
THURSDAY, 20 NOVEMBER 2014

The House met at 14:15

The Speaker took the Chair and read the prayer.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS - see p

The SPEAKER: Order! I would like to take this opportunity to welcome our guests in the gallery. We trust that you will enjoy the sitting with us today. I also want to draw the gallery's attention to the fact that you cannot participate in the discussion but that you can observe and you can, by listening to what is going on, be involved in the conversation.

On a point of order, we now proceed to Interpellations as printed on the Question Paper. I recognise the hon Premier Zille.

INTERPELLATIONS:

Provincial Commissioner for Children

***1. Mr P Uys asked the Premier:**

- (a) Why is there not a Provincial Commissioner for Children in the province;
and
- (b) when will such an appointment be made?

The PREMIER: Thank you Madam Speaker. The hon member Mr Uys will recall that I explained my decision in reply to an oral question from the ANC member in 2010. However, it is a valid and important question so I will repeat my explanation here.

Cabinet resolved not to appoint a Commissioner for Children. The policy considerations for this decision included the following:

1. The Commissioner's powers as provided for in the Provincial Constitution are limited to monitoring, reporting and research of children's issues. The Commissioner would not have the power to proactively intervene in children's issues, which is what is necessary and which is what I particularly wanted.
2. Extensive legislative reform that establishes various structures and institutions providing for the safeguarding of children's rights have been implemented since the Provincial Constitution came into effect in 1998. Such legislative reform includes the passing of the Children's Act and the Child's Justice Act. The objectives of these pieces of legislation are the following:

2.1 To provide protection to and care for children, and

2.2 To provide structures and services for promoting and monitoring the

wellbeing of children, and

- 2.3 The reform of the criminal justice system to make provision for the protection of vulnerable children and children with special needs.

Many of the powers required to be performed in terms of the current provincial policy relating to children's issues are in fact now carried out by social workers whose powers are delegated to them by the Head of Department of Social Development. So it is very important to understand that the Commissioner's powers were only of monitoring, report and research where there are many, many institutions that do that and the real activity of intervening has been delegated to the Head of Department of Social Development in terms of the legislation, who then delegates it to social workers.

3. The Provincial Government is of the view that the filling of the vacancy of the Commissioner for Children is not preferred because of the more limited powers such a Commissioner would have and the adequacy of the powers and functions assigned to other officials and authorities in terms of subsequent national legislation.
4. The Provincial Government has introduced amending legislation to the Provincial Parliament to review the provisions relating to the Commissioner in the Constitution.

Due to the reasons outlined above no such appointment will be made. Thank you very

much.

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Thank you. Thank you very much, Madam Speaker. Thank you to the Premier. The Premier started to say that Cabinet took a decision. Cabinet cannot take a decision. This is the Constitution of the Western Cape and if we want to uphold the Constitution, whether it is the National Constitution or the Constitution of the Western Cape, you must abide and implement the Constitution. Also, the DA or the Premier or the Provincial Government are not the custodians of the Constitution. So it is not for them to decide when the Constitution is applicable and when they are going to use it and when they are not going to use it, so it is very clear in terms of Section 78 of the Provincial Constitution to say there is a Provincial Commissioner for Children. The whole emphasis in the Constitution is very important because they are emphasising our children as they are a very vulnerable group. It is not being approached holistically. It is not being coordinated and that is the reason why it is here, but further, how do we get to a Constitution or how do we get to any piece of legislation here in the Western Cape or in South Africa?

We go through a process of negotiation, consultation, public hearings and then eventually the Constitution gets certified. So this is not an ordinary piece of legislation. This is the highest, with the National Constitution, piece of legislation and what the Premier is saying: "We as Cabinet decided we are just going to ignore the Constitution. We are not going to implement the Constitution."

But further, the Premier is quoting selectively from the Constitution. She quoted three things that the Constitution allows the Commissioner for Children to do, and she said they can monitor. She said further they can do research and they can report. That is wrong. The Provincial Constitution is much broader than that.

They say the legislation to monitor, investigate, and that is a very important tool that you have; research, educate, lobby, advise and report, that is very important. But the important section that is being missed here is that the Commissioner has the power as regulated in provincial legislation. So if you have a will in provincial legislation to regulate this you can do it, and you can do it properly as well, and this did not happen. However, it goes further, and the point here is the Commissioner must report annually to the Provincial Parliament, so what Cabinet does with their unilateral decision not to implement, not to go the route of the Constitution, is to say: "We are going to deny Provincial Parliament getting reports of the Commissioner that are independent, that will draw everything together and that will be in a position to report." So it is incorrect to say that, and there is a specific reason why it is being written into the Provincial Constitution that we have here.

The Premier will have to tell us, is she going to selectively implement the Provincial Constitution? Then we might as well put the Provincial Constitution aside and say we do not need it. There is a National Constitution and let us implement the National Constitution.

An HON MEMBER: Yes.

The PREMIER: Thank you very much indeed, Madam Speaker. It is interesting that the hon member Mr Uys is so holy now, because he was in fact a Cabinet Minister under five Premiers ... [Interjection.]

An HON MEMBER: Hear-hear.

The PREMIER: ...over ten years that never once did anything about a Children's Commissioner. [Interjections.]

An HON MEMBER: Ja.

The PREMIER: So now he stands up here and asks the same question that he has asked before and he is getting the same answers as he got before because the ANC has nothing else to raise and I have answered this question before. The bottom line is this... [Interjections.]

An HON MEMBER: No it is not that.

The PREMIER: ...that since the Provincial Constitution was passed in 1998 the circumstances have fundamentally changed and at that point children's issues were not being coordinated, and there were not the powers that there are now subsequently in the Children's Act and the Child's Justice Act. That changes the situation fundamentally and when the context changes and when the situation changes sensible people change their position. In fact the DA changed its position once those acts were in place. The ANC, when it was in government before those acts were in place, did

nothing about the Children's Commissioner. The context has changed clearly, absolutely and when the powers and functions rest with the MEC for Social Development and the Head of Department we have appointed many, many more social workers actively to intervene and to do everything that the Commissioner would be able to do with actually far more powers, and not be circumscribed by a whole lot of bureaucracy and rules and limited powers, the height of which is to investigate but not take action, which is what we want to do when children are vulnerable. It seems wrong to duplicate things that are happening elsewhere at such a very high cost to society and frankly, we are not ignoring the Constitution. That is why we have gone through a major consultation process around changing the provisions of the Constitution that had become outdated because the context has changed substantially. Thank you.

The SPEAKER: I see the hon member Mr Uys.

Mr P UYS: Thank you Madam Speaker. The Premier referred to something like “holy” or something like that. Madam Premier, the two of us sat next to each other in the National Party Cabinet.

Me S W DAVIDS: Ai nè!

Mr P UYS: You were next to me in the National Party Cabinet. [Interjections.]

Ms S W DAVIDS: And you were there; you were there.

An HON MEMBER: Yes.

Mr P UYS: Are you denying that Madam Premier? I do not like to go that route, but we sat next to each other. You were the MEC for Education. I was the MEC for Local Government. [Interjection.]

Me S W DAVIDS: Ai nè.

Mr P UYS: All the powers and authority were in your hand. You sat there. You implemented, you agreed to.

Ms S W DAVIDS: The truth will set you free!

The SPEAKER: Order!

Mr P UYS: You accepted the policies of the National Party because you were part of the Cabinet, Premier! [Interjections.]

Ms S W DAVIDS: Yes!

Mr P UYS: You were co-opted into the Cabinet. [Interjections.]

Ms S W DAVIDS: Yes, the plain truth!

Mr P UYS: Now you come with “holy”.

Me S W DAVIDS: Ja.

Mr P UYS: This is what I call, you think you are better.

Mr R B LENTIT: She was a DP Education Minister.

Mr P UYS: You were there. We were both there. [Interjections.]

Ms S W DAVIDS: She was there.

Mr P UYS: And we both took decisions around this.

Ms S W DAVIDS: She was there. She is [Inaudible.] here now.

Mr P UYS: But let me respond to some of the other things. [Interjections.]

Ms S W DAVIDS: She was there.

Mr P UYS: The Premier ... [Interjection.]

An HON MEMBER: Like you, you are not hiding now.

Mr P UYS: You know, what the Premier [Interjections.]

The SPEAKER: Order members, order!

Mr P UYS: What they like to do as the DA, they just love to do, is to blame the ANC for everything. They have now been in government for six years.

Ms S W DAVIDS: Yes.

Mr P UYS: I think it is about time, Premier, that you move on. Somehow you must forget what happened six years before [Interjections.]

An HON MEMBER: Yes.

Mr P UYS: And at least start implementing the Constitution if you really believe in the Constitution. You have the authority to implement the Constitution and you can do it. The Premier also referred to changes that happened. Changes did happen, but change is not for the good, Madam Premier. Our children are more vulnerable. Violence is increasing in our communities. Drugs and gangs are becoming a much bigger problem and you say let us sit back. [Interjections.]

An HON MEMBER: Yes.

Mr P UYS: Everything changed, so everything is being managed and everything is being covered [Interjections.]

An HON MEMBER: It was all the DA. That was the DA [Interjection.]

Mr P UYS: ...but where is it being coordinated. That I want to understand.
[Interjections.]

The SPEAKER: Order!

Mr P UYS: In the Premier's office nothing is actually happening. Nothing is happening in any of the departments. You work in silos and that is why we are not addressing the issues around children. There are two Chapters 9 in both Constitutions. There is a Chapter 9 in the National Constitution and a Chapter 9 in the Provincial Constitution. If the ANC should not implement one of the six institutions in the Chapter 9, you will cry. You will go to the Constitutional Court. ... [Interjection.]

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Now you do not implement a Chapter 9 Institution in the Provincial Constitution.

An HON MEMBER: Yes!

Mr R B LENTIT: She was a DP Education Minister, not national. [Interjections.]

The SPEAKER: Hon member Ms Botha. Yes Premier, I now recognise...
[Interjections.] Order members, order please. I now recognise the hon member Ms Botha.

Ms L J BOTHA: Madam Speaker, the current legislation, the Justice Act and the Children's Act exactly deal with the spirit and speaks to the vulnerability of our children within the Western Cape. The fact that the hon member Mr Uys put forth this interpellation is a cause for concern.

An HON MEMBER: Why?

An HON MEMBER: The ANC did that.

Ms L J BOTHA: It is especially questionable because he is the one member in this House who has been in the Legislature since 1999 ... [Interjection.]

Ms M N GILLION: Predictable.

Ms L J BOTHA: ...and served under five Premiers [Interjections.]

Ms M N GILLION: Predictable.

The SPEAKER: Order! Order members, please allow the ... [Interjection.]

Ms L J BOTHA: During his time in government the post of the Children's Commissioner was not established by the NNP; nor was it by the ANC Government. [Interjections.] More concerning is that the hon member Mr Uys already knows the answer to this question ... [Interjection.]

The PREMIER: That is correct.

Ms L J BOTHA: ...because he was present in the House when the Premier answered an oral question as she has indicated on 9 March 2010 [Interjections.]

An HON MEMBER: You were not there. [Interjections.]

Ms M N GILLION: You were not there.

Ms L J BOTHA: No, I was not here and neither were you. [Interjections.] ...and this question was asked by Ms Magwaza and the Premier explained her reasons for not changing her mind on the Commissioner for Children. [Interjections.]

Ms M N GILLION: The same [Inaudible.]

An HON MEMBER: The same, it is the same.

Ms L J BOTHA: Hon member Mr Uys and any other politician who is making a noise now should not politicise the plight of the children or the vulnerability of the children. We should all be working *Better Together* to redress the challenges... [Interjections.]

An HON MEMBER: Exactly what the Premier said.

Ms L J BOTHA: ...with which our children are faced on a daily, hourly basis.

An HON MEMBER: Not duck and dive.

An HON MEMBER: Yes.

Mnr R B LENTIT: Vertel hom, vertel hom!

The SPEAKER: Hon member Ms Botha, thank you, your time is up. [Interjections.] I recognise hon member Mr Uys.

Mr P UYS: Thank you Madam Speaker. There are two issues coming very clearly to the fore. The one is that there is no care for a holistic approach towards our children in the Western Cape. In the Western Cape where you have the authority you can investigate, you can report, and you must report to this Legislature. So I am putting this to you as well, today. We see a transgression of the Constitution and you as the beholder and as the Speaker of this House has an obligation to call the Executive to account ... [Interjection.]

Ms M N GILLION: Yes.

Mr P UYS: ...because the Constitution is not for them to decide whether they want to implement it. If there is a problem with the Constitution and they do not like a Commissioner to Protect children in the Western Cape then they must adopt other means and ways of addressing that, but for the time being there is a specific process, and as custodian of that, this House will vigorously enforce that.

At one stage the Premier referred to a human rights advocate and advocacy in her office. Nothing has since happened. If you look at the annual report that the Premier referred to, not one single word; if the Premier can show me that. If you go on the website of the Premier; not one single word. It shows it is not working. It is not functioning. It is not being coordinated. [Interjections.]

The Premier must now tell us, today, does she believe and accept the Constitution? We can clearly quote the very important section within the provincial Constitution and the Constitution is very clear on this. When the Premier became the Premier, she has sworn. She said: "I will be faithful to the Republic of South Africa and the Province of the Western Cape and will obey, respect and uphold the National Constitution and the Provincial Constitution." What example is the Premier setting with her Cabinet ... [Interjection.]

'n AGBARE LID: Laat sy trek. [Tussenwerpsels.]

Mr P UYS: ...in a dark corner in a closed Cabinet meeting; no public hearing; no access to the public; taking a decision on the Constitution.

"I am not going to implement it. Forget it. What is there is not my business. I came into power six years ago and therefore that is the position I am going to take there."

Hon member Ms Botha, I think that speech has been written for you.

The SPEAKER: Hon member Mr Uys, your time has expired.

Mr P UYS: You were not here. You do not know the background. The Premier was part of this process and she reneged and she did not want to implement the issues... [Time expired.] [Interjections.]

The SPEAKER: Your time is up, thank you. [Interjections.] I now recognise the Premier. [Interjections.] Order members!

The PREMIER: Thank you very much. Firstly I must deal with the misleading of this House. The hon member Mr Uys knows very well that I was a Democratic Party MEC in a coalition Cabinet [Interjections.] ...and he knows very well that I insisted on implementing DP policy in education and he knows very well that I went to war to do that ... [Interjection.]

An HON MEMBER: The DP and National Parliament [Inaudible.]

The PREMIER: The hon Morkel did not run this government. [Interjections.] It was Neil Barnard and I went to war on that issue so the bottom line is this [Interjections.]

The SPEAKER: Order members! [Interjections.]

An HON MEMBER: Autocrat!

The PREMIER: When we found out that it was impossible to run a democratic system ... [Interjection.]

An HON MEMBER: We do not want that [Inaudible.]

The PREMIER: ...with the National Party they went where they belonged, to the ANC.
[Interjections.]

The SPEAKER: Madam Premier, hon member Mr Fransman, is it a point of order?

Mr M L FRANSMAN: Did we hear properly that at that particular point which the Premier refers to, that it was actually Neil Barnard that ran the Government? Is that what you said, Madam Premier? [Interjections.]

Mr M G E WILEY: That is not a point of order.

The PREMIER: That is not a point of order. How do you [Inaudible.] [Interjections.]
May I refer ... [Interjection.]

The SPEAKER: Sorry, hon member Mr Fransman, that is a question and not a point of order.

The PREMIER: That is a complete nonsense. You did not ask me whether I...
[Interjections.] You are using my time. [Interjections.]

Mr M L FRANSMAN: A point of order, this is a point of order. [Interjections.] A point of order: is the Premier therefore now saying that actually it is nonsense that she did not say it, because then I want Hansard. Can we draw Hansard, because ...

[Interjection.]

The SPEAKER: Hon member Mr Fransman, that is not ... [Interjection.]

Mr M L FRANSMAN: ...because we have heard that the Premier said that Neil Barnard ran the government in those years. [Interjections.]

An HON MEMBER: That is not a point of order.

The SPEAKER: Sorry, coming back to your issue of a point of order. You are making a statement. It is not a point of order.

An HON MEMBER: Yes, yes.

The SPEAKER: So I am going to allow the Premier to proceed. Madam Premier.

The PREMIER: I hope I have got my full time still, Madam Speaker. [Interjections.]

The SPEAKER: It is not a point of order. [Interjections.]

The PREMIER: ...because what I have made very, very clear is that we could not [Interjections.]

The SPEAKER: Order members! Sorry, sorry Madam Premier.

The PREMIER: We could not... [Interjections.]

The SPEAKER: Sorry Madam Premier. Members, let me caution you. A point of order is exactly that. What was posed here was a question: is that what the Premier is saying? That is not a point of order and I would like to believe that I am impartial, so I am appealing to you to cooperate and allow the Premier to speak. I really do not want to have to go back here, because we all understand what a point of order constitutes ... [Interjection.]

An HON MEMBER: Yes, she must answer.

The SPEAKER: You may proceed, Madam Premier.

The PREMIER: Alright, if I may have my time please, because what I said was it was impossible for us in the Democratic Party to work with the National Party because they were running a National Party Government and it was not a coalition [Interjections.]

An HON MEMBER: No, you did not say that ... [Interjection.]

The PREMIER: ...and it was run by Neil Barnard, yes, it was. [Interjections.] It was run by Neil Barnard and I refused to have anything to do with it. [Interjections.]

Ms S W DAVIDS: You did not say that [Inaudible.] ... [Interjection.]

The PREMIER: I refused to have anything to do with it... [Interjections.] ...and that is why I as a Democratic Party MEC [Interjections.]

Ms S W DAVIDS: ... because you did not change anything [Interjections.]

The SPEAKER: Order members!

The PREMIER: I as a Democratic Party MEC... [Interjections.]

Ms S W DAVIDS: You did not say that [Inaudible.] ... [Interjection.]

The PREMIER: ...refused to work under the direction of Neil Barnard.

Ms S W DAVIDS: Nothing happened when you were there.

The PREMIER: Plenty happened when I was there, but I can tell you what did not happen when I was there. What did not happen when I was there, never once did the hon member Mr Uys raise the question of a Children's Commissioner; never once. He was 'tjoepstil' under five Premiers for ten years [Interjections.] ...and now he comes here and makes a big issue out of it. [Interjections.] So let me simply say this... [Interjection.]

Ms S W DAVIDS: Did you raise it? Did you raise it?

The PREMIER: Children are not worse off today because under the Democratic

Alliance Government we have doubled the number of social workers. We have secure child and youth-care centres which are the first in the country to have proper managed boards and oversight and this province has the lowest number of under 18's in prison of any province in South Africa because we ensure that they are put into proper places ... [Interjection.]

Ms S W DAVIDS: Only the three yes.

The PREMIER: So the bottom line is this: we have doubled the number of social workers. They have the right to intervene, which is what we want. There are many, many people doing research into children's rights ... [Interjection.] We do not want to run a huge and expensive bureaucracy and we are not ignoring the Constitution [Interjections.]

Ms S W DAVIDS: No!

The PREMIER: We are in the process of changing it. Thank you very much. [Interjections.]

The SPEAKER: That concludes Interpellation 1. We will now move to Interpellation 2. I recognise the hon Minister Schäfer.

Plans for learners: incomplete formal education

2. Mr M N Paulsen asked the Minister of Education:

Whether her Department has any plans regarding learners who do not complete their formal education; if not, why not; if so, what are the relevant details?

The MINISTER OF EDUCATION: Thank you Madam Speaker. I note that hon member Mr Paulsen is not here for this interpellation that he requested, but I will answer anyway ... [Interjections.]

An HON MEMBER: He wants opposition.

The MINISTER OF EDUCATION: The WCED - sorry, when the other...

The SPEAKER: Order members!

The MINISTER OF EDUCATION: The WCED assists learners who do not complete their education in a variety of ways. First of all adult education: learning is a lifelong commitment and we are proud of our adult learners who have made use of the opportunities that are on offer by the WCED through our Adult Education and Training Centres.

For many adult learners the 109 adult learning centres we have in this province have become an integral part of their communities. Here adults can obtain their general education and training certificate, AET qualification which allows the adult learners the opportunities [Interjections.]

The SPEAKER: Sorry, excuse me Minister Schäfer.

Mr P UYS: Madam Speaker, I just would like to get your ruling. The person who was sponsoring this interpellation is not here. So just give us a ruling on that please.

The SPEAKER: The hon member Mr Paulsen has indicated that he has a personal commitment and that he was quite willing that the interpellation go ahead. He would forfeit his opportunity to respond. [Interjections.]

Mr P UYS: Madam Speaker, may I address you again please? Please help me. My understanding is that there must be somebody then sponsoring this on his behalf and who was the person that has been allocated to do that?

The SPEAKER: In his absence he indicated that we just continue the programme without his response. That was the option he chose to adopt. [Interjections.]

Mr M G E WILEY: Thank you Madam Speaker. My understanding is that just as with a question, the Minister answers the question, whether the questioner is there or not, because this is a question, and if the questioner prefers not to be here then we just carry on regardless. I am not sure which rule, hon Chief Whip and the others. [Interjections.]

An HON MEMBER: No one said that. [Interjections.]

The SPEAKER: Hon Minister Schäfer. [Interjections.]

An HON MEMBER: This is not your child [Inaudible.] You must respect each other.

An HON MEMBER: No man, I will be back in a ... [Interjection.]

An HON MEMBER: No, you will move.

An HON MEMBER: You must not say that. [Interjections.]

The SPEAKER: Members, order please. [Interjections.] Order! Hon Minister Schäfer you may proceed.

The MINISTER OF EDUCATION: Thank you. The WCED provides tuition, specifically for the Senior Certificate Examinations at twelve learning centre hubs across the province. The website provides information on the location of these hubs and contact details. Adult learners who qualify to write the examinations include learners who are 21 years of age or older, who have passed Grade 9 or who have a general education and training certificate or NQF Level 1 qualification with two official languages.

They also include adult learners who need to complete a Senior Certificate or National Senior Certificate where their school-based assessment has expired. This enables our adult learners to contribute positively to the development of their community and the Western Cape economy. It also allows our adult learners to live fuller, richer and more engaged lives in their communities.

In addition to the learning opportunity for the adult learners the WCED will also be providing adult education programmes to 500 employees of ten provincial and national government departments and business or industry.

We also have a youth focus project. The WCED has gone to great length to help learners who are failing at a young age. Many learners fail to pass Grade 9 for a variety of reasons and therefore cannot meet the requirements for further education in the FET Colleges.

Last year the WCED introduced a pilot project called the Youth Focus Project. This project is designed specifically for learners who have repeatedly failed Grades 9 and 10 and who are three to four years older than other learners in Grade 9. The project aims to provide a twelve month funded bridging programme which culminates in an occupation orientated qualification at FET Colleges or a skills programme for learners wanting to take this option.

In 2014 the WCED has matched 617 Grade 9 learners to FET Colleges across the province. In addition 244 of the learners from the pilot project group in 2013 were funded to continue another year of study at our FET Colleges.

Another area in which the WCED is assisting learners who do not complete their formal education at public schools is to provide access to schools of skills where they are offered vocational practical or technical curriculum in study fields such as automotive services, building and construction, manufacturing, hospitality, administration and hairdressing. We currently have over 7 000 learners enrolled at 19

schools of skill in the Western Cape. A further five public schools offer schools of skill services through skills units accommodating an additional approximately 700 learners. These facilities are extremely valuable as they provide important educational opportunities for those learners whose educational needs cannot be met in mainstream schools.

In the Western Cape we also have six FET Colleges. Our department has close links with these colleges and plans to work closely with them to ensure that learners do not fall through the cracks. Thank you.

The SPEAKER: I now recognise the Hon member Mr Kivedo.

Mr B D KIVEDO: Madam Speaker, hon fellow members and distinguished guests, as mentioned by Minister Schäfer there comes a point when parents and caregivers have to be held accountable for learners' attendance at school and subsequently completing their formal education. Parents, caregivers and the community at large need to be made aware that absenteeism has deeper implications than simply missing a few days of school.

It is a contributing factor to poor academic performance and increasing dropout rates. Learners completing their formal education cannot solely be the responsibility of the Western Cape Education Department but a holistic approach needs to be adopted.

Parents and families are essential partners in promoting good attendance because they ultimately have the bottom line responsibility for making sure that children get to

school every day. When children are young they are especially dependent upon adults or other siblings to help them get to and through school. Just as parents should focus on how their children are performing academically they have a responsibility to set expectations for good attendance and to monitor their children's absences. I will admit those do not add up to underperformance or dropping out, but at the core of the matter of learners completing their formal education is the will, responsibility and authority of parents or the lack thereof.

Today I urge all parents, caregivers and family members to allow the Western Cape Education Department to provide learners of the Western Cape with quality education. This can be done by *inter alia* prioritising learners' attendance at school; creating a culture in which learners are motivated to learn and willingly go to school; imprint in the young minds of learners that it is through education that they can create lives they can value and that education opens doors of opportunity. I thank you.

