans have continued to increase the amount of carbon dioxide and other gasses they emit into the atmosphere. These effects are cause for much a debate. What we cannot debate though is the fact that reports indicate that South Africa emits more carbon dioxide than the rest of Africa combined. This is largely due to the fact that most of South Africa's electricity comes from coal. It is also a fact that the rest of the world is pushing for a huge reduction in gas emissions and the promotion of clean energy sources. It is therefore the opportune time for us to take climate change seriously and put measures in place to tackle the effects that come along with it.

In recent months the country has been faced with what has been termed as the most severe drought in 70 years. We were caught off-guard by the effects of this drought and subsequently South Africa lost billions of rands in damaged crops. Due to these devastating droughts the province has seen an increased amount of fires during the fire season. The Western Cape Provincial and Municipal Disaster Management Teams have worked tirelessly to minimise the damage. The higher greenhouse levels have resulted in higher temperatures, as the Minister also indicated earlier on, and that ultimately cause more severe weather patterns. If we all work together to drive less on our roads, conserve electricity and create less waste, we can reduce our carbon footprints and help stem global warming. Thank you.

The DEPUTY SPEAKER: Thank you. I see the hon member Dijana.

Ms T M DIJANA: Thank you, Mr Deputy Speaker. Extreme heat and other weather disasters are increasing, fuelled by climate change and affect everyone. Programme 4 and sub-programme 4.2 of the Department's objective is to improve climate change and lower carbon emissions in the province. However, only two municipalities out of a total of 25 municipalities have adopted climate change plans from 2009 to date. This therefore means that for the past 7 years the Minister and his Department have failed to ensure that climate change does not affect the people of the Western Cape, especially in the communities with industrial factory activities, which produce these carbon emissions. We recently saw a story in Hout Bay where the community was divided about the existence of a factory

which produces such bad carbon emissions that many felt they could no longer bear to have the factory in their locality.

My question to the Minister is: How can he tell us about the plans which he has put in place to curb the effects of emissions and reduce carbon emissions if there are municipalities who have not yet adopted their climate change plans, let alone implement them? Municipalities will never be ready without assistance from the Department. Year in and year out this point is on discussion, but the Minister clearly does not view this issue as a pertinent one. In conclusion, the Minister must provide assistance to ensure that all municipalities in this province have their climate change plans in place for a healthy, safe and sustainable future in the Western Cape. Thank you.

The DEPUTY SPEAKER: Thank you, the hon member Lentit.

Mr R B LENTIT: Thank you very much, Mr Deputy Speaker. The National Framework for Air Quality Management was amended in terms of Section 7 (5) of the National Environmental Management Air Quality Act No. 39 of 2004. This framework mandates organs of State to monitor ambient air quality and advocates for water saving strategies, flood controls and other solutions to prepare for extreme weather conditions. The Department must continue in its support to municipalities to complete climate change adoption plans and to respond to climate related risk much quicker. Furthermore, our municipalities must be vigilant when it comes to compliance and enforcement of related by-laws such as in the City of Cape Town where they clamp down

on vehicles emitting excessive smoke.

In our poor communities we often see open flames and volumes of smoke as a result of criminal activities such as copper theft and the burning of coverings to expose copper. The impact this criminal action has on the environment is devastating if it is allowed to continue. If compliance and enforcement is our approach to climate change challenges, this will not just be a victory for the environment, but also for public health, our security and prosperity. Strategies and plans are not enough. The implementation of strategies and plans must be followed with sustainable funding and resources to ensure a safer and healthier province for our children and future generations. I thank you.

An HON MEMBER: Hear-hear!

The DEPUTY SPEAKER: Thank you. Hon member Beverley Schäfer.

Ms B A SCHÄFER: Thank you, Mr Deputy Speaker. Agriculture in the Western Cape forms the backbone of the provincial rural economy and the employment of people outside of our cities. But climate change poses a real threat that could destabilise agriculture in general, with a greater risk being placed on food security. We have noted that rising temperatures and a reduction of rainy days, with fewer cold and frost days becoming more evident in the Western Cape. This sector accounts for 2% of energy consumption in the province, and 5% of the province's greenhouse gas

emissions. Energy sources are used at different stages of agricultural production and processing, particularly in land preparation, irrigation, refrigeration and packaging. However, the most significant sources of energy for agricultural activities are diesel, followed by electricity.

Mr Deputy Speaker, through a coordinated approach the Smart Agriculture for Climate Resilience, Smart Agri Project was developed. Smart Agri responds to the need for a practical and relevant climate change response plan, and involves the Provincial Climate Change Response Framework and Implementation Plan for the agricultural sector of the Western Cape. Recently a portal called Green Agri was launched by the Western Cape Department of Agriculture and Green Cape. This includes Smart Agri production plans and sustainable farming practices, balancing farming and conservation needs, resource efficiency and waste minimisation. We know that vulnerability to climate change varies widely across the province and across farming systems. We also know that climate change affects our most vulnerable small, resource poor and undiversified farmers.

But although flooding, drought, heatwaves and fires are not unfamiliar to the Western Cape, which alone accounted for R3 billion between 2003 and 2008, it would be completely irresponsible not to consider the impact of carbon emissions on climate change and the negative impact of climate change to the future of the agricultural sector.

The DEPUTY SPEAKER: Thank you. Hon member Lentit.

Mr R B LENTIT: Thank you, Mr Deputy Speaker. Our farming sector faces longer and more frequent droughts. The DA is pleased with the work that has been done to find manners through which our carbon footprint can be reduced. The Department of Agriculture and Environmental Affairs combined their resources to jointly exercise their mandates towards sustainable practices that increase soil health and the more efficient use of water resources. Climate change has always been perceived as a slogan used by environmentalists who are passionate about pollution issues. Climate change is real and has become a human rights issue which can no longer be ignored by Government, the private sector, the rich and the poor.

Mr Deputy Speaker, is climate change the result of water restrictions and empty dams in the Western Cape? Is this nature's way of communicating to us on the interference of carbon pollutions? Human behaviours are habits, but habits can be changed through education, discipline, compliance and enforcement. I thank you.

An HON MEMBER: Hear-hear.

The DEPUTY SPEAKER: Thank you, hon Minister Bredell to respond.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you to the hon Chairperson of the Standing Committee. To the hon member Dijana, this is correct that we

will work towards ensuring that each municipality must have their climate change plan, but let me just briefly share with the House what we have done in the Province.

The Western Cape Climate Change Response Strategy was approved by the Western Cape Cabinet in 2014. This strategy is developed as a coordinated climate change response. The strategy highlights 9 focus areas:

1. Energy efficiency;
2. Renewable energy;
3. The built environment;
4. Critical infrastructure;
5. Disaster management;
6. Integrated waste management;
7. Human settlements;
8. Sustainable transport;
9. Water security and efficiency;
10. Biodiversity and ecosystem goods and services;
11. Coastal and estuary management;
12. Food security; and
13. Healthy communities.

So you can see it is a lot, it is a mouthful, and we are busy with that. We are busy with our first sector plans and the lead Department is Agriculture with the Smart Agriculture for Climate Resilience. So we are busy with all of

these items, and we are not going to solve this overnight. What we need to be honest about is that currently we do have, in the City of Cape Town, 13 air monitoring stations. The province itself has 11 because we need to build cases against people who do pollute so that we can defend ourselves and our case in the courts. But we must also realise that the whole purpose of this is not to close a factory down, it is to get our factories to operate within the international accepted emissions.

Then, Mr Deputy Speaker, also a lot of our problems that we currently face today, is not because of climate change, but is because of bad planning for instance.

An HON MEMBER: Exactly!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: So we need to put a big effort into our planning and we have done this in the province. We have got our spatial plans in place and so forth. So we are busy with all of this.

Then, we must also look at the impact of humans on planet Earth. I mean if you look at all the stats, the Premier has now asked me and we will discuss it in our next Cabinet *Bosberaad*, what is going to happen with population growth up till 2030? And in the City of Cape Town it will add another 700 000 people to the City of Cape Town. So we will need to start to plan for resources: water, refuse removal, sewerage, and our road infrastructure. It is

not about just what is going on today; you need to have a government who has a vision, who understands that we need to have a long term plan.

[Interjection.][Time expired.]

[Debate concluded.]

The DEPUTY SPEAKER: Thank you, hon Minister, your time has now expired. That disposes of the Interpellations. We move on to Questions printed on the Question Paper. First question, the hon Uys to the Premier. I see the hon Premier.

QUESTIONS FOR ORAL REPLY

State Security Service: spying

***1. Mr P Uys to ask Ms H Zille, Premier:**

- (1) Whether the state security service was spying on her and her Cabinet; if so, (a) what were the reasons and (b) what did she do about it;
- (2) whether she is still being spied upon; if so, what are the relevant details?

The PREMIER: Thank you very much indeed Mr Deputy Speaker.

1. (a) The hon member Uys must seek a definitive answer from the State Security Services; and
(b) I refer the hon member to my reply to Question One on the 26th of November 2015, which I attach and table.
2. Perhaps the hon member could provide an answer to that question for me by asking the principals in his own party. Thank you.

The DEPUTY SPEAKER: Hon member Uys, follow-up?

Mr P UYS: Thank you, Mr Deputy Speaker. The Premier cannot say I refer you to November or December last year. She is not answering the question.

An HON MEMBER: She can.

Mr P UYS: But let me repeat that, Mr Deputy Speaker: Hon Premier, what was the reason that you were thinking that you were spied on as a Cabinet? Because that is what you stated, and what gave you that feeling or the reason for that? [Interjections.] Well you have been spied on as well, so just listen.

The DEPUTY SPEAKER: Order. Hon Premier?

The PREMIER: If I may, Mr Deputy Speaker, I will re-read into the record the full answer that I gave to this question when it was asked in almost exactly the same format on the 26th of November last year, and I am afraid to

waste the House's time, but I am now going to do that:

“The Western Cape Government made use of the services of Eagle Eye Solution Technologies to ensure that the cellphones of Cabinet Members and the Director-General had not been tapped, and to encrypt sim cards to reduce the likelihood that these cellphones were vulnerable to surveillance. The context in which the Cabinet took this decision was that concerns were expressed by several parties and sources that the then National Intelligence Agency was conducting surveillance on the recently elected Western Cape Cabinet members.

I have previously talked in this House as well about my meetings in 2008 with the Intelligence Minister of the time, Minister Ronnie Kasrils, about the previous established bugging of my telephone, and that was established. Minister Kasrils told me that there had been no official directive to monitor my calls, but that he could not guarantee that rogue elements in the Intelligence Services had not done so, or were not doing so unilaterally.

The same question was put to the National Intelligence Agency, after we were elected to govern the Western Cape in 2009, when the National Intelligence Agency addressed the Cabinet meeting. The NIA representative denied it, but Cabinet asked him for written confirmation of his denial. That was not forthcoming. A letter was then written to the NIA by the Director-General in 2009, requesting an assurance from

the NIA that they were not conducting surveillance on the cellphones of Western Cape Cabinet Ministers. Despite follow-up letters, the NIA refused to give that assurance. Consequently, Cabinet took the decision to procure a service from a private company as it would have been absurd, patently, Mr Deputy Speaker, to ask the NIA to provide the service when they were the ones suspected contravening the law, to try to protect the cellphones from illegal surveillance.

If the person referred to in my newsletter is the same person as the man who personally provided that service, then I did meet him and handed over my phone briefly.”

Then the Leader of the Opposition spoke to me at the time and asked a question in Parliament and I replied to it very, very fully ... [Interjection.]

Mr Q R DYANTYI: Which one?

The PREMIER: Yes - which one, they change by the week. I won't make any analogies like a colleague of mine has just done but in fact the National Strategic Intelligence Act enables us to do so and that is precisely what we did. Thank you very much.

The DEPUTY SPEAKER: Hon member Uys another follow-up?

Mr P UYS: Thank you Mr Deputy Speaker. The Premier replied to say that

without any doubt they determined that her phone was bugged. How did you do that Premier? How did you manage to understand that they were bugging your phone?

The PREMIER: In about December 2007 I was away and my husband thought he heard the phone ringing and he picked up the phone. And he heard a long conversation between me and our housekeeper taking place on that phone, which in fact had been recorded from the room in which I was talking with her. And that was quite clear and apparent and my husband wrote down all the notes of the conversation we had and when I came back he said, look, I just heard this conversation between you and Ms Grace Voyiya on the phone.

So I then went off to Ronnie Kasrils and he certainly didn't deny it. He said it's entirely possible, but he said it wasn't happening officially. That is the first thing.

The second thing is, and I am quite happy to mention that, in fact, just after I had been made the Premier, somebody who had been in the Bonteheuvel Centre where phones are monitored had come to me with pages of notes – pages – of transcriptions of my personal telephone calls.

The DEPUTY SPEAKER: Hon member Uys, your second one?

Mr P UYS: Thank you, Mr Deputy Speaker. Thank you, hon Premier. So consequently, after 2010 what did you do with your cellphone? Do you

change the cellphone all the time? How do you secure your cellphone?

[Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: I am quite happy to answer that. I don't change cellphones except when I get an upgrade. And because I have nothing private to hide I am frankly not worried about anything, but I would also like to add that privacy is guaranteed under the Constitution. So there is a Constitutional Principle involved here, Mr Deputy Speaker, and if we are here to protect and defend the Constitution we do not only take up the Constitutional principles when they directly impact upon us - so they can listen to me as much as they like. I have only one husband. I obey the law. I pay my taxes. I do all of the things I am supposed to do. I am a goody-two-shoes. But that is not the point. The point is that there is a Constitutional principle at stake, Mr Deputy Speaker.

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

Mr P UYS: Thank you, Mr Deputy Speaker. Hon Premier, so you understand your cellphone was bugged. Did you actually lay a complaint with anybody? With the South African Police Service, SSA, any anybody? Public Protector? Anybody?

The PREMIER: I do not know how much higher you have to go than the

National Minister of Intelligence. And I spoke to two National Ministers of Intelligence. I spoke to Mr Ronnie Kasrils and I spoke to the hon the Minister who succeeded him, who was unable to find out that his wife was a drug smuggler. So that particular Minister of Intelligence I also spoke to personally. [Interjection.] Cwele, that's right. Minister Cwele, thank you very much.

So I have taken it to two Ministers and I do not know how much higher you have to go than asking the head of the NIA to come in and to address the Cabinet and to give you an assurance that your phones are not being tapped and to put in that in writing. If that doesn't happen then you are allowed to take to the next step. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. We move on to the second question. Again hon member Uys to the Premier.

Eagle Eye Solutions Technology: cellphone tapping

***2. Mr P Uys to ask Ms H Zille, Premier:**

(a) Whose cellphones in the province were investigated with the tender allocation of R115 800 to Eagle Eye Solutions Technology, (b) what were their findings and (c) what steps are currently being taken to protect the cellphones of the Premier and the members of the Cabinet against tapping?