The SPEAKER: Thank you. I recognise the hon member Mr Olivier.

Mr R T OLIVIER: Thank you Madam Speaker. Christmas has come early. I will also use hon member Mr Paulsen's time, if you allow me. [Laughter.]

It is not acceptable that we still witness the continued high-school dropout in this province. Currently the dropout rate in the province is about 35% and the domino effect is too huge to comprehend. Other social ills that come with this effect is a high pregnancy rate; drug and substance abuse among young people; domestic violence; housebreaking and burglaries; youth unemployment and poverty.

This is entirely as a direct result of learners not finishing their high school education. Equally drug and substance abuse amongst young people has a casual relationship with high school dropouts. Once these young people have nothing to do during the day they resort to drug and other substance abuse. Of course we accept that the DA-led government will not be too much concerned about this, because this is prevalent in poor and poverty adjacent communities where unemployment is rife and is affecting communities across the board. The DA is more concerned about the affluent, the bourgeois and the suburbs. They will at times go to the limit to serve those community interests and needs at the expense of the poor and add to the occurrence of domestic violence and housebreaking and burglaries among our own communities.

When youngsters consume drug and other substances they behave like wild animals, attack elderly and young girls in perplexed ways. In most cases actions turn violent, including rapes and killing. These criminal activities manifest themselves in domestic violence, housebreaking, burglaries and the aged and young victims are affected.

It is compounded by the fact that our communities have limited, if any, recreational facilities to keep them busy during the day and they resort to our own streets.

The SPEAKER: Hon member Mr Olivier, your time has expired. Continue, finish your sentence please.

Mr R T OLIVIER: In finishing we call on this DA-led government, the governing bodies, the parents to join hands in ensuring that our kids do complete their high school years. Thank you. [Time expired.]

The SPEAKER: I recognise the hon member Mr Mackenzie.

Mr R D MACKENZIE: Thank you Madam Speaker. Education is the rock of society. Without education there is no society and without society there is no education. The ANC-led national government has unfortunately made this country government-dependent. [Interjections.]

Ms S W DAVIDS: We work with you.

Mr R D MACKENZIE: The EFF is not here, so I am going for you.

Ms S W DAVIDS: The ANC was good [Inaudible.]

Mr R D MACKENZIE: This question of the “me-me-me” mentality has been brought about by the ANC government. [Interjections.] The government in the Western Cape has set the policy framework for education in this province. The government has created the environment for formal education, but like JFK once asked: “Ask not what your country can do for you; but what you can do for your country”, and hon member Mr Paulsen and the members of that side should ask the second question: what can they do for their country? [Interjections.]

Ms S W DAVIDS: What have you done? What have you done [Inaudible.]

Mr R D MACKENZIE: Stop asking, what can the Western Cape Government do?

They should get involved and speak to the kids and the parents and become part of the solution, but the only thing they are doing now is becoming part of the problem. I thank you. [Interjections.]

Ms S W DAVIDS: All of us.

An HON MEMBER: That is the problem [Inaudible.]

The SPEAKER: I recognise the hon Minister Schäfer.

An HON MEMBER: I will take you to [Inaudible.] You better tell them now.

An HON MEMBER: Did you support the closure of the Lagunya Finishing School?

The MINISTER OF EDUCATION: Sorry, did I hear something? [Interjections.]
Madam Speaker, thank you hon member Mr Kivedo. I completely agree that parents have a huge responsibility in ensuring that their children complete their education and we would join you in your call for asking them to take a far more active role than they do. [Interjections.]

An HON MEMBER: You opened that window.

The MINISTER OF EDUCATION: We also agree with the one sensible comment of hon member Mr Olivier, that governing bodies must help us ensure that their children complete school. It is a partnership. Education is a partnership and we cannot do it

alone.

As far as the other comments from the hon member Mr Olivier are concerned, pregnancies and all the other causes, all the other symptoms that you mentioned, are not usually the result of learners dropping out of school. It is *often* the causes of them dropping out of school. [Interjections.] ...and then there is this huge concern, of course, but given that the ANC nationally controlled SAPS does not assist us in dealing with the crime, it is very difficult for us to manage.

Notwithstanding that, we have concern for each individual learner and we therefore are establishing all these other measures to ensure that we put in place whatever we can to ensure that they do complete their schooling. I think that is all. Thank you.

The SPEAKER: Thank you. [Interjections.] That members, is the end of Interpellations. We will now deal with Questions as printed on the Question Paper. I recognise the hon Chief Whip Mr Wiley.

QUESTIONS FOR ORAL REPLY

Mr M G E WILEY: Thank you Madam Speaker. Minister Botha is in NCOP addressing the subject there and he has spoken to or he has communicated with hon member Ms Gopie. I have also spoken to her and she is in agreement. Thank you.

The SPEAKER: If that is so we will then proceed to Question 3.

Mr P UYS: Yes, sorry honourable Madam Speaker.

The SPEAKER: Yes, Chief Whip.

Mr P UYS: The hon Chief Whip of the DA did not complete his sentence, that the Questions stand over to the next round. [Interjections.]

The SPEAKER: Okay, accepted that those two questions stand over.

Questions 1 and 2 by hon member Ms D Gopie to the Minister of Health to stand over.

The SPEAKER: Can we then proceed to Question 3? I recognise the hon Minister Mbombo.

Community upliftment through sport

3. Mr F C Christians asked the Minister of Cultural Affairs and Sport:

Whether she or her Department has any plans to enhance community upliftment through sport; if not, why not; if so, what are the relevant details?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: The work of the Department of Cultural Affairs is informed by the belief that sport can work as a tool to achieve social cohesion while fighting social ills. Whilst the national goal limits us to create a winning and active nation, in the Western Cape our primary aim is to use

sport as a means to uplift communities, and there are various programmes.

Programme number 1, the MOD Centre programme, which is the mass participation opportunity and access development and growth. The programme enhances the upliftment of communities by facilitating fun, play, recreation and skills development in sport, arts and culture amongst school-going learners.

There are 181 MOD Centres in various communities and throughout all the districts of the Western Cape and these MOD Centres provide sport and recreational activities to over 48 000 registered participants from disadvantaged communities and underserved schools. The programme works with the primary school and high school learners generally aged between five and 17 years old. All centres are based at historically disadvantaged and underserved schools. We have identified the times of 2pm. to 6pm. as the period when the learners are most at risk and have created an after-school programme that runs from Monday to Friday. This gives them a positive alternative with the intention to help young people to channel their energy into constructive alternatives to crime, drugs and gangsterism.

The second programme is the school sport; we work with the sub-directorate at school sport which assists the Western Cape Education Department to promote and coordinate intra- and inter-school sport in all communities in the Western Cape in which public schools are situated. We are currently supporting about 513 public schools with equipment and also with the coaching, and note that intra-school sport refers to inter-school and inter-house sports activities and that all intra- and inter-school sport falls under the jurisdiction of Western Cape Education. We try hard to

assist with the schools in this regard because we know that there are some kids who might not be interested to go to school, but now when they play sport there is an attraction. It becomes an attraction factor.

Another programme centres around recreation and recreation enhances the upliftment of communities by facilitating skills development and promoting recreational activities at community and farm centres in communities. We have been funding many recreational projects for example the Indigenous Games, and the Golden Games, which is the 60-plus up to even 100-year olds. We have the Farm Workers Sports Day that forms part of the recreation, and then the other programme is the Club Development Programme. We need a safety net for these youngsters from the MOD Centres and also for those who are playing at school, because bear in mind the school runs from Monday to Friday and the Wednesday becomes the school sports day, but now with the clubs those kids need a safety net where they could participate in sport over the weekends. Therefore, we support the club development by means of the transport, equipment and capacity building for federation coaches and administrators and in doing so we contribute to community upliftment. We currently have about 450 clubs in various sporting codes across the province.

The SPEAKER: I recognise the hon member Mr Christians.

Mr F C CHRISTIANS: Thank you Minister Mbombo, for that answer. The one concern that I had when we visited the MOD Centres was that we saw that MOD Centres are not used fully. Programmes are programmes of recreation, but there is no upliftment, there is none and children come and they exercise in their school clothes.

What is wrong with this, member? School clothes, so what - ja, what I am asking is ...

[Interjection.]

The SPEAKER: Hon member Mr Christians, I think you are supposed to ask a question. You are making a statement that is pretty long-winded so if you could get to the question.

Mr F C CHRISTIANS: So the question is, Minister Mbombo, how do you monitor these MOD Centres and are you satisfied that it is optimally used to benefit the communities and these school-children you are talking about? Thank you.

An HON MEMBER: That is a new question.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: The MOD Centres are part of a voluntary programme which involves a choice between the parents and also the kids because it happens after school and the school is not involved after school.

However, we try every effort to persuade the kids to stay behind. However, the challenges are for example where parents are reluctant to let the kids stay longer, because from five o'clock or six o'clock there are no other kids on the streets and it means these kids have to walk all by themselves back home. So that is why one will find that whilst they are available from two o'clock, from around four o'clock it becomes a challenge, but we are trying every means. As I indicated, to attract those kids for example within the MOD Centres we also have established nutritional programmes, because most of the time some of the kids do not have lunch, so now we

provide food and some of the kids might stay behind, not necessarily because they want to participate in the activity sports or culture, but mostly just for the nutritional programme. Others, especially in the high school, are not interested in those activities, but we give assistance towards their homework and supervision. But there is also the presence of coaches, who are not only there to coach around the sports; in some communities we find that some kids have never been exposed to adults and they need that space where they can ventilate. So those coaches also play a role in providing shoulders to cry on, being there to listen, and also to identify some of the challenges that these kids are faced with, because for some of the kids it is the first time that they have a space to share some of their problems with the adults.

'n AGBARE LID: Mooi!

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: Thank you Madam Speaker. I would like to ask the MEC if she is aware of the fact that the South African Rugby Legends Programme aimed at boosting school sport on the Cape Flats, rugby in particular, was last supported while the ANC governed the province and that her predecessors have cut all funding to the Vuka Rugby Tournament which is supposed to benefit school sport, particularly rugby on the Cape Flats. I would first like to ask whether she is aware that the DA has suspended funding for the Vuka Rugby Tournament? [Interjections.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: There are many other programmes that are supporting not only rugby, but other sport. For example within

the Metro we are working with the federations like the Western Province Rugby Union which has about 100 clubs that are being represented from all around Metro. Within that we are supporting all these clubs from the Khayelitsha Lagunya, for example Saturday Leagues and Sunday Leagues. They have also introduced a Premier Cup which normally is contested around September, October where you have the clubs but also some of the kids who are coming from the MOD Centres to be part of that, and that Premier Cup is supported together from the DCAS and also from the DOTP from the Premier's Office.

The SPEAKER: I see the hon member Mr Dugmore.

Mr C M DUGMORE: Just as another question, I would like to therefore know, given that the MEC was not particularly aware of that programme, whether she would be prepared to actually meet with Western Province Rugby who supports this programme with the South African Rugby Legends and reconsider the ill-conceived decision of her predecessor MEC Meyer who cut all funding for the last five years to that particular project? [Interjections.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: As I indicated there are many other programmes besides that. I am making an example of the Premier Cup and also within the Young Stars we have part of the SARU, the Amaqhawe for the young kids and also in addition to that we have other programmes, because most of the time we focus more on these kids. But there is also other funding coming in order to assist all other programmes. So whilst we are mentioning this particular programme, there are various other programmes, for example time permitting I can give you figures of

the support we give for the Big Five of the Sport Codes in terms of the community upliftment [Interjections.]

The SPEAKER: I see the hon member Mr Mackenzie.

Mr R D MACKENZIE: Thank you Madam Speaker. I just wanted to ask a follow up question just for clarification: The Rugby Legends are an independent body and I just want to confirm that as the province you are working with Western Province Rugby in implementing and putting development programmes in place? [Interjections.]

An HON MEMBER: What is the question?

Mr R D MACKENZIE: So that is the question. The question is: are you working with Western Province or with individuals because the Rugby Legends are individual companies as far as I know. [Interjections.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: We work firstly with the federations. We work with the Western Province Sport Confederation, which also has the District Sports Councils, and there are the federations affiliated to that. Within the rugby fraternity we currently have three major Rugby Sports Unions in the Western Cape, which of course once the geopolitical issues are being implemented it will be more, the Western Province Rugby Union, the SWD and the Boland. We also have the Academy around that so we work closely with the federations. Once you start and accommodate you get all these requests for individuals from the companies and then you end up having all these layers and not being able to achieve what you want to

achieve. For example with the federations they might come up with various cups, tournaments and festivals and this impacts on the kids. If you are going to play, you cannot exhaust the kids to play in each and every game, yet what we want is that it should not only be about sport as a tool for social upliftment for these youngsters, but also to be able to be attracted into the various leagues. So we want to achieve the national goal which is to be a winning nation, but at the same time you have to look at the other aspect of using sport as an upliftment.

Mr C M DUGMORE: I would just like to ask the MEC whether she would be prepared to visit the Eastern Cape, the Free State, Gauteng as well as KwaZulu Natal who all, as provinces, are actively working with the South African Rugby Legends to make sure that the school sport Rugby Programme is actually implemented?

Mr R B LENTIT: On a point of order Madam Speaker [Interjection.] I did not hear that you acknowledge hon member Mr Dugmore, before he started speaking. Thank you.

The SPEAKER: Sorry, I was about to say that we have had the four follow-up questions, so we need to proceed to the next question. Thank you. I recognise the hon member Ms Schäfer.

The MINISTER OF EDUCATION: Hon member Ms Schäfer or Minister Schäfer?

School governing bodies

4. Mr F C Christians asked the Minister of Education:

- (1) Whether school governing bodies are following and adhering to guidelines set out in the South African Schools Act, 1996 (Act 84 of 1996); if not, why not; if so, what are the relevant details;
- (2) whether school governing body members are trained in accordance to one set standard of governance; if not, why not; if so, what are the relevant details?

The MINISTER OF EDUCATION: The South African Schools Act does not constitute guidelines. It is national legislation to which all schools are subject. Various regulations have been promulgated under the Act. These regulations have been made available to schools and are monitored by district officials for compliance. District officials are able to categorise schools into certain phases of compliance so as to be able to support them and effect remedial action and procedures. If it is brought to our attention that any school is not complying with the Act, appropriate action will be taken.

The answer to part two, school governing bodies are trained in accordance with a set programme and a three year training framework approved by the Head of Department and supported by the recognised school governing body associations operating in the Western Cape. Furthermore, schools receive guidelines for capacity building of school governing body members which covers all the provisions of the South African Schools Act. Trained district officials, as well as the recognised school governing body

associations, provide the training in accordance with the abovementioned material. I am currently also investigating other ways in which we can strengthen our school governing bodies in terms of compliance, such as co-opting specialists in the field of law and finance so as to assist and train fellow SGB members. Thank you.

The SPEAKER: I see the hon member Mr Christians.

Mr F C CHRISTIANS: Thank you Minister for that. There seems to be inadequacies when it comes to school governing bodies understanding their role. Do you have a plan with the election of the new SGBs now? Do you have a plan to address them and equip them, what their roles and responsibilities will be, because I know now new elections are coming up and do you have a plan in place to equip them? I know you mentioned a special intervention but do you have a plan to empower them better? Thank you.

The SPEAKER: Hon Minister Schäfer.

The MINISTER OF EDUCATION: Thank you, hon member Mr Christians. As I said we have a detailed planning and training programme in place. Yes, we are focused particularly on next year's governing body elections and training has taken place and will continue. We also intend to be more public, to publicise the importance of choosing the right people on the governing bodies more, which the parents need to assist with as they elect the people. As I said I have already started discussions regarding how we can try and ensure that more people with skills, particularly legal and financial skills, can make themselves available for cooption onto governing

bodies where schools request it.

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: Yes, I would like to ask the MEC whether she is prepared to consider a provincial-wide recruitment campaign of potential governing body members who have skills in the areas which she has just mentioned, and from that database would she be prepared to consider then encouraging those people to serve on governing bodies across the province; so the question is would she be prepared to establish a provincial database of SGB volunteers who are willing to serve on SGB's across the province?

An HON MEMBER: That makes you think, that one ... [Interjection.]

The SPEAKER: Hon Minister Schäfer.

The MINISTER OF EDUCATION: I am prepared to consider it, if you would like to give me more detail as to how you propose to do it, I will consider it. [Interjections.] [Laughter.]

The SPEAKER: We will now move to the next question. I recognise the hon Minister Grant.

*Performance bonuses***5. Mr D Joseph asked the Minister of Finance:**

What was the total amount paid out in respect of performance bonuses for all departments in the (a) 2012/13 and (b) 2013/14 financial year?

The MINISTER OF FINANCE: Thank you Madam Speaker. Dankie vir die agbare lid vir die vraag. Die totale bedrag uitbetaal ten opsigte van prestasiebonusse vir alle departemente beloop in die 2012/2013 boekjaar R118.8 miljoen en in die 2013/2014 boekjaar R90 miljoen. Ten einde te verseker dat daar ook fiskale dissipline is ten opsigte van die allokasie van prestasiebonusse is daar ook 'n beperking ingestel van 1.5% op die totale vergoedings van die personeeluitgawes van staatsamptenare en indien 'n mens die 1.5% perk in ag neem, dan beteken dit dat die beskikbare fondse vir prestasiebonusse in die 2012/2013 boekjaar ongeveer R300 miljoen was. In die 2013/2014 boekjaar was dit R351 miljoen, maar die Wes-Kaap Regering het nie daardie bo-perk van 1.5% gebruik nie, en derhalwe baie minder uitbetaal aan prestasiebonusse wat die perk toelaat van 1.5%. In beide boekjare het die Wes-Kaap Regering slegs 'n derde uitbetaal in prestasiebonusse wat die buite-perk aanbied en dus is ek tevrede dat ons uitstekende fiskale dissipline ook hier toegepas het.

The SPEAKER: I see the hon member Mr Joseph.

Mnr D JOSEPH: Agb Speaker, baie dankie. Ek is baie tevrede met die antwoord. Dankie. [Tussenwerpsels.]

'n AGBARE LID: Wat is jou vraag? [Interjections.]

The SPEAKER: I see the hon Minister of Opportunity.

Provision of Services

Department of Agriculture, Economic Development and Tourism

7. Ms L J Botha asked the Minister of Agriculture, Economic Development and Tourism:

Other than online services, how are the people of the province made aware of the services provided by his Department?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Madam Speaker, and thank you for the question. I think over and above the online communication the Department employs a number of methods through which the Western Cape residents are informed of its services. These methods include, amongst others, communication in newspapers, on radios and billboards as well as face-to-face engagements and presentations at road-shows, exhibitions, workshops, stakeholder engagements and other events.

Materials such as brochures and booklets explaining the work and services of the Department are also distributed at various access points. Departmental staff members are also invited to speak at events and present on departmental programmes on a

regular basis. Perhaps just to highlight one or two of those, the supplier open days where we specifically try and focus on SMMEs that are on our supplier database that generally do not get contracts with government. That is where we try and get them around the room. We have SARS there. We have the banks there. We have the CIDB there. We have all sorts of agencies that can really help these SMMEs get their businesses up and going.

We have quarterly engagements with various sectors, be that film or tourism. We have sector connect engagements, whether they be promoted by the SBVs. We have the business leadership platform, so we have various areas, but I think the interesting future is going to be what is going to be coming out of online as time goes on. From those few pilots that we have rolled out now across the province we are learning that for the broadband roll-out there already are 100 000 regular users per month in the Delft area, and it's interesting to see what is happening in Touwsranten, Robertson and Atlantis specifically around education and the free access to the government sites as well as things like Wikipedia. It is really interesting to watch the back-office and see how that kind of information is really being used by society.

The SPEAKER: I recognise the hon member Ms Botha. Any follow-up questions, hon member Mr Dugmore?

Mr C M DUGMORE: Thank you Madam Speaker. I would like to ask the MEC that given the advertisement that appeared in the newspaper around national government being involved together with the provincial government through various national government departments providing information to people accessing the IDC, the

SEDA and these services [Interjections.]

The SPEAKER: Order please, members.

Mr C M DUGMORE: ...can the Minister indicate how many of these forums have actually happened and where they have actually happened and whether this indicates that in fact the Department acknowledges the role that the national government is playing across our province in making all these services available to the people of the Western Cape?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Absolutely, and we try and engage on those platforms whenever possible. Generally the problem though is that we get invited to engage on those platforms very, very late and it is the kind of thing that we are talking about at Minmec. We say if you want us to engage with you like the new Minister of Small Business, when you get one or two days notice it is very, very difficult especially when the Ministers ask you to provide budget to set it up, and you know, we have a very rigid system around budgeting in advance; but wherever those are available we try to engage, number one.

Number two, I think we are showing great performance specifically when it comes to national government communication around the Presidential Helpline. We are the only province that really has the answers coming back to the public who engages, we have a 90% resolution rate there. I also think of the 30 partnership offices between DTI, which will now be moving to Small Business Ministry, some of them with government, some of them with private sector for access to the general public,

specifically around business support - that is a key partnership. It is one of the first things that I engaged and we used to have separate offices. Provincial offices were separate from the national office. I say that was a crazy waste of money and we have definitely aligned those in the last five years.

The SPEAKER: I recognise the hon member Ms Davids.

Ms S W DAVIDS: Thank you Madam Speaker, to the MEC, in these forums, how many small emerging businesses were reached in the different areas?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: It is very difficult to answer that in a follow-up question. I think it would be quite a good idea to put that question, then I can give you the exact numbers, but generally what we do is we use our database to start with, so we have 7 500 SMMEs registered on the database. We use that and it is probably three or four, maybe five different areas a year across the province.

We first invite them but then we also put out a public advertisement and ask all of the SMMEs that are registered to do business in those municipalities with the local government, and we invite them to those platforms as well.

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: Mr Deputy Speaker, through you another follow-up question.

The SPEAKER: Not Deputy Speaker, the Speaker.

Mr C M DUGMORE: Does the programme include information - Madam Speaker, excuse me. [Interjection.] Does the programme include, and can you provide, practical examples of informing communities around how to establish cooperatives and how those cooperatives can operate within particular sectors identified by the province?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: I will say the same thing; if you want the actual information, put that question to me, but those supplier open days are exactly what happen. We have the Treasury staff there. My Department of Economic Development has staff there. We have staff from Transport and Public Works there on site. They have desks. They have the ability to fill in the forms and then we also invite the other players, whether they be SARS, because the business might need a tax registration certificate finalised; whether they be banks, because they need some financial support for their businesses; so we get all of the role-players in line and we have a roll-out every single year to four or five of these sessions a year across the province.

The SPEAKER: Hon member Ms Davids.

Ms S W DAVIDS: Thank you Madam Speaker; just a follow-up question to the MEC. I want to know, do you have the forums also in the farming community on the farms and also in the informal settlements?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: Well, they will be hosted generally by the municipalities when we go out. So I mean I try to attend most of them and generally they are not in an informal settlement, but of course they are advertised across the whole municipality. Anybody can come along who is involved or interested and they are across the whole province, so they will be there for farming communities, for anybody that is in the SMME or start-up space in business. That support is available to anybody.

The SPEAKER: We now move to Question Number 8. I recognise the hon Minister Schäfer.

Food provision programme: quintiles 4 and 5 schools

8. Ms L J Botha to ask Ms D A Schäfer, Minister of Education:

Whether, with reference to the Gauteng Education Department cutting the food provision programme for quintiles 4 and 5 schools, her Department will be following suit; if not, what are the relevant details; if so, why?

The MINISTER OF EDUCATION: Thank you Madam Speaker. We are uncertain as to the reasons why the Gauteng MEC has cut the food provision programme for poor children in quintiles 4 and 5. My Department will certainly not be cutting the provision of food to the limited number of quintile 4 and 5 schools for which we have approval from the Department of Basic Education; unless the Department refuses to grant permission again, because the Western Cape Government is the only government which actually cares for the poor and vulnerable. [Interjections.]

The WCED [Interjections.] Sorry. [Interjections.]

The SPEAKER: Order members! [Interjections.]

The MINISTER OF EDUCATION: Can I finish my question please?

An HON MEMBER: We are still back to the [Inaudible.]

The MINISTER OF EDUCATION: The WCED is currently providing meals at 1 027 schools of which 309 are quintile 4 and 5 schools. The reason for this is the implementation in 2009 of the misguided national poverty quintiles which differed from the provincial poverty quintiles. In other words some schools in the Western Cape which were historically quintile 1 to 3 schools were re-classified as quintile 4 to 5 schools. Every year we request permission from the DBE to continue with the current arrangement.

The DBE granted permission to the WCED to continue feeding these quintile 4 and 5 learners with the proviso that this would not be expanded any further using the conditional grant, i.e. the number of quintile 4 and 5 learners was capped. Some learners in the quintile 4 and 5 schools come from very poor homes, and any change in the situation would be very prejudicial.