The PREMIER: Yes to (a). I refer the hon member again to my reply to Question 1 on 26 November 2015. I can read it again if he would like me to.

(b) Sim cards were encrypted to reduce their vulnerability to surveillance.

(c) Section 14 and Section 199 of the Constitution and other relevant legislation.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Thank you, Mr Deputy Speaker. I think the Premier must just double check. She didn't present that in the House. But, Mr Deputy Speaker, let me ask the Premier. Hon Premier, you had a problem with them calling you 'Zille Spook'. You remember that? And you laid a complaint with the Press Ombudsman. What did the Press Ombudsman rule around 'Zille Spook'?

The PREMIER: That is a completely different question. It is not a follow-up question.

The DEPUTY SPEAKER: Yes, I am also looking at the question. Hon member Uys it is a little off the topic there. Do you want to rephrase your question? The second one.

Mr P UYS: I think it is very important, Mr Deputy Speaker, looking at the question there. What were the findings in terms of that and I want to get to that? I am asking the Premier because she laid a charge in terms of people calling her 'Zille Spook' and it is getting back to the spying issue in terms of Question 2.

The PREMIER: [Inaudible.] a charge at all, Mr Deputy Speaker, so that is false information and the matter is currently before a court.

The DEPUTY SPEAKER: Hon member Uys, your second opportunity.

Mr P UYS: Mr Deputy Speaker, the Premier did lay a charge and she actually lost. The Ombudsman ruled that people are allowed to say 'Zille Spook' and my question would be why did she not appeal that to the necessary Appeal Authority?

The PREMIER: Mr Deputy Speaker, it has been appealed and that is why it is before a court.

The DEPUTY SPEAKER: Your third opportunity.

Mr P UYS: The Premier is clearly not answering the question and I know why she is not answering that question. The issue is not before the court. There was a clear appeal, Mr Deputy Speaker. [Interjection.]

The DEPUTY SPEAKER: Order. Hon Chief Whip? Hon member Uys, just one second. Hon member Wiley?

Mr M G E Wiley: Mr Deputy Speaker, this is in a different direction completely to the original question. [Interjections.] It is not related to the original question.

The DEPUTY SPEAKER: Order. The Premier is at liberty not to respond to the question. So if the Premier feels that the question is not on topic then she can certainly respond in that way. Hon Premier?

The PREMIER: What I object to, Mr Deputy Speaker, is the fact that he suggests that I am misleading this House. The question is on appeal and it is before a court.

The DEPUTY SPEAKER: Hon member Uys, your last opportunity, do you want to use it?

Mr P UYS: There is another two questions left, Mr Deputy Speaker.

The DEPUTY SPEAKER: Yes, you are correct.

Mr P UYS: Thank you, Mr Deputy Speaker. May I just ask the Premier: would you agree that cellphone bugging is not like having a cup of tea with somebody. It is a very serious matter. Why would you leave this open to a

tender process and just purely hand over your cellphone to a person you say you do not know at all. It is not in your nature to do that, hon Premier.

An HON MEMBER: How do you know [Inaudible.]?

The PREMIER: Exactly. I do not know what the hon member Uys knows about my nature. But, be that as it may. [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: The answer to his question is that we abide by the law in this province. I have nothing to do with any tenders or any procurement and I never get involved in tenders or procurements. We discussed the matter in the Cabinet. We took a resolution to have our phones debugged and encrypted. And then we added to the resolution that there was to be no spying or surveillance of anyone. We specifically added it to the resolution that that was not allowed. The Cabinet took that resolution and then I trusted my colleagues to get the right people. I do not micro-manage them. I trusted my colleagues to get the right people and when I was told to give the person who had been procured my cellphone, I handed it to him - I literally walked past him and handed it to him. My secretary was there at the same time and when I got back to her she handed me back my cellphone.

There was nothing worse that could have happened to it because it had been bugged all the time. So I assumed that it was being debugged and if it wasn't being debugged I wouldn't be in a worse situation than I was to start with.

The DEPUTY SPEAKER: Hon member Uys, do you want to use the last opportunity?

Mr P UYS: Last one. Thank you, Mr Deputy Speaker. Hon Premier, may I ask you then: when did you stop the contract with Eagle Eye Solutions Technology? It was an open ended tender and you know that the contract was given to the Ombudsman and he said it was never stopped.

The PREMIER: Mr Deputy Speaker, I didn't give the contract to a person and I do not stop contracts with a person. I have nothing to do with tenders and contracts. Nothing at all. I think the hon member Uys is far too immersed in the ANC's culture to understand how things are supposed to work in Government. Politicians are not supposed to have anything to do with tenders, contracts and procurement. And I do not. So I did not engage in a tender or a contract. I did not stop one. My legal advice was that the tender was for a particular service and when that service had been rendered it was over.

The DEPUTY SPEAKER: Thank you we move on to the next question. Third question, hon member Magaxa to hon Minister Madikizela.

Indigent families: Acacia Road, Parkwood, eviction of

3. Mr K E Magaxa asked the Minister of Human Settlements:

What is his Department doing to address the eviction of indigent families from public land in Acacia Road, Parkwood?

The MINISTER OF HUMAN SETTLEMENTS: Mr Deputy Speaker, thank you very much. The land in question is owned by the City and was invaded unlawfully by 20 families in March. The City approached the Western Cape High Court for relief as the land is earmarked for future development. The High Court granted relief in the form of an interdict, which subsequently makes it a criminal offence to occupy the land without authority. The City is further in the process of making an application for an eviction order to clear the land of the unlawful occupiers. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member, Mr Magaxa?

Mr K E MAGAXA: Yes, I just want to - thank you, Minister for answering the first part of the question. But if I can check, what is the Department's intention for the people who are the victims of that removal from that particular place? What will you do with those people - as a leader in that Department?

The MINISTER OF HUMAN SETTLEMENTS: Mr Deputy Speaker, we live

in a constitutional democracy which follows due process. Now, there are more than 500 000 people in this province who are on the Housing Demand Database and we can never condone a situation where just because people need accommodation, they then go and invade the land.

What I intend to do is to make sure that those people follow due processes like everyone else. We do not want to give the impression that if you invade land and you are evicted that becomes an incentive for people to be prioritised. Therefore the families in question will also be part of those people who are waiting for houses until their turn comes.

The DEPUTY SPEAKER: Hon member Magaxa, your second opportunity.

Mr K E MAGAXA: Mr Deputy Speaker, I think the Minister did not understand me well because he has not answered my question. My question Minister is: the fact of the matter is that there are children there, there are women there, there are vulnerable people among those people, who would of course be removed, who are victims of that removal. They have been removed from that place whether they occupy the land wrongly or [Inaudible.] The fact of the matter is they spent quite a number of months staying in that particular area. Now, what do we do about those people? Do we just remove them and then not care where they sleep?

The MINISTER OF HUMAN SETTLEMENTS: I think the hon member is aware that the onus is on the land owner to follow the Court's ruling.

Because if people are evicted – it depends how long they have been there etc. as you know. If people have been there for more than 24 hours, the onus is on the landowner to follow the principles of the Prevention of Illegal Eviction Act which requires the landowner to provide alternative accommodation. It cannot be the Provincial Government who must do that. So I think, as I have said, the landowner is the City of Cape Town and depending on the judgment of that particular eviction and the conditions under which the eviction was given, then the onus is on the City of Cape Town, as landowners, to follow that judgment with its conditions.

The DEPUTY SPEAKER: Thank you. Third opportunity, hon member Magaxa?

Mr K E MAGAXA: Therefore you are saying, Minister, it is outside your jurisdiction, therefore you do not care where they will be going. It is up to the Minister. [Interjections.] Sorry rude Premier ...

The DEPUTY SPEAKER: Order, just phrase it in the form of a question. It is a supplementary question and not a statement.

Mr K E MAGAXA: I am saying that they are disgruntled; they are there without a proper place to sleep. I saw those people and the question is: are you saying that since it is outside your jurisdiction, as a Minister who is leading in a caring Government, you do not have anything to do with those people?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF HUMAN SETTLEMENTS: I just responded to that issue, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. We then move on to the next question, that is a question again for Minister Madikizela by the hon member Magaxa.

Masiphumelele and Imizamo Yethu; prevention of fires

4. Mr K E Magaxa asked the Minister of Human Settlements:

What is his Department doing to prevent fires in informal settlements, especially in (a) Masiphumelele and (b) Imizamo Yethu?

The MINISTER OF HUMAN SETTLEMENTS: Thank you very much, Mr Deputy Speaker. The present form and layout of the informal settlements, especially in the metro, makes it very difficult to provide utility and emergency services when needed. High densities and highly flammable shack materials aid the rapid spread of fire significantly and this hampers the effective response of emergency services which often result in the tragic loss of life, homes and possessions.

To address these issues my Department has commissioned and appointed service providers and these are the NGO's CORC and Isandla, to conduct the rapid appraisal of informal settlements which seeks to assess, categorise and rank informal settlements, per municipality, and the Informal Settlements Support Plan which seeks to map strategy and approach processes and interventions for informal settlements.

This ISSP Project will develop a provincial wide strategic framework as a response to informal settlements upgrading. The ISSP Strategic Framework will enable a process of categorisation and prioritisation of all settlements across the Western Cape, review of desired and tenure options and monitoring and evaluation framework for both metro and non-metro municipalities. Ultimately, all this will inform an implementation plan that outlines critical steps involved in the implementation of intervention.

I must also add, Mr Deputy Speaker, the problem with informal settlements that we are experiencing. We have seen, for example, that informal settlements are becoming denser and denser. And I said that makes it difficult. If you look at an area like Masiphumelele for example, we have been engaging with the municipality and a number of leaders there. The biggest problem we have in Masiphumelele, currently, is the fact that we will need to find alternative land in order to house all those people who are currently living there.

So, there are on-going discussions and one of the challenges that we face is that the project that we implemented there – because the only way for us to try and accommodate as many people – is to go upwards. Because, if we follow the normal approach of building one house on one plot, we will never be able to accommodate all those people. Unfortunately, the project that we started there, where we wanted to densify and go up, did not materialise, because a number of people objected to it. So these are the complex challenges that we are dealing with.

The DEPUTY SPEAKER: Hon member Mr Wiley.

Mr M G E WILEY: Thank you, Mr Deputy Speaker. Is the Minister aware of a report by the City that identifies a high proportion of the fires taking place, including those in informal settlements, are identified as a result of arson?

Mr Q R DYANTYI: That is an old story. That is a stale story.

The MINISTER OF HUMAN SETTLEMENTS: To answer the question: yes, Mr Deputy Speaker, we are very much aware of this. But, we are working together with the City to verify these allegations so that we are able to know for sure, in cases where there was arson or in cases where a fire happened because of an accident.

The DEPUTY SPEAKER: Hon member Magaxa,

Mr Q R DYANTYI: He is just disturbing ... [Inaudible.]

The DEPUTY SPEAKER: Hon member Dyantyi, please! Hon member Magaxa, you may proceed.

Mr K E MAGAXA: Behave yourself sir. Thank you, Mr Deputy Speaker.
[Interjections.]

The DEPUTY SPEAKER: Just one second, hon member Magaxa. The hon Chief Whip?

Mr M G E WILEY: I am not so sure that was a parliamentary remark.

The DEPUTY SPEAKER: Yes, I was going to say that the member has the full right to ask a supplementary question.

Mr K E MAGAXA: I did not refer to anyone.

An HON MEMBER: Yup.

Mr Q R DYANTY: Yes, he knows it.

The DEPUTY SPEAKER: Whoever you referred to, that is not a very nice remark to make to a member of the House in any case. But I won't ask you to withdraw it; I am just saying that the member has the right to ask a

supplementary question because you were looking at him as if he didn't know. You may proceed.

Mr K E MAGAXA: I was not referring to him.

The DEPUTY SPEAKER: You may proceed.

Mr K E MAGAXA: Thank you. Mr Deputy Speaker, my next question to the hon Minister. I agree with you that we have this problem of density. Do you think perhaps that we need a process to be focused around getting land which is not necessarily going to be far away from where people in Masiphumelele and Hout Bay are living. For example, there is land that is currently under dispute, the Tafelberg School. Do you think those areas could assist us in addressing this problem?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF HUMAN SETTLEMENTS: Mr Deputy Speaker, one of the first things that we have done in Masiphumelele, and I think the member would understand the complexities there. One of the first things we agreed to do is to profile people who are living there because we need to understand the composition of those people, so that when we talk about housing needs, in various forms, we must understand who qualifies for what. And then once we complete that process we will then be able to understand the size of the land that we need.

One of the problems, as you will know hon member Magaxa, is that there are many people who receive houses for example in George and they come and live in Masiphumelele, they receive houses in Delft and they sell them or rent them and go live in Masiphumelele. I am just giving an example. Because we do not want to have a situation where we respond to the challenge, only to find that there are people there who benefited before. And that is why one of the first things we need to do is to do exactly that.

The second issue, the example that he gave, is that we have made attempts in the past to look for land outside Masiphumelele where land is available. But the reality is that many people there do not want to be moved away from Masiphumelele. That is one of the challenges that we are facing. And that is why we have been working very closely with the City to explore available pieces of land around Masiphumelele which is not a very easy thing to do, but we decided the first thing is to profile people and know exactly the size of land that we need and the kind of people that need to be accommodated, once we understand the profiles of those people.

The DEPUTY SPEAKER: Hon member Magaxa?

Mr K E MAGAXA: I just want to check hon Minister. You remember that there was also another piece of land near Masiphumelele which was at some point identified? [Interjections.]

The DEPUTY SPEAKER: Hon member, just one second. Hon Chief Whip?

Mr M G E WILEY: The question is: what is his Department doing to prevent the fires in informal settlements, especially Masiphumelele. With respect, looking for pieces of land is not part of the question. [Interjections.]

The DEPUTY SPEAKER: Yes, it may appear like that but I will allow the Minister to respond if he wants to. If he can link it to fires then I will allow him in his discretion. Hon Minister?

Mr K E MAGAXA: I wanted to check hon Minister because the problem we are talking about here are fires that are always affecting that particular community. And you have made mention of the reality that we are confronted with, which is density. Now I am trying to check if there was perhaps land that was identified at some point, near the Noordhoek area, which has the potential to assist. What happened to that process?

The MINISTER OF HUMAN SETTLEMENTS: That process is still on-going and as I have said just said now hon member Magaxa, the identification of land must go hand-in-hand with an understanding of the number of people that must be accommodated. The type of houses depend on the qualification criteria that we must conduct. So that goes hand-in-hand with that process. So that is why we are exploring, especially sites and pieces of land that are not far from that area. That is part of the on-going process that we are embarking on.

The DEPUTY SPEAKER: Thank you. We then proceed to the next question. Question number 5. Hon member Hinana to Minister Plato.

Theft of cables: measures to curb

5. Mr N E Hinana asked the Minister of Community Safety:

Whether measures are in place to curb the constant theft of cables in the Western Cape, and especially in the Cape metropolitan area; if not, why not; if so, what are the relevant details?

The MINISTER OF COMMUNITY SAFETY: Thank you very much and thanks to the member for the question. A designated police official has been appointed at every police station in the Western Cape, who is responsible to ensure compliance of the Second Hand Goods Act, 2009 and municipalities assist as far as they can as well.

An integrated approach is followed with relevant role-players which include parastatals such as Eskom, Telkom, Cape Town City Council and other municipalities, SARS, PRASA, SAPS, Provincial and Cluster Non-Ferrous Metal Crime Combatting Forums have been implemented. The Provincial and Cluster Forum meetings are conducted once a month. These meetings have specific focus on non-ferrous metal including copper cable during which tendencies, modus, operandi, arrests, seizures, targets “hot spots” and

operations, are discussed. The NPA, Asset Forfeiture, parastatals and SAPS attend these meetings as well.

Arrests are being made for persons allegedly being in possession of stolen property such as cables and integrated inspections are conducted at scrap metal dealers. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Is there a follow-up question hon member Hinana?

Mr N E HINANA: Yes, Mr Deputy Speaker. In terms of the arrests, does the Minister know how many arrests were made and also when the investigations are done, do those investigations lead to where these metals are being sold or the trade-off is being made? Thank you.

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, I currently do not have any idea of the tally of arrests. That information one can get. But scrap metal shops, specifically those within communities, are known for buying all these stolen goods.

The DEPUTY SPEAKER: Hon member Wenger?

Ms M M WENGER: Thank you, Mr Deputy Speaker. I would like to ask the Minister whether the Metro Police have now been empowered in terms of the Second Hand Goods Act so that they can assist the police in detecting metal theft crimes?

The MINISTER OF COMMUNITY SAFETY: Yes, Metro Police have structured a copper theft entity within Metro Police. They call themselves the Copperheads - currently a very successful unit - lots of successes and lots of arrests within that unit and they assist the South African Police Services as far as they can in fighting this problem across the Western Cape.

The DEPUTY SPEAKER: Hon member Ms Lekker, I believe you want to ask a supplementary as well? You may proceed.

Ms P Z LEKKER: Thank you, Mr Deputy Speaker. I would like to check the forums that the Minister has alluded to in respect of the copper theft. The thieves that are busy or the syndicates that are busy with copper theft they do not sell it as it is. They burn it so that it no longer reflects as a copper theft. [Interjections.] No, do not [Inaudible.] me.

The DEPUTY SPEAKER: Order. Allow the member to ...

Ms P Z LEKKER: You are always disobedient.

The DEPUTY SPEAKER: Order, hon member. You can go to your question now.

Ms P Z LEKKER: Thank you. Now my question therefore would be: does the forum engage on whether that particular item, which is no longer copper but

something else, because it has been burnt, has that been amended in terms of the Criminal Procedure Act to reflect as something else. Because it is no longer copper but it is something else. Has that been done? Because if it has not been done it will then lead to unsuccessful prosecution.

The DEPUTY SPEAKER: Thank you, hon member. The hon Minister to respond.

The MINISTER OF COMMUNITY SAFETY: The entity in the police that is doing the necessary investigations knows exactly what they are doing. I think if my understanding is correct, the copper, the cables, get burnt, but only the plastic gets burnt out but not the product, not the copper itself. So you can still identify it. So they still go and sell it as copper. Maybe we misunderstood one another. If it is a new question then the hon member must rather forward that new question so we can [Interjections.]

The DEPUTY SPEAKER: Order, the Minister has responded. Can we proceed to the next question? Question number 6. Again hon member Hinana to Minister Plato.

Scrapyard dealers: trading of illegally acquired goods

6. Mr N E Hinana asked the Minister of Community Safety:

Whether measures are in place to monitor and stop scrapyards dealers who assist scrap vendors in the trading of illegally acquired goods?

The MINISTER OF COMMUNITY SAFETY: There are 384 registered scrap metal dealers in the Western Cape. Regular inspections are conducted by SAPS and parastatals at scrap metal dealers. During these inspections, specific focus is on compliance of the maintaining of acquired property for 7 days and illegal possession of cable of which the cover has been burnt, exactly what we discussed previously, contrary to the provisions of Section 25 of the Act.

The high incidence of metal theft in the Western Cape is a matter of concern for the Western Cape Government as it has an extremely negative impact on both the economy as a whole and the delivery of services by the different spheres of government.

A number of my Department's Policing Needs and Priorities Determination meetings have confirmed that one of the main reasons for the high incidence of metal theft has historically been the many resale outlets, exactly the previous question Mr Deputy Speaker, where the criminals are able to sell the stolen metal.

It is clear that there are insufficient police officers to properly monitor the second-hand goods shop and scrap metal yards in the province. There is normally only one police officer at each police station who has been

appointed in terms of the Act to monitor the shops and conducting inspections. Because we as a Provincial Government are serious about engaging constructively on proposals that could reduce crime and improve safety in the province, I have instructed my Department to look into the feasibility of provincial legislation in order to address the high incidence of metal theft.

The DEPUTY SPEAKER: Hon member Mr Hinana?

Mr N E HINANA: Thanks, Mr Deputy Speaker. Hon Minister, I just wanted to check with you whether anything has ever been found in these scrapyards and have the scrapyard owners ever been brought in front of the court to answer about the trade-offs they are making with the people who are stealing metals in the community? Because the communities are very fed up with what these people are doing. They know that they are selling to the scrapyards. Have they been held accountable? The scrapyards?

The MINISTER OF COMMUNITY SAFETY: My understanding, Mr Deputy Speaker, is that many of these stolen properties, copper and others, have been found in many of the scrapyards, obviously stolen, illegal. My understanding is that arrests have been made, they are continuing. My further understanding is that these dealer shops operate illegally in many of our communities. Sometimes even a couple per community and business licenses, unfortunately, is governed by the Local Authority such as the City of Cape Town. They need to be closed down due to the fact that they are illegal and

they do not have a business license to operate.

The DEPUTY SPEAKER: Thank you. Hon member Lekker?

Ms P Z LEKKER: Thank you, Mr Deputy Speaker. Is there a plan to reduce the opening hours of these illegal scrapyards and those who are legal scrapyard owners?

The MINISTER OF COMMUNITY SAFETY: That is a very good and important question. That is what we want to address with provincial legislation. Currently it is not happening. Some of these scrapyards even operate 24/7, even during the night. They burn the copper in the backyard. That is where the smoke is coming from and that is where the animosity between neighbours is coming from because they act in an illegal manner.

It is a duty of the police to close them down but as I have said previously, with only one police officer available per police station to do the monitoring, sometimes arrests etc., it is a difficult task. That is why through provincial legislation we want also to shift some of the authority to the law enforcement, to the Metro Police in the smaller towns, to traffic officers, to fulfil that function so that they can assist the police in their duties. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member Mackenzie and then I will come back to hon member Lekker.

Mr R D MACKENZIE: Thank you, Mr Deputy Speaker. Hon Minister, as you know copper is not like ice-cream, it doesn't melt in the sun. We keep on pushing the role to the police and to the Metro Police. What is the role of us as public representatives because we obviously see the smoke coming up in our townships and in our communities? What is our role and the role of the community in dealing with some of these illegal scrapyards?

The MINISTER OF COMMUNITY SAFETY: Normally you call the police. You call Metro Police. You call law enforcement. My clear understanding is that any of those entities needs to go and to stop the burning of the metal and the product, to close it down as well. But even that is not happening.

The DEPUTY SPEAKER: Thank you. Hon member Lekker did you want to ask your last question?

Ms P Z LEKKER: I would like to check with the Minister: what is the role of the law enforcement officers, because if you go out now in the streets of Tafelsig you will find those people burning copper? So what is the role in terms of the burning of copper in the street, because streets are supposed to be safe?

The DEPUTY SPEAKER: Thank you, hon Minister.

The MINISTER OF COMMUNITY SAFETY: They are police officers. They

have a specific role to play as police officers. It will be difficult for them to stop all of what is happening in our communities, but as a joint force - Metro Police, law enforcement as well as South African Police Services - they have got to be in a position to clamp down on the scourge of copper theft and burning of copper within our communities. It is highly problematic, specifically for the neighbours if it is happening in the backyard of a scrap metal operator or dealer.

The DEPUTY SPEAKER: We move on to Question number 7. That is the hon member Mackenzie to Minister Winde. I see the hon Minister Winde.

Open-door policy of the Minister of Agriculture,

Economic Development and Tourism

7. Mr R D Mackenzie asked the Minister of Agriculture, Economic Development and Tourism:

Whether he markets his new open-door office to previously disadvantaged communities, such as communities in Mitchells Plain; if not, why not; if so, what are the relevant details?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much Mr Deputy Speaker and to the hon member for the question. First of all when I became the MEC for Economic Opportunities I set myself a goal of having the most accessible government

ministry in South Africa and part of that was then to look for different office premises. At that time I assumed the premises of my predecessor, the Minister of Agriculture, in a leased building, and then through Public Works we found one of our own buildings which I think every one of the members know was the old Call Centre at 142 Long Street. That has now become my office or the Ministry of Economic Opportunities.

To get to the answer, any member of the public is welcome to join us on the first Thursday of every month when the office is open after hours between 5:00pm and 9:00pm. This is specifically so that walk-in clients may come to see us outside of traditional working hours. Our first Thursday's initiative is marketed at no cost through social media platforms which are accessible to the public. We have also advertised this through the traditional unpaid media and we hope that residents from across the province use this opportunity to visit us to discuss their ideas for starting businesses, growing the economy and creating jobs.

And perhaps just as an outline since we have been there and open, especially in the evenings when we are open until late, I think the first walk-in customer was a man by the name of Mphumi Ndlangisa and he owns a company called Magna Carta Wines and he actually exhibited his wines at the second "first Thursday", so he did wine tasting open to the public. We also have had visits from the Philippi Horticultural Area to ask questions around what is happening there and agricultural questions. In actual fact we have had walk-ins from individuals that have come from as far as Beaufort West.

We have had Mr Boniwe from Mfuleni who came in with an issue. I have even had Japanese investors coming in, walking off the street. And perhaps, there is a long list, but as the hon member spoke about Mitchells Plain specifically, Ms Rashieda Johnson came in to ask about an issue around timeshare and which the Department of Red Tape is busy dealing with. So that is the kind of thing that happens and we are running this to see how it works and if it works we will obviously continue with it. Thank you.

The DEPUTY SPEAKER: Hon member Mackenzie? Hon member Plato, you might have broken the line now, just one second. Hon member Mackenzie?

Mr R D MACKENZIE: Thank you, hon Minister for the detailed answer. Can the Minister also just give us guidance in terms of services that are provided to the smaller entrepreneurs. Are there cross-cutting services that have been provided by other departments as well?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Obviously it is not a service office. That actually happens below us in this very building where we have that centre but if anybody does come in we can forward them to any other service of the Government, both National and Provincial and Local, because we are open to helping any customers.

The DEPUTY SPEAKER: Supplementary? Hon member Tyatyam?

Mr S G TYATAYM: Thank you, Mr Deputy Speaker I just want to know if all the Parliamentary offices of the members in Parliament all have this information? It is a good idea, I must say, where the Minister engages with small business. The question is do all PCO's have this good information which the Minister is talking about or is it a DA thing? [Laughter.]

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Absolutely not. I am the Minister of Economic Opportunities for everyone in this province and of course you are more than welcome to come and see me in my office at any time you like. Obviously if you wanted to come during working hours it is preferable to make an appointment, but of course if you want to come as I have just mentioned when its open door, then there is no appointment, you can just walk in at any stage and we will be able to help you.

The DEPUTY SPEAKER: Hon member Mackenzie?

Mr R D MACKENZIE: Thank you, hon Minister. If you can perhaps just give us more guidance? When the office advertised the opening, can you just guide us on where exactly it was advertised because perhaps the hon member did not get that information.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Of course it has been in the press, in the open media. It has also been on social media. I am not sure if the hon member follows social media. So it is in the social media space. But of course I have mentioned it once before in this House. I know I have because a lady came to see me the other day and she said that she was watching it on the channel and she heard it was open and came to see me the next day and luckily I was there. She walked in and we could have a meeting. But I am again saying it in this House that if you do not follow me on social media or are not open to what is happening in the press you can get it from me right now.

The DEPUTY SPEAKER: We proceed to the next question which is Question number 8, hon member Mackenzie to hon Minister Fritz.

Maintenance payments: Mitchells Plain area, complaints

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

Whether there are any complaints regarding maintenance payments (“paggeld”) in the Mitchells Plain area; if so, what are the relevant details

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, hon member Mackenzie. Yes, the Western Cape Ministry of Social Development has received one complaint directly to the office. It is expected to be that

number because it is actually a competence of the National Department of Justice and Constitutional Development. But this whole issue has primarily been run through that Department and we work quite closely with them to see how we can improve the whole issue of getting women the money that is due to them in terms of maintenance money for children.

Men must take responsibility, when they make babies, to pay their maintenance fees. So we are very excited – in fact this morning I met with Adv. Kleynhans who asked me to set up some meeting with him to just work out further effective mechanisms to get money from maintenance defaulters.

The DEPUTY SPEAKER: Thank you. Hon member Mackenzie, follow up?

Mr R D MACKENZIE: Thank you. Hon Minister, how do you propose that one actually deals with the defaulters of *papgeld*.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, hon member Mackenzie. I think the time has come that we firstly ask that the law that was amended last year, the blacklisting of defaulters, be implemented effectively. I think that is the first step that we need to take. But the second step is - in fact, I want to call on the Judiciary of Presiding Officers and Magistrates to implement the principle of periodic imprisonment, specifically Pollsmoor so that men who default on paying their maintenance money for their children be sent for weekends to Pollsmoor and they will never ever default again. They will all pay the first week it happens and we call on the

judiciary to really implement periodic imprisonment, specifically at Pollsmoor so that men pay their *paggeld* and do not default. You will see how quickly that stops and the decrease of people not paying will happen very quickly. And that is really a call to the judiciary, a plea to the judiciary, to imprison men periodically.

Mr Q R DYANTYI: I like that. I support you.

The DEPUTY SPEAKER: Thank you. We then proceed to the next question. Question number 9. Hon member Mnqasela to Minister Bredell. Minister Bredell?