I recently received a letter from the national Minister of Basic Education noting a concern about this arrangement as she was concerned that the NSNP is audited annually and an audit query could be raised. We took note of Minister Motshekga's

concerns but responded that our audit is complete and that this has not ever been raised as a query by the Auditor-General. Cutting the food provision programme would prejudice learners who come from very poor homes. We cannot understand why Gauteng MEC Lesufi would want to deprive these learners of what could be their only meal they receive for the day. A hungry learner is an unproductive learner. It seems that he does not have the will to stand up and question the Minister's decision. ... [Interjection.]

An HON MEMBER: They are not excited about education.

The MINISTER OF EDUCATION: He has just arrived. Welcome back, hon member Mr Paulsen. You have just missed your interpellation. [Interjections.]

The SPEAKER: Order!

The MINISTER OF EDUCATION: Excuse me! [Interjections.]

An HON MEMBER: Welcome!

The MINISTER OF EDUCATION: Welcome back, and to hon member Mr Fransman who is attending today. The WCED will therefore continue to apply for permission to continue feeding these poor learners. Thank you.

The SPEAKER: Thank you. Hon member Mr Dugmore.

Mr C M DUGMORE: Madam Speaker, could I ask whether the MEC on receiving this question from the hon member Ms Botha contacted her colleague in Gauteng to verify this particular statement? Wat ek basies wil weet, het jy net gereageer op wat agbare lid me Botha gevra het, of het jy die moeite gedoen om jou kollega in Gauteng te bel en te vra is dit waar, wat is die kwessie, of het jy sommer net gereageer op wat in die koerante was? [Tussenwerpsels.]

'n AGBARE LID: Het jy vir haar gebel?

The SPEAKER: Hon Minister Schäfer?

Die MINISTER VAN ONDERWYS: Ek het hom nie gebel nie, nee. Ek weet nie hoekom jy nou Afrikaans praat nie, maar nee, ek het hom nie gebel nie, maar hy het wel 'n verklaring uitgereik wat gesê het presies wat ek gesê het dat mnr Lesufi wel die kwintiele 4 en 5 voedselskema gestaak het.

'n AGBARE LID: Ja.

Mnr C M DUGMORE: Baie dankie. [Tussenwerpsels.]

Mnr R B LENTIT: Vertel hom. Vertel hom.

The SPEAKER: The next question. I recognise the hon Minister of Cultural Affairs, Minister Mbombo.

Provincial sports codes, individuals and teams

9. Mr S G Tyatyam asked the Minister of Cultural Affairs and Sport:

What support is her Department providing to provincial sport codes, teams and individuals both professionals and amateurs?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you Madam Speaker. Before I answer this question, we need to remember that from the national there are so many sport codes. We have the Sascoc Priority Sport codes, the Basic Education Sport Codes, School Sport Codes and about 26 Club Development Sports Codes so when we speak about the sport codes we are talking about all the oranges and the apples and the whatever, all of those. I do not want to go specifically to that.

Let us start with the school sport. Through the school sport the Department provides financial support to the Provincial Code Specific School Sport Structure in sixteen priority School Sport Codes. In the 2012/2013 financial year we gave R50 000 to each; in 2013/2014 R70 000 to each and then R80 000 for the 2014/2015 financial year for each Priority Sport Code.

We, however, cover all the costs, for example the cost for the transport, accommodation, catering, attire and medical support for teams if they qualify to participate in provincial playoffs representing their respective districts in order to qualify to represent the Western Cape at the South African National Schools Championship, which is coming up now on December 10th. All the costs as I have mentioned, it is only for qualifying teams that participate at the SANSC and then also

covered by the DCAS, and this also includes support to amateur individual participants as some of these codes are representative teams, whilst others are represented by school teams. In addition to the school sport we also have a sport promotion, which is centred around the clubs. For the 2014/2015 financial year we supported various federations by means of the following:

We provided about R2.9 million, which was transferred to respective federations for development, administration, transformation and capacity building and then we also provide *ad hoc* funding for individuals, specifically for those Western Cape athletes from respective federations who travel abroad, to represent the country internationally. To date we have transferred about R250 000.

Now we have the federations that also receive funding for the major sporting events, especially if that event is related to attract or contribute towards the economy and we have transferred about R980 000 to the federations for these major events. Also we partner with the municipalities as we are aware that sports facilities are a municipality competence. We partner with the municipalities especially in those poor municipalities for the upgrades of facilities within those municipalities.

We have provided about R1.2 million that was allocated for example for Swartland, Langeberg, City of Cape Town, Breede Valley, Drakenstein and Cape Agulhas for various sport codes.

In addition to that, for the Club Development Programme we support clubs by means of transport equipment and capacity building for federation coaches and

administrators. As I indicated earlier we have about 415 clubs. Actually we are known for having the highest number of clubs. Thank you.

The SPEAKER: I recognise the hon member Mr Tyatyam.

Mr S G TYATYAM: Thank you Madam Speaker. MEC, I want to know why was Chippa United not assisted by your department to the extent that they decided to relocate to the Eastern Cape; why they were not assisted in all the provisions that you are talking about? [Interjections.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Is that a fact, because that is not a fact. Chippa United is currently still using the lease of the stadium which is at Philippi, which was given through the department, Provincial Government of Public Works, at a very low rate.

Currently that stadium is still being utilised for that, so if you compare how that stadium has been provided in terms of the market value for the leasing – and we have still had that lease until now - I am not sure why you ask why they are not assisted.

Also number two, Chippa United has the league and they also have a developmental programme which is run amongst the kids, youngsters who are there, which we are supporting through various interventions, so we are supporting. [Interjections.]

Mr R B LENTIT: This Minister knows her sports. She knows her sports.

The SPEAKER: Hon member Mr Tyatyam. I recognise the hon member Ms Makeleni.
... [Interjection.]

Mr R B LENTIT: She knows her sports.

The SPEAKER: Order members, please.

Ms P MAKELENI: Thank you Madam Speaker. †Ndicela nje ukubuza kuMphathiswa ukuba kwenzeka ntoni kwi Western Cape Boxing, ngoba ndibona ulutsha ebelungenele iTumente yaManqindi kulo nyaka ngoJuni, lumele iPhondo, had to go to National Tournament lungenazo zonke ezi zinto zingasentla ubuzibalile?

* I want to ask Minister, what is happening in Western Cape Boxing because I see the youth who participated in the tournament boxing this year in June, representing the Province, had to go to the national tournament without any of those things you mentioned above.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Now the boxing is going to take me long. With the boxing we have to differentiate whether you are talking about the professional boxing under the BSA which is gazetted under the Act, or are you talking about the amateur boxing. ... [Interjection.]

An HON MEMBER: This Minister knows her sport.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Now with the professional boxing, it is not under the province, because they are mostly professionals and they

are also working with the promoters, and we know that when it comes to the promoters, they are business people, and they are there only in order for one boxer to benefit. So in order for the province, for any government, to support professional boxing, if they say we want to stage the fight they know that they have to meet the requirements according to the Boxing Act, for example the stage, the medical facilities and all of those for boxing in terms of the professionals. Then we have the amateur boxing. [Interjection.]

The amateur boxing now falls under us, because it is related to development. Now what needs to happen is that they also have requirements that they need to meet but, as everybody knows when it comes to boxing they still have to sort out their backyard. There was a Boxing Indaba held last year and they worked on the resolutions for both of those until boxing sorts itself out. Within the Western Cape, whilst the boxing is not part of the school sport Priority Code, it is part of the Club Developmental Code. We do assist boxing through working with some organisations, for example, in Khayelitsha it depends where there is an interest in terms of equipment. If you go to Blue Hall Site C you will see there what their clubs are busy doing in terms of the boxing ... [Interjection.]

'n AGBARE LID: Mooi! Mooi!

The MINISTER OF CULTURAL AFFAIRS AND SPORT: And they are now moving forward [Interjections.] [Laughter.]

The SPEAKER: Order! Order!

The MINISTER OF CULTURAL AFFAIRS AND SPORT: They are moving forward.
[Interjections.] [Applause.]

The SPEAKER: What is the next question?

An HON MEMBER: Knock-out! [Interjections.]

'n AGBARE LID: Hulle het teen mekaar geboks. [Tussenwerpsels.] Hulle het weer teen mekaar geboks.

The SPEAKER: Order, please members! Allow the Minister to finish. [Interjections.]
Order please.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Moving forward, as you are aware that within the national context the national Minister of Sport is still grappling with the issue of boxing. That is why they are even discouraging boxing to be part of the Priority Codes within the club development because of those issues.
[Interjections.] However, we have taken it upon ourselves [Interjections.]

The SPEAKER: Order members please.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: We have seen the interest around boxing, hence now we are moving forward for amateur boxing. We will be staging a road-show because remember one of our world boxing associations, WBO or

WBF, I cannot remember which one of the four of those associations, one of them for example is coming from us, the Western Cape. We are making use of people like the champion, that young boy, so that those young stars who are interested in amateur boxing will be able to see how we can assist them. But again it goes back to resolutions from the school from the Boxing Indaba, that these two bodies have to take it upon themselves and advise the government, provincial and national, on how to take this forward. [Interjections.]

Mr R B LENTIT: Fit for purpose! Fit for purpose! [Applause.]

The SPEAKER: Hon member Mr Tyatyam.

Mr R B LENTIT: Fit for purpose! [Interjections.]

The SPEAKER: Order please, hon member Mr Lentit. Order please.

An HON MEMBER: That is not stated.

Mr S G TYATYAM: Madam Speaker, when there was a problem in BSA the national Minister intervened and even gave the staff from the office to go and assist the BSA to resolve its books.

The SPEAKER: Hon member Mr Tyatyam your question please.

Mr S G TYATYAM: Yes, my question is why is the Minister saying ... [Interjection.]

An HON MEMBER: Not helping the national Minister.

Mr S G TYATYAM: Why is the MEC saying that she is waiting for those two houses to sort themselves out, because as the MEC she has the responsibility to intervene and resolve resolve the problems for the smooth running of the sport.

Ms S W DAVIDS: Yes, yes.

An HON MEMBER: Intervene!

Mr S G TYATYAM: You cannot be a spectator and be given your money. You are paid to intervene and do your work. [Interjections.]

An HON MEMBER: No but they need leadership.

An HON MEMBER: Give them another [Interjections.]

The SPEAKER: Hon Minister Mbombo. [Interjections.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Okay now I am getting worried that you do not understand the BSA Act.

The PREMIER: They really do not understand.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: I am really getting worried because you would not be raising this question as we know that the BSA in terms of the Act is national. It is gazetted under national, which, if you look at the Sport and Recreation Act 2010 and also the National Sports and Recreation Plan with regard to professional boxing, is not within the competence of the provincial governments for professional boxing. It is not part of that. Those resolutions feed back to the higher level in terms of boxing, so when you talk about the provincial government departments we talk about the amateurs; so in terms of all of these resolutions, they are supposed to take it back to the national Minister. It is the same thing, that you cannot ask me anything about Sascoc, because it is between Sascoc and national.

An HON MEMBER: Yes.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: You can ask me about the sport confederations, which are under my competence, so the same as with the BSA, so go back to the Boxing Act and then you will understand the whole dynamic.
[Interjections.]

Mr R B LENTIT: Workshop them.

The SPEAKER: Hon member Mr Tyatyam. [Interjections.] Order members.

Mr S G TYATYAM: Madam Speaker, the MEC is really disappointing. She is not ...
[Interjections.]

The SPEAKER: Your question please, hon member Mr Tyatyam. [Interjections.]

Mr S G TYATYAM: Yes. [Interjections.] The question still ... [Interjection.]

Mr R B LENTIT: Workshop, workshop!

Mr S G TYATYAM: Madam Speaker... [Interjections.]

The SPEAKER: Hon member Mr Lentit, order!

Mr S G TYATYAM: ...what is the intervention at a provincial level?

An HON MEMBER: Yes.

Mr R B LENTIT: Read the Act.

Mr S G TYATYAM: ...because all the development does not start at national level. They start at provincial level. What is the intervention in relation to boxing to make sure that there is good and proper competition? All other provinces assist. Why can we not assist here in this province? [Interjections.]

The SPEAKER: Okay.

Mr S G TYATYAM: Why can we not assist here?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: I have already responded to that.

The SPEAKER: Thank you. [Interjections.] We will move to Question 10. ... [Interjections.] Members, order please. We will now move to Question 10. I recognise the hon Minister Alan Winde.

Evictions from farms

10. B A Schäfer asked the Minister of Agriculture, Economic Development and Tourism:

- (1) Whether there had been any engagement with the Deputy President regarding the imposition of a moratorium on all evictions from farms in the province; if so, what are the relevant details;
- (2) whether there is any evidence that there are more illegal evictions from farms in the province than any other province; if so, what are the relevant details?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much Madam Speaker. Yes, there was an engagement on 1 November 2014 which was called and hosted by the Deputy President with five other national Ministers. The session was put together to address farm workers and role players on and around evictions.

Interestingly Minister Nkwinti's presentation showed that farm worker evictions were in fact on the decline. However, this is a very, very serious issue and we are eager to push specifically land reform, agrarian growth and, play our part in supporting the National Development Plan to create one million jobs in the agricultural sector, and I think perhaps I should stop there, because we do have a whole debate on this issue in a short while.

Mnr R B LENTIT: Klap hulle! [Tussenwerpsels.]

The SPEAKER: We will move to Question 11 then. I recognise the hon Minister Grant.

Asbestos discovery: Provincial Legislature Building

***11. Mr P Uys asked the Minister of Transport and Public Works:**

Whether a sample was taken of the asbestos that was discovered on the 6th Floor of the Provincial Legislature Building, 7 Wale Street; if so, (a) what were the laboratory results and (b) how will this situation be handled?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Madam Speaker, thank you, the answer to the question is yes. A sample of the ceiling material that was suspected to contain blue asbestos was taken and was sent to the approved inspection authority to arrange for testing. The approved inspection authority has not issued any

results at this point and then should results confirm the presence of blue asbestos in the sample the following steps will be taken:

An investigation will be conducted to determine the extent of the presence of blue asbestos and, secondly, a project will be planned for the removal and disposal of all materials that contain blue asbestos in accordance with the regulations related to asbestos.

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Thank you Madam Speaker, and thank you for the answer. Hon MEC, it was officially reported in this House to us that the results came, but it is so dangerous that they could not wait for a written report. They had to communicate it telephonically. You were here. You were present when we received that report.

I am very concerned hon MEC and you need to investigate immediately. The results were made available. They could not even wait for a written report so serious is it. I want you to comment on it. The room was locked off but it is not properly sealed and my question is why is it not properly sealed? [Interjections.]

Mr M G E WILEY: It has got a massive padlock on it.

Mr P UYS: Wait you, wait you, wait you, wait! [Interjections.]

The SPEAKER: Order, please members! Minister Grant. [Interjections.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: My information also is that the ... [Interjection.]

The SPEAKER: Order please.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ...the Department of Labour is - I was not aware that the results were available and I will immediately follow that up, but as I understand from my Department there is no access to that room. [Interjections.]

The SPEAKER: Hon member Mr Uys. Order members!

Mr P UYS: Honourable, I would like to take the MEC there but he must not get too close to the room. It is actually dangerous. Certain staff have been identified to go for medical tests but that has just been blocked. I do not want to put their names forward here, but I want to ask what you are doing concerning the staff that have been identified that had been exposed, but the process is not being taken further. What I am worried about here is a cover-up and people are not being warned about the danger - staff and members here.

'n AGBARE LID: Ja.

'n AGBARE LID: Ons verstaan dit.

The SPEAKER: Minister Grant.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Madam Speaker, I will follow it up as a matter as priority. [Interjections.]

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Thank you Madam Speaker. Can I just ask the MEC was there in any way at any time an interaction and discussion between the MEC and the Speaker and Deputy Speaker with regard to this very serious situation?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: The answer is no, we work through a committee who is responsible for the maintenance of this House. [Interjections.]

The SPEAKER: We will now move to Question [Interjections.] Order members!

An HON MEMBER: Asbestos is dangerous.

The SPEAKER: We now move to Question 12. I recognise the Minister of Transport and Public Works.

***12. Mr P Uys asked the Minister of Transport and Public Works:**

Whether his Department is responsible for the maintenance of the facilities of

the Provincial Legislature; if so, (a) to what extent and (b) what was the expense up to the latest date this year for which information is available?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: The answer is yes, the Department of Transport and Public Works is responsible for the maintenance of the facilities at the Provincial Legislature.

(a) In terms of section (a) the Department of Transport and Public Works is responsible for the total maintenance of the building infrastructure and fabric of the Provincial Legislature facilities. Maintenance is categorised as follows:

- (1) Firstly, planned or scheduled maintenance; preventative maintenance of various components of the building fabric at planned intervals to maintain the operational life of the building for example painting of wall surfaces; replacement of floor finishes; or repairs to plumbing and drainage.
- (2) Secondly, statutory maintenance, maintenance required by law for example the maintenance of lifts, fire-fighting equipment, air-conditioning etc;
- (3) Thirdly unscheduled day-to-day maintenance. That is unplanned daily maintenance of the buildings due to failures of components for example replacement of lights, repairs to doors, furniture, leaking taps etc.
- (4) Finally cleaning services; the provision of general cleaning services for all areas occupied by the Provincial Legislature to kitchens, bathrooms,

offices, basements, parking etcetera.

- (b) Contracts for cleaning services and maintenance of lifts, HVAC systems, fire-fighting equipment, roller shutter doors, etcetera, are concluded for groups of buildings. It is therefore difficult to extract specific values for maintenance work executed at the Provincial Legislature. Since the parliamentary precinct has not yet been completely defined it is difficult to allocate general maintenance costs to the Provincial Legislature specifically. However, expenditure incurred specific to the Provincial Legislature for the current financial year is as follows:

Firstly, service to SAPS on the ground floor, which is currently under construction; payments up to 31 October 2014: R246 000 and then refurbishment of the fourth, fifth and sixth floors, the final in construction, R3.5 million; the total R3 746 000.

The SPEAKER: I recognise the hon member Mr Uys.

Mr P UYS: Thank you Madam Speaker. May we just take one example and I am sure the MEC can respond to that. The lift that carries any person that is in the gallery here to the seventh floor or the auditorium has been out of commission and not working. I think it has been for a year. It could be 13 months. It could be 12 months; 11 months as well. What is happening and why is it not being fixed? If you enter there at the bottom it looks like this is a non-functional operation that is taking place here.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: It is ironic that hon

member Mr Uys should ask that question, because I told my protector Rodney du Plessis walking here today that I noticed that lift was not operational and that it has not been operational, and asked him to go straight back to my department and ask when that lift is about to be serviced, so I will give you that response tomorrow.

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

Mr P UYS: Thank you Madam Speaker.

An HON MEMBER: Fit for purpose. Fit for purpose, you know.

Mr P UYS: I would like to ask the hon MEC why is it so difficult for the Speaker, the Deputy Speaker and the Provincial Legislature to number one, get a meeting with you and get a response for a maintenance plan from you and your Department?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I must take umbrage with the hon member Mr Uys. I do not think you have ever had difficulty in convening a meeting with me. Am I correct?

Mr P UYS: Yes. [Interjections.]

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

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Can I ask the hon MEC, do you have a service level agreement in place with the Provincial Legislature?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: As far as I know we have appointed a Liaison Committee and there is a specific person in my department responsible for liaising with all matters which you bring to our attention.

Mr P UYS: Honourable, the last question, thank you.

The SPEAKER: The last question hon member Mr Uys.

Mr P UYS: I would like to ask the MEC that he goes back in his records and check if it is correct that over the last three, four years there has been no service level agreement signed by your department.

'n AGBARE LID: Jo, skande!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I will gladly go back and check. Thank you.

The SPEAKER: Thank you. [Interjections.] We now move to Question 13. Members, order please, members! I recognise the Minister of Community Safety.

Thefts and robberies at shopping malls

13. Ms M M Wenger asked the Minister of Community Safety:

Whether there has been an increase in thefts and robberies at shopping malls in the province over the past five years; if so, what are the relevant details?

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you very much to the member for the question. Looking at armed robberies at shopping malls and general theft at the various shopping malls, looking at the ten top biggest shopping malls in the Western Cape primarily situated here in the Metropole area, the average armed robbery figure per financial year for the last five years is around twenty. I have the list. It is a list of ten shopping malls.

For the 2009/2010 financial year it was 23; 2010/2011 financial year it was 13; 2011/2012 financial year it was 24; 2012/2013 financial year it was 13 and the 2013/2014 financial year it was 20.

Looking at theft in general, again the same ten biggest shopping malls: 2009/2010 financial year: 1 653; 2010/2011 financial year: 1 542; 2011/2012 financial year: 1 564; 2012/2013 financial year: 1 710 and 2013/2014 financial year: 1 648.

Thank you very much.

The SPEAKER: I recognise the hon member Ms Wenger.

Ms M M WENGER: Thank you. The theft numbers that the Minister has read out, I

am curious to know whether this includes shoplifting?

The MINISTER OF COMMUNITY SAFETY: Yes, definitely, quite a large number of them, the general theft is shoplifting.

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Thank you Madam Speaker. Shopping malls being a community facility and the MEC being the MEC for Community Safety, can we hear what your plan is in terms of malls in general and the broader community over the festive season?

The MINISTER OF COMMUNITY SAFETY: I think the hon member Mr Uys is aware of the fact that I visited quite a number of the malls already with the South African Police Services to look at their safety plans for the upcoming festive season. I am quite happy with the fact that almost all the malls are catching up with their security systems. Looking at the spate of robberies at the malls; that is a worry for us. The police I believe is on top of that situation but the malls have put in a lot of emphasis, lots of financial resources in bringing in extra CCTV cameras, appointing more security personnel and so forth. I think also looking at what happened at Canal Walk with the identikits of some of the robbers appearing in the newspapers, two days after the first pictures appeared in the papers some of the robbers were actually arrested at Canal Walk. The current numbr of robbers arrested by the police is in the region of 22. Thank you. [Interjections.]

An HON MEMBER: Well done!

'n AGBARE LID: Mooi! [Onduidelik.]

The SPEAKER: Hon member Ms Wenger. [Interjections.]

'n AGBARE LID: Dis die polisie man. [Gelag.]

Ms M M WENGER: Thank you Madam Speaker. Considering [Interjections.]

'n AGBARE LID: Waar val jy uit? [Gelag.]

The SPEAKER: Order members!

Ms M M WENGER: Considering there is no discernible increase in the trend in armed robberies between 2009/2010 and 2013/2014 financial years I would like to ask the Minister whether in the 2014/2015 financial year to date there has been a spike?

The MINISTER OF COMMUNITY SAFETY: Definitely not a spike. You must remember we are standing at the tally of 20 and it is not the end of the financial year as yet. We hope that with the jacking up of security systems at the malls that no further robberies will take place. Thank you.

The SPEAKER: That then is the end of Questions for Oral Reply. We will now move to Questions to the Premier without Notice. I recognise the hon member Mr Olivier.

QUESTIONS TO THE PREMIER WITHOUT NOTICE

Mr R T OLIVIER: Thank you Madam Speaker.

The SPEAKER: Order, please members. Sorry, is it a point of order? [Interjections.]

An HON MEMBER: Ai, what is this, China?

The SPEAKER: You may proceed hon member Mr Olivier.

Mr R T OLIVIER: Chair ... [Interjection.]

Mr M N PAULSEN: Speaker.

Mr R T OLIVIER: Madam Speaker, my apologies. Thanks EFF. [Laughter.] Madam Premier, did you give permission or are you aware or did you give mandate to the MEC of Economic Opportunities to write a series of letters to the DTI motivating and recommending State finance to a certain contracting company? [Interjections.]

The SPEAKER: I recognise the hon Premier.

The PREMIER: I do not understand the question, but I do not mandate the Minister of Economic Opportunities to do things. He runs his portfolio. I discuss things sometimes with him. I ask him questions, but I do not know anything about that. [Interjections.]

The SPEAKER: Hon member Mr Olivier. Order please members! [Interjections.]

An HON MEMBER: As usual she does not know.

An HON MEMBER: She is not aware. ... [Interjections.]

Mr R T OLIVIER: Madam Premier, you indicate you are not aware. Given information will you be able to investigate the follow-up ... [Interjection.]

An HON MEMBER: Take action.

Mr R T OLIVIER: ...or take action on this matter?

An HON MEMBER: How can she if she just had the [Interjections.]

The SPEAKER: Premier. Order members!

The PREMIER: Madam Speaker, may I suggest that the hon member Mr Olivier gives me any information he would like me to look at. He cannot ask me questions about information that I do not have before me. [Interjections.] Questions without notice [Interjections.]

The SPEAKER: Order please.

The PREMIER: Questions without notice are not supposed to be a trap based on information that only the... [Interjections.] I am answering the question. Bring me the information if you want to ask me a question about it. That is the answer. [Interjections.]

The SPEAKER: Hon member Mr Olivier. Members, afford your member an opportunity to speak please.

Mnr Q R DYANTYI: Vreet hulle!

Mr R T OLIVIER: Madam Premier, will you, and this is not a trap, Madam Premier...

An HON MEMBER: Just a question.

Mr R T OLIVIER: If we give you information that the Minister has written to DTI favouring one certain company over others, will you be able to investigate and take actions?

An HON MEMBER: Yes or no.

An HON MEMBER: Yes or no, simple as that. [Interjections.]

The PREMIER: The rules of this Parliament quite clearly state that hypothetical questions may not be asked, so as a hypothetical question, if, you know, if beggars were horses devils would ride. [Interjections.] You know, quite frankly [Interjections.]

The SPEAKER: Order members!

The PREMIER: ...they cannot ask me a hypothetical question. If they have got any information that is incriminating, give it to me and then I will be able to respond to the question. [Interjections.]

The SPEAKER: Order members, order please.

Ms S W DAVIDS: Yes or no.

An HON MEMBER: Yes or no, simple as that.

The SPEAKER: The next question. I recognise the hon member Ms Schäfer.

Ms B A SCHÄFER: Thank you Madam Speaker. Madam Premier, is the government concerned about the twelve small harbours in the Western Cape? I mean could these harbours be managed any better? [Interjections.]

The SPEAKER: Madam Premier.

The PREMIER: This is a very, very serious matter...

The SPEAKER: Members please, can I ask you to compose yourselves.

The PREMIER: ...and has become so serious that we are now entering into the declaration of a formal dispute with the national government. The Department of Agriculture, Fisheries and Forestry as well the Department of Public Works refuse to work in cooperative governance with the local authorities to upgrade those small harbours and realise the job opportunities that are inherent in them, and we are trying to achieve cooperative governance and job creation for all of our people and the national government just will not do what they are supposed to do.

Ms S W DAVIDS: The national government is [Inaudible.] in your province [Inaudible.]

The SPEAKER: Hon member Ms Schäfer. Order!

Ms B A SCHÄFER: Thank you. Madam Premier, small harbours are actually a local government competency.

Ms S W DAVIDS: No it is not.

Ms B A SCHÄFER: I mean, is the Premier going to perhaps engage further or are we going to take this through into the court system to ensure that they be returned under the management of Local Government? [Interjections.]

The SPEAKER: Madam Premier.

The PREMIER: We have written a letter arguing that we are going to go to court

unless there is cooperative governance and unless the constitutional mandate of Local Governments in this matter is recognised. Yes, we have taken it the next step.
[Interjections.]

The SPEAKER: We move to the next question. I recognise the hon member Mr Mnqasela.

†UMnu M MNQASELA: Enkosi Somlomo. *Thank you, Madam Speaker.

†I would like to ask the Premier whether the Western Cape Government has a role in the Justice Department's national campaign that they call the "Name and Shame Campaign for Maintenance Defaulters", the 'pap-geld'.

An HON MEMBER: Your name is not on the list. [Interjections.]

The SPEAKER: Madam Premier. Order please!

The PREMIER: What we find ... [Interjection.]

The SPEAKER: Hon member Mr Paulsen, sorry Premier.

The PREMIER: What we find is that every single time we start a campaign the national department closes it down and then tries to run it itself, usually without any success. [Interjections.] So we started the Name and Shame Campaign and at the beginning the Department of Justice gave us the names of convicted maintenance

defaulters to publish. Then they closed that down and they are now starting it themselves. It is good that they are doing it. I do not care who does this as long as it is done, but it is a great pity that it was closed down for a year when we were running it so successfully.

Secondly, we went [Interjections.] ...to the National Cabinet lekgotla and we proposed that maintenance defaulters be blacklisted. That again was accepted and that is again going to be part of the legislation now and the laws are now before Parliament to strengthen the arm of the law against maintenance defaulters and to ensure that they are blacklisted. That is the result of the work that the Democratic Alliance Government in the Western Cape and in the opposition nationally has been doing.

'n AGBARE LID: Hoor-hoor!

The SPEAKER: Hon member Mr Mnqasela.

Mr M MNQASELA: Thank you Madam Speaker. I hope that members of parliament are paying their money.

Mr P UYS: What is your question?

Mr M MNQASELA: The follow-up question [Interjections.] Ai! They are worried now. They are not paying the 'pap-geld'. Does the Premier know why the national government only focuses in this particular campaign during the 16 Days of Activism against women and children abuse?

The SPEAKER: Madam Premier.

The PREMIER: That is a very good question. The problem with the national government is that it likes to say one thing and do another... [Interjection.]

Ms S W DAVIDS: The same like it is on your [Inaudible.]

The PREMIER: ...and so they would rather confine the rights of women and children to 16 days than apply it the whole year. [Interjections.]

The SPEAKER: That is the end, hon member Mr Mnqasela, the last?

An HON MEMBER: The question.

†UMnu M MNQASELA: Ndifuna ukubulela kakhulu iNkulumbuso, ndifuna ukuthetha isintu ngoku, fakani ezi zinto zalapha. Ndiyabulela ke kakhulu kwiNkulumbuso. Ndifuna ukucela ukuba sijonge eyona ndima sifanele ukuba siyayidlale thina siya Ingaba yeyiphi indima esinokuthi siyidlale thina singuRhulumente waseNtshona Koloni, ukuqinisekisa ukuba senza ngokupheleleyo kulo mcimbi weli phulo, namanye amaphulo?

* I want to thank the Premier. I want to speak in an African language - put on these devices. I thank you very much Madam Premier. I want to ask that we look at what role we should play. Which role can we play as the Government of the Western Cape to ensure that we fully taking part in this campaign and also in other campaigns?

An HON MEMBER: The 16 Days Activism. [Interjections.]

The SPEAKER: Madam Premier.

The PREMIER: Very much with this campaign and we will do whatever we can to assist tracking down maintenance defaulters. It is completely unacceptable that people bring children into the world and then walk away from them. That is the root of many, many of the problems that we find that this government is asked lots of questions about and one of the major causes of the problems and social crises we face lies in the dysfunctionality of families. That is why I feel very, very strongly about parents supporting in whatever ways necessary, and about parents deciding only to have children when they are prepared to look after them and be committed to them. This is a crucial campaign that we will do everything in our power to support and that is why we took the proposals for blacklisting and other mechanisms to the national government and they are now in law. We are very pleased to say that we played the key role in achieving that. [Interjections.]

The SPEAKER: Hon member Mr Wiley.

Mr M G E WILEY: Thank you. Madam Premier, the person that has resuscitated this programme is the head of justice in the Western Cape Advocate Hishaam Mohammed. He is the one who resuscitated. [Interjections.] My question therefore is [Interjections.]

Ms S W DAVIDS: No!

An HON MEMBER: Madam Speaker ... [Interjection.]

Mr P UYS: I object.

Mr M G E WILEY: Of course you are going to object to this.

The SPEAKER: On a point of order?

Mr P UYS: It is not a point of order. He is making a speech.

Mr M G E WILEY: It is not a point of order. I am asking the question.

Mr P UYS: No, you cannot ask the question. There is...

The SPEAKER: You cannot ask the question.

Mr P UYS: There is no follow-up. Sit down. [Interjections.] Hey, wakey-wakey.

The SPEAKER: Members, on a point [Interjections.] Members the hon member Mr Mngqasela raised the question and it is his place and space to get the follow-ups. [Interjections.] Hon member Mr Wiley, I am sure you will note that.

Mr M G E WILEY: Yes.

The SPEAKER: Hon member Mr Uys.

Mr P UYS: No.

The SPEAKER: Okay. Hon member Mr Mnqasela, yes.

†UMnu M MNQASELA: Ndicela ukubuza pha ku Premier ... *I want to ask the hon Premier ... †Madam Premier, I will say this in English.

The PREMIER: [Inaudible.] Xhosa.

Mr M MNQASELA: Alright. [Interjections.]

The SPEAKER: Is it the fourth one?

An HON MEMBER: Madam Speaker ... [Interjection.]

Mr P UYS: There were already two follow-up questions asked. [Interjections.]

Mr M MNQASELA: No, no, it was [Interjections.]

The SPEAKER: Shall I give the member the benefit of the doubt?

Mr P UYS: I counted it.

The SPEAKER: Hon member Mr Mnqasela, you have to take your seat please.

†UMnu M MNQASELA: Ndenza umbulelo *I want to say thank you.

The SPEAKER: You have had two follow-ups. Thank you. [Interjections.] I now recognise the hon member Ms Gillion. [Interjections.] Members, can I just before we go, when you interject, you make it difficult for me to focus so please cooperate so that we can keep the sequence going. [Interjections.]

Mr P UYS: It is that side, that side.

The SPEAKER: I am now appealing to both sides. Thank you. Hon member Ms Gillion you may proceed.

Ms M N GILLION: Thank you Madam Speaker. Madam Premier, what has been the progress relating to Doringbaai as having been identified as a potential flagship project in the province since the State of the Province Address?

'n AGBARE LID: Is dit nie al gevra nie?

An HON MEMBER: Yes, yes. [Interjections.]

The PREMIER: My understanding ... [Interjection.]

The SPEAKER: Madam Premier.

The PREMIER: My understanding is that the flagship project was launched about a month ago.

'n AGBARE LID: Mooi.

An HON MEMBER: Hey! [Applause.] [Interjections.]

The SPEAKER: Hon member Ms Gillion.

Ms M N GILLION: Madam Premier, I need to know where was the cooperative governance last week where the Premier, the MEC and senior management of this Western Cape Province were not present at the launch of the Western Cape Aquaculture Development Initiative in Doringbaai?

An HON MEMBER: Who launched it? [Interjections.]

The SPEAKER: Madam Premier?

An HON MEMBER: Unlike Zuma. [Interjections.]

The SPEAKER: Order members.

The PREMIER: Madam Speaker [Interjections.]

The SPEAKER: Order! Hon member Mr Paulsen, your cooperation.

The PREMIER: Madam Speaker, I received [Interjections.]

An HON MEMBER: You run away from your own question.

An HON MEMBER: From your own question.

The PREMIER: I receive many, many invitations every day and many duplicates for all the times that I am available. The big problem with invitations, especially where the national government is involved, is that invitations arrive one or two days before the event. [Interjections.] ...and this is a major, major challenge.

Mr Q R DYANTYI: It is just an example of [Interjections.]

The PREMIER: Madam Speaker [Interjections.]

Mr Q R DYANTYI: It is not true.

The PREMIER: On the day in question as I recall, I was required to answer questions in this House and there are very, very few occasions that I have ever missed questions in this House [Interjections.] ...because it is my responsibility to account to the people. Unlike President Zuma I come here and I do my duty. [Interjections.]

The SPEAKER: Order! [Interjections.] Hon member Ms Gillion. Hon member Ms Davids, allow hon member Ms Gillion to speak please. She is waiting to speak.

Ms M N GILLION: Madam Premier, is it true that this government has threatened to withdraw funding from the Wakadi Community Initiative and if so, why?

The SPEAKER: Madam Premier.

The PREMIER: I have no knowledge of that at all. [Interjections.] So if the hon member Ms Gillion would like to submit that question I will investigate and answer it, but I have no knowledge at all of any funding to the Kadi Community nor have I any knowledge of an alleged threat to withdraw it. [Interjections.]

The SPEAKER: Members, that is the end of questions to the Premier without notice.

[End of question time.]

The SPEAKER: Order please members. We now go to statements by members. I recognise the DA, hon member Mr Mnqasela. [Interjections.]

Ms S W DAVIDS: Can we not go please. [Interjections.]

The SPEAKER: Order members, order! [Interjections.] Order please. [Interjections.]
Order please!

An HON MEMBER: Unlike Baleka Zuma. [Interjections.]

The SPEAKER: Order please! [Interjections.] Hon member Mr Mnqasela, proceed.

STATEMENTS BY MEMBERS

Mr M MNQASELA: Madam Speaker, 16 days of Activism for no Violence Against Women and Children will commence on Tuesday, 25 November 2014. The importance of this period is significantly pivotal in South Africa, especially with its increasing cases of violence against women and children.

The theme for 2014 could not be more appropriate in the political climate in which we find ourselves. Ironically as announced by the President of South Africa the theme for 2014 is “Do not look away, act against abuse.”

It is important to make it known that in terms of activism for no violence against women and children how often the national government led by the ANC have cast a blind eye ... [Interjection.]

Ms S W DAVIDS: Not the ANC. [Interjections.]

Mr M MNQASELA: ...and deaf ears on the realities our women and children face. Not only during these 16 days but 24/7 365 days a year. [Interjections.]

An HON MEMBER: Sixteen days hey.

Mr M MNQASELA: I take this opportunity to acknowledge the marginalised group of women who are extremely and increasingly being subjected to acts of violence based on their sexual orientation. Homophobia has spiked in South Africa and what has been the voice of national government is a very clear ignorance against these crimes on homophobia.

They have not acted against the brutal abuse against lesbians and gays and bisexual transgendered, intersexed individuals, but instead the gay and all these other communities have completely been ignored by the national government and these are very, very serious crimes... [Interjections.]

An HON MEMBER: Against your Constitution.

Mr M MNQASELA: ...and I want to say the DA condemns any acts of violence against women and children especially the silence and the inaction of the national government [Interjections.]

Ms S W DAVIDS: They are the DA's [Inaudible.]

Mr M MNQASELA: ...and in these 16 Days of Activism ... [Interjection.]

An HON MEMBER: You must wake up man.

The DEPUTY SPEAKER: Order, member your time has expired. Just finish your last

sentence please.

Mr M MNQASELA: In these 16 Days of Activism we champion the cause of women and children and homophobia violence. Thank you very much. [Time expired.]

The DEPUTY SPEAKER: Thank you. Order, Order! I see the ANC. Hon member Mr Fransman.

An HON MEMBER: Ja, the ANC will do that middle one.

Mr M L FRANSMAN: The DA has run out of delivery programmes and is trying to score easy victories. The DA makes foolish claims about the collection of child maintenance money and in fact actually lied about it. Yesterday we saw DA MP Denise Robinson quoting figures on maintenance defaulters in the Western Cape and claiming the programme as a DA success.

An HON MEMBER: Yes.

Mr M L FRANSMAN: This is exactly in fact what we defined when we said that Premier Zille represents nothing but the politics of deception. We have heard earlier today she said that the DA started that programme.

Mr M G E WILEY: They did.

Mr M L FRANSMAN: Now let us look at the reality. We have just heard the Chief

Whip saying that in fact the Premier just lied earlier in this House because ...
[Interjection.]

The DEPUTY SPEAKER: Order! Order! Order! Order! Member, that is unparliamentary, withdraw that please.

Mr M L FRANSMAN: Okay, I withdraw, to say that the Premier told an untruth earlier in this House.

An HON MEMBER: Yes.

Mr M L FRANSMAN: If one looks at, the whole world knows [Interjections.]

The DEPUTY SPEAKER: Order! Order! [Interjections.]

Mr M L FRANSMAN: No. I am telling the truth. [Interjections.]

The DEPUTY SPEAKER: Honourable Chief Whip.

Ms S W DAVIDS: Untruth, untruth not. He withdrew “lying”, he said “untruth”.

Mr M G E WILEY: His withdrawal has to be unconditional.

Ms S W DAVIDS: No.

The DEPUTY SPEAKER: No. [Interjections.] The hon member did withdraw that and he replaced it with “untruth”, which is acceptable. If he had said “deliberate untruth” it would have been unparliamentary, but please continue.

Mr M L FRANSMAN: The world knows and there are official documents to confirm so let us look at the truth. It states that the national Department of Justice and Constitutional Development started the programme in the year 1999 under Operation Isondlo.

An HON MEMBER: Yes.

Mr M L FRANSMAN: When was the DA formed? Well, after the year 1999. In fact that programme was launched then. It was thereafter officially launched ... [Interjection.]

An HON MEMBER: Were you in the ANC or [Inaudible.]

Mr M L FRANSMAN: ...by Brigitte Mabandla in Limpopo so what we have seen today in fact is the way that the provincial government try and claim national delivery. What we are calling on the provincial government to do is in fact to support this particular programme and not to play party politics. We welcome, therefore, this Operation Insondlo's focus this year over the next couple of days on maintenance services as a key priority area on the 16 Days of Activism of No Violence against Women and Children.

The DEPUTY SPEAKER: Member, your time has expired, but I will allow you one sentence.

An HON MEMBER: Is there any national delivery?

The DEPUTY SPEAKER: Order! Finish, the hon member is finished. I see the DA.
[Interjections.] I see the DA, hon member Mr Joseph.

Mr D JOSEPH: Thank you, Mr Deputy Speaker. The Post Office strikes contribute to the loss of millions of donations according to the South African Institute of Fundraising. The strike action over the last three months would mean a loss of R55 million to non-profit organisations. These organisations deliver essential social services whilst the Lottery Fund intended for communities is gripped by slow processes. The lost parcels and other pieces of mail delayed by the strike is denying the NGOs income and support.

Children organisations like Cancer Charity and the Leprosy Mission are losing about R600 000 in fundraising. Girls and Boys Town posted support appeal letters to more than 30 000 donors which have not reached their destinations timeously. The Salvation Army estimated a loss of R700 000, Hospice and SA Mental Health also will be affected and the resignation of the board after the Minister's intervention indicates that new leadership is needed and with a shortfall of R400 million and decline in business more Post Offices are closing. Government must ensure that NGOs receive the necessary infrastructure support and the backlog of post might only be cleared in January.

Given our history it is important to ensure that the rights of workers are protected. However, as our democracy is growing we must find a balance between worker rights and protecting business that could provide more investment and more jobs. I thank you.

'n AGBARE LID: Mooi!

The DEPUTY SPEAKER: Thank you, the EFF.

Mr M N PAULSEN: Thank you, Mr Deputy Speaker. It makes no sense for us to spend hours discussing subcategories of our oppression and inequality, housing backlogs, evictions, drugs and gangs, sanitation etcetera, as it always boils down to one thing. For us to eradicate any of these social issues we need to work on programmes and campaigns that will speak directly at ending sexism, capitalism and racism in our country and for once act on them. The grunts and weird noises that were a response to my member statement last week are a true reflection of our society's contradictory nature. We all feel, see and experience racism on a daily basis but it has become taboo to speak about our experiences or speak out against it in public. This is worrying.

For there to be a rejection to motions that is crying for an intervention from the Western Cape Provincial Parliament on racism in this province is proof enough that we have a House full of Uncle Toms who have no interest whatsoever to fully liberate our people. It is evidence that no significant change can ever be done only through

parliamentary procedure. Frantz Fanon once said that:

“Sometimes people hold a core belief that is very strong. When they are presented with evidence that works against that belief the new evidence cannot be accepted. It would create a feeling that is extremely uncomfortable...”

He calls this “cognitive dissonance”, to you guys over there:

“...and because it is so important to protect the core belief they will rationalise, ignore and even deny anything that does not fit in with the core belief.”

This attitude continues to manifest itself in this institution amongst Members of Parliament and the public sometimes but as a revolutionary party that has vowed to do whatever it takes to fully liberate every single person in this country regardless of race, gender, geographical location or class, we will not tiptoe around the truth and we will keep on speaking till everyone takes notice.

Ironically last week we were talking about drugs and gangsterism and today we are talking about evictions. I am willing to bet my smart car, not a single person today will mention the link between these two issues ... [Interjection.]

The DEPUTY SPEAKER: Order!

Mr M N PAULSEN: And we will speak about evictions within a 20 year framework at large.

The DEPUTY SPEAKER: Member your time has expired. Just finish off.

Mr M N PAULSEN: Thank you. [Time expired.]

The DEPUTY SPEAKER: Thank you. The DA, hon member Mr Kivedo.

Mr B D KIVEDO: Mr Deputy Speaker, hon fellow members, members of the media and distinguished guests, the national Department of Basic Education proposed to have one textbook per subject per learner in order to bring down the cost of textbooks and to ease the monitoring and implementation of its delivery.

Although the motivation is understandable the proposal as a whole proves problematic. In terms of cutting costs this can be achieved through alternate avenues. A suggestion would be to redress maladministration in the national government.

Mnr Q R DYANTYI: Asseblief man.

Mr B D KIVEDO: Kom nou. And subsequently save large sums of money. With reference to easing the monitoring and implementation of textbook delivery whether it is one or a 100 textbooks, if the management of the distribution process is flawed and lacks efficiency ... [Interjection.]

The DEPUTY SPEAKER: Order! Order, just one second. Is that a question or a point of order?

Mnr Q R DYANTYI: Asseblief man.

Mr M L FRANSMAN: Is the member prepared to take a question?

The DEPUTY SPEAKER: Hon member Mr Kivedo, you have very limited time. Do you want to take a question?

Mr B D KIVEDO: No, my time is a bit limited. We can speak after.

The DEPUTY SPEAKER: The answer is no. Please continue. [Interjections.]

Mr B D KIVEDO: We can have a private discussion afterwards, thank you hon member Mr Fransman. [Laughter.]

Chances are they will only still deliver the following year. Media reports have claimed that this proposal will redress inequalities of the past but whose story will be told? Will the stories depicted in these single textbooks portray a skewed distorted history, a one-sided bias as the national Department of Education proposed a state monopoly on the dissemination of information? The compilation of research, analysis, and theoretical constructs of information cannot be controlled by one entity, especially not the national ANC government.

We run the risk of this proposal being a brainwashing exercise, in which one perspective is imprinted in the minds of our learners. Monopolising education is in

effect manipulating teaching and learning and creates repressive education under dictatorship.

This proposal will rob learners of the ability to rationalise and to think critically as they make sense of their different worlds. It does not take into account the significance of content relevance pertaining differing geographical and socio-economic situations.

The DEPUTY SPEAKER: Order! Order member. I will give you one sentence before your time is expired.

Mr B D KIVEDO: One sentence, yes. [Laughter.]

An HON MEMBER: That is it. That is it.

Mr B D KIVEDO: Thank you. [Laughter.] The DA commends the Western Cape Education Department for providing our learners with quality education, choices; the ability to think critically ... [Interjection.]

The DEPUTY SPEAKER: Thank you hon member Mr Kivedo.

Mr B D KIVEDO: ...through diverse content and an exceptional management team.

The DEPUTY SPEAKER: Order!

Mr B D KIVEDO: Thank you. [Time expired.]

The DEPUTY SPEAKER: Your time has expired. I see the ANC. Hon member Mr Tyatyam.

Mr S G TYATYAM: A recent survey report published for Public Security and Criminal Justice stated that Cape Town is amongst the most violent cities in the world.

An HON MEMBER: Yes.

Mr S G TYATYAM: In the Western Cape, Mitchells Plain had the highest number of gang murders, followed by Bishop Lavis, Delft, Elsies River and Philippi. This is according to the Police Stats report. ... [Interjection.]

Mr M G E WILEY: So what is [Inaudible.] doing about it?

Mr S G TYATYAM: Johannesburg, Gauteng is far safer than Cape Town.

Ms M N GILLION: Than Cape Town. [Interjections.]

Mr S G TYATYAM: In the previous sitting, this Parliament debated the ongoing gang and drug-related killings ... [Interjection.]

The DEPUTY SPEAKER: Order! Order! There is too much noise.

Mr R B LENTIT: Did you say the Eastern Cape?

An HON MEMBER: Hi ID!

The DEPUTY SPEAKER: Order! Hon member Mr Lentit.

Mr S G TYATYAM: In the previous sitting this Parliament debated the ongoing gang and drug-related killings and its effect on our children. The DA-led administration has held back trying to defend the poor; MEC Dan Plato's failure to fight violent and gang killings in our community. [Interjections.]

This week again Cape Gate Mall in Brackenfell was struck by another armed robbery.

Mr R B LENTIT: Uh-uh, hy het dan klaar gesê.

Mr S G TYATYAM: Is there a political wing from this government to intervene on the scourge?

An HON MEMBER: ID. [Laughter.]

Mr R B LENTIT: A founding member.

Mr S G TYATYAM: This government continues to underspend over +R321 million ...
[Interjection.]

An HON MEMBER: Oh no!

The DEPUTY SPEAKER: Order, hon member Mr Tyatyam. Is that a question?

Ms B A SCHÄFER: Will the member take a question?

An HON MEMBER: No time. [Interjections.]

The DEPUTY SPEAKER: Hon member Mr Tyatyam, you have got very limited time.
Do you want to take a question?

Mr S G TYATYAM: No, I will take after.

Mr R B LENTIT: You said yes, you said yes. [Interjections.]

The DEPUTY SPEAKER: Not now. Please continue. [Interjections.] Please continue.

Mr S G TYATYAM: You must come to my office. I will answer your question.
[Interjections.] As the ANC we insist that these failures are not accidental.