Water Engineers, Western Cape

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

- (1) Whether his Department has plans in place to increase the number of water engineers in the Western Cape; if not, why not; if so, what are the relevant details;
- (2) what is the role of municipalities in increasing the number of water engineers?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you for the question,

Mr Deputy Speaker. The Western Cape, in relation to other provinces in the country, has a relatively good complement of engineers and technicians within its municipalities. The high ratio of households with access to water is a clear testimony of the technical institutional capacity in our Western Cape municipalities. Secondly, it contributes to the good Blue and Green Drop performance of our province. The Department therefore has no specific plans at present to increase the number of water engineers in the Western Cape.

The scope of civil engineering/technical work at municipalities covers a wide range in the engineering/technical field. Therefore civil engineers/technicians with overall general knowledge and skills are preferred by municipalities in general.

†Mnr die Adjunkspeaker, die Departement van Plaaslike Regering en Menslike Nedersettings neem dikwels studente in op 'n jaarlikse basis as deel van sy Internskapsprogram met die doel om hulle bloot te stel aan die provinsiale/munisipale omgewing. 'n Beperkte hoeveelheid beurse word deur hierdie twee departemente beskikbaar gestel in hierdie verband.

Die Departement van Waterwese en Sanitasie voorsien wel ingenieursbeurse vir studente in die wateromgewing om die poel van wateringenieurs in die Wes-Kaap te vermeerder. Ingenieurs wat spesialiseer in water en afvalbestuur word hoofsaaklik deur die Stad Kaapstad en sommige van die groter munisipaliteite aangestel.

In die algemeen is daar genoegsame ingenieursvaardighede in die Wes-Kaap behalwe sommige kleiner munisipaliteite in landelike omgewings. Die Munisipale Infrastruktuur Ondersteuningsagentskap (MIOA) ontplooi tans vier ingenieurs in die Wes-Kaap om sowat agt munisipaliteite met ingenieurstekorte te ondersteun. Een van die Stad Kaapstad se primêre doelwitte, om ekonomiese groei te bevorder, is om werkskepping in die infrastruktuuromgewing te bevorder deur die voorsiening van beurse, internskappe sowel as ambagsleerskappe en opleidingsprogramme te bevorder. Dankie.

*Mr Deputy Speaker, the Department of Local Government and Human Settlements often takes in students on an annual basis as part of its Internship Programme with the purpose of exposing them to the provincial/municipal environment. A limited number of bursaries are made available by these two departments in this regard.

The Department of Water Affairs and Sanitation do provide engineering bursaries to students in the water environment to increase the pool of water engineers in the Western Cape. Engineers specialising in water and waste management are mainly appointed by the City of Cape Town and some of the larger municipalities.

Generally there are sufficient engineering skills in the Western Cape except in some smaller municipalities in rural environments. The Municipal Infrastructure Support Agency (MISA) is currently deploying four engineers

in the Western Cape to support about eight municipalities with engineering shortages. One of the City of Cape Town's primary aims, to promote economic growth, is to promote job creation in the infrastructural environment through the provision of bursaries and internships as well as the promotion of trades and training programmes. Thank you.

The DEPUTY SPEAKER: Is there a follow-up? Hon member Mngasela?

Mr M MNQASELA: Thank you, Mr Deputy Speaker. I welcome the response to my question. It is primarily those kinds of anecdotal specifics that were given by the Minister, that you know when we talk about services and all of the qualities we need to make sure that services, especially water services, are not compromised on quality.

Now the question to the Minister is: given the shortage nationally and the fact that some municipalities with the new benchmark and the caps on salaries are now unable to draw the kind of capacity that is required, what is the intention from the Department's side to encourage and also promote the attraction of skills and the retention of skills in those municipalities?

The DEPUTY SPEAKER: Thank you, hon Minister?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Well, Mr Deputy Speaker, yes, it is a difficult one at this stage. What we are trying to do, as a

Department, is try to fill the gaps with bursary schemes. I think especially in the rural areas there is a huge need and we are asking our municipalities currently and looking into whether it is possible to go into a kind of 50-50 partnerships where they decide that they have got a matriculant whose got the ability to become an engineer and that we, with the municipality, will fund it on a 50-50 basis and try and see to it if we can contract this person to also go back and work for 4 years back in the municipality and then every second year you will put somebody through university for that specific municipality.

Because if it is a good engineer I think the private sector will also step in and give them good offers and they will move on. So it will be part of our contribution to South Africa and to the Western Cape to invest in these kinds of sectors but to build it overall for the province. Thank you.

The DEPUTY SPEAKER: Hon member Dyantyi?

Mr Q R DYANTYI: Thank you, Mr Deputy Speaker. Just to check with you Minister, on your response. What particular municipalities and districts do you help as you indicated in your answer that you are working with UNISA who are also assisting in terms of these water engineers? Which of those municipalities?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I expected that as a follow-up so I hope I have got the right information from all the municipalities for the hon member Dyantyi. Matzikama and Cederberg have one engineer to support them, to help them. And it is the right thing. The smaller municipalities are further out so they struggle to get to the right salaries, the right capacity there - so that is one. Laingsburg and Beaufort West are another, Kannaland and Prince Albert are another. Swellendam and Cape Agulhas, currently.

In your term when you were Minister we had the DBSA Programme where we had eight engineers and eight CFO's for the province. Unfortunately they stopped that programme and we fought really hard to convince Government to give us these engineers to support the smaller municipalities because I think that is our responsibility. The bigger municipalities do not have that challenge to pay the right salaries and to attract the right market because they are closer to the centre of all the activities. But our smaller municipalities do have a huge challenge and we need to take that responsibility and fill that gap and support them so that they can provide the necessary services to their communities. Thank you.

The DEPUTY SPEAKER: Thank you, hon Minister. Hon member Dyantyi, Third one?

Mr Q R DYANTYI: Given the understanding that out of our six regions or districts that are the Central Karoo and West Coast, when it comes to water challenges, those are the two that we always worry about. I wanted to check that you when you answered and said in the Western Cape it seems to be we are not necessarily worried about that where we have these, can you still say the same about those two districts – the Central Karoo and the West Coast?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Actually I touched on it in the interpellation, Mr Deputy Speaker. Of course we are worried. We are worried about all our resources because of population growth first of all. Planet Earth can only deal with so many people, 7 billion. We are currently there and predictions are that we going to move onto 9 billion by 2050.

But our problem that we need to deal with is the population growth of the Western Cape. At present we are looking into different studies, five different studies: the Worldwide City Blowout Report, we are busy looking at the research that PriceWaterhouseCoopers has done on a provincial level and the Growth Potential study of the province itself. We plotted them onto one another and in those studies you will see that the West Coast, not the Central Karoo currently, the West Coast, the Cape Winelands and Overberg and the City of Cape Town's estimated population growth is anything from 30 – 35%.

So add a third of people to the province currently and we ask ourselves where is the water going to come from? So we must then out of that, go and plan

for storage capacity, how we are going to invest in dams? Also how we are going to invest in refuse? Refuse is going to become a big problem. How are we going to invest in sewerage? Road infrastructure, our rail infrastructure? Then the big question, where are we going to build our schools? Where are we going to build our hospitals? It is going to be a big plan up until 2030 and all our councillors and all our Mayors will need to realise that they are now entering the first 5 years of that planning cycle, that if we do not get it right in these 5 years we are in trouble. Thank you.

The DEPUTY SPEAKER: Thank you. We then proceed to the next question which is Question number 1, hon member Mnqasela to Minister Schäfer. Hon Minister Schäfer?

iQhayiya High School in Zwelihle, Hermanus: upgrades to

10. Mr M Mnqasela asked the Minister of Education:

Whether her Department is contemplating any upgrades to the existing iQhayiya High School in Zwelihle, Hermanus; if not, why not; if so, what is the time frame?

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker. The answer is yes. The WCED User Asset Management Plan for 2016/17 has earmarked iQhayiya for replacement. Construction is scheduled for the 2017/2018 financial year. Meanwhile the Department will provide five

mobile classrooms to ease overcrowding at the school.

The DEPUTY SPEAKER: No follow-up questions? Is there one? Hon member you may continue. Hon Mnqasela?

Mr M MNQASELA: Thank you, Mr Deputy Speaker. I am excited like a child jumping up and down in the rain. The Minister has responded to my question. Thank you very much, Mr Deputy Speaker. [Laughter.]

The DEPUTY SPEAKER: Hon member, yes that was an inside gap you took there. Hon member Olivier, is it supplementary?

Mr R T OLIVIER: No. Mr Deputy Speaker, can the MEC give us a time frame as to when those mobile classes will be delivered?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF EDUCATION: The Department has actually given money to the school so that they can procure them themselves because it is quicker. It is up to the school to ensure that it happens as soon as possible.

The DEPUTY SPEAKER: We then proceed to the next question which is Question number 11, hon member Botha to Minister Bredell.

Cederberg Municipality: payment to previous Municipal Manager

***11. Ms L J Botha asked the Minister of Local Government,
Environmental Affairs and Development Planning:**

Whether an amount of R1,8 million was paid out to the previous municipal manager of the Cederberg Municipality after he was suspended; if so, (a) why and (b) what were the (i) reasons and (ii) procedures that lead to the pay-out?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Baie dankie, mnr die Adjunkspeaker. Dankie vir die vraag. Die volgende inligting is ontvang van Cederberg Munisipaliteit. Ja, 'n skikkingsbedrag van R1,8 miljoen is aan die voormalige munisipale bestuurder betaal. Die werksverhouding tussen die munisipaliteit – die volgende deel van die vraag. Waarom?

Die werksverhouding tussen die munisipale bestuurder en die raad het verbrokkel. Dan deel (b)(1), wat was die redes. Dieselfde. Die werksverhouding het verbrokkel. En die tweede gedeelte is oor die prosedures was wat tot die uitbetaling aanduiding gegee het. Die regsverteenvoerders van beide partye het opdrag ontvang om 'n skikkingsooreenkoms aan te gaan. Dankie, mnr die Adjunkspeaker.

*The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Mr Deputy Speaker. Thank

you for the question. The following information was received from Cederberg Municipality. Yes, a settlement amount of R1,8 million was paid to the former municipal manager. The working relationship between the municipality – the next part of the question. Why?

The working relationship between the municipal manager and the council has deteriorated. Then part (b)(1), what were the reasons. The same. The working relationship has deteriorated. And the second part is about the procedures that gave rise to the payment. The legal advisers of both parties have received instructions to come to a settlement agreement. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Is there a follow-up question hon member Botha?

Ms L J BOTHA: Thank you, Mr Deputy Speaker. I just want to know from the Minister how did the Municipality acquire the funding to pay this amount of money?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Mnr die Adjunkspeaker, die munisipaliteite het sekere inkomstestrome en aan die einde van die dag betaal die belastingbetalers hierdie prys. En dit is een van die items wat ons in ons veranderende model moet na kyk in die toekoms en dis een van die items wat ek gevra het vir 'n een-tot-een afspraak met die Nasionale Minister. Wat ons werklik na gaan kyk is oor hierdie tipe uitbetalings wat gemaak word. Dat

ons werklik gaan kyk dat mense wat bedank net voordat hulle skuldig bevind word dan verval die 10 jaar wat hulle nie meer mag werk in 'n munisipaliteit nie want hulle het bedank, dat ons daardie items uit die weg ruim. Want ek dink tans gee die wetgewing nie vir ons wat ons bedoel het met die wetgewing nie so daar sal moet veranderings kom. Dankie.

*The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, the municipalities have certain revenue streams and at the end of the day the taxpayers are paying this price. And it is one of the items we have to look at in the changing model in future and it is one of the items I asked for in a one-on-one appointment with the National Minister. What we really are going to look at are these types of payments that are made. That we really are going to look at people who resign just before they are found guilty and then the 10 years they may not work in a municipality lapses because they have resigned, that we remove those items. Because at the moment the legislation does not give us what we aimed for with the legislation, so there will have to be changes. Thank you.

†Die ADJUNKSPEAKER: Die tyd agb Botha.

*The DEPUTY SPEAKER: The time hon Botha.

† Me L J BOTHA: Ek wil net vra vir die Minister. Die betrokke voormalige munisipale bestuurder, was hy enigsins verbode aan vorige munisipaliteite en is daar dalk 'n ...

*Ms L J BOTHA: I just want to ask the Minister. The relevant former municipal manager, was he at all linked to previous municipalities and is there perhaps a... †is there a trend of previous municipalities where he worked at where he also acquired a package or severance package?

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Dis 'n sensitiewe vraag maar ek is bereid om dit te antwoord, mnr die Adjunkspeaker. Die feit is dat baie van die, as ek dit mag gebruik, die term "vrot appels in hierdie mandjie", word rond geskuif. So ja daar is 'n trend by baie, nie net hierdie een nie. By hierdie een spesifiek ja. Soos in Oudtshoorn het dit plaasgevind, toe ook in Stellenbosch het dit plaasgevind en toe in Cederberg so ek weet nie waartoe is hy nou oppad nie. So ons praat van die spesifieke persoon. So agb Dyantyi dis nie oor wie die meeste gevat en wie het die meeste uitbetaal is nie. Die beginsel is verkeerd.

*The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: It is a sensitive question but I am prepared to answer it, Mr Deputy Speaker. The fact is that many of the, if I may use the term, 'bad apples in the basket' are moved around. So yes, there is a trend with many, not just this one. With this one specifically, yes. As in Oudtshoorn it happened, then also in Stellenbosch and then in Cederberg, so I do not know where he is off to now. So we are talking about the specific person. So hon Dyantyi it is not about who took the most and to whom was the most paid out. The principle is wrong †and we need to address the

principle.

It is wrong to use taxpayers' money to pay an amount of R1.8 million to an individual who did not comply with the statutory requirements of proper, good management systems within the municipality and then the taxpayers must pay for that. It is wrong. Thank you.

The DEPUTY SPEAKER: Hon member Dyantyi is there a follow-up?

Mr Q R DYANTYI: I completely agree with the Minister that it is wrong. The question is what are you doing to make sure that you prevent such?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I have stated it, Mr Deputy Speaker. We need to change legislation. We cannot operate outside of the framework of the law. We obviously motivate municipalities and we obviously have got a strong legal department who supports municipalities and as far as possible prevent any pay-outs. But, Mr Deputy Speaker, we need to operate in terms of the law and therefore we need to change certain clauses within the legislation.

The DEPUTY SPEAKER: Last opportunity hon member Dyantyi.

†Mnr Q R DYANTYI: Baie dankie. *Thank you. From your own understanding Minister, is that practise only happening in municipalities? Can you share a few examples in the province of the same thing?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I am not sure I get gist of that question. I work with municipalities. It is happening within the municipal domain. So I am not sure. I think that is a new question.

†Die ADJUNKSPEAKER: Die tyd vir mondeling vrae is nou verstreke.