An HON MEMBER: It is.

Mr S G TYATYAM: They emanate from the so-called core values of the DA, which do not care about poor people and the working class of this province. The DA does not believe that the responsibility of decent human settlement must be given to the people

of Western Cape.

The DEPUTY SPEAKER: Order! Order hon member Mr Tyatyam, your time has expired, but finish your sentence.

Mr S G TYATYAM: Yes, as testified by MEC Madikizela in justifying that
[Interjections.]

The MINISTER OF COMMUNITY SAFETY: Ooh, it is the police. [Interjection.]

Mr S G TYATYAM: The DA must not provide houses for our people. [Time expired.]

The DEPUTY SPEAKER: Thank you. Your time has expired member. Please take your seat. I see the DA, hon member Ms Schäfer.

Ms B A SCHÄFER: Thank you Mr Deputy Speaker. An estimated 35.8 million men, women and children around the world are today trapped in modern slavery. Forms of modern slavery are described by the 2014 Global Slavery Index which includes human trafficking, forced labour, debt bondage, force or servile marriage or commercial sexual exploitation.

Although South Africa is amongst those with the lowest levels of these forms of modern slavery our women and children face another form of modern slavery. In South Africa an estimated nine million children are growing up in single parent households with the vast majority of these households headed by mothers. Where are

these fathers? The absence of fathers places not only forced emotional pressure on these households but an economic setback as well. The mother is often forced to fulfil the role of both parents in supporting the child emotionally, physically, psychologically and most importantly financially.

Child maintenance is a legally binding agreement to be paid regularly and on time. The DA does not accept absent fathers' nonchalance towards this responsibility. Since 2009 the DA has prioritised the significant problem of child maintenance defaulting. In the first week of our campaign in the Western Cape in 2010 over 150 maintenance defaulters handed themselves over before they could be caught. A further 120 were arrested at designated roadblocks. A total of 343 beneficiaries were traced in the Western Cape and more than R300 000 collected for single mothers. We welcome it now becoming national policy.

In the spirit of 16 Days of Activism for No Violence Against Women and Children commencing on Tuesday, the DA rejects this form of modern slavery whereby women and children are forced to face daily struggles due to irresponsible fathers.

The DEPUTY SPEAKER: Thank you. The ACDP.

Mr F C CHRISTIANS: Mr Deputy Speaker, the ACDP is very concerned about the headlines like "minors in custody ever increasing" which is not a good story to tell. We as society will always be on the losing end of any battle if we fail to address the war raging against our young boys in this country and this province. If the saying is that "it takes a village to raise a child" is the truth, then surely we as society has a role

to play in our young boys and girls ending up in prison.

Currently the Western Cape have 1 825 boys in custody for serious crimes like murder, attempted murder and assault. Of the same group 242 are in custody for sexual assault and rape. Research has shown that gang bosses specifically target these young boys who do not have a father. Yet again the fatherless boys are lured into crime by these corrupt men with these acts of love, this false love that they are attracted to for evil purposes without them knowing or realising that they are used to commit crime.

Until young girls are taught to respect their bodies; until men take ownership of their forgotten sons; until the society will not turn their backs on the lost generation; only then do we stand a fighting chance turning the tide. Turning the tide is of paramount importance so that intervention can be done through us as leaders encouraging these young men to be role models in society. I thank you.

An HON MEMBER: Amandla!

The DEPUTY SPEAKER: Thank you. The ANC.

Mr C M DUGMORE: Thank you Mr Deputy Speaker. The ANC is deeply concerned that while on the one hand the DA City of Cape Town MAYCO member for Transport has stated that the proposed MyCiti route along the Wetton / Lansdowne corridor is a concept plan and that the consultation process has just commenced, the residents of South Road in Wynberg have already received their eviction notices. This implies that

the DA does not intend to actually take the views of local residents from Wynberg into account.

The Wynberg residents and Ratepayers Association have proposed two alternative routes; one from Ottery Road and one from Wetton Road. This would mean that South Road would not have to be used.

Why is this proposal rejected even before the consultation has started? This is not only arrogance on the part of the DA but it is fundamentally dishonest. [Interjections.]

As the ANC we will ensure that the views of all role-players are brought to the attention of the provincial and national government Portfolio Committees and in particular to the attention of the national Minister. National funds are to be utilised for this next phase of the MyCiti and it is critical that our national Minister needs to know that contrary to the letter and spirit of our Constitution and national legislation the DA is making a mockery of consultation.

The DEPUTY SPEAKER: Just one second, hon member Mr Paulsen, is that a question that you want to ask?

Mr M N PAULSEN: I would like to ask a question yes, Mr Deputy Speaker.

The DEPUTY SPEAKER: Before you ask, who do you want to ask a question to?

Mr M N PAULSEN: Is it parliamentary for a member to show me a fist like that from

across the floor? He must come here and do it.

The DEPUTY SPEAKER: Order, that is not a question, but if the member did that, please refrain from doing that. Hon member Mr Dugmore, you can continue.

Mr C M DUGMORE: Thank you. Maybe they should change the name from Economic Freedom Fighters. That is why people show them fists, but it is okay. [Interjections.] So I would like to - how much time have I got?

The DEPUTY SPEAKER: Carry on, I will give you some injury time.

Mr C M DUGMORE: Thank you. So it is critical that we need to cost the route being proposed by the DA and also look at the alternatives being proposed by the community because it is very clear that the Wynberg community stands united against an arrogant DA that refuses to actually listen and has already decided to evict people who have proposed reasonable alternatives. We from the ANC's side call on national government to consider the deployment of funds to this project. To reconsider these funds given that the DA is clearly failing to consult the communities effectively.

The DEPUTY SPEAKER: Thank you. Your time has now expired. [Interjections.]

An HON MEMBER: I want to tell the people I am mindful of what you said.

The DEPUTY SPEAKER: I see the DA. Hon member Mr Mackenzie.

Mr R D MACKENZIE: Thank you, Mr Deputy Speaker. I think that the hon member Mr Dugmore should take his concern to the City. There is a public participation process. [Interjections.] Relax!

Culture can broadly be described as the way of life of a specific group of people. It can be seen in ways of behaving, beliefs, values and customs amongst other. Culture has been called a way of life for an entire society. This brings into question the culture of South Africa as a whole. I encourage the members here present to think about the following: the culture of democracy in South Africa and the culture of accountability. I am sure the very thoughts of these cultures had disheartened many in the province and also in the world. [Interjections.]

An HON MEMBER: You must tell; they must find out.

Mr R D MACKENZIE: Since 2009 in the Western Cape we have become accustomed to a culture of constitutionality, accountability and overall good governance. Annual reports, investment attraction and the increasing number of individuals in search of better prospects in the Western Cape bear witness to this. Chapter 1 of our Constitution states:

“The Republic of South Africa is one sovereign, democratic state founded on the following values: Supremacy of the Constitution and the rule of law and accountability...”

On paper it appears we have the most progressive culture in the world, but in reality

the supreme law of the Constitution is currently being violated by the national leaders like President Zuma.

In reality we have a ruling party in national Parliament who closes the democratic space, who fails to be held accountable in the national Parliament, as stated by the Constitution.

An HON MEMBER: The future Premier.

Mr R D MACKENZIE: The DA does not and will never accept this culture and pretty soon, in the 2016/2019 elections the rest of the country will not either, and show the rejection of the ANC at the polls like they did in the majority in the Western Cape. It is high time for the ruling party to realise that we have a Constitution and they must hold their leader accountable in national Parliament and to answer questions. I thank you. [Interjections.]

An HON MEMBER: You must go there [Inaudible.] [Interjections.]

The DEPUTY SPEAKER: Order! Order! [Interjections.] That disposes of... Order! Hon member Ms Davids, give the Chair a chance. That disposes of statements. We now move onto motions. We do firstly motions where notice is given. I see the hon member Mr Lentit.

MOTIONS WITH NOTICE

Mr R B LENTIT: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the economic potential of waste recycling and waste management in the Western Cape.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Any further, Hon member Mr Mackenzie.

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

That this House debates the impact high performance enhancement drugs have on youth in sports.

[Notice of motion as moved by member.]

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

Ms S W DAVIDS: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the failures of the Cape Town World Design Capital, after the torch was passed to Taipei.

[Notice of motion as moved by member.]

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

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

That the House debates that the DA and the ANC are a tag team set on collectively oppressing our people and protecting white monopoly capital.

[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 in its next sitting the police department's marginalisation of the Western Cape South African Police Service, which is the most understaffed police service in South Africa.

[Notice of motion as moved by member.]

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

Mr N E HINANA: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the illegal politically motivated land invasions by political parties and civic organisations.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Order hon Minister Grant, you broke the line there for a moment, but I will excuse you. You sat down. Any further, hon member Ms Wenger?

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

That the House debates at its next sitting the role of uniformed police officers in legislature chambers to maintain order.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Are there any further notices, hon member Mr Paulsen?

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

That this House pledges a long overdue salute to the youth of Burkina Faso and Ferguson Missouri for their relentless and bravery at fighting anti-black capitalist oppression, discrimination and dictatorship.

[Notice of motion as moved by member.]

The DEPUTY SPEAKER: Notice taken. Any further? We then move on to Motions without Notice. Are there any Motions without Notice? I see a couple of people, the hon member Ms Botha first.

MOTIONS WITHOUT NOTICE

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

That this House expresses our deepest sympathy to the family and friends of the renowned Heart Surgeon Marius Barnard who passed away last Friday.

[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.

The DEPUTY SPEAKER: I see the hon member Mr Olivier.

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

That the House sympathises with the family, friends and comrades of the late ANC Overberg Councillor for Ward 5 in the Overstrand, Mzameni Mshenxiswa.

I so move.

[Motion as moved by member.]

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

Agreed to.

The DEPUTY SPEAKER: Hon member Ms Schäfer.

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

That this House congratulates Cape Town being nominated as number one spot with the highest rated hotels of any destination in the world by Agoda.com who looked at seven million customer reviews to determine their winner.

[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.

The DEPUTY SPEAKER: Hon member Ms Wenger.

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

That President Jacob Zuma follows Premier Helen Zille's example and not only accounts to Parliament regularly but also answers questions from members without notice.

[Motion as moved by member.]

The DEPUTY SPEAKER: Are there any objections? There is an objection.
[Interjections.] Order, order! [Interjections.]

Mr P UYS: She is not here. Where has the Premier gone?

The DEPUTY SPEAKER: The motion will be recorded on the Order Paper. Are there any further, hon member Ms Gopie? [Interjections.]

Ms S W DAVIDS: You need to set an example man. ... [Interjection.]

The DEPUTY SPEAKER: Order! Hon member Ms Gopie.

Ms S W DAVIDS: She must answer.

The DEPUTY SPEAKER: Hon member Ms Davids, we cannot hear hon member Ms Gopie speaking.

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

That the House conveys its condolences to the family and friends of the two Western Cape victims of the Lagos Church guest house collapse, Dan Samuels and Louise van der Byl and commends the South African Government for returning their remains.

[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.

The DEPUTY SPEAKER: Hon member Mr Joseph.

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

That this House congratulates Mr Dennis Karelse, school principal of Albertinia Secondary School for receiving the Secondary School Leadership from the National Teacher's Award.

[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.

The DEPUTY SPEAKER: Hon member Mr Fransman.

Mr M L FRANSMAN: Mr Deputy Speaker, I move without notice:

That this House notes the 25th Commemoration of the death of MK heroic guerilla Anton Fransch this week when he took on and kept an army of apartheid police busy for at least seven hours battling in Athlone on 17 November 1989.

[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.

The DEPUTY SPEAKER: Hon member Mr Mackenzie.

An HON MEMBER: Mr Motion.

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

That this House commends the City of Cape Town and the Department of Cultural Affairs and Sport for making funding available to the newly formed Cape Cultural and Carnival Committee to showcase the annual Minstrels. 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.

The DEPUTY SPEAKER: I see the hon member Ms Gopie first.

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

That the House congratulates Judiac Ranape of Lady Michaelis Community Day Care as the winner of the recent annual Western Cape Cecilia Makiwane Nursing Recognition Awards as well as the runner-up, Delena Cloete of Elim Clinic, and the second runner-up Bukelwa Sibidla of Michael Mpongwana Community Health Clinic.

[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.

The DEPUTY SPEAKER: Hon member Ms Wenger.

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

That the South African Police Service fully capacitates Nyanga Police Station which has a declining number of police officers, yet is experiencing increasing population growth and increasing crime levels.

[Motion as moved by member.]

The DEPUTY SPEAKER: Is there an objection to the motion being moved without notice? No objection to the motion itself?

Agreed to.

An HON MEMBER: Agreed.

An HON MEMBER: 100% ja.

The DEPUTY SPEAKER: Hon member Mr Olivier.

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

That this House congratulates the young Macassar girl Angelica Le Roux who has been the best overall learner at the Oprah Winfrey Leadership Academy for girls. I so move.

[Motion as moved by member.]

The DEPUTY SPEAKER: No objection against the motion being moved without notice? No objection to the motion itself?

Agreed to.

The DEPUTY SPEAKER: Hon member Mr Mackenzie.

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

That this House acknowledges the Blind Cricket World Cup commencing on 27 November and notes the difficulty in organising the tournament.

[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.

The DEPUTY SPEAKER: Hon member Ms Lekker.

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

That the House congratulates the Somerset West Police Station that came out as overall top performer in the Khayelitsha Cluster and the best in the province for crime prevention during the month of September.

[Motion as moved by member.]

An HON MEMBER: Ama polisa.

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

Agreed to.

The DEPUTY SPEAKER: I first see the hon member Ms Schäfer. Then I will come back to the hon member Ms Makeleni.

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

That this House moves to congratulate the restaurants from the 2014 Eat Out

Mercedes Benz awards; the Top Restaurant of the Year going to the Test Kitchen with the Restaurants 500 and The Tasting Room in second and third place.

[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.

The DEPUTY SPEAKER: Hon member Ms Makeleni.

Ms P MAKELENI: Mr Deputy Speaker, I move without notice:

That the House congratulates coach Shakes Mashaba and our national soccer team Bafana Bafana, with their best ever progress in the 2015 Africa Cup of Nations qualification phase, for eliminating defending champions Nigeria last night and wish them well in the continental championship from January 17 to February 8 in Equatorial Guinea where they will do battle for the second Afcon Cup. [Applause.]

[Motion as moved by member.]

The DEPUTY SPEAKER: I take it there will not be an objection to the motion being moved without notice nor to the motion itself?

Agreed to.

The DEPUTY SPEAKER: Any further, hon member Ms Botha.

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

That this House congratulates the Team SA Down Syndrome swimmers for winning 36 medals at the 7th International Down Syndrome Swimming Championship held in Mexico earlier this month, especially Pietie Bell, Donnee Dixon and Mariza Holdt hailing from the Western Cape.

[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.

The DEPUTY SPEAKER: I will first see the hon member Ms Dijana and then I will come to hon member Mr Mackenzie.

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

That the House commends the renowned Dr Bennie Fanaroff of the Square

Kilometre Array project, for his excellent job in putting South Africa on the world stage, and wishes him well with his announced retirement at the end of 2015.

[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.

The DEPUTY SPEAKER: Hon member Mr Mackenzie.

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

That this House acknowledges the YAK-52 and Intermediate Class World Aerobics Championship, which will take place in Mossel Bay from 26 November till 3 December 2014. We welcome the more than 60 international participants to the Western Cape and wish them all the best for the competition.

[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.

The DEPUTY SPEAKER: Hon member Ms Makeleni.

Ms P MAKELENI: Mr Deputy Speaker, I move without notice:

That the House commends retired Radio Zibonele presenter, Salome Bam, for her 17 years of service to families with popular informative content.

[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.

The DEPUTY SPEAKER: Are there any further, hon member Mr Fransman?

Mr M L FRANSMAN: Mr Deputy Speaker, I move without notice:

That this House notes the piece of so called artwork which is an insult to everyone who made sacrifices to the South African Liberation, and calls on the Department of the Premier to investigate the fruitless and wasteful expenditure by the City of Cape Town as well as to explain how Art 54 and the City allowed advertising by a private company to be masquerading as a public work of art at

Promenade Seapoint in the image of what they call “Perceived Freedom.”

[Motion as moved by member.]

The DEPUTY SPEAKER: Is there an objection to the motion being moved without notice?

An HON MEMBER: Objection.

The DEPUTY SPEAKER: There is an objection. The motion will be printed on the Order Paper. Are there any further?

The DEPUTY SPEAKER: Hon member Ms Lekker. [Interjections.] Order! Order!
Hon member Ms Lekker you can continue.

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

That the House condemns the desecration of graves in Sir Lowry’s Pass and hopes that the culprits soon be brought to book.

[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.

The DEPUTY SPEAKER: Hon member Ms Dijana; Gillion, sorry, hon member Ms Gillion.

Ms M N GILLION: Mr Deputy Speaker, I move without notice:

That the House notes that the 80 year old pensioner, Nolungile Deliwe of Gugugulethu is one of the elderly whose grant money was illegally withdrawn from her account by criminals, and call on the DA run government to assist such victims in their time of need.

[Motion as moved by member.]

The DEPUTY SPEAKER: Are there any objections to the motion being moved without notice? No objection to the motion itself?

Agreed to.

The DEPUTY SPEAKER: Are there any further? Any further motions, hon member Mr Magaxa.

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

That the House notes that yesterday was World Toilet Day and that hundreds of

thousands of poor people in this province still suffer the indignity of not having proper, safe and undignified sanitation and are left on their own with open or bucket [pronounced buggered] toilets and stinking porta-potties.

[Motion as moved by member.]

An HON MEMBER: There is an objection.

Ms M N GILLION: Why is there an objection? Why is there an objection?

Mr M G E WILEY: No, the word “buggered” is not parliamentary.

The DEPUTY SPEAKER: I will look at the wording. I have not heard that. Order, Order! Is there an objection to the motion being moved without notice?

An HON MEMBER: Ja, even if he corrects it we object to that.

The DEPUTY SPEAKER: There is an objection. It will be printed on the Order Paper. Are there any further? Are there any further, hon member Mr Tyatyam.

Mr S G TYATYAM: Mr Deputy Speaker, I move without notice:

That the House notes that many people still experience discrimination as a house-worker Ms Gloria Kente recently won her case in the Equality Court against her employer’s friend, André Van Deventer, who racially abused her.

[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 DEPUTY SPEAKER: Are there any further motions? Are we done? This side also done? Then we continue with the Order Paper. The next subject, next on the Order Paper is the subject for discussion in the name of the hon member Ms Davids; the ongoing evictions in the Western Cape and I see the hon member Ms Davids.

SUBJECT FOR DISCUSSION

The on-going evictions in the Western Cape

Ms S W DAVIDS: Davids, Mr Deputy Speaker, Thank you. Forced evictions threaten a range of human rights. These includes the rights to human dignity, security of the evicted person, privacy ... [Interjection.]

Ms B A SCHÄFER: A point of order, Mr Deputy Speaker.

The DEPUTY SPEAKER: Please continue.

Ms B A SCHÄFER: I have got a ... [Interjection.]

The DEPUTY SPEAKER: What? Is there a point of order?

Ms B A SCHÄFER: A point of order, the hon member is holding up a party logo which I believe if correct, is not permitted in the House. [Interjections.]

The DEPUTY SPEAKER: Please continue. I will rule on that if necessary if it becomes a nuisance, but please continue with that.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker - privacy held access to adequate housing, education and life as well as freedom of movement and freedom to choose one's residence. [Interjections.] Many black people live on privately owned farms, forestry and plantation land as the consequences of the legacy of the historical apartheid system. This debate comes as a consequence of the spate of evictions which is on the rise in this province. These take different forms being on farms in the informal settlements and in the rental houses in the Metro areas. It affects farm workers and their families the most. These farm workers are mainly illiterate and impoverished and find it difficult to know the rights in terms of the ESTA Act.

The DA Government is in cahoots with the white-cohorts - you know these English words - cahoots with the white farm owners who continue to evict farm dwellers. [Interjections.]

The DEPUTY SPEAKER: Order!

Ms S W DAVIDS: They demolish the properties and belongings and throw the destitute families... [Interjections.]

You know comrade [Interjections.] No, you know, EFF, this is a serious matter. It is not child's play. [Interjections.] We are speaking about human beings here and if you do not accept it just keep quiet because you are here for your self-interest. We are here to assist our people out there.

The DEPUTY SPEAKER: Order member.

Ms S W DAVIDS: Keep quiet.

The DEPUTY SPEAKER: Hon member Ms Davids, you have very limited time. I want you to continue.

Ms S W DAVIDS: They demolish their properties and belongings and drop the destitute families along the open fields on the national roads. Often farm dwellers have no rights to remain on farms when they are evicted, therefore are exposed to injury or violent attacks by passing strangers when they are in the streets at night. Firstly it was the Minister of Rural Development and Land Reform ... [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Davids, sorry, there is a - is it a point of order or a question?

Mr R D MACKENZIE: A point of order, Mr Deputy Speaker, we just want to get clarity. The impression created when she spoke is that the DA Government did that, and which is not so. That was done by the City of Cape Town. So the way she speaks ... [Interjection.]

The DEPUTY SPEAKER: Order, order, order! [Interjections.] A point of order relates to a procedure in the House, not to a debating point. Please continue hon member Ms Davids.

Ms S W DAVIDS: I hope Mr Deputy Speaker, I am going to have extra time because ... [Interjection.]

The DEPUTY SPEAKER: That is in my discretion, but please continue as quickly as you can.

Ms S W DAVIDS: These catastrophic and sad situations found the ears and eyes of our national government. Firstly it was the Minister of Rural Development and Land Reform, hon Nkwinti who propagated the establishment of farm equity share schemes which were aimed at giving workers 50% of farm ownership. We saw the DA led government critical of the Minister's intervention.

Secondly, his Deputy Minister, Mr Mncebisi Skwatsha, noted in his speech at the Western Cape Provincial Summit in Stellenbosch on 22 September, the rising number of farm evictions in the province in general [Interjections.] ...he said his Department had to deal with a huge load of eviction cases totalling into 163 since April 2014.

[Interjections.]

He further observed that although in some instances evictions go through courts the proper legal processes of serving notice to the Department as is required in law are not followed. He called on the moratorium on evictions, because some of the farm workers receive the notices in a language that they do not even understand.

[Interjections.]

Lately the Deputy President of the Republic of South Africa, Mr Cyril Ramaphosa, after convening a closed door dialogue with farmers, government, farm dwellers and other stakeholders on the 2nd of November, MEC, not the 1st of November, the 2nd of November 2014 said: "Change is inevitable. Change has to happen."

We cannot carry on like this any further because we already compromised when we took over in 1994 when you were not prepared to take a compromised position.

[Interjections.]

Ja, you were not prepared to take a compromised position. You failed the people.

[Interjections.]

The DEPUTY SPEAKER: Order!

Ms S W DAVIDS: We cannot carry on like this any further. [Interjections.] He called on continued dialogue which will lead to the negotiations on a social contact. He further called on all farmers who have plans for evictions to stop.

He called it “an emergency measure” which must take effect immediately and would remain in force until next year and [Interjections.]

Mr B D KIVEDO: Watch your blood levels. It is raging.

Ms S W DAVIDS: ...after the Deputy President did this, there are people in the gallery today who were still evicted after the Deputy President have put that moratorium.

Mr B D KIVEDO: Beware of a heart-attack.

Ms S W DAVIDS: There are the people. They were still evicted after that.

'n AGBARE LID: Ek kan nie hoor nie.

Ms S W DAVIDS: It is not surprising that although MEC Winde and other MECs were part of the meeting and did not even contribute to the meeting in front of the Deputy President they now distanced themselves from the undertakings that were made in that meeting. We wondered whether the DA Government is serious in addressing farm evictions or any other evictions in this province. Amandla, ANC.

Mr B D KIVEDO: I am interested in the Deputy's buffalos.

The DEPUTY SPEAKER: Order! Who is speaking here? Whose microphone is on? [Interjections.] Who? [Interjections.] Hon member Mr Kivedo, it is unparliamentary to

put your microphone on whilst somebody else is speaking. Please do not do that.

Ms M N GILLION: Yes, Thank you, Mr Deputy Speaker.

Mr B D KIVEDO: I withdraw that. Thank you. [Laughter.]

The DEPUTY SPEAKER: Order! Order!

Ms S W DAVIDS: Mr Deputy Speaker, I want him to apologise, not withdraw. Thank you.

The DEPUTY SPEAKER: Order! I will deal with that. Order, the hon member Ms Schäfer.

Mr B D KIVEDO: I apologise, hon member Ms Davids. [Interjections.]

An HON MEMBER: You are not recognised to talk.

The DEPUTY SPEAKER: Please continue hon member Ms Schäfer.

Ms B A SCHÄFER: Thank you, Mr Deputy Speaker. I really want to thank the hon member Ms Davids for putting this debate on the table today. The fact is we will show you that the ANC are here scoring an own goal. You are going to shoot yourself in the foot in this debate because quite frankly we need to have this discussion... [Interjections.] ...because you have failed. You have failed with the Post Office. You

have failed with Transnet. You have failed with the SAA. You have failed with Eskom. You have failed on Nkandla and you have failed in the National Assembly and failed the Constitution.

The DEPUTY SPEAKER: Order!

Ms B A SCHÄFER: More specifically the ANC has failed in the space of jobs, jobs creation.

The DEPUTY SPEAKER: Order hon member Ms Schäfer ... [Interjection.]

Ms B A SCHÄFER: ...and giving hope ... [Interjection.]

The DEPUTY SPEAKER: Order hon member Ms Schäfer, order! [Interjections.] Is that a point of order or a question?

Ms M N GILLION: Can I ask a question?

Ms B A SCHÄFER: No.

The DEPUTY SPEAKER: The answer is no. Please continue.

Ms B A SCHÄFER: More specifically may I reiterate that the ANC has failed in the space of jobs. [Interjections.]

The DEPUTY SPEAKER: Order! Is that another question?

Mr S G TYATYAM: No Chair, I want to know the relevance of what the member is raising because it has nothing to do with the evictions. [Interjections.]

Ms B A SCHÄFER: Ag, sit down. [Interjections.]

The DEPUTY SPEAKER: Hon member, hold, order. [Interjections.]

Mr S G TYATYAM: It has nothing to do with evictions.

The DEPUTY SPEAKER: Hon member, order! I hear your point. Order! I am also listening very carefully and I am taking it that that is the introduction to get to the real point. So please ...

Ms B A SCHÄFER: Thank you, Mr Deputy Speaker. May I repeat, more specifically the ANC has failed in the space of job creation and giving hope to the people of this country. Now let us talk about how much hope there is the agricultural sector, for people that are born on farms, live on farms and make their living out of agriculture. The reality is ANC laws in this country and the way they dealt with people in farming communities have led to the shedding of 300 000 jobs in the past ten years. These numbers are from STATS SA. I have not made them up. [Interjection.]

The DEPUTY SPEAKER: Order, hon member Ms Schäfer. Is there a problem hon member Ms Makeleni?

Ms P MAKELENI: Yes, Mr Deputy Speaker. I am waiting for her to speak on the topic which is evictions. She is still talking about any other thing but not evictions. Can she stick to the topic.

The DEPUTY SPEAKER: She can continue. Please continue.

Ms B A SCHÄFER: Thank you. [Interjections.]

The DEPUTY SPEAKER: Order! Please continue.

Ms B A SCHÄFER: And more concerning is that at the beginning of August 2014, only 3 months ago, 73 000 have been lost in the agricultural sector since the second quarter of 2013 [Interjections.] The tragic reality is that 4.2 million people have been displaced from their farms. It is quite despicable that women and children are most affected by all of this. An estimated 49% of all evictions involve children under the age of 18. [Interjections.] As uncomfortable as it is we cannot ... [Interjection.]

The DEPUTY SPEAKER: Order, order! Hon member Mr Olivier, is it the same point of order?

Ms B A SCHÄFER: They clearly do not understand the subject.

Mr R T OLIVIER: It is a point of order, Mr Deputy Speaker.

The DEPUTY SPEAKER: I have already ruled that I think she is on the topic. She is very close to the topic.

Ms B A SCHÄFER: Absolutely on the topic, Mr Deputy Speaker.

The DEPUTY SPEAKER: Please continue.

Ms B A SCHÄFER: As uncomfortable as it is, I can see, what we cannot deny is the fact that evictions have a devastating consequence for families involved. This is not a pretty state of affairs but we must acknowledge what is really going on here. Because this is a result of failed government policy, of internal fighting, of unions desperate for more money, of lack of support and of farm dwellers that have been used as political footballs. In the current scenario, where we stand today, the national development goal to create one million jobs in the sector will only be a pipe dream.

Failed government policy; well, while the Extension of the Security of Tenure Act, which is ESTA, and the Labour Tenants Act (LTA) aim to provide the necessary framework to deal with evictions and a Land Tenure Reform Programme, the rights of farm dwellers are not effectively protected by the law. Why? Because the policies, although they have good intentions, fail to articulate a strategy around long term tenure security, especially when farm dwellers have been evicted, dismissed or retrenched.

Tenure legislation is vague, it is weak and it is largely dependent on an enforcement procedure. More concerning is the Act. While it may support the right to primary

occupiers, which are usually men, it deprives the right of women and dependents. The failure of the ANC to implement Section 4 of the Act has further continued the suffering of many farm workers by not being able to offer any alternative land or housing to those evicted.

ANC law further fails farm workers. Of 20 400 land claims lodged in 2001, five years later only 175 were settled. The reality is the ANC have failed to assist farm dwellers to enjoy their constitutional rights, provide the legal assistance to farm workers to protect those rights and admit to the fact that existing legislation is inadequate to promote and protect tenure rights.

Then, Minister Nkwinti introduces a 50/50 policy, strengthening the rights of people working the land which itself creates more of an incentive to retrench farm workers within the first 9 years. Not to mention an estimated capital loss to the sector of R141 billion.

Land reform efforts are being politically abused by unions such as Cosatu and Bawusa and are in itself preventing the employment of more farm workers. Threatening a nationwide strike will only further displace and impact on the absolute needs of farm workers and put the security of this country at risk. The likes of Passop, Fawu and Nosey Pieterse all claim to be representing the interests of farm workers but is it not interesting that the farm workers have recently made it quite clear that they no longer want to be part of these ANC tactics and chase the likes of them right off the land.

Instead of scoring political points and playing underhand tactics, I ask the ANC, what

have you really done about land reform and restoring people's dignity in the economy? What have you really done to make a difference in places such as Kannaland and Oudtshoorn, in the municipalities of Dihlabeng and Phumelela in the Free State, Lewka in Mpumalanga and Umngeni in Newcastle in KwaZulu-Natal, which records some of the country's highest number of evictions? What has the ANC done about the millions of Mpumalanga people living in land-locked communal trusts, despite having lived there for decades? And what has the ANC done about the tragic story of 300 farmers around the Gauteng Farmers Settlement Programme ...

[Interjection.]

The DEPUTY SPEAKER: Order, hon member Ms Schäfer, finish off. Your time has expired.

Ms B A SCHÄFER: ... and people being forced into abject poverty? The ANC's attempt at land reform has failed in this country. [Applause.] [Time expired.]

The DEPUTY SPEAKER: Thank you. Your time has expired. Hon member Mr Christians.

Mr M N PAULSEN: We want land revolution!

Mr F C CHRISTIANS: Mr Deputy Speaker, I believe all of us, in fact those who are old enough in this House, are able to recollect images of forced removals under apartheid. Also, those of us who are directly impacted know that evictions cannot be addressed in isolation. When we look at the slow land redistribution, the slow pace it

takes, if we look at the housing backlog of more than 500 000 in the Western Cape, this is a major concern in the province and also South Africa. This is further perpetuated with the influx of people to the province on a daily basis. The ACDP cannot under any circumstances condone illegal land-grabs because that is what is happening in certain areas [Interjection.] but surely the manner in which evictions are executed is sometimes brutal and cruel. When people are evicted in winter, surely the question must be, why in winter? Why in wet conditions? Ill timing must be questioned. When the defenceless, the poor, the unarmed people, especially small children are totally bewildered by acts of brutality, standing amongst their possessions. The question must be asked: are these actions showing compassion?

We must also be fair regarding these evictions; the other day we saw evictions in Alexandra in Gauteng, where people were brutalised. So the ANC must be very careful, dat hulle nie in glashuise sit en klippe gooi nie. Hulle moet baie, baie, baie versigtig wees. [Interjections.] No, no, no, no. As I said, these actions are not in the Western Cape alone. Surely we must, as leaders, promote the concept that the authorities act with dignity when dealing with human rights. We cannot send out the wrong message.

The same people who voted for not just one political party, voted for all political parties, need a better life and I believe politics must stay out of it. We must sit down. We must not score political points. We must sit down and also always work in the best interests of the people in the Western Cape. [Interjection.]

The DEPUTY SPEAKER: Order, hon member Mr Christians.

Mr F C CHRISTIANS: I thank you. [Time expired.]

The DEPUTY SPEAKER: Order, your time has expired. The hon member Mr Mnqasela.

Mr M MNQASELA: Thank you, Mr Deputy Speaker. This debate could not have come at any better time than this. This is a few days before the beginning of a campaign of “No Violence Against Women and Children”. [Interjection.] As the Western Cape Government, we take this very seriously and I want to say that as Members of Parliament, seated here, one of our main responsibilities is to lead by example. To ensure that as a Member of Parliament you do not go and lead protests that are violent, protests that even threaten to illegally grab land and then you come and sit in this Chamber and then we must call you honourable. There is something very wrong about the moral compass of that individual.

We must then rise above party politics when dealing with such matters such as land evictions.

An HON MEMBER: Hear-hear!

Mr M MNQASELA: When we talk about people being evicted, we talk about children, we talk about people with disabilities, we talk about elderly people †oomakhulu bethu *our grandmothers †and we talk about women. It is very, very important that as we undertake our duties to lead that we lead as we should, not sometimes you lead and

sometimes you forget that you are a leader. Section 28 of the Constitution, sub section 1 (c) and (d) says and I quote:

“Every child has the right to basic nutrition, shelter, basic health care services and social services”.

(d) says:

“Every child has the right to be protected from maltreatment, to be protected from neglect, to be protected from abuse or degradation”.

I want to make this emphasis that when these kinds of evictions occur it is not only the adults who are affected, it is the children who can do nothing. Sometimes we are talking about very little infants. We have a responsibility as political parties, because some political parties come here and then debate but outside they are going to render a government ungovernable.

Now you question why a political party adopts a plan to make a government ungovernable, a province that has been declared as a benchmark that other provinces can learn from. The President of this country has said the Western Cape is number one in four categories: that we are good in good governance, we are good in managing finances, we are good in terms of running administration but more so the Western Cape spends its money fairly. [Interjections.]

I want to say this: when you deal with issues such as this one, you need to have a

holistic approach. We have in the Western Cape an example. [Interjection.] No, no, no. It is here. I am stating facts. We have an example in the Western Cape that every household has access to basic services. [Interjections.] Where there are shortfalls you will find that it is the best you can find compared to anywhere else in this country.

We spend 83% of our budget in poor communities. [Interjections.] Now, what we should be doing to avoid issues like evictions, we must go and guide our communities and ask them not to occupy land that has been earmarked for development. In fact, there is a process but now you find members here who go and toyi-toyi, they lead these things because they want to be popular. [Interjections.]

At the same time you have councillors in the ANC who have been expelled from the City of Cape Town, two notorious councillors, who have been expelled and the ANC cannot find a way to deal with them. You bring them back and now you are struggling to run with them. [Interjections.] They are chasing you like you have never seen before. They have been leading land invasions in Cape Town [Interjections.] and they want to assist the hon member Ms Gillion in Grabouw. [Interjections.] Now you should be very worried as a member to come and sit here ... [Interjections.]

The DEPUTY SPEAKER: Order.

Mr M MNQASELA: ... and then we debate such matters ... [Interjections.]

The DEPUTY SPEAKER: Order.

Mr M MNQASELA: ... and you think you can be smarter than this. [Interjection.]

The DEPUTY SPEAKER: Order, hon member Mr Mnqasela, your time has expired.

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

The DEPUTY SPEAKER: The hon member Ms Beerwinkel.

Ms C F BEERWINKEL: Mr Deputy Speaker, on occasion the Premier here, in this House, said that if we know about any of these unfair evictions we should let her know. [Interjections.] I did exactly that.

An HON MEMBER: What did she do?

Ms C F BEERWINKEL: But the case study I will sketch for you today will show just how little this DA government really cares [Interjection.] All of this rhetoric that has just been spewed here means nothing in reality because these types of cases are not isolated. They are all across this province.

Net nadat ek ingelig is - en ek praat Afrikaans want die mense wat betrokke is, sit hierbo, sodat hulle my kan verstaan - omtrent 'n gebeurtenis op die Plaas Op-De-Tradouw in Barrydale het ek die Premier gebel en haar ingelig. Sy het natuurlik die verantwoordelike LUR gebel wat dan ook met my kontak gemaak het.

Alle besonderhede is deurgegee van wat op Barrydale besig was om te gebeur, maar

sy Departement se verteenwoordiger was dan waarskynlik na die plaas toe gestuur om besoek te gaan aflê, maar raai net wat het gebeur?

Mnr Q R DYANTYI: Dis 'n 'real case' daai.

Me C F BEERWINKEL: Hulle is toegang geweier... [Tussenwerpsel.] ...en dit is presies waar die DA se belangstelling en insette gestop het - geen amptenaar, geen politieke verteenwoordiger.

Mnr Q R DYANTYI: Eina!

Me C F BEERWINKEL: Geen LUR, selfs nie eers die Premier het moeite gedoen om hulle voete naby daardie plaas te sit nie.

An HON MEMBER: Disgusting.

Ms C F BEERWINKEL: Your own colleague has just said, at times like these we need to rise above party politics.

Mnr Q R DYANTYI: Julle kan dit nie doen nie.

Ms C F BEERWINKEL: Just said. Nou sal u vir my vra [Tussenwerpsel.]

Mnr Q R DYANTYI: Vergeet van.

Me C F BEERWINKEL: ...maar hoekom was dit nodig dat hulle soontoe kom? Wat moes hulle daar kom doen? Hoekom moes hulle belangstel?

'n AGBARE LID: Die swartes is binne die DA.

Me C F BEERWINKEL: Dit is hoekom hulle moes kom kyk het, want dit is wat gebeur het met die mense se huise op daardie plaas.

'n AGBARE LID: Kyk asseblief Premier, kyk! [Tussenwerpsels.]

Me C F BEERWINKEL: Nie een enkele venster is heel nie, deure is uit. Glas lê op die vloer. Daar is die bewyse daarvan en dit alles ten aanskoue van klein kindertjies wat rondstaan, sewe gesinne se huise.

Mr Q R DYANTYI: You must be ashamed.

Me C F BEERWINKEL: 'n Paar werkers is daarvan aangekla dat hulle dronk was gedurende werkstyd. [Tussenwerpsels.] Hulle het die redes betwis.

Die ADJUNKSPEAKER: Orde, agb lid mnr Dyantyi, u kan nie aanmekaar praat as die lid se mikrofoon by jou aan is nie.

Me C F BEERWINKEL: ...en hulle CCMA toe gestuur om hulle saak aan te hoor, maar ongelukkig het hulle nie 'n verteenwoordiger gehad nie. Hulle het toe die saak verloor. Hulle werkskontrak is toe summier beëindig en hulle is aangesê om die plaas

te verlaat sonder 'n hofinterdik.

Mnr Q R DYANTYI: Vreet hulle!

Me C F BEERWINKEL: Toe weier die plaaswerkers om te loop. Op die naweek van 26/27 September gaan haal die plaaseienaar mense op 'n naburige dorp [Tussenwerpsel.]

Mnr Q R DYANTYI: Vreet hulle! [Tussenwerpsels.]

Me C F BEERWINKEL: ...om hierdie werk aan hierdie mense se huise te doen, 'n ander dorp se mense, en hy sê ook dat as hulle nie voor die volgende naweek uit is nie kom hy terug om hulle dakke af te haal van die huise af. [Tussenwerpsels.] Maar waarmee hy nie mee rekening gehou het nie is dat daardie mense het genoeg gehad.

Mnr Q R DYANTYI: Gooi kole.

Me C F BEERWINKEL: En op 26 September is hulle na die polisiestasie toe om 'n saak teen die eienaar te gaan maak en die eienaar te verbied om hulle verder te terroriseer want in werklikheid was hy alreeds besig met 'n indirekte uitsettingsbevel. Jy kan nie mense se lewe ondraaglik maak en verwag dat hulle in sulke omstandighede moet lewe nie.

'n AGBARE LID: Nee man.

Me C F BEERWINKEL: Hulle het 'n hofdatum gekry en op Vrydag 3 Oktober is die saak aangehoor. 'n Dringende hofbevel is toegestaan en die eienaar is sewe dae gegee om alles wat hy afgebreek het terug te plaas en alles wat hy gebreek het reg te maak en om ook vir die plaaswerkers toegang te gee tot elektrisiteit... [Tussenwerpsel.]

An HON MEMBER: That is what the ANC did.

Me C F BEERWINKEL: ...wat 'n oorwinning vir arm plaaswerkers.

'n AGBARE LID: Mooi!

Me C F BEERWINKEL: Maar terwyl die werkers nie meer werk het nie word die plaaslike raadslede wie daagliks gesorg het dat die mense nou kos kry want hulle werk nie meer nie, en wie ook vir hulle hout en goed gebring het om hulle kos te kook, toegang tot die plaas geweier totdat Adjunk Minister Skwatsha self daar kom inloer en verby kettings moes kom voordat hy by die plaas ingekom het.

'n AGBARE LID: Een van die dae weer julle leier.

Me S W DAVIDS: Ja, dis hoog tyd.

Me C F BEERWINKEL: Dit is wat hierdie multimiljoenêr plaaseienaars doen met mense wat vir hulle ryk werk en hulle bankbalanse met baie nulle verstewig.

An HON MEMBER: A prominent leader.

Me C F BEERWINKEL: Ons beveg juis nou 'n saak in Bloemfontein Appèlhof, of het dit beveg, teen die sluiting van skole. Waar moet die kinders van daardie ouers wat in daardie huise gebly het, skoolgaan? Hulle gaan op plase skool. Wat doen dit aan die leerdertal van daardie plaasskole? Is dit nou weer 'n verskoning van die DA om nog 'n skool, 'n plaasskool te sluit? Wat doen dit aan die kern van daardie gemeenskap? Maar ek wil ook sê, daar is mos regte wat hierdie mense het. [Tussenwerpsels.]

Hierdie mense is nie masjiene wat net eenkant toe gestoot kan word soos implemente wat nie meer werk nie. Dis mense met regte, God se skepsels, maar waar kry hulle daardie regte? Dit word nie net uit die lug gegryp nie. Hierdie boek... [Tussenwerpsel.]

'n AGBARE LID: Die Grondwet.

Me C F BEERWINKEL: Die Grondwet; in Engels “the Constitution”.

Mr Q R DYANTYI: Ja, give them a workshop. Give them a workshop.

Ms C F BEERWINKEL: Unfortunately I do not have it in Afrikaans... [Interjection.]

Mnr Q R DYANTYI: Brand hulle. Gooi kole.

Ms C F BEERWINKEL: ...speaks about the Bill of Rights and it underlines many things. It speaks about equality ... [Interjection.]

Mr Q R DYANTYI: They are very quiet.

Ms C F BEERWINKEL: Everyone has the right to be equal before the law. Privacy: everyone has the right to privacy, freedom of association [Interjection.]

Mr Q R DYANTYI: That is the Constitution.

Ms C F BEERWINKEL: Just hold this for me. Just hold this for me. [Interjection.]

Mr Q R DYANTYI: That is the Constitution. What is this?

Ms C F BEERWINKEL: Labour relations: everyone has the right to fair labour practices.

Die ADJUNKSPEAKER: Orde, agb lid me Beerwinkel, u tyd is verstreke. Ek gee u 'n kans om vinnig klaar te maak.

Ms C F BEERWINKEL: Everyone has the right to an environment that is not harmful to their health or well-being. I suggest that the DA goes to visit that farm and see the conditions under which those people live because everyone has the right to administrative action that is lawful, reasonable and procedurally fair. It was not meted out to the workers on that farm. [Time expired.]

The DEPUTY SPEAKER: Thank you, hon member Ms Beerwinkel, your time has

now expired. [Applause.] Hon member Mr Paulsen.

Mr M N PAULSEN: Thank you, Mr Deputy Speaker. Last week we qualified why Cape Town was the most racist city in South Africa so I am not surprised when I see a headline stating that we are also the most violent city in Africa. The categories of violence did not include evictions however.

Evicting poor people is violence of the worst kind. How can we forget the Hangberg incident in 2010, where the key figures, responsible for that tyranny inflicted upon that community and for turning our people into hobos, are both present here today.

We cannot speak about evictions without speaking about the issue of land. We must not forget the first land theft committed against the indigenous people of this land. Little did the unsuspecting Khoi know the implications of helping that convict, Jan van Riebeeck, safely to our shores. It was the beginning of what seems an unending theft of our land. The dispossession programme was given further effect by the 1913 Native's Land Act and worsened during the dark days of apartheid when a flood of similar legislation effectively impoverished the black population and banished them to the least fertile areas of the country. This was particularly hard on rural communities accustomed over centuries to using the land that they occupied for agricultural and economic purposes. Not forgetting the important aspect of tenure. This was effectively a birth right and removing that right was devastating.

We must differentiate between the evictions from urban and rural land. In both instances, the State is responsible for the violence. In rural areas, as part of their Land

Reform Programme, the State colludes with white monopoly capital by paying for land. The land thieves then evict farm workers, or rather landless farmers, from the land as it is transferred to the State.

Yes, evictions in the Western Cape are bad but there is no legislation from an ANC controlled national government to stem the tide. We are yet to see if the Deputy President's 2nd of November 2014 announcement on a ban on farm evictions will be heeded.

There is only one way to end the evictions and that is to implement the Economic Freedom Fighters' first non negotiable cardinal pillar: the expropriation of land without compensation [Interjections.] for equal redistribution and use. In other words, we do not want land reform, we want land revolution.

The DA which governs the Western Cape claims they love Madiba so we want to share his words with them. When he was on trial for his life for attempting to correct the dispossession of our people, he said:

“I am without land because the white minority has taken the lion's share of my country and forced me to occupy poverty stricken reserves, over populated and over stocked. We are ravaged by starvation and disease.” [Interjection.]

The DEPUTY SPEAKER: Order, hon member Mr Paulsen. Your time has expired. Your last sentence. Was that your last sentence?

Mr M N PAULSEN: We gave the ANC an offer at National Assembly: along with our 6 point something percent, we could get a two-thirds majority and we could change the Land Act. [Interjections.] They refused so that is why we are in the situation we are in. [Interjection.][Time expired.]

The DEPUTY SPEAKER: Order, your time has expired. Hon Minister Madikizela.

The MINISTER OF HUMAN SETTLEMENTS: Mr Deputy Speaker, thank you very much. Let me also take the opportunity to thank the hon member Ms Davids for bringing this matter for discussion because it is a very, very serious issue. I must also say that I am a bit disappointed that she decided to politicise it. Let me say this: that there is no way, hon member Ms Davids, that we can support illegal evictions of our people for two reasons:

The first reason is that we are now in a situation at municipal level where we cannot deal with the number of people who are evicted by farmers and that is why we are intervening instead of really playing politics about this. Now, we are saying this because if you look at the two Acts, the PIE Act and the ESTA; I just want to quote these Acts.

For example, the Extension of Security of Tenure Act, 16 of 1997 gives people who live on someone else's land, on or after 4 February 1997, permission from the owner the secure legal right to carry on living on and using that land. It specifies clearly what the landlord must do before he or she can evict a tenant. ESTA covers people who live in rural areas on farms and on undeveloped land. It also protects people

living on land that is encircled by a township or land within a township that is earmarked for agricultural purposes.

So, there is no way that we can support, as this government, illegal eviction of our people given the fact that it really places more of a burden on us as government. We have done a number of things to deal with this problem instead of really shouting from the distance.

One of the things that we have done is that we are now engaging with the Department of Justice because we do believe, as government, that there is a wrong interpretation by judges when it comes to the Extension of Security of Tenure Act. We think that there is conflation in terms of how this Act is interpreted.

If you look at the Prevention of Illegal Evictions Act, this Act clearly states that landlords must give notice and secondly they must provide alternative accommodation which is not the case currently and that is why we can never support this as government.

On the other hand, if you look at the PIE Act 18 of 1998, the main aim of the Act is to protect both occupiers and land owners. However, in the event of illegal land invasion and the invaders having spent more than 24 hours on the invaded land, government becomes obliged to provide alternative accommodation for the people.

So, these are the two differences, we believe that there is a conflation in terms of interpretation of these two Acts and this is why we have taken it upon ourselves to

engage the Justice Department to see whether there is a wrong interpretation of the Act.

Now, having said that, I saw that a number of members have been showing us pictures of evictions and I can see from the pictures that this is the Lwandle eviction which took place a couple of months ago. I do want to bring this to the attention of this House because again, I am not sure whether some of the members are ill informed of what happened there. I see the pictures of the Democratic Alliance – it was not this government that evicted those people and that must be clearly understood. It was a State owned enterprise which is owned by the national government but having said that we cannot condone the illegal invasion of land. [Interjections.]