*The DEPUTY SPEAKER: The time for oral questions is now expired.

The remaining replies will be taken up in Hansard – the three questions that we did not deal with. We now come to Questions to the Premier without notice and the first question is from the hon member Gillion.

QUESTIONS TO THE PREMIER WITHOUT NOTICE

Ms M N GILLION: Thank you, Mr Deputy Speaker. Madam Premier, in light of the fact that you have continuously contravened the Constitution of the Western Cape by failing in the establishment of the Children's Commissioner as provided in section 78 of the Constitution and your attempted failure to remove it by amending the Constitution, which you failed to obtain a 2/3 majority in this Provincial Parliament, you then abandoned it. Madam Premier how do you intend to protect children's safety

and the access to proper, uninterrupted schooling in the Cape Flats as they are constant victims of gang violence and killings, including practical steps to establish the long awaited Children's Commissioner.

An HON MEMBER: Hear-hear. [Interjections.]

The DEPUTY SPEAKER: Hon Premier.

The PREMIER: Mr Deputy Speaker, this question has been asked and canvassed very fully before in this House but the honourable the ANC have become the equivalent of a one-horse town. They are a one-question party.

†Mnr Q R DYANTYI: Asseblief.

*Mr Q R DYANTYI: Oh, please.

The PREMIER: They keep on coming back to the same questions over and over again, which makes my life very easy. They are supposed to be exercising oversight in this House but they ask the same question every single time.

Mr Q R DYANTYI: Okay now answer that.

An HON MEMBER: Answer the question.

The PREMIER: I have answered the question and I will repeat exactly what I

said before.

Mr Q R DYANTYI: That is it.

The PREMIER: We accept that we have to abide by the Constitution and during my term as Premier I would continue to take the necessary steps to establish a Children's Commissioner. May I also make absolutely clear to the hon member Ms Gillion that a Children's Commissioner can do absolutely nothing about gang violence, given the limited powers that are given to the Children's Commissioner in the Constitution; and I have been through those in great detail in this House before.

The DEPUTY SPEAKER: Hon member Ms Gillion, a follow-up?

Ms M N GILLION: Yes. Madam Premier, now can you tell this House how many young people under the age of 30 years were reported killed and/or injured in the last quarter compared to the same period of the previous year?

The PREMIER: Mr Deputy Speaker, if the hon member Ms Gillion wants to ask me comparative statistical questions she will have to table that question because these are questions without notice and I do not walk around with accurate statistics comparing one year's from another in my head.

The DEPUTY SPEAKER: Your last opportunity, hon member Ms Gillion.

Ms M N GILLION: Yes, thank you. Now you see Mr Deputy Speaker, through you to the Premier, now Madam Premier, do you think if we had the Children's Commissioner in place you could have now answered me much quicker and more directed because you see there is no need for us to have a Constitution in this province, if you continue to not use that Constitution properly in this Western Cape. So do you really think that it is proper to undermine the Constitution of this Western Cape when we come to the Children's Commissioner? Thank you. [Interjections.]

The DEPUTY SPEAKER: Madam Premier.

The PREMIER: I think it is totally improper to violate the Constitution. That is why we are taking steps to institute the Children's Commissioner, which is what the ANC never did in their entire term in the Western Cape. They never took any steps to do anything. We did and we are. That is the first answer.

The second answer to a hypothetical question, which I am actually not obliged to answer, posed to me was whether I would be in a better position to answer the statistically comparative question if there was a Children's Commissioner and the answer is no because that information resorts with the honourable Minister of Community Safety and not with the Children's Commissioner.

The DEPUTY SPEAKER: Thank you. The second questioner, the hon member Ms Botha.

Ms L J BOTHA: Thank you. Madam Premier, what progress is being made on reducing the use of electricity by the Western Cape Government in line with the Energy Security game changer?

The PREMIER: Thank you very much, Mr Deputy Speaker. The energy security game changer is a very important one and already it is having very significant impacts. When the rest of the country was still having Stage 1 load-shedding the Western Cape was not having Stage 1 load-shedding because of the work that the Province and the City did together, but of course we have to lead by example and we got a really high target by 2019 to cut this Provincial Government's usage and in comparison I am not talking now about the province as a whole. I am only talking about the Provincial Government's consumption of electricity by 30%. That is huge. We have a lot of people working on that and we have a consultant who is only getting paid out of the savings that the new practices we institute generate so we have to generate savings in order to pay this particular person. Equally we are on a very strong drive to save electricity internally to use solar PV and other mechanisms on our buildings in order to save a very significant amount of electricity.

Secondly in the province as a whole we are working very hard to get the legal environment right to seek to enable people to get smart meters and if they generate electricity through alternative mechanisms for example photovoltaic they can feed back the spare electricity they have into the grid and then they

can offset their municipal accounts off that extra generation that they effect in their houses.

We are also looking at liquefied natural gas and various other sources of energy that can fulfil the requirements of the Western Cape and we are ensuring that the environment and the legal environment is in place because there is certainly a manufacturing environment in place and we anticipate that the major demand for photovoltaic, which is already on the go right now, will escalate dramatically in the years ahead.

The DEPUTY SPEAKER: Hon member Ms Botha, no follow-up? We then proceed to the next one, number three.

Mr Q R DYANTYI: That was a sweetheart question.

The DEPUTY SPEAKER: Hon member Mr Magaxa.

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. Madam Premier, in your reply speech to the State of the Province Address debate, you said, referring to the Tafelberg School, I quote:

“We have sold that to the highest bidder on the understanding that it cannot be knocked down and redeveloped. It cannot be because it is a Heritage Building and that is the constraint on the land. As I understand it, after my enquiries to Public Works, the buyer wants to keep it as a

school.”

The Department of Human Settlements also, in a letter to the Department of Public Works, stated that it objected to the site being disposed of by the Western Cape Government as it could be utilised to further the government’s objectives.

My question therefore is: is it true that there were serious inconsistencies in the process by which the Western Cape Department of Transport and Public Works sold the Tafelberg Remedial School site?

The PREMIER: No, actually, none at all, Mr Deputy Speaker, because different departments have different views on things and the government must take a decision. But this matter is before the Courts right now and there is nothing more I can say about it without legal advice. [Interjections.]

Mr Q R DYANTYI: There is no place to hide.

Mr DEPUTY SPEAKER: Thank you. Is there a further one?

†'n AGBARE LID: Die waarheid moet uitkom.

*An HON MEMBER: The truth must come out.

Mr K E MAGAXA: Unfortunately, Madam Premier, I have to ask a second question in relation to the same issue. Why was a feasibility study conducted

by the Social Housing Regulatory Authority, detailing how many social housing units the site could have accommodated, including rendering and the financial model, ignored?

The PREMIER: Mr Deputy Speaker, the whole issue is before the Court. I thought it was going to be before the Court today and there is certainly no question that I can answer without legal advice. I do not know the inside-outs of this particular case. Apparently the answering affidavits have been provided at this point ...[Interjection.]

Ms P Z LEKKER: So you say you do not know [Inaudible.]

The PREMIER: ... and I have not, directly, been party to them. It is not my informed opinion that is required, it is facts before a Court of law and I am not in a position to give them without jeopardising a court case. [Interjections.]

Mr Q R DYANTYI: You are so hesitant... [Interjection.]

Mr DEPUTY SPEAKER: Is there a further follow up?

Mr K E MAGAXA: But, Mr Deputy Speaker, we are not dealing with the merits and demerits of the case, you know. We are just interacting.

Mr DEPUTY SPEAKER: The Premier can respond in the way she wishes.

You have a chance to ask another question if you want to.

Mr K E MAGAXA: In my understanding she is not a respondent in that court case, as the Premier.

Mr DEPUTY SPEAKER: Please proceed. Do you have another question?

Mr K E MAGAXA: Yes. Does the Premier admit to having purposefully misled this House in February this year when she stated that the land was not suitable for housing development because her government was in possession of various documents and studies proving the opposite? The current court interdict against the purchase proves the sale to be unjust and unreasonable.

Mr DEPUTY SPEAKER: Madam Premier, can I just say before you respond: it is so that this matter is before the court, but the onus is on the Premier to respond in the way she wishes to respond. [Interjections.]

Mr Q R DYANTYI: There is more to it, do not worry! [Interjections.]

The PREMIER: Mr Deputy Speaker, it does not prove anything of the sort because people can have opinions and then we have to measure them against each other and measure them against the law and what is possible. I have never misled this House knowingly. [Interjection.] Never misled this House knowingly and I never will. [Interjections.] And I have ...[Interjection.]

The DEPUTY SPEAKER: Order. We proceed to the last question. Hon member Mr Hinana?

Mr N E HINANA: Thank you, Mr Deputy Speaker. My question to the Premier without notice is ... [Interjection.]

An HON MEMBER: You did not deceive them knowingly [Interjections.]

Mr N E HINANA: Premier, what is your view about the unanimous Constitutional Court ruling against the Nkandla scandal... [Interjections.]

Mr Q R DYANTYI: That is a DA caucus.

Mr N E HINANA: ...where Judge Mogoeng said that the President of South Africa Jacob Gedleyihlekisa Zuma failed to uphold respect and protect the Constitution? What impact does that have in South Africa generally and the Western Cape in particular? [Interjections.]

The DEPUTY SPEAKER: Premier.

The PREMIER: Well first of all it puts the spotlight onto President Zuma's attempts to capture the state. Now the interesting thing is that there has been a very confused debate on State capture. State capture has got nothing to do with the Guptas giving instructions. It has got everything to do with the ANC undermining independent institutions of State and the wonderful thing is with

the judgments that are coming forward... [Interjection.]

Ms P Z LEKKER: [Inaudible.] ...from your friends, the Guptas.

The DEPUTY SPEAKER: Order.

The PREMIER: ... it is absolutely clear that the institutions of state have not been captured and remain independent. So the very clear finding is that the President violated the Constitution and the consequence of that is very, very serious. [Interjections.]

Ms P MAKELENI: This one is captured.

The PREMIER: And clearly the ANC is deeply divided about the response that the President should give to being found to have been in violation of the Constitution by the Constitutional Court. [Interjections.]

The second implication of course is for the Legislature, the Parliament that they also violated the Constitution by not respecting the recommendations of the Public Protector or the findings of the Public Protector and that they also violated the Constitution by not exercising oversight. The implications are very, very profound for Government as a whole. The implications are profound for this Parliament but they are also profound for every function that requires oversight and monitoring and we have a number of departments in the Western Cape that have either powers of oversight or powers of

monitoring and we have to focus very much on what those words mean and what the Constitution intended them to mean so that we can fulfil them.

For example if the Minister of Local Government has to monitor the functions of Local Government what does that mean and what is the concomitant onus on Local Governments to enable us to get the information we need to do proper monitoring. So there are enormous implications, Mr Deputy Speaker, of that Constitutional Court judgment that we must apply our minds to and on which we are getting legal advice. Thank you very much.

The DEPUTY SPEAKER: Thank you is there a follow-up, hon member Mr Hinana?

Mr N E HINANA: Yes there is a follow-up, Mr Deputy Speaker. Madam Premier, if you were the President of the country... [Interjection.]

An HON MEMBER: Never! [Interjections.]

Mr N E HINANA: ...and such a unanimous ruling is against you...

An HON MEMBER: Haibo! This will never be. [Interjections.]

Mr N E HINANA: ...what is the best thing you would do, one, in order to restore the image of a democratic country, which is South Africa, and also to restore the image of yourself... [Interjections.]

The DEPUTY SPEAKER: Order! Would you finish please?

Mr N E HINANA: ...and also to restore the image of yourself as the leader of the country. Thanks.

The DEPUTY SPEAKER: Order hon member Mr Hinana before the Premier responds, can I just say, hon member Mr Hinana, that I allowed your first question which was very wide but you brought it back to the province. Your second question is a hypothetical question. The Premier may respond to it if she wishes but it is actually off the topic. [Interjections.]

The PREMIER: I think it is a hypothetical question Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you.

An HON MEMBER: Sorry!

The DEPUTY SPEAKER: Is there a second? There is another, a second opportunity. Do you want to take it; otherwise we proceed. [Interjections.] We then proceed to Statements. [Interjections.] Do you want to do your statement? Is the ANC first? I am looking for the list.

Mr S G TYATYAM: Yes.

The DEPUTY SPEAKER: The ANC is first, yes, you may proceed.

Mr S G TYATYAM: Thank you. [Interjections.]

An HON MEMBER: The DA is first. The DA is first.

The DEPUTY SPEAKER: Sorry, just one second.

Mr S G TYATYAM: Do you want the DA first? Okay. [Interjections.]

The DEPUTY SPEAKER: What is the sequence Secretary; is the DA first?

The SECRETARY: The DA is first.

The DEPUTY SPEAKER: We have a fixed sequence and I am shopping around for the sequence now, but we will proceed with the DA first then.
Hon member Ms Botha.

STATEMENTS BY MEMBERS

Ms L J BOTHA: Mr Deputy Speaker, as a country it is important that we take note that April marks Autism Awareness Month. Autism needs attention so that meaningful intervention can be made. We do not have very up to date statistics as far as how prevalent Autism Spectrum Disorder is in the country.

Mr Deputy Speaker, allow me to share Tyler's story.

Tyler Ripepi was diagnosed with Autism Spectrum Disorder when he was four and it was soon discovered that he was on the low functioning autism spectrum and that meant that he needed private intervention to enable acceptance at established state-run autistic schools.

Coming from an impoverished background it soon became clear that his mother would not be able to afford the costs in the long term. That is what prompted Nicolette Ripepi - this is now Tyler's mother - to open up the Autism Connect Learning Centre in Westridge Mitchells Plain. The centre has been instrumental in helping parents just like Nicolette with sons just like Tyler. Autism Connect through its networks with various role players gives children with ASD the deserved chance to be the best they can be. The reality is that there are not enough centres of this nature and I am urging the DSD to do more research in order to assist children like these.

Sometimes the overlapping symptoms between ADHD and ASD can cause a child to be incorrectly diagnosed with one condition rather than the other. As a result one of the most important things you can do as a parent or caregiver is to learn the early signs of autism and become familiar with the typical developmental stages that your child should be reaching at any given period. In this way parents will be able to take the necessary steps and offer support to the child from an early age.

The Provincial Government First 1000 Days Project that was recently launched by Minister Albert Fritz and Minister N Mbombo, forms part of the province's campaign to raise awareness of the crucial First 1000 Days of a child's life. We applaud the two Ministers for this initiative as it will greatly assist with the early detection of autism and other disorders.

The DEPUTY SPEAKER: Order member, your time has expired unfortunately.

Ms L J BOTHA: Okay, Thank you, Mr Deputy Speaker. [Time expired.]