Let me then paint the picture in terms of the implications. Hon member Mr Paulsen must understand that we are living in a constitutional democracy. There are due processes and laws ... [Interjection.]

The DEPUTY SPEAKER: Order! Please continue.

The MINISTER OF HUMAN SETTLEMENTS: ... that must be respected.

The DEPUTY SPEAKER: Hon member Mr Paulsen you have made your point. Hon Minister Madikizela, please continue.

The MINISTER OF HUMAN SETTLEMENTS: I do want to paint the picture in terms of the implications of illegal land invasion which is a phenomenon that we see across

the country. All the provinces have taken a very strong stance against this for a number of reasons.

We know that, in 1995 for example, we had a backlog in the whole country of about 1.5 million people. We have built more than 3.7 million houses and right now the backlog is standing at 2.3 million people. This is largely due to the impact of urbanisation because we all know that more and more people are moving to the cities, as they should because they are looking for better economic opportunities.

We have to respect the principle of first come first served in terms of our government policies. What we do find is that we have a number of people who have been on the waiting list for twenty to thirty years, and there is a serious syndicate because some of these invasions are well orchestrated where you have a situation where land is prepared and earmarked for development in order to accommodate those people who have been waiting for years.

There is no way, as government, that we can accept a situation where people illegally invade that land so that they can be prioritised over and above people who have been waiting for years. That is where we come in as government and say due processes must be followed and we have classic examples in some of the projects.

In Joe Slovo, for example, as I am talking to you now, we had to go to court after engaging some of the people - in fact nine families. The hon member Mr Dyantyi would know what I am talking about. We engaged nine families for eighteen months, putting in jeopardy a project that was going to benefit 2 639 people or households.

In this massive backlog these are some of the things that compel us, as government, to take action when people are breaking the law because as we said we are living in a constitutional democracy and there are due processes that must be followed.

One of the things that we are doing to deal with regarding this problem, over and above engaging the Department of Justice, is that I have personally - because this has huge implications for my Department in particular - embarked on a series of engagements with farmers because farmers must take some responsibility in terms of what they have to do because government alone cannot deal with the problems that we are faced with.

If you look in particular at the problems of farm workers, this government, under my leadership, took a decision to prioritise farm workers because for a very long time farm workers were never a priority if you look at the previous government. We took a decision in 2012 that all farm workers must be part of the Housing Demand Database or the so-called waiting list so that they can also become beneficiaries just like everyone else and that was not the case before.

So, Mr Deputy Speaker, there are a number of things that we are doing instead of playing politics and instead of shouting from the distance. [Interjection.]

The DEPUTY SPEAKER: Order, hon Minister Madikizela, your time has expired. Just finish off.

The MINISTER OF HUMAN SETTLEMENTS: That will really ensure that we deal with this plight of farm workers instead of politicising it. [Time expired]

The DEPUTY SPEAKER: Thank you, Minister Madikizela, your time has now expired. The hon member Ms Maseko.

Ms L M MASEKO: Thank you, Mr Deputy Speaker. The Western Cape Government's stance is clear that forced or illegal evictions without following the rule of law should be condemned as strongly as any intended illegal land-grab or illegal occupation of land.

We are burdened by the terrible legacy of our past which sees our people stranded to this day without homes. However, the irresponsible justification of unlawful and forceful occupation of privately owned and State owned property is problematic and can lead to violence. It is short sighted and falls short of the rule of law.

Today we face the menace of political leaders who play politics by spearheading land-grabs. It is disturbing when politicians use people as cannon fodder for their own narrow political agendas. [Interjections.] We can never justify the criminality of land-grabbing and the suffering that follows it. The anguish that our people endure in winter with water flooding their houses must be prevented. Throughout South Africa there are on-going evictions.

In Durban, the MEC for Housing and the eThekweni Municipality have adopted a less muted approach to evictions. In March 2013 they convinced a judge, in an urgent

sitting of the High Court, to grant an open-ended order permitting the municipality and the police to evict the occupants of 1 568 State owned properties without warning. The residents of Madlala Village, an informal settlement in Lamontville, had their homes demolished twenty five times before they were finally able to obtain a court order that effectively restrained the municipality from continuing to evict them. [Interjection.] The residents of Cato Crest, whose plight received national attention last year, were evicted seven times and had to go to court five times before the municipality would pause in its attempts to dislodge them from their homes. [Interjection.]

All three fall in the same province where R250 million of public money was spent on one family, the Zuma family.

An HON MEMBER: Wow!

Ms L M MASEKO: 200 families were evicted in Alexandra, Gauteng this past weekend. Among those injured in the clash, where police carried out the eviction order, was a four year old child. [Interjection.] Over 500 shacks were demolished in Bokamoso in the Free State in June 2014. This is an indication that this is a socio-economic ill that we face as a nation and must be addressed jointly across all spheres of government. Until we prioritise these needs of our communities we will never stop the bitter year-round trauma that eviction causes. Since 2009, the Western Cape Government has provided more than 130 000 housing opportunities. Yet there is still a backlog of more than 500 000 on the housing list.

Mr Q R DYANTYI: Poor!

Ms L M MASEKO: Mass urbanisation is happening all day, every day. Granting that we face housing backlogs and migration, we must nonetheless operate within the framework of the law. We agree to uphold the rule of law because we are a democratic nation. In light of the rule of the law that is set out in the Constitution on the rights and responsibilities regarding housing, this cannot be applied selectively. South Africans must be encouraged to use legitimate platforms available to them to address their basic needs which include land ownership.

We must have a dialogue about our need to create jobs and fight poverty through urban and rural development, a dialogue to reach a common understanding of the political and economic implication of land-grabs, a pro-active and State led approach, well planned, by just, fair and impartial methods and a programme to realise an open opportunity society for all. Thank you.

The DEPUTY SPEAKER: Thank you. Hon member Mr Magaxa.

Mr K E MAGAXA: Mr Deputy Speaker, I think for the hon member Ms Schäfer to reduce this debate to a game and start referring to own goals is a serious infantile disorder. I think if I was a member of that organisation I would really call for disciplinary action against her because it is putting the organisation into disrepute.
[Laughter.]

Evictions are a serious pain to us as they affect black working class communities and

actually need serious political debate [Interjection.] It has to be a political debate. A debate on evictions must consider the real causes of land occupation. Land occupation, legal or illegal, comes as a result of lack of housing.

Section 26 of the Constitution of the Republic of South Africa, Act 108 of 1996, directs that access to adequate housing is a basic human right. The DA has failed to uphold this directive through refusing to provide this basic human right to the poor and the working class of this province. The actions of the DA expose and contradict their rhetoric and betray their opportunistic commitment to the Constitution.

Over and above this issue of provision of housing, vacant land is occupied as a result of lack of transparency from the side of the DA in providing information on the ownership and availability of land in this province. I do not know which land in this province is in the hands of this government or in the hands of the private sector.

Where is the housing data base of this province which only the DA people can access? We do not know. I am struggling. As a member of the political committee for settlements I do not know who does exist in that database. It is only known by the Minister who consistently abuses his political position

An HON MEMBER: Yes! Yes!

Mr K E MAGAXA: ... on that same database he is monopolising. We have seen ruthless and inhuman evictions under the DA government. Where was human dignity when poor people are forcibly removed, their belongings destroyed during the eviction

in Hangberg? Where were you hon Minister Madikizela? Where was human rights when the riot police brutality was unleashed on the innocent and defenceless people of Hangberg? Poor people were shot by police, suffering multiple injuries, some even lost their eyes and limbs, on the orders [Interjections.] of your own political party. [Interjections.]

It is not accidental that the people who suffer such brutality are black people by and large. The life of indignity and police brutality is reserved for black people because hon Premier Zille thinks they do not belong here in this province. Hon Premier Zille is implementing racial discriminatory tactics to preserve whites only residential areas and privileges. In the same Hangberg area where black people were evicted under the guise that they ... [Interjection.]

The DEPUTY SPEAKER: Order, hon member Mr Magaxa. Order! Is it a point of order or a question?

Mr B D KIVEDO: A point of order. I take strong exception as far those racist [Inaudible.] are concerned.

The DEPUTY SPEAKER: That is a debating point. I did not hear anything that needs to be withdrawn.

Mr B D KIVEDO: The fact that blacks are not welcome according to the speaker, that the Premier as well as the DA do not want blacks in this province. [Interjections.]

The DEPUTY SPEAKER: Order, order!

Mr B D KIVEDO: It is purely and utterly racist. It is a racist statement and I stick to my point! [Interjections.]

The DEPUTY SPEAKER: Order, order! I will have a look at Hansard. If it is necessary I will come back but I did not get the impression when he spoke. Please continue.

Mr K E MAGAXA: Thank you. Whites are allowed to build luxury houses without any harassment from the DA government. Against this background it is not wrong to state that the DA brings back apartheid in the Western Cape. During the term of office of the ANC in this province and the city, provision of housing was a priority as a way of restoring the dignity of the most oppressed and marginalised, vulnerable people.

Since the DA took power of this province the provision of the housing has decreased over the past five years under the DA. In comparison to the total number of housing units since 1994 only 12% of those housing units are in the Western Cape. Why? Gauteng and KZN contributed 24% and 18% respectively. The richest province, which is the Western Cape, contributed a mere 12% [Interjections.] and then you claim that you are a government that is caring. You are caring to suppress the poor, you are caring for the rights of the white people. [Interjections.] The statistics show ...

The DEPUTY SPEAKER: Order.

Mr K E MAGAXA ... that there has been a steep decline in the building of houses in the province since the DA has governed this province proving that the DA is not concerned with improving the lives of the poor. In areas like Netreg the elderly are threatened daily with eviction from council houses and their only crime is being poor, old and frail. People who have paid rent for decades in council houses and for just failing to pay for a few months the DA led government issues summonses to poor people to demand more money from the poor to serve the interests of their rich, white constituency.

This anti-poor agenda of the DA is not just limited to the City of Cape Town, the epitome of anti-poor policies, but is also getting extended to other DA led municipalities. The Theewaterskloof Municipality has also adopted new policies in which poor people will lose their houses if their municipality accounts are in arrears. In the latest indication of forced removals the DA government is preparing to remove people in council houses to construct MyCiti bus routes. The working class residents in Plumstead and Wynberg are facing a big future as evictees under the uncaring government of the DA. More than 30 City of Cape Town tenants, including pensioners, single mothers and families with children at nearby schools, have been served with notices by the City Property Department instructing them to move out of their council owned homes by January next year. What is that if it is not an eviction? The same future of evictions is facing the people of Imizamo Yethu to make way for MyCiti to reach Hout Bay. The objective of this eviction is not to improve the conditions of the working class but to worsen them to serve the interests of the rich

DA government.

The DA uses government resources to employ more people in units such as the Anti-Land Invasion Unit. This notorious unit is pumped with massive public funds year on year, solely to harass and throw people onto the street without any court authority. The case of Marikana near Philippi is amongst the latest example where they illegally demolished about 125 fully lived-in homes.

I know the DA is salivating to shift the blame onto the case of Lwandle but there is overwhelming evidence that the City of Cape Town and the DA government have adopted a ruthless position to evict people in the most inhuman and immoral way. [Interjections.] The hundreds of people in Lwandle add to an endless list of victims by the DA led administration. Hon Minister Madikizela is saying it was not the DA who removed people in Lwandle but let me tell him, if he does not know - because they did not participate on the commission – we are aware because we were part of that commission [Interjection.] The people of Lwandle were removed because the DA was responding to a complaint coming from a white residential association ... [Interjection.]

The DEPUTY SPEAKER: Order, hon member Mr Magaxa. Your time has expired but just finish your last sentence.

Mr K E MAGAXA: ... from a white residential association and threatening and forcing Sanral to execute that illegal eviction ...

An HON MEMBER: Who is Sanral?

Mr K E MAGAXA: ... because of a DA led government. [Interjections.]

The DEPUTY SPEAKER: Order, your time has expired. [Interjections.] Order! Hon Minister Winde.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
Thank you very much, Mr Deputy Speaker and can I join some of the other speakers in initially saying to the hon member Ms Davids thank you very much for putting this on the Order Paper today because this a very, very serious issue. But, I also want to disagree with the previous speaker who has just spoken that this is actually an own goal and I will show you why.

It is a very, very serious issue. We have to deal with it but I will tell where this all stems from. It stems from the failure of the ANC government to really manage the ESTA and the LTA pieces of legislation.

The PREMIER: Yes!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
That is where the responsibility lies and again in this very House one would have thought we would have had numbers put on the table because there is such authority spoken when we speak about this issue but it is turned into a political football and the own goal is scored when they do that because they tried this once before with

agriculture in this province and it did not work. It does not score political votes and this political party must understand that. It does not score votes because we saw the other day when Marius Fransman was supposed to be addressing a crowd alongside Nosey Pieterse, when a hundred people ... [Interjection.]

The DEPUTY SPEAKER: Order. It is hon member Mr Fransman.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
..when the hon member Mr Fransman alongside Nosey Pieterse was going to address the masses and only a hundred people or so arrived of which 50 told him to go away, he did not pitch but we will get there just now.

These two pieces of legislation are the crux and they are the responsibility of that political party at a national level. You heard the reports earlier in this debate. Evictions in this country, and it is very serious, 4.2 million people in the last 21 years have been evicted off farms. 4.2 ... [Interjections.] I will get there. I will get there.

If we have a look at that alongside agriculture where in 2001 there were 969 000 jobs in agriculture, it dropped in 2012 to 638 000. 331 000 people lost their jobs. If we have a look at the eviction numbers where you see in the ten years 1994 to 2004 in this country; displaced off farms - 2, 351 million people and; evicted - 942 000. These are astronomical numbers of people. You heard from my colleague, the burden that that puts on local government and specifically on housing and housing delivery.

But what did this political party at a national level, when you have the responsibility

...

An HON MEMBER: We are not national!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
... do about it? [Interjections.] What did you do about it? What did you do about it?
[Interjections.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
Zippo!

The DEPUTY SPEAKER: Order! Order, hon member Mr Dyantyi. Is there a question?

Mr Q R DYANTYI: I actually want to ask the MEC if he is helping Minister Madikizela to speak to the farmers? That is the question I want to ask him.

The DEPUTY SPEAKER: You must first get permission from him to ask the question.
Hon Minister Winde, you are welcome to respond if you want to.

Mr P UYS: He was quiet with the Deputy President!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
You were not there. You do not know. So let us then talk about the next area where responsibility lies again which is land reform and we have taken land reform. I have

been in this position with agriculture for six months. We are taking it head-on in this province because we have to fix it. We have to fix this.

Now, let us have a look at some of the numbers [Interjection.] in the last ten years. Let us look at some of the numbers in the last ten years in land reform and this comes from a question put in the National Assembly to the Minister of Land Reform, and the question was asked: “How many land reform projects are there ...?” This was put by the hon member Prins, an ANC member. The question was put: “How many land reform projects are there in the Western Cape?”.

An HON MEMBER: There is nothing wrong with that.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: I know. It is a perfect one. There are 49 land reform projects in the Western Cape. That department has spent R349 million for 49 projects that benefited 6 491 beneficiaries. This is the Western Cape where it got delivered.

We put exactly the same question to the same Minister on the other provinces.

Mr Q R DYANTYI: Is that your speech?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Listen. In the North West ... [Interjection.]

The DEPUTY SPEAKER: Order, hon Minister Winde. Hon member Mr Dyantyi, please allow the Minister to respond now. He is responding to the debate now. It is

an important speech.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
In the North West, land reform projects by that same department, zero; in Mpumalanga, seven; in Northern Cape, four; in the Eastern Cape, four; in KwaZulu-Natal, one. Total projects in the rest of the country by that political party, 16 to the value of R235 million for 2 916 beneficiaries.

Mr R B LENTIT: Skande!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
Half of this province.

Mr R B LENTIT: Skande!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
Half.

The DEPUTY SPEAKER: Order! Is that a question?

Ms C F BEERWINKEL: Mr Deputy Speaker, The debate is: the on-going evictions in the Western Cape. [Interjection.] In the Western Cape!

The DEPUTY SPEAKER: Order. I am aware of that. Order! I am aware of that and the Minister is responding to the debate and the debate went wider than that so the

Minister is entitled to respond. [Interjections.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
Then, on top of that in this province, unlike any of the other provinces, we have 246 equity share schemes and these schemes, when they are starting to become successful is when the farm workers elect to buy the next farm as they have done in the Blue Jay scheme, in the Bosman Adama Scheme, in a whole range of these 246 schemes. The Standing Committee is more than welcome to get the report. It is totally open to them.

The DEPUTY SPEAKER: Hon member Mr Magaxa, question?

Mr K E MAGAXA: Can the hon Minister take only one question?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
Yes.

The DEPUTY SPEAKER: You can ask your question.

Mr K E MAGAXA: I would like to know from the Minister how does he reconcile the fact that in the Western Cape that they are claiming is well run, with the fact that the Western Cape having all the money that it is getting from national is unable to match KZN and Gauteng. [Interjections.] with similar resources in building houses?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: I

agreed to take that question but that was a crazy question. If you know about the division of revenue you would be able to get that answer. That really is a ridiculous question. But while the hon member Mr Magaxa brings up KZN and Gauteng let us actually talk about it. Here is a report that was done by the Rural Development and Land Reform Department belonging to the ANC. When this report was done, this report had to look at evictions. Now, this hon member knows about it because she actually saw it when it was presented.

An HON MEMBER: Ja, she was there.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: These are legal evictions, the number in the last five years and you can have a look at how it actually has reduced in number up until now, 2014, and the reason is that the bulk of these land evictions have taken place prior to this and that is also because this political party has not been using the legislation correctly that they should have been using all along.

If you want to bring it down to province, the Western Cape, we are not denying, we have said from the beginning: this is a very, very serious issue. 420 evictions in this province, 437 in KZN and 333 in the Free State. Those are the top provinces with the top evictions. That member should know about it. It was quite interesting that when the Deputy President came and he wanted to talk about this, he did not want this shown at all. There was another point that the Deputy President made. He sat there, he had five Ministers. This is the Deputy President of South Africa with five National Ministers coming to meet the people on this really serious issue. We sit in the briefing

beforehand and he looks at all the DG's that are reporting to us, he gets this report on the number of evictions etc. and he says "what are we going to tell the people? There is nothing to tell the people." We then go into the meeting, he throws out the press, we all make presentations, then we go into the public meeting and he says: "Listen guys, we have to move across to the public meeting because we have to report to the public."

This is where the real embarrassment came and that is why we know that Nosey Pieterse arrived late because he was trying to get the crowds there. He left early because there were only 30 more people coming to meet the Deputy President on this issue. [Interjection.] This member knows because she was there. She was there when that happened.

Then perhaps I have to react to one or two statements made in the House today and to the hon member Ms Beerwinkel because she is correct when she said she picked up the issue, the case study. She sent the Premier a message and myself a message. She can also tell you, and we can go and have a look at it, how long it took for me to answer her message, how long it took my Department – which is the only department in South Africa that has a Farm Workers' Support Unit. She knows that very well because there is a family member of hers that works in that department. [Interjection.] But that department went straight there and she is correct when the owner said "your department is not allowed on my property" but what happened after that?

An HON MEMBER: Tell us.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
My department went to the police station and laid those charges and contacted this Minister behind me, of Social Development, to say there is an issue here and we need to put support in from the province. That member knows all about that.

But I did mention about how this political party has tried to make this into their political campaign. I told them that they tried to do it once before and they actually got Agriculture to burn, thousands of people lost their jobs ... [Interjection.]

An HON MEMBER: There he is leaving.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
Now he is leaving! He is leaving. [Interjections.] Unbelievable!

The DEPUTY SPEAKER: Order!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
In the ANC's partnership with Bawsi their partnership has actually caused farm workers huge pain.

The PREMIER: And loss of jobs.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM:
And that is why they were chased away when they tried to get this thing going in De Doorns the other day. So we need to learn the lesson. We need to remove this from

politics to actual delivery. Let us make this happen, let us work on the legislation, let us use Clause 4. There is huge opportunity in Clause 4 because it is a big issue but it is almost too late. The ANC have not woken up but we must also ask this political party to please decide where they want to put their ANC logos on pamphlets.

An HON MEMBER: We know. Do not worry.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: You know about this. Do not frown. Here you have a union, trying to call a mass meeting that says come on Sunday and we will bring the hon member Mr Fransman to the meeting to come and address you, you add a logo of your political party and you hand out the pamphlet. At that very meeting, just over a hundred people pitched up, where 50 of the people of those hundred said get away, we do not want you and guess what? Guess who did not pitch? And why has he just left? Guess who did not pitch because suddenly he realised that what you are doing in politicising this issue is causing much more pain for the people who do not deserve it. Those people need our help.

So, now we have an answer to come from the hon member Ms Davids. I want to put a challenge to her and say to her, will you stand up in this House and say that we will not politicise this anymore. We will work together with the national Minister, with this government to try and find solutions to this specific [Interjection.] very, very painful issue for so many people. At the same time, will you also show us where in the ANC's government where they govern, in this province – you keep on saying bring it back to this province - you do things differently; in Kannaland, Oudtshoorn or perhaps

any of the other provinces [Interjection.] where you actually make a difference for the farm workers. Tell us where those units are where you actually go out there and specifically try to make a difference. I promise you, we work day and night to make a difference. Thank you. [Applause.]

Die ADJUNKSPEAKER: Orde! Agb lid me Davids, jy het twee minute om saam te vat.

Me S W DAVIDS: Dankie, mnr die Adjunkspeaker. Ek gaan Afrikaans praat sodat die plaaswerkers my kan hoor wat in die gehoor is. Ek het nooit geweet dat die DA regtig nie omgee vir ons mense nie maar vandag sien ek dit.

Die Voorsitter van die Komitee waar daar oor die plaaswerkers se probleme moet gepraat word, om met so 'n lae hou te kom dat ek politiek bedryf met hierdie gesprek is 'n groot fout. Hier staan ek met 1 600 uitsettings net in Drakenstein, 'case numbers' wat ek vir die media sal gee dan kom sê ons nog altyd ons het nie 'n probleem met die Wes-Kaap nie.

Hoekom is daar 21 organisasies wat uitsettings wil beveg net in die Metro en ons sê nog altyd ons het nie 'n probleem nie. Ja, LUR Winde, ons moet die geval ernstig opneem want dit is met mense wat ons te doen het. Wat die agb lid Me Beerwinkel gesê dit is maar [Inaudible.] plaas, ons sit met duisende gevalle. Net gister was ek op 'n plaas in Moorreesburg waar 'n ma en 'n kind uitgeset gaan word omdat die meisie verwagting is. Net gister, en dis hoekom ek sê dat die gesprek vandag nodig was [Inaudible.] ook vir jou 'n uitdaging want jy is die LUR. Ek verdien nie jou salaris nie.

Jy is die LUR. Dit is jou verantwoordelikheid om jou werk te doen ...
[Tussenwerpsel.]

Die ADJUNKSPEAKER: Orde! Orde, agb lid me Davids.

Mr M G E WILEY: May I ask the member whether she reported the matter to the police which is her responsibility?

Die ADJUNKSPEAKER: Orde! Dit is 'n vraag. Agb lid is jy ...

Me S W DAVIDS: Ek stel 'n uitdaging aan die LUR. Hy was in die vergadering. Hy het nou gepraat van inligting wat ons by die werkswinkel in Johannesburg gekry het. In daardie vergadering is dit gesê [Inaudible.] LUR dat daardie data nie aanvaar kan word nie want dit was nie bevestig nie. [Tussenwerpsel.] Né?

But you give it here as information. You give it here as information and in that meeting it was said we cannot use it because it is not confirmed information, and it was said there in that meeting MEC, that people are speaking on behalf of the farm workers while in Elsenburg you could not give guidance to the national department on what is happening in your province, as the MEC of this province. So... [Interjection.]

The DEPUTY SPEAKER: Order.

Ms S W DAVIDS: ... please do not come and speak here about that workshop.

The DEPUTY SPEAKER: Order. Order!

Ms S W DAVIDS: You know what happened there. You could not get answers.

The DEPUTY SPEAKER: Order.

Ms S W DAVIDS: You could not speak for this province. [Interjections.]

The DEPUTY SPEAKER: Order. Order!

Ms S W DAVIDS: You could not speak for the farm workers. [Interjections.]

The DEPUTY SPEAKER: Order! Hon member Ms Davids, please take your seat, your time has expired. [Interjection.] Order! When the Chair calls for order hon member Ms Davids, the Chair means order and you must take your seat please.

Mr S W DAVIDS: Sorry, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. You are excused. [Applause.] This brings us to the end of this debate on this subject for discussion. We will now suspend business for five minutes just to allow for the exchange of officials and the gallery but please do not leave the Chamber. We will start immediately. The House is suspended for a couple of minutes.

House suspended.

ORDERS OF THE DAY

The SPEAKER: We will now proceed with the Orders of the Day. The Secretary will read the first Order.

1. Introduction and First Reading – Western Cape Adjustments Appropriation Bill
[B 5 – 2014] (Minister of Finance).

’n AGB LID: Hoor, hoor.

The SPEAKER: The hon Minister Ivan Meyer.

Mnr M G E WILEY: Hoor, hoor.

The MINISTER OF FINANCE: Thank you, Madam Speaker; hon Premier; the Leader of the Official Opposition is his absence; honourable members of the Western Cape Legislature; my Head of Department and Head Official of Provincial Treasury and senior members; special guests; colleagues and citizens of the Western Cape.

When the Premier of the Western Cape was sworn in into office on 20 June 2014, she turned hope into action. She has skilfully translated the 2014 electoral mandate of the citizens of the Western Cape into a government programme of action.

In addition, the Premier gave a clear message to all the citizens that her government is

both committed and ready to lead the Western Cape towards prosperity that is only possible through an open opportunity society. No promises, only commitments were made. The Premier committed a budget, a timeframe, a committed partner, clear targets and a citizen centric approach to governance.

One of the requirements of the National Development Plan is a capable state. Under the leadership of the Premier Zille, the governance architecture has been put in place to ensure that we have a capable state. Firstly, she translated the electoral mandate into a government-wide programme of action. Secondly, she modernised the Public Service with fit for purpose appointments and thirdly, she implemented a financial governance model to ensure greater accountability for programmes, budgets and delivery and targets. [Interjection.]

Lastly, our government has put in place an effective monitoring and evaluating system to track performance and evaluate delivery. The 2015/18 Medium-Term Budget Policy Statement provides the context within which the next year's budget will be presented, a budget that will support the national and provincial priorities and goals.

It takes into account the developments in the global and national economic environment, associated risks and economic prospects as well as socio-economic challenges facing this province, all of which impact on the formulation of this Budget Policy.

Let me now turn to the Economic Outlook. Recent economic developments point to a weaker global and national economic growth. The global economic recovery remains

uneven. This is particularly true of the advanced economies where better performance and outlook for the U.S. economy contrasts with the weaker performance and the outlook for the Eurozone and Japan. The International Monetary Fund in the October World Economic Outlook downwardly revised its 2014 global growth from 3,4% to 3,3%. A slight acceleration to 3,8% is anticipated in 2015, driven by stronger growth in both the advanced and emerging and developing economies.

A recent report of the World Economic Forum Global Risk Survey 2013/14 reveals the top ten risks identified by respondents. Economic, social and environmental risks dominate the list of global risks that the respondents are most concerned about, with fiscal crisis emerging as the top issue. Despite the efforts of many Eurozone countries to control their deficit and debt levels, concerns regarding fiscal crises persist. They are also fuelled by high levels of public debt in Japan and the United States, where political gridlock has fuelled perception.

Structural unemployment and underdevelopment appears second overall; as many people in both the advanced economies and emerging economies struggle to find jobs. The youth and minorities are especially vulnerable as youth unemployment rates over 50% and under employment with low quality jobs, remains prevalent especially in emerging and developing markets. Environmental risks are also featured prominently in this year's list, appearing as three of the top 10 global risks of greatest concern.

Water crisis ranks as the third highest concern. This illustrates a continued and growing awareness of the global water crisis, as a result of mismanagement and increase of competition for already scarce water resources from economic activity and

population growth. The rating agency Moody's recent downgrading of South Africa's credit rating was firstly influenced by the ratings agency view of medium-term growth prospects, due to structural weaknesses. This included ongoing energy shortages, high interest rates, investor climate deterioration and less support of capital market environment.

Secondly, the prospects of further rises in the government debt to DDP Ratio implied by the low growth environment. Overall the National Treasury forecast South Africa's GDP growth to be 1,4% in 2014, from 1,9% in 2013. Thereafter growth is forecast to accelerate to 2,5% in 2015, reaching 3,0% in 2017. The improvement in the economic outlook is expected as a result of easing of infrastructure constraints, recovery in private sector investment and growth exports.

In line with the slowed down international economy activity, economic growth in this province is estimated to have moderated at 2,1% in 2013. Growth in the Western Cape at this point is forecast at 2,1% in 2014 before accelerating to 3,1% in 2015. Over the longer term, economic growth is estimated to average around 3% between 2014 and 2019. The geographical concentration of economic activity in the Western Cape is concentrated in the City of Cape Town. It accounts for 73% of the Western Cape's GDPR and employs two thirds of the provincial workforce.

The other two dominant districts in the Western Cape is the Eden region and the Cape Winelands region and those regions together with the Cape Metro generate 92% of the Western Cape's value-added and employ close to 90% of the provincial workforce. The narrow unemployment rate in the Western Cape is 23,6% which is slightly lower

than the national average of 25,4% as a third quarter of 2014.

South Africa has the third highest unemployment rate in the world for the age group between 15 and 24, which shows that young people continue to bear the brunt of the unemployment problem. Within the province the age group between 15 and 34 year olds accounts for 67,8% of unemployment, slightly higher than the national proportion, while those with incomplete or complete secondary education, account for 80,1% of the unemployment in the province.

Given the socio-economic challenges facing the Western Cape progress has been made over the last five years with improved life expectancy at birth, declining infant and child mortality rate, more and better matric passes, improved learner retention and improving access to basic services. However, social ills such as substance abuse and the impact of crime in this province are still major challenges which impact both on the economy and places pressure on government resources.

When I recently tabled the Western Cape 2014 Provincial Economic Review and Outlook and the Mero, the Municipal Economic Review and Outlook, I highlighted the need for inclusive growth. This included sustainable poverty alleviation through a pace and pattern of economic growth that creates productive jobs, inclusive growth, focusing on the removal of constraints to a pattern of sustained growth that is characterised by a creation of productive jobs for the unemployed and an increase in the productivity and real earnings for workers trapped in low productivity jobs.

I will now turn to the fiscal framework. The weak economic environment has

impacted the National Fiscus as tax revenue is now lower than projected. As a result of lower than budgeted for revenue collection and to manage the size of the national budget deficit, the National Medium-term Budget Policy Statement has emphasised the need for fiscal consolidation and to stabilise the fiscal base. We thus face a significant constraint fiscal envelope where base-line allocations for the equitable share and conditional grants have been revised downwards for the 2015 MTEF.

The main risk to the fiscal outlook includes reforms to the National Conditional Grants that may be lower than the estimated allocation to this province. We will only be able to know those figures at around the end of January next year. Future salary and wage agreements result in an increase in excess of what is budgeted for which will require either a reallocation from non-personnel spending or a need to reduce government employment and further deterioration of the economic outlook with the resultant negative impact on tax collection, and hence the fiscal framework but also increase in pressure for government services.

I now turn to the Budget Policy Framework. The impact of the weak economic growth has reduced the fiscal envelope and has necessitated fiscal consolidation. There is thus a need for a budget framework to restore balance to public finance while pursuing policy outcomes and priorities.

The Provincial Budget Policy Framework is designed to balance public finance, while managing risk and maintaining fiscal stability in a constrained economic environment. The National Development Plan, the Medium-term Spatial Framework as proposed and the 2014 to 2019 Provincial Strategic Plan and the evolving game changes, will

serve as a reference framework for the Medium-term Budget Policy Statement.

The Budget Policy Framework tabled here today is further informed by the following principles: constitutional democracy, the rule of law, whole of society approach, evidence based practice, partnerships, citizen centric governance and public value. It is important to know that while budget reductions will be implemented across all votes, this province, through the intervention of the Premier, has decided not to have budget cuts in three departments providing essential frontline service delivery and these are the Department of Health, Department of Education and the Department of Social Development.

An HON MEMBER: Hear, hear.

The MINISTER OF FINANCE: This is to ensure that the impact on the poor is minimised while the 2015/2018 Western Cape Medium-term Budget Policy Statement reaffirms the province's commitment to give effect to the policy priorities outlined in the National Development Plan. It also makes it more clear that this must now find expression in the Western Cape Government's Provincial Strategic goals. The provincial strategic goals, the priority outcomes and the evolving game changes, are the main policy considerations informing the provincial medium and budget policy priorities.

The Western Cape Provincial Government's provincial strategic goals aim firstly to create opportunities for growth and create jobs; making it easier for businesses to do business; boosting the competitiveness of our economy and promoting our region in national and international markets. We will do so through targeting strategic

interventions in the economic space, continued investment and infrastructure, supporting agriculture and agri-processing. The Green Economy and Expanded Public Works Programme have been identified as strategic priorities in driving jobs and growth.

Secondly, improving education and youth development, by improving the level of language and maths in all schools, enhancing the quality of education in the provision in poorer communities, increasing the number and quality of matric passes; providing more social and economic opportunities for the youth and improving family support to children and youth to facilitate youth development. To this end, improving education outcomes, ECD, youth programmes and after-school programmes, will be prioritised over the next three years.

Thirdly, increase in wellness, safety and to reduce social ills by creating healthy people living in safe supportive and caring environments, a healthy workforce, safe and resilient families, healthy children, positive and engaged youth and parents that take responsibilities for their children; increased wellness and improve the health outcomes, provision of social services to the most vulnerable, particularly children, elderly, the poor and particularly the disabled and increasing safety are key in this Western Cape Government.

Fourthly, to create a resilient quality sustainable and inclusive living environment through the creation of a sustainable ecological and agricultural resource base and the establishment of a sustainable and integrated urban and rural settlement.

Lastly, it is embedded good governance, integrated service delivery through building an inclusive society, integrated management and enhance provincial and local governance. We will continue to do this by further utilising broadband to connect our citizens and government and to improve our efficiency of government response, integrated planning and delivery between the national, provincial and local governments towards enhanced service delivery and supporting local government.

We are also planning to develop an extra net platform so that people in the municipalities can interact at official level with the provincial government's officials in the planning space.

I now turn to the adjusted estimates. I have already alluded to the impact of the worsening of the Economic and Fiscal Outlook on the 2015 MTEF Fiscal Envelope. One of our objectives is therefore to create fiscal stability over the 2015 MTEF. To begin to achieve fiscal stability the 2014 adjusted estimates must respond and address the estimate in-year pressures, identified by votes.

Similar to previous years, the proposed 2014 adjusted estimates will lay the basis for the 2015 Medium-term Expenditure Framework. The objective of the 2014 adjusted estimates will therefore be to create a Fiscal Platform for 2015 MTEF, limit expenditure in the 2014 Financial Year and deepen our efficiency to achieve value for money.

APPLICATION OF FUNDS: The adjusted estimates make provision for additional net-spending amounting to R993,213 million, inclusive of additional direct charges of

R3,78 million. How will these adjustment estimates be allocated?

Firstly, infrastructure related expenditure. Funds are allocated as follows:

- Education - R5,04 million towards recapitalisation of technical schools.
- R138,634 million to replace 25 schools under the Accelerated School Infrastructure Delivery Initiative, also known as ASIDI.
- And R397,676 million towards the Western Cape's Education Infrastructure Grant.
- Transport and Public Works - R72 million for property acquisition.
- R101 million is provided for the upgrading, resealing and rehabilitation of various roads. You cannot grow an economy unless you invest in your infrastructure.
- R34 million for the acquisition of a training facility for nurses in the Southern Cape. I think Minister Botha will be very happy to hear this news today.
- R26,8 million received from the Department of Cooperative Governance for the repair of access roads and bridges damaged during the November 2013 floods in the City of Cape Town and the Breede Valley local municipality. I think hon member Basil Kivedo must be very happy because he was the mayor at the time when that happened.
- R2,407 million for the completion of the Public Transport Empowerment Facility at the Drakenstein Municipality.
- Department of Human Settlements will receive R14,9 million for bulk water and sewerage services in Knysna; R8,9 million and Housing Rectification Projects in Mosselbay to the amount of R6 million.
- R81 million will also go to the Department of Health for health infrastructure

projects.

- Cape Nature, R3,2 million is allocated in this adjustment estimates to Cape Nature for infrastructure development and R1,1 million to appoint additional fire fighters for the purchase of protective clothing, as well as firefighting training. We all know that this is November, we are now ready for the fire season.
- Furthermore, the adjusted budget also makes provision for you, Provincial Parliament, the members of this House. R6,5 million for amongst others infrastructure and gratuity payments for non-returning members; those are people who have gone already. It is not for you hon member. [Inaudible.]
- Also to hon Minister Plato, the Department of Community Safety, R2,853 million to ensure that the Khayelitsha Police Commission of Enquiry completes its work and R3,5 million for the appointment of law enforcement auxiliary services officers. This is a very important initiative.
- The Department of Transport and Public Works receives a further R31,428 million for the payment of municipal services and I am happy to see a smile on the face of hon member Mr Dyantyi. [Interjections.]
- R21,158 million for the Road Transport Management Corporation for road safety and related matters. I see the smile on hon Minister Grant's face.
- R15,370 million for operational shortfalls on a very important George Integrated Public Transport Network. I am very happy that both hon Minister Grant and myself will be going to George tomorrow to look at the George Integrated Public Transport Network.
- R20 million will be given to provide for the increase in estimated expenditure in agency fees on collection of motor vehicle licence fees by municipalities.
- For the Department of Public Works and Transport, R3,6 million for the design

and the implementation of a leading practice for Vehicle Testing Operations.

- And lastly, R671 000 for training of traffic students. I can see that both hon Minister Grant and hon Minister Plato are very happy.
- Agriculture... [Interjection.]

An HON MEMBER: You are not smiling enough.

An HON MEMBER: It is okay.

The MINISTER OF FINANCE: Okay, talk to them later.

- Agriculture - R524 000 additional support for the annual ostrich auction and R750 000 to appoint a service provider to develop a Western Cape Agriculture Sector, Climate Change and Implementation Framework.
- Economic Development and Tourism: a very important factor for growing the economy, is tourism in the Western Cape.
- R5,304 million is reserved for the Liquor Board from the retained surplus funds, for additional expenditure related to the previous year's commitments, office accommodation, IT infrastructure and protective clothing for inspectors.
[Interjections.]
- Cultural Affairs and Sport. I also see hon Minister Mbombo is quite happy because R500 000 will now be transferred for the Diaz Museum in Mossel Bay.

I am now turning to transversal projects. In line with the intentions of the 2014 Main Appropriation Act and the undertakings given to this House by my predecessor, funding [Inaudible.] for projects of a transversal nature within sub-programme 2.5 in Vote 3, namely broadband, the Regional Socio-economic Programme, the Violence Protection and Urban Upgrade Programme, internal controls and governance improvement grants to municipalities, have now all been allocated to the accountable departments. These are respectively: the Departments of the Premier, Environmental Affairs and Development Planning, Local Government and the Provincial Treasury.

All projects have moved beyond the planning phase and thus it has become necessary to align the expenditure with accountability and the governance framework. The Provincial Transversal Project amounts will continue to be appropriated specifically and exclusively, within the respective four votes, thereby guarding the integrity of the project funding within the relevant departments' future baseline allocations. By virtue of its nature, transversal projects are complex and involve multiple role players within and across different spheres of government. It is thus anticipated that due to a number of external factors, full-spending may not be possible on votes affected by the rollout of these transversal projects. This will be dealt with in terms of the normal provisions applicable.

I now conclude. The policies that I have mentioned today are aimed at delivering the mandate received by the people of the Western Cape. This we will do in spite of the tough fiscal space we find ourselves in.

Agb lede, maar daar is 'n narratief wat stadig besig is om in Suid-Africa te ontvou. Ons moet eerlik wees en erken dat Suid-Africa se ekonomiese situasie ernstige gevolge inhou vir die toekoms. Daar is gevaartekens wat ernstig aandag moet verg op nasionale vlak. Suid-Afrika se politieke leierskap en beleidsverklarings maak dit moeilik om in Suid-Afrika te investeer.

Suid-Afrika se staatsbeheerde koöperasies moet meer doeltreffend bestuur word. Baie van die openbare koöperasies het reeds in duie gestort en miljoene rande word jaarliks gemors. Suid-Afrika se belastingbetalers kan nie meer bekostig om groot risiko projekte te finansier nie. Die Nasionale Ontwikkelingsplan propageer die groen ekonomie en hernubare ekonomie, maar die nasionale regering onderteken tans kernkragkontrakte van 1 triljoenrand. Suid-Afrika se belastingbetalers kan dit eenvoudig nie bekostig nie.

Daar moet ook ... [Tussenwerpsels.] ... nou ernstige gevolge wees vir mense wat jaarliks... [Tussenwerpsels.] ... geld uit die Staatskas steel. Daar verdwyn biljoene rande jaarliks uit die Staatskas.

Die SPEAKER: Order hon members please!

THE MINISTER OF FINANCE: Agb Speaker, ... [Tussenwerpsel.] ... hierdie kultuur in Suid-Afrika, van "it is our turn to eat" moet nou gestaak word, want dit... [Tussenwerpsels.]... erodeer die finansiële volhoubaarheid van Suid-Afrika. Agb lede dis nie nou tyd om vinger te wys nie; Suid-Afrika is in 'n diep konstitusionele, politieke, ekonomiese en sosiale krisis.

An HON MEMBER: O die Wes-Kaap is.

THE MINISTER OF FINANCE: To manage a country out of such an enormous crisis, one needs bold and courageous leadership. We all have to rise to this challenge as the fiscal outlook looks bleak and South Africa must return to the dream of 1994. Hard work lies ahead and this Parliament will focus its energy on building a capable state, effective leadership and effective citizens.

More importantly, the Democratic Alliance led government undertakes to do so in a corruption-free, responsible and accountable manner. [Interjections.]

This has just returned from a two-day Cabinet lekgotla and the outcomes will be announced by the Premier during her 2015 State of the Province Address, where she will share with the citizens of this province how this government will turn the Western Cape good story into a great story. [Interjection.]

While the Western Cape Government is committed to growing the economy and creating job opportunities, it will also sharpen our commitment... [Interjection.]

The SPEAKER: Order hon members please!

THE MINISTER OF FINANCE: ... to utilise its available resources more efficiently as well as to rein in its public expenditure, to an affordable and sustainable level.

Lastly, I hereby table the 2015 to 2018 Western Cape Medium-term Budget Policy Statement in the Western Cape. The 2015/18 Western Cape Medium-term Budget Policy Statement; the Western Cape Adjustment Appropriation Bill; the 2014 Adjusted Estimates of Provincial Expenditure and associated Gazette, indicating the transfers to municipalities and this speech for deliberation in this House.

I would like to thank Dr J C Stegmann because this is his last term in this House for tabling a Medium-term Budget Statement and he single-handedly brought over the last 18 years financial stability and financial technical knowledge to this government. He single-handedly built a strong ... [Interjections.] ...solid Provincial Treasury, but in addition to that he left a legacy of equally qualified and competent people... [Interjection.] ...the DA has mentored over 15 years. I want to salute and thank him because those skills that he has are not freely available anywhere and I want to salute him for the work he has done. [Applause.]

An HON MEMBER: We want to [Inaudible.] now.

The SPEAKER: Thank you hon Minister. Order! The Secretary will now read the... [Interjections.] ... Order hon members! The Secretary will read the Bill for the first time.

The SECRETARY: Western Cape Adjustments Appropriation Bill.

The SPEAKER: The Bill together with the Papers tabled will be referred to the relevant committees for consideration and report. The Secretary will read the second

Order of the Day.

2. Consideration of Report of the Budget Committee on the Division of Revenue Amendment Bill [B 11 – 2014] (NCOP), dated 12 November 2014 (See Announcements, Tabling's and Committee Reports, p 135) (Ratification of final mandate).

The SPEAKER: The House received the report of the Budget Committee on the Division of Revenue Amendment Bill, conferring authority on the Western Cape delegation in the NCOP, to support this Bill. This mandate has been sent to the NCOP. Are there any objections to the ratification of the conferment of authority on the Western Cape delegation in the NCOP to support the Bill?

Hon MEMBERS: No.

The SPEAKER: That concludes the Orders of the Day. Hon members, before we adjourn, there are two matters that were held over from our last sitting which I need to address. The first one is during the debate on the 13 November 2014, the hon member Mr Dyantyi raised a point of order, requesting me to rule on whether it was parliamentary for the hon member Mr Christians to say to another hon member, “hou jou mond mannetjie”. This reference was made... [Interjections.] This reference was made to the hon member Mr Paulsen. Because of the level of noise - Hon members, allow me to speak. Because of the level of noise in the House at that time, I did not hear such utterances being made.

I undertook to deal with this point of order once I had an opportunity to consult Hansard. Having had the opportunity to study the unrevised Hansard, I want to rule as follows: according to what was recorded in the Hansard, hon member Mr Christians uttered the following words and I quote, “rooi mannetjie, hou jou mond”. [Laughter.] It was clear that these utterances were referring to hon member Mr Paulsen, who was interjecting at the time the hon member Mr Christians was delivering his speech. I am of the view that saying to another hon member, “rooi mannetjie, hou jou mond”, is disparaging and unparliamentary. I therefore request hon member Mr Christians to withdraw the remark.

An HON MEMBER: And apologise.

Mr F C CHRISTIANS: Madam Speaker, I withdraw.

The SPEAKER: Thank you. On a second point, during the debate on 13 November - hon members order please! During the debate on 13 November 2014, the hon Minister of Health raised a point of order, requesting me to rule on whether it was parliamentary for the hon member Mr Magaxa to refer to another hon member as a “DA darkie”. I enquired from the hon member Mr Magaxa whether he did utter such words and his response was and I quote: “I never referred to anyone”. As I did not hear such utterances being made, I undertook to deal with this point of order, once I had an opportunity to consult Hansard.

Having had the opportunity to study the unrevised Hansard, I want to rule as follows; according to Hansard, hon member Mr Magaxa uttered the following words in

succession and I quote, “DA peasant”; “DA darkie”. As these utterances were made while the hon member Ms Maseko was on the floor delivering her speech, I cannot come to any other conclusion than that it was a fact a direct reference to her and therefore unacceptable.

As I also remarked on the same day, I find such reference to an hon member disparaging and out of order. Any reference with obvious racist overtones, whether directed at another hon member or made in debate, in general, will not be tolerated in this House. I therefore rule that the remarks by hon member Mr Magaxa were unparliamentary and I request the hon member to withdraw those remarks, unconditionally and apologise to the House. Hon member Mr Magaxa.

Mr K E MAGAXA: I apologise and withdraw.

The SPEAKER: Hon members if I may, we will now adjourn and... [Interjection.] ...
Hon member Mr Dugmore?

Mr C M DUGMORE: Sorry, I would just like to address you on a point. It is rather ironic that you have just dealt with two matters and while you were doing that the Premier, in a direct reference to hon member Mr Magaxa, said †uyaxoka *you are lying †which is basically saying that he is a liar, he is lying. I wonder if you could just make a ruling right now, that that is unparliamentary and that the Premier should withdraw it?

The SPEAKER: Hon members if I may, we will now adjourn and... [Interjection.] ...

Hon Mr Dugmore?

The PREMIER: May I address you on that point Madam Speaker? I said you are telling an untruth in Xhosa and that is not unparliamentary and the truth is that [Interjections.] what I was referring to; what I was referring to was that after we heard him call an hon member a “DA darkie” he twice stood up and denied that he had said that and so you deliberately and knowingly misled this House and there should be serious consequences for that.

The SPEAKER: Thank you, Madam Premier.

Ms P Z LEKKER: Enkosi, Madam Speaker.

The SPEAKER: Sorry is it on a point of order?

Ms P Z LEKKER: Yes. It is actually a point of order to the response of the Premier. As a teacher and also that I did my theory in isiXhosa, when you say we are †uyaxoka *we are lying - it is a derogatory word. The supposed word is †awutheth'inyani *you are not speaking the truth †or preferably you would say †uyaphosisa *it is not the truth you are speaking †and therefore I dispute the response of the Premier and I would humbly request that the Premier withdraws. Thank you.

The SPEAKER: Hon members, I have dealt with two points of order. We are now going into another; I see the hon member Mr Hinana.

Mr N E HINANA: Ja. Thank you, Madam Speaker. As a teacher and the one who was teaching isiXhosa; to say we are †uyaxoka *we are lying †is not derogatory. It is †uba uyaxoka uyaxoka *if you are lying you are lying.

The SPEAKER: Okay hon members. [Interjections.] I am sorry, hon - hold on.

An HON MEMBER: Madam Speaker, I am also a teacher.

An HON MEMBER: Madam Speaker... [Interjections.]

The SPEAKER: I see... [Interjections.]

An HON MEMBER: Sit down man.

The SPEAKER: Be seated. Order hon members, order!

Mr P UYS: Madam Speaker, we are wasting time now. Would you refer it to Hansard and make a ruling please.

The SPEAKER: I will do as requested, however the explanations have come up that allow me take that on review and we will bring it back to the next sitting. Hon members at this stage we will adjourn for 30 minutes for hon members to have dinner and then we will reconvene for the Budget Committee meeting. Thank you.

The House adjourned at 18h33.