The DEPUTY SPEAKER: I see the ANC now.

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. Let me take this opportunity to also greet the people from the greater Philippi horticultural area. The horticultural area, which is about 3200 hectares, was designated for horticultural use in 1998. The area is critical for food security and livestock farming. In terms of the Urban Structure Plan 1998 the piece of land could be used for other aspects of horticulture.

In 2009, the report commissioned by the City of Cape Town confirmed an earlier study that found that the PHA was critical and significant in sustaining food security in the whole City of Cape Town and without it, it would put the greater City of Cape Town at risk and create a problem of food insecurity.

The struggle for the retention of horticultural land started in 2008 when the company called Rapicorp 122 lodged an application with the Provincial Government to rezone the portion of agricultural land to mixed-density housing units and industrial use.

The DA Government, both in the City and the province have ignored the pleas from emerging farmers who have been trading there for a very long time. They have granted the application in 2011. This threatens livelihoods which includes the loss of 300 hectares of urban farmland, which produces about 150 tonnes of annual vegetation and flower production. This already created about 4000 jobs.

Since then, this tiny emerging farming community have been sent from pillar to post. One frustrated Mr Achmat Brinkhuis said everyone knows about the problem, but no-one wants to come to assist them; even the Mayor, even Chithimuzi, Premier.

†Mnr R B LENTIT: Dis nie waar nie. [Tussenwerpsel.]

*Mr R B LENTIT: That is not true. [Interjection.]

Mr S G TYATYAM: They know about this problem. [Interjections.]

The DEPUTY SPEAKER: Order hon member Mr Tyatyam, just finish off, your time has expired.

†Mnr R B LENTIT: Dis nie waar nie. [Tussenwerpsels.]

*Mr R B LENTIT: That is not true. [Interjection.]

The DEPUTY SPEAKER: The last sentence.

Mr S G TYATYAM: Thank you.

†Me M N GILLION: Nee man, dis waar.

*Ms M N GILLION: No man, it is true.

Mr S G TYATYAM: The ANC is calling for this Government and the City of Cape Town to make sure that we preserve the Philippi farming community so that we continue to have subsistence farming and small scale farming taking place in that area. Thank you.

The DEPUTY SPEAKER: Thank you member. [Interjection.]

An HON MEMBER: Amandla! [Applause.]

The DEPUTY SPEAKER: The DA. Hon member Mr Max, hon member Mr Hinana?

Mr N E HINANA: Thank you, Mr Deputy Speaker. As we draw nearer to the Local Government Elections, the role of the IEC will be playing a very

pivotal role and after the election. Since the dawn of our democracy this institution has had the faith and trust of all citizens and has time and again delivered free and fair elections despite having some immense challenges. The recent ruling by the courts to ensure that all people on the voters roll have their addresses captured puts a serious strain on the capacity of the IEC to deliver on its mandate on time. The recent cancellation of bi-elections due to the address issue speaks to the credibility and integrity of the IEC, never mind the financial implications by those that were involved in terms of preparing for those bi-elections.

The day where we start to question this institution's credibility and integrity is the day that we start to kiss our democracy goodbye. We therefore urge the IEC to address and resolve the issue of address in order to dismiss all accusations of vote rigging and fraud. We do not want a situation where we start to question the past election results based on the perceived address issues.

Ms P MAKELENI: What are you worried about?

Mr N E HINANA: In conclusion, Mr Deputy Speaker, we also note with concern the service delivery protest that took place in various provinces and ultimately resulted in registration being halted.

An HON MEMBER: There is no worry.

Mr N E HINANA: We urge those people that are against the IEC programmes that they should not disenfranchise the people who want to exercise their democratic right of registering and participating in the democratic processes.

These are issues that have a direct impact on the final voters roll and will need to be addressed by the Commission as soon as possible. Thank you.

The DEPUTY SPEAKER: Thank you, the EFF.

Mr B D JOSEPH: Thank you, Mr Deputy Speaker.

“The nation that destroys its soil destroys itself...” (Franklin Roosevelt)

As EFF we want to know why prime agricultural land has to be utilised for development when there are thousands of hectares elsewhere in the City. Every day, prime agricultural land is lost to the non-agricultural use for commercial developments.

Today’s suburbanite is far removed from the farm that puts the food on the plate. He has come to take food for granted. All the problems that threaten our future worsen in direct relationship to our rate of growth. Each new development consumes more farmland and adds to all the other problems, but at what risk?

The Western Cape might be large but only a small portion is agricultural

land, fit for agriculture. Two thirds of our usable land has already been lost to over-farming and urban sprawl and despite today's global economy we cannot depend on importing food from countries whose practices are just as unsustainable as ours.

Why is farmland so important? As we lose agricultural land at a rapid rate we face a future where our ability to feed our families is seriously compromised. About half of the nation's protected species use private working lands for 80% or more of their habitat. It will impact negatively on the wildlife and biodiversity.

The housing projects over agricultural land have long-term negative impacts on clean water and air. It destroys the environmental quality. How can anybody still regard growth, particularly conventional growth, as good? We have to act. We should protect agricultural land.

Poor planning and wasteful land use by the DA Government is typically the problem, not growth itself. Far more Western Cape farmland is developed than is needed to provide housing for a growing population.

The DEPUTY SPEAKER: Hon member Mr Joseph, your time has expired. Just finish off.

Mr B D JOSEPH: Will we act soon enough or will the DA Government, the architect of Blikkiesdorp, develop our land to death? [Time expired.]

The DEPUTY SPEAKER: Thank you, your time has expired. [Interjections.]

I see the DA hon member Mr Mnqasela.

Mr M MNQASELA: Thank you, Mr Deputy Speaker. The National Cogta fails our disaster support management. We need Cape Provincial Disaster Management to get more support from National Disaster Management.

What we have picked up when we had a presentation from the Department of Local Government is that the Disaster Management Unit has 96 personnel capacity and that is 96 for the entire province and 82.5% of that is in the City of Cape Town and 17.5% is in the outside metro and that accounts for 80 persons versus 16 persons.

Cogta must shape up to this reality and support particularly rural municipalities in this very crucial mandate. Failing to do so is an abuse of power and violation of the Constitution. In terms of the Constitution, Schedule 4, Part B, disaster is not a competency of Local Government, but fire-fighting is.

If National Government wants municipalities to carry out a mandate they must fund that particular mandate and Disaster Management is one of them when the Bill was brought to us by the NCOP to look at the Disaster Management review and we said to the Disaster Management National head office: "You know, if you do not fix this Bill by ensuring that you give

support financially, which the National Treasury did not even cost the bill, the suggestion was that National Treasury is going to provide 25% of the funding and that municipalities must provide 75% of the funding. As this Province we rejected that call and rejected that Bill which was useless, which made no sense to address that ... [Interjection.]

The DEPUTY SPEAKER: Thank you hon member Mr Mngasela. Your time has now expired.

Mr M MNQASELA: Thank you. [Time expired.]

The DEPUTY SPEAKER: I see the ANC, hon member Mr Magaxa.

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. In 2013, the Premier of the Western Cape, hon Premier Zille stood in front of us delivering her State of the Province Address and promised the people of the Western Cape that G F Jooste Hospital would be reconstructed.

Two years later in 2015 her Government, through the MEC of Health, unilaterally decided to close down the G F Jooste Hospital without consulting the people who would be affected by this closure and without a plan of what is to be done to service the people of Manenberg and Gugulethu who made use of this hospital. It was easier for this Government to destroy this hospital, which catered for the poor and the working class, than to rebuild it.

The Premier stood here and misled this Parliament and the people of the Western Cape, making empty promises knowing very well that she had no intention of upgrading the hospital but rather closing it down.

Fast-forward to 2016. The MEC of Health announces that the new site for rebuilding a new hospital has been identified, but she does not want to announce its location because she does not want “unnecessary objections.”

This means that the Provincial Department of Health sees no need to consult the affected community in the same way they did not when they decided to destroy it. This goes against the constitutional right of the people to access information and public participation which is one of the cornerstones of our democracy.

One wonders whether this site has indeed been identified to begin with, but we actually have reason to believe that this site has not been identified and that the announcement was just a PR stunt.

I challenge the MEC to reveal the location here and now.

An HON MEMBER: Well done.

The DEPUTY SPEAKER: Thank you. I see the DA, hon member Mr Max.

Mr L H MAX: Mr Deputy Speaker, I deeply share Metrorail commuters’

impatience with delays and disruptions in the Cape Town Metro. Our people deserve a much better service than what is currently provided.

I call on all parties to work together in the best interest of commuters, which means that PRASA needs to take the situation in Cape Town seriously and assist the working relationship between Metrorail and the unions. It is also critical that unions be willing to collaborate. Every avenue must be exhausted before going to a strike.

I want to thank Metrorail's technicians, technical teams for working hard to restore operations at three platforms at Cape Town Station, which have been reopened already and I will continue to ensure that the people of this province have access to jobs by means of transport.

I call on the public to work with the law enforcement agencies in ensuring that those responsible for the arson is brought to book and be punished accordingly. To arson two trains in Cape Town constitutes sabotage, and it is an unacceptable crime causing terrible material damage, directly impacting thousands of commuters' lives. I thank you.

The DEPUTY SPEAKER: Thank you, the ANC, hon member Ms Lekker.

†UNksz P Z LEKKER: Enkosi Sekela Somlomo. *Thank you, Mr Deputy Speaker. †It has been reported that in Manenberg alone 14 people have been gunned down since the beginning of April 2016. The most concerning factor

is that innocent people, especially young children, are the usual victims. They get injured, murdered and traumatised for a very long time. This affects their schooling and growing up.

This the best demonstrated by one Ms Gaironesa Daniels whose grandson Yusric was mistakenly killed at the age of 16 in 2014, and to date her eight year old daughter is still traumatised after two years.

This morning it was reported that schools are not spared as well. At Summit Primary in Hanover Park a teacher was robbed and stabbed inside a classroom just before school started.

Initiatives such as “taking back our children campaign” must be supported. We must applaud SAPS for deploying highly trained police officers to the gang-infested areas, and their commitment to relook at the fair distribution of police resources across the province including the Cape Flats. This includes the initiative by the Deputy Commissioner for detective services, Major General Jeremy Vearey to intercept prison orders via social media and Facebook that are intended to commit criminal activities and murder outside. On the contrary this DA-led administration is selfish, uncaring and its only mission is to ensure that the poor and marginalised people perish. [Interjections.]

It is not assisting that for MEC Debbie Schäfer continues lashing at SAPS whereas the City Policy has a Stay Safe Campaign which is not clear what

their contributions have been in this gang violence... [Interjections.] ...while we know that the school resource officers are also failing the schools in the City. The only way that the interests of the children could be secured and their rights be promoted and protected is to establish the Children's Commissioner.

The DEPUTY SPEAKER: Order! Your time has expired.

Ms P Z LEKKER: Thank you. [Time expired.]

The DEPUTY SPEAKER: Thank you hon member, your time has expired.

The DA, hon member Ms Schäfer.

Ms B A SCHÄFER: Mr Deputy Speaker, the severe drought that SA is currently experiencing has negatively affected South Africa's staple food crop and the demand for produce has pushed prices sky high.

Allow me to be more specific. In three months, in some areas, there has already been a 109.5% increase on a 10 kilogram pocket of potatoes, a 65.4% increase for a 10 kilogram pocket of onions and a 78.8% increase for two heads of cabbage. Just from January to February 2016, chicken portions have increased by 12%.

According to AgriSA, white maize prices have increased by 150% over the past 12 months with yellow maize prices rising up by 80%. This is the

reality. This is a concern for all our South Africans. Our farmers are now in a critical state thanks to the lack of support from the ANC National Government. Not to mention the low levels of our water in our dams across the province and still Mr Rashid Khan, Chief Director of Department of Water Affairs in the Western Cape region continues to reiterate that there is no drought in the Western Cape.

The Western Cape Department has applied for R88 million from National Government, but has yet to receive any support and I guess that the more the ANC Government drags its feet the more money will be needed to assist our drought-stricken areas.

We thank the DA-led Western Cape and the Department of Agriculture for taking the lead once again making a further R23 million available for drought-related needs. In total the Western Cape has without delay allocated R34 million to the needs of our provincial farmers.

I would like to thank the organised agricultural, Agri, and private sector companies such as SA Breweries, which transported 100 tonnes of feed to the West Coast stricken area. To Radio Tygerberg, we thank you for your campaign drive, which brought in a further 300 tonnes of animal feed donated from the public.

We note that the National Department of Agriculture has finally conceded that some areas in the Western Cape Province will be declared disaster areas.

The DEPUTY SPEAKER: Order! Member your time has expired, thank you.

Ms B A SCHÄFER: I thank you. [Time expired.]

The DEPUTY SPEAKER: That also brings us to the end of Members' Statements. We move on to Motions. First Motions where notice is given. I see the hon member Mr Dugmore.

MOTIONS WITH NOTICE

Mr C M DUGMORE: Mr Deputy Speaker, I give notice that I shall move:

That the House notes and investigates allegations by black traffic officers in the City of Cape Town that they are overlooked for promotions because of their skin colour.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Are there any further? Hon member Mr Magaxa.

Mr K E MAGAXA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the widespread shack fires in the province in

areas like Masiphumelele and Imizamo Yethu and plans of the Provincial Government to curb them.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Hon member Ms Wenger.

Ms M M WENGER: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the adequacy of the response from the South African Police Service, which is constitutionally obligated to prevent, combat and investigate crime to maintain public order, to protect and secure the inhabitants of the Republic and their property and to uphold and enforce the law and the on-going gang violence in the Western Cape and in particular the gang violence that has erupted in Manenberg.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Hon member Mr Max.

Mr L H MAX: Mr Deputy Speaker, I give notice that I shall move:

That the House discusses the necessity of a safe and effective public transport system in order to reduce the traffic congestion on our roads.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Hon member Mr Olivier.

Mr R T OLIVIER: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the unsafe state of schools in the province after yet another school, Avondale Primary in Atlantis, was confirmed unsafe by structural engineers, who told the WCED that they had identified some areas of building that need to be cordoned off until repairs to a certain feature are made. I so move.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. I see the hon member Mr Joseph.

Mr B D JOSEPH: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the Philippi Agricultural Area Development in the next sitting.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Hon member Ms Beverley Schäfer first.

Ms B A SCHÄFER: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the on-going drought in the Western Cape and its effects.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Hon member Ms Gopie.

Ms D GOPIE: Mr Deputy Speaker, I give notice that I shall move:

That the House investigates an allegation of racism in the Western Cape health facility after reports that black staff suffered racism at Tygerberg Hospital. [Interjections.]

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Hon Maseko.

Ms L M MASEKO: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the whole society impact of the upgrading of informal settlements in the Western Cape.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Are there any more? Hon member Mr Dugmore.

Mr C M DUGMORE: Mr Deputy Speaker, I give notice that I shall move:

That this House discusses the urgent need to appoint at least an additional 50 traffic officers to increase visibility on our roads, given the on-going carnage. We saw fatalities in the Western Cape increase with the highest percentage compared to all other provinces over the 2015 Festive Season and the horrific deaths over the Easter holiday period. I so move.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. [Interjections.] Hon member Ms Wenger.

Ms M M WENGER: Mr Deputy Speaker, I give notice that I shall move:

That the House takes note:

- (1) that the under-resourcing of the South African Police Service in the Western Cape is having a negative impact on school learner safety;

- (2) that when schools in distress or under threat call their local police stations for assistance the police response is poor or none at all;
- (3) of a recent attack where a Grade 9 learner from Modderdam Mitchells Plain was stabbed by gangsters even though the school had pleaded for police backup 20 minutes before the incident took place and did not arrive to prevent this crime;
- (d) that when the police and the Western Cape Education Department partnered in 2013 in Hanover Park and where SAPS increased visible policing around the school and created safe corridors for learners... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Ms M M WENGER: ...to get to and from school, learners were remarkably safer and the number of incidents decreased drastically. Therefore resolves that the Provincial Police Commissioner reports... [Interjections.]

HON MEMBERS: No, no.

The DEPUTY SPEAKER: Order! Order! Order! Allow the member to continue. The Speaker has the right to edit any motion, which do not comply with the Rules and I am listening carefully for the member to finish off.

Ms M M WENGER: Therefore resolves that the Provincial Police

Commissioner reports to this House on how SAPS will be adequately resourced and by when; that SAPS fills all vacancies as a matter of urgency; that school safety is prioritised... [Interjections.]

The DEPUTY SPEAKER: Order!

Mr D JOSEPH: That is a statement. She is making a statement.

An HON MEMBER: It is a statement.

The DEPUTY SPEAKER: Who is making a statement?

An HON MEMBER: That is a statement.

The DEPUTY SPEAKER: No the member is - I have allowed the member to continue. That is a motion. I have got no problem with it, with the length... [Interjections.] Order! Order! Order! I do not have a problem with the length of the motion. It is the content which may have to be panel-beated a little bit, but the member may continue.

Ms M M WENGER: ...and that visible policing is implemented and increased in particular around our schools.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken.

Ms M N GILLION: That is a statement. [Interjections.]

Ms D GOPIE: Mr Deputy Speaker, I give notice that I shall move:

That the House debates lack of community participation and lack of transparency on the new health facility to replace GF Jooste Hospital.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Can I just say, notice normally are short but notice can also be long, if you have a look at the other side, the other place, there is sometimes very long notice. [Interjections.] I am not saying that notice is 100% correct. I am just saying the duration, the length of a notice is not a reflection on whether it is acceptable or not, it is the content. Hon member Mr Magaxa.

Mr K E MAGAXA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the challenge of backyarders in the province and strategies from the Provincial Government to resolve it.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken.

Ms P MAKELENI: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the prevalence of diarrhoea in the Western Cape after reports of more than 8000 cases in the City of Cape Town alone.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken.

Mr R D MACKENZIE: Mr Deputy Speaker, I give notice that I shall move:

That the House wishes the new elected Springbok rugby coach...

The DEPUTY SPEAKER: No-no, we are doing with, where notice is given.

[Interjections.] No, I did not hear that. That is notice. She gave notice.

[Interjections.] Are there any further, hon member Ms Gopie?

Ms D GOPIE: Mr Deputy Speaker, I give notice that I shall move:

That the House institutes an investigation into what led to water cuts for two consecutive days on February in Tygerberg Hospital, which led to the hospital postponing surgery procedures and sent patients home after operations were [Inaudible.]

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Are there any further on this side, then I go to the hon member Ms Gillion.

Ms M N GILLION: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the ratio of social workers and psychologists, that is one for every 30 000 children who may need trauma counselling as reported by the WCED amidst on-going gang fights in the Cape Flats.

[Notice of motion as moved by member.]

An HON MEMBER: Hear-hear.

The DEPUTY SPEAKER: Notice taken. Hon member Mr Tyatyam.

Mr S G TYATYAM: Mr Deputy Speaker, I give notice that I shall move:

That the House investigates the report that most farmers in the Western Cape are not adhering to the new minimum wage for farmworkers that was announced by the Department of Labour in February.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Are there any more? Hon member Mr Magaxa.

Mr K E MAGAXA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates reasons for R120 million budget cuts on the housing allocation of seven municipalities by the Provincial Department of Human Settlements, despite the high number of housing backlog and calls for an investigation. [Interjections.]

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. [Interjections.] Hon member Ms Gopie.

Ms D GOPIE: Mr Deputy Speaker, I give notice that I shall move:

That the House requests the MEC for Transport and Public Works to investigate whether any of the vehicles utilised by current MECs have been driven by any of their relatives, friends and spouses and whether any of these vehicles have been involved in accidents while being driven by the relatives, friends and spouses of the MECs concerned.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. [Interjections.] Are there any further? For the last time, any further? We then proceed to motions without notice.

Mr B D JOSEPH: Before we - sorry Mr Deputy Speaker.

The DEPUTY SPEAKER: Order! Order!

Mr B D JOSEPH: It seems that I... [Interjections.]

The DEPUTY SPEAKER: Did I miss you? Sorry, you can continue.

Mr B D JOSEPH: Ja, you have not noticed me.

The DEPUTY SPEAKER: A bit of difficulty. Please continue.

Mr B D JOSEPH: Mr Deputy Speaker, I give notice that I shall move:

That the House at the next sitting requests the MEC to investigate the appointment of the traffic chief of the Traffic College in Brackenfell.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. [Interjections.] Hon member, you

must just hand it in, in writing. Hon member, just give it to the service officer in writing. We then proceed to Motions without Notice and I saw the hon member Mr Mitchell first.

MOTIONS WITHOUT NOTICE

†Mnr D G MITCHELL: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis sy medelye betoon met die familie, vriende en gemeenskap van Klarstroom met die verlies van die negejarige Celestine Pieterse en haar vyfjarige broertjie Mario, wat hul lewens verloor het toe hulle deur die Klarstroomrivier meegesleur is. Mag hul siele in vrede rus.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur. Hon member Mr Magaxa.

*Mr D G MITCHELL: Mr Deputy Speaker, I move without notice:

That the House expresses its condolences with the family, friends and community of Klarstroom on the loss of the nine-year-old Celestine Pieterse and her five-year-old little brother Mario, who lost their lives when they were swept away by the Klarstroom River. May their souls

rest in peace.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Magaxa.

Mr K E MAGAXA: Mr Deputy Speaker, I move without notice:

That the House conveys its condolences to the family of Comrade Tony Ehrenreich, the Provincial Secretary of COSATU and a councillor of the ANC, City of Cape Town, who lost his father, Sid Ehrenreich, aged 79 years, who died of cancer in February, leaving behind three children, Tony, Nancy Hector and Sonja Ehrenreich, and three grandchildren as well as four great-grandchildren. Thank you.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Wiley.

†Mnr M G E WILEY: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis kennis neem van die historiese en vreeslose uitspraak van

die Grondwethof in die Nkandla-saak en in spesifiek die verdoemende kommentaar oor President Zuma en die ANC Parlement.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Enige beswaar? Daar is beswaar. Dit sal aangeteken word.

*Mr M G E WILEY: Mr Deputy Speaker, I move without notice:

That the House notes the historic and fearless judgement of the Constitutional Court in the Nkandla case and specifically the damning commentary on President Zuma and the ANC Parliament.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection? There is objection. It will be noted. Hon member Mr Mackenzie.

Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That this House:

- (1) wishes the newly elected Springbok rugby coach, Allister (Toetie) Coetzee all the best and we hope he brings back the World Cup in

2019;

- (2) congratulates the following athletes for their excellence: middle-distance runner Caster Semenya for qualifying for the 400 and 800 metres in Rio 2016, the middle-distance runner Elroy Galant for qualifying for the 5000 metres... [Interjections.]

The DEPUTY SPEAKER: Order!

Mr R D MACKENZIE: ...at Green Point Athletic Stadium on 22 March and aqua man, Theodore Yach, for completing his 100th swim from Robben Island to the mainland; †en die 12-jarige Enya van Niekerk van Milnerton wat die jongste vroulike langafstand swemmer is wat van Robben Eiland na Bloubergstrand geswem het. *and the 12-year-old Enya van Niekerk of Milnerton who is the youngest female long distance swimmer to swim from Robben Island to Bloubergstrand.

[Motion as moved by member.]

†Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder kennis?

The DEPUTY SPEAKER: Any objection to the motion without notice? †Is there an objection? No objection. Agreed to. Hon member Mr Joseph.

Mr B D JOSEPH: Mr Deputy Speaker [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order!

Mr B D JOSEPH: What is the procedure in terms of the appointment of anyone to move a motion? Can we just rise and start talking? What is the process?

†Die ADJUNKSPEAKER: Nee, nee. Agbare lid, die proses –

*The DEPUTY SPEAKER: No, no. Hon member, the process - †the process is that he must have beforehand a written motion in front of him and then the Chair sees him and in no particular order. We try to balance it out between the two sides.

Mr B D JOSEPH: Okay thank you.

The DEPUTY SPEAKER: But the Chair will see you, and I have seen you now. You can now proceed.

Mr B D JOSEPH: Mr Deputy Speaker, I move without notice:

That the House commends the appointment of Allister Coetzee as the new rugby coach. The appointment will surely bring about radical transformation in South African rugby. Therefore we wish Mr Coetzee and his support team well. Thank you.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Kivedo.

†Mnr B D KIVEDO: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis die Jan Kriel Skool, die prinsipaal Gerrit Odendal en die personeel van die skool gelukwens met die benoeming as beste spesiale skool in die land met die beste slaagsyfer vir die afgelope vyf jaar. Die Kuilsrivier-skool word ook geprys vir die veilige omgewing waar leerders met leerprobleme, fisieke gestremdhede, outisme, en aandag-afleibaarheid kan floreer.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur.

**Mr B D KIVEDO: Mr Deputy Speaker, I move without notice:*

That the House congratulates the Jan Kriel School, the principal Gerrit Odendal and the staff of the school on their nomination as best special school in the country with the best pass rate for the past five years. The

Kuilsrivier school is also commended for the safe environment where learners with learning problems, physical disabilities, autism and attention deficit disorder can flourish.

[Motion as moved by member.]

*The DEPUTY SPEAKER: No objection to the motion without notice? No objection to the motion itself? Agreed to. †I am coming to you Mr Wiley. I first see the hon member Ms Lekker.

†UNksz P Z LEKKER: Enkosi Sekela Somlomo. *Thank you, Mr Deputy Speaker. †I move without notice:

That the House notes and commiserates with the rape and killing of young women in the Western Cape continuously unabated after the tragic death of three women in the province this year: Sinxolo Mafevuka aged 19 of SST, who was raped and killed and dumped in a communal toilet; Franziska Blöchliger, 16, who was raped and killed while jogging in Tokai Forest and Sulnita alias Nita Manho, 23, from Bredasdorp, who was raped and killed near the same spot where Anene Booysen was attacked in 2013; and conveys condolences to the families of the deceased person and commends the SAPS for making arrests of perpetrators. Thank you.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Wylie.

†Mnr M G E WILEY: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis kennis neem van die historiese kritiek van die ANC Vroueliga teen die Openbare Beskermer Advokaat Thuli Madonsela, 'n persoon wat die lof ontvang van dwarsoor die wêreld vir haar onwrikbare bydrae tot Suid-Afrika, sy mense en veral arm mense, vrouens en kinders se regte. Die land sou beslis armer wees sonder haar standvastigheid, insig en goeie oordeelsvermoë.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder kennisgewing? Daar is beswaar. Dit sal aangeteken word.

*Mr M G E WILEY: Mr Deputy Speaker, I move without notice:

That the House notes the hysterical attack of the ANC Womens League on the Public Prosecutor, Advocate Thuli Madonsela, a person who receives praise from all over the world for her firm contribution to South Africa, its people and especially poor people, women and

childrens' rights. The country would definitely be poorer without her firmness, insight and fine judgement.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion without notice? There is objection. It will be noted. †The next one, the hon member Ms Dijana.

Ms T M DIJANA: Mr Deputy Speaker, I move without notice:

That the House notes that Barcelona Informal Settlement residents protested earlier in the year after they were forced by the City of Cape Town to spend the festive season with porta-potty buckets full of faeces inside their homes and deplores this inhumane treatment of the poor people by the DA-run City of Cape Town Government. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? There is an objection. It will be printed on the Order Paper. Hon member Ms Botha.

Ms L J BOTHA: Mr Deputy Speaker, I move without notice:

That this House acknowledges the selfless contribution of Nicolette

Ripepi, whose son Tyler, who was diagnosed with ASD prompted her to open the Autism Connect Learning Centre in Westridge Mitchells Plain. The centre helps parents like Nicolette with children diagnosed with autism. Autism Connect gives children with ASD the chance to be the best they can be. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Ms Gopie.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House congratulates Father Michael Lapsley who was awarded the International 2016 Public Peace Prize for his contribution to peace and reconciliation. I thank you.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Olivier.

*UMnu R T OLIVIER: Sekela Somlomo, ndiphakamisa ngaphandle kwesaziso:

Ndifuna ukwazisa le Ndlu ukunyhashwa kwamalungelo abantwana licandelo lezemfundo ngakumbi uErrol Piere oneminyaka eli-14 sahleli endlini kokwabo eYsterplaat apho abanye abantwana besiya esikolweni kule term yesibini ndiyigxeke idepartment ngokuthi ingancesi lo mntwana okanye abazali ngokumthumela lo mntwana kuzo zonke iidistricts ezikweli phondo, enkosi.

[Isiphakamiso njengoko siphakanyiswe liLungu.]

*Mr R T OLIVIER: Mr Deputy Speaker, I move without notice:

That the House notes violation of a child's right to education by the WCED as Eryhn Pirie, 14, is still sitting idle at his Ysterplaat home while his peers started the 2nd term of school; and condemn the WCED for failing to assist the child's parents who is continuously told to visit district office for assistance.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? Is there an objection? There is an objection. It will be printed on the Order Paper. Are there any further, hon member Mr Hinana.

Mr N E HINANA: Mr Deputy Speaker, I move without notice:

That this House welcomes and congratulates the ANC councillor Mzwakhe Nqavashe who defected from the ANC Ward 14 in the metro to the ranks of the best delivering party, the Democratic Alliance. Councillor Nqavashe was awarded last year by the Speaker of the City of Cape Town, Alderman Smith, as the best performing councillor in the City. I so move. [Interjections.]

[Motion as moved by member.]

The DEPUTY SPEAKER: There seems to be an objection. It will be recorded. I see the hon member Mr Dugmore. [Interjections.] Order! Order!

Mr C M DUGMORE: Mr Deputy Speaker, I move without notice:

That this House condemns the decision by the DA Provincial Government with the approval of both the MEC for Transport and Public Works as well as the Premier to dispose of the public land on the main road in Sea Point formally utilised by the Tafelberg Remedial School allegedly to the highest bidder, whilst ignoring a request from the Department of Human Settlements to use this very land for social housing, which would have contributed to integrating Cape Town and ensuring that the poor and working class gain access to affordable housing within the inner City. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? There is an objection. It will be printed on the Order Paper. Hon member Ms Wenger.

Ms M M WENGER: Mr Deputy Speaker, I move without notice:

That the House condemns the gang violence that has erupted in Manenberg and that the House requests the National Police Minister to make haste in re-establishing specialised units to combat and investigate gang-related crimes.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Olivier.

Mr R T OLIVIER: Mr Deputy Speaker, I move without notice:

That the House notes the reports that pupils from Scottsdene Secondary and Hawston Primary will have to wait another year before they move into their new classrooms, which they have vacated last year because of safety issues and calls on the Department of Education and Public Works

to accelerate the work of rebuilding those two schools.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? Is there an objection? No objection? Is that an objection? [Interjections.] There is an objection. It will be recorded. Hon member Ms Schäfer.

Ms B A SCHÄFER: Mr Deputy Speaker [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Ms B A SCHÄFER: Mr Deputy Speaker, I move without notice:

That the House congratulates the Cape Town International Convention Centre for taking first place in the Top 500 Companies Exhibition and Conference Facilities category. To merit a Top 500 rating companies must excel in three disciplines: policy and accreditation, financial performance and empowerment. I here so move.

[Motion as moved by member.]

An HON MEMBER: I object!

The DEPUTY SPEAKER: I think we can record that. It will be objected to. It will be printed on the Order Paper. Was that a serious objection, must we record it?

An HON MEMBER: No-no.

The DEPUTY SPEAKER: Was it not?

An HON MEMBER: No.

The DEPUTY SPEAKER: No objection to the motion then? [Interjections.]

Ms T M DIJANA: Hi, there is an objection.

The DEPUTY SPEAKER: There is an objection. It will be recorded. I see the hon member Mr Kivedo.

Mr B D KIVEDO: Mr Deputy Speaker, I move without notice:

That the House as a matter of grave concern takes note of the allegations that members of the South African Police shot indiscriminately on vehicles transporting employees home from Nando's, McDonalds and KFC food outlets in the space of ten days, fatally wounding three and leaving eight critically injured. We extend our condolences to the affected families. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice?

An HON MEMBER: Objection.

The DEPUTY SPEAKER: Is there an objection? It will be recorded then. Hon member Ms Botha.

†Me L J BOTHA: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis Hanover Park se eie Billy Elliott, die 12jarige Faakhir Bestman en *Lead South-Africa*-held gelukwens met sy uitsonderlike balletsukses en dat hy gekies is om 'n eksklusiewe balletskool in die VSA by te woon. Ek stel so voor.

[Voorstel soos deur lid voorgestel.]

†Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur.

*Ms L J BOTHA: Mr Deputy Speaker, I move without notice:

That the House congratulates Hanover Park's own Billy Elliott, the 12-year-old Faakhir Bestman and *Lead South-Africa* hero on his outstanding ballet success and for being chosen to attend an exclusive ballet school in the USA. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion without notice? No objection to the motion itself? Agreed to. †Hon member Ms Lekker.

†UNksz P Z LEKKER: Enkosi Sekela Somlomo. Ndiphakamisa ngaphandle kwesaziso:

Ukuba le Ndlu yamkele ukutyunjwa koMphathi-mapolisa wePhondo uKhombinkosi Jula kwaye simnqwenelela okuhle kodwa.

[Isiphakamiso njengoko siphakanyiswe liLungu.]

*Ms P Z LEKKER: Mr Deputy Speaker, I move without notice:

That the House approve the appointment of Mr Khombinkosi Jula as Police Commander in the Province and we wish him well.

[Motion as moved by member.]

†The DEPUTY SPEAKER: I am afraid the interpretation was a bit slow. Is there an objection to that? No objection? [Interjections.] Is there an objection? No objection? Agreed to. The hon member Ms Schäfer. [Interjections.]

Ms B A SCHÄFER: Seriously these are adults acting like children, but anyway. Mr Deputy Speaker, I move without notice:

That the House congratulates the Pepper Club Hotel and Spa... [Interjections.]

The DEPUTY SPEAKER: Order! Order! [Interjections.] Order members, please come down to order, I cannot hear the member speaking now.

Ms B A SCHÄFER: It is really stupid.

The DEPUTY SPEAKER: Please continue.

Ms B A SCHÄFER: Mr Deputy Speaker, I move without notice:

That the House congratulates the Pepper Club Hotel and Spa, a five star hotel in the heart of Cape Town, which has been nominated for Africa's leading City Hotel, Africa's leading hotel residences and South Africa's leading hotel residence and South Africa's leading hotel suite. I hereby move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No? Is there an objection? The motion will be printed on the Order Paper. Hon member Mr Hinana.

Mr N E HINANA: Mr Deputy Speaker, I move without notice:

That the House congratulates the Naming Committee of the City of Cape Town for proposing the erection of the statue of our esteemed leader and first president of South Africa's new democracy, Nelson Rolihlahla Mandela at Cape Town Grand Parade.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. The hon member Ms Gopie first.

Ms D GOPIE: Mr Deputy Speaker, I move without notice:

That the House notes that a new UCT and MRC research shows that thousands of children in the province are dying from potentially treatable infection diseases such as pneumonia and diarrhoea and calls

on the Provincial Government to do more to protect the lives of our children.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Mackenzie.

†Mnr R D MACKENZIE: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis Emma Renzi die prima donna van opera gelukwens op haar 90ste verjaarsdag op 11 April. Dit was veral in Italië waar me Renzi se merkwaardige loopbaan die meeste aansien gekry het. Haar ryk, soepel stem het haar 'n gesogte vertolker gemaak.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur. Agb lid Me Botha.

*Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House congratulates Emma Renzi, the prima donna of opera on

her 90th birthday on 11 April. It was in Italy, especially, where Ms Renzi's remarkable career received most acclaim. Her rich, supple voice made her a sought after performer.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion without notice? No objection to the motion itself? Agreed to. †Hon member Ms Botha.

†Me L J BOTHA: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis die 12-jarige Graad 7-leerder, Joel Greek van die Athlone Skool vir Blindes gelukwens met die Lions se Internasionale Opstel Kompetisie vir gesig-gestremdes vir 2015/16 wat hy gewen het. Joel se inskrywing se titel was "Shared Peace". Daar het meer as 'n 100 lande aan die kompetisie deelgeneem. Ek stel so voor.

[Voorstel soos deur lid voorgestel.]

'n AGBARE LID: Mooi!

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur. Agbare lid me Schäfer.

*Me L J BOTHA: Mr Deputy Speaker, I move without notice:

That the House congratulates the 12-year-old Grade 7 learner, Joel Greek of the Athlone School for the Blind, on winning the Lions' International Essay Competition for the sight-impaired for 2015/16. Joel's entry was titled "Shared Peace". More than 100 countries competed in the competition. I so move.

[Motion as moved by member.]

An HON MEMBER: Well done!

The DEPUTY SPEAKER: No objection to the motion without notice? No objection to the motion itself? Agreed to. †Hon member Ms. Schäfer.

Ms B A SCHÄFER: Mr Deputy Speaker, I move without notice:

That the House congratulates Cape Town V&A Waterfront as the only South African and one of only three nominated destinations in the world at the World Travel and Tourism Council, Tourism for Tomorrow Destination Awards. I hereby move.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Lentit.

†Mnr R B LENTIT: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis Sylvester, die leeu van die Karoo Nasionale Park, die beste toewens met sy verhuising na die Addo Olifant Nasionale Park en mag sy voete daar vrede vind. 'n Hartlike dank aan almal wat hom veilig gehou het tydens sy twee “walk-about”. Dankie.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennisgewing? Geen beswaar teen die voorstel self? Goedgekeur. Agbare lid mnr Mackenzie.

*Mr R B LENTIT: Mr Deputy Speaker, I move without notice:

That the House wishes Sylvester, the lion of the Karoo National Park, all the best on his move to the Addo Elephant National Park and may his feet find peace there. A warm thanks to all who kept him safe during his two ‘walk-about’. Thank you.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion without notice? No

objection to the motion itself? Agreed to. Hon member Mr. Mackenzie.

Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House congratulates the Gugulethu born artist, Kemang Wa Lehulere for being awarded the 2015 Standard Bank Young Artist for Visual Art and also just scooping the Deutsche Bank Artist of the Year for 2017. As a recipient of the price he will host a solo exhibition at the Deutsche Bank Kunsthalle in Berlin in March next year. I move so.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Ms Schäfer.

Ms B A SCHÄFER: Mr Deputy Speaker, I move without notice:

That the House congratulates the City of Cape Town for being rated the World's Most Favourite City in the highly coveted 2015/2016 *Telegraph* Travel Awards. I hereby move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection... [Interjection.] There is an

objection. It will be printed on the Order Paper. Hon member Mr Kivedo.

†Mnr B D KIVEDO: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis vir Eugene Davids van Tafelsig Mitchells Plein gelukwens met die verwerwing van sy doktorsgraad. Dis sy PhD op die ouderdom van 26 jaar.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder kennisgewing? Geen beswaar teen die voorstel self? Goedgekeur. Agb lid Me Botha, wil u opstaan?

*Mr B D KIVEDO: Mr Deputy Speaker, I move without notice:

That the House congratulates Eugene Davids of Tafelsig Mitchells Plain on gaining his doctorate. It is his PhD at the age of 26.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion without notice? No objection to the motion itself? Agreed to. Hon member Ms Botha, do you want to rise?

†Me L J BOTHA: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis sy medelye betuig met die eggenote, vriende en familie van die gemeenskap van Lambertsbaai met die drie vissermanne wat tragies verdrink het op 8 Maart 2016. Hulle is Herman Tolken en Hugo Visser en David Smit wie se liggaam nog steeds vermis is. Ek stel so voor.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur.

*Ms L J BOTHA: Mr Deputy Speaker, I move without notice:

That the House expresses its condolences with the wives, friends and family of the community of Lambert's Bay following the tragic drowning of three fishermen on 8 March 2016. They were Herman Tolken and Hugo Visser and David Smit whose body is still missing. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion without notice? No objection to the motion itself? Agreed to. †Hon member Mr Mngasela.

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House congratulates the ANC Youth League in the Western Cape, Andile Mbali, the secretary, for calling on the ANC to bring back the suspended ANC Youth League ANC leader in the Western Cape, Marius Fransman, due to the fractured and weak ANC leadership in the campaign. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to that motion?

HON MEMBERS: Yes.

The DEPUTY SPEAKER: There is an objection. It will be recorded.

[Interjections.] Order!

An HON MEMBER: We do not want him back.

†Die ADJUNKSPEAKER: Orde! Agb lid mnr Mackenzie, u kan voortgaan.

*The DEPUTY SPEAKER: Order! Hon member, Mackenzie, you may proceed.

†Mnr R D MACKENZIE: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis erkenning en gelukwense oordra aan die skrywers, akteurs en almal wat betrokke was by die vervaardiging van die Suid-Afrikaanse fliiek “Sink”, wat pas in Amsterdam Nederland aangewys is as die beste rolprent op die derde *Fees voor het Afrikaans* in Amsterdam. Sink is deur Bret Michael Innes, Anel Alexander en Johan Krige vervaardig en is gegrond op Innes se roman, *Rachel Weeping*.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur. Agb lid mnr Mitchell.

*Mr R D MACKENZIE: Mr Deputy Speaker, I move without notice:

That the House acknowledges and congratulates the authors, actors and all involved in the production of the South African film ‘Sink’, which has just been adjudged in Amsterdam, Netherlands, as the best film at the third Festival for Afrikaans. ‘Sink’ was produced by Bret Michael Innes, Anel Alexander and Johan Krige and is based on Innes’s novel, *Rachel Weeping*.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion without notice? No

objection to the motion itself? Agreed to. Hon member Mr Mitchell.

†Mnr D G MITCHELL: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis sy erkenning en gelukwensing oordra aan almal wat betrokke was by die vervaardiging van die dokumentêre film “Between the Devil and the Deep”, wat oor die invloed van perlemoenstropery op die lewe in Hawston handel met die benoeming as die beste dokumentêre rolprent op die derde Festival voor het Afrikaans in Amsterdam Nederland.

[Voorstel soos deur lid voorgestel.]

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self? Goedgekeur.

Mr D G MITCHELL: Mr Deputy Speaker, I move without notice:

That the House acknowledges and congratulates all who have been involved in the production of the documentary film ‘Between the Devil and the Deep’, which deals with the impact of perlemoen poaching on life in Hawston, on its nomination as the best documentary film at the third Festival for Afrikaans in Amsterdam, Netherlands.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection to the motion without notice? No objection to the motion itself? Agreed to. †Are there any further? Hon member Mr Olivier?

Mr R T OLIVIER: Mr Deputy Speaker, I move without notice:

That the House expresses its heartfelt condolences with the family and friends of Julian Engel who passed on, on Sunday. He was employed with the Cape Agulhas Municipality and also an organiser of Nehawu. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member Mr Mnqasela.

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House recognises and applauds the work of Granny Joyce from Hermanus who for more than 40 years supplied sufficient food and water twice a week to the animals of Zwelihle Township, despite attacks and abuse and physical resistance. The Hermanus Animal Welfare has taken

over Granny Joyce's legacy. They will continue on her mission of educating and upliftment by involving the community and outreach and so to ensure that they teach all within the area about the basics of animal husbandry and to encourage a community widespread of care and comfort. Granny Joyce deserves to rest now and her legacy lives on and obviously I ask that this House supports this motion.

[Motion as moved by member.]

The DEPUTY SPEAKER: Any objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Are there any further?

An HON MEMBER: No.

The DEPUTY SPEAKER: Any side, both sides? Nobody? Before we adjourn then I need to make an announcement in connection with the NCOP of next week from the Secretariat. It says:

“In preparation for the NCOP outreach programme next week members have by now been provided with their accreditation. Please ensure that you bring your accreditation along on Monday. We are advised that there will be no re-issuing of any additional accreditation next week...”

So bring along the documents and accreditation that have been given out. That then concludes the business for the day and the House is adjourned.

The House adjourned at 17:20.