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THURSDAY, 4 SEPTEMBER 2014

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The House met at 14:15

The Deputy Speaker took the Chair and read the prayer.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS - see p

The DEPUTY SPEAKER: Order! Before we start, can I just give the following guidance or ruling: during the debate on 14 August reference was made by the hon member Ms Lekker to the, and I quote “Zille Commission of Inquiry”.

A point of order was subsequently raised by the hon member Mr Wiley as to whether it was appropriate to refer to the said commission in that way, rather than by its official name.

The Chair has no particular problem if hon members in debate refer to the commission as the “Zille Commission”, as long as it is not done in a derogatory way casting reflection on the hon Premier. It may not be appropriate, but at the same time it is not unparliamentary. It is of course desirable that the correct terms be used in the House to avoid confusion. In this instance the correct reference would rather be the “O’Regan Commission” or the official name of the commission as established.

However, as far as the Provincial Parliament's official documentation is concerned the correct terminology should at all times be used, and the officials have been duly instructed in this regard.

Allow me also to briefly deal with a matter that is somehow related to the above but in an entirely different context.

On the same sitting day the hon member Ms Wenger gave notice of a motion regarding the Commission of Inquiry into Policing in Khayelitsha and the hon member Ms Lekker immediately after that similarly gave notice of a motion dealing with the same matter, although worded slightly differently.

In terms of Rule 62 of the Standing Orders, the so-called "rule of anticipation", a member may not anticipate the discussion of a matter appearing on the Order Paper. In other words the topics are of such a similar nature that they could be discussed during either debate. Importantly the object of the rule is to avoid duplication. The Chair has no doubt that the issues in the hon member Ms Lekker's motion could be discussed thoroughly under the motion of the hon member Ms Wenger. Furthermore, the Chair has no reason to believe that the hon member Ms Wenger's motion will not serve before the House within a reasonable time. The Speaker has thus instructed the Secretary to remove the Notice of Motion of the hon member Ms Lekker from the Order Paper as it is in conflict with Rule 62 of the Standing Orders.

Before we then start with proceedings, I also want to take the opportunity to

welcome all our guests in the public gallery to the sitting of the Western Cape Provincial Parliament. In particular I would also like to recognise the Director General, Mr Gow-Wei Chiou as well as the Deputy Director, Mr Keng-Cheng Su and First Assistant Director, Mr Jih-Sheng Wang of the Taipei Liaison Office in Cape Town, who are accompanied by a group of students. Most welcome here.

Mr Q R DYANTYI: Also say that the Premier is absent. [Interjections.]

The DEPUTY SPEAKER: We then proceed with the Order Paper. We start with Interpellations. [Interjections.] Order! The first Interpellation in the name of hon Minister Winde, I see the Minister.

## **INTERPELLATIONS:**

### *Businesses: job creation incentives*

#### **1. Ms B A Schäfer asked the Minister of Agriculture, Economic Development and Tourism:**

What is the Western Cape Provincial Government doing to (a) promote and (b) incentivise businesses to grow and create jobs?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much, Mr Deputy Speaker and to the questioner for the question [Interjection.]

Mr Q R DYANTYI: Apologise for the Premier [Interjection.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: The question is about the Provincial Government as a whole [Interjection.]

Mr Q R DYANTYI: Please apologise for the Premier.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: ...and so I will start off by saying that... [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order! Hon member Mr Dyantyi, please give the Minister time to speak in peace please. Thank you. Minister, please continue.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: I will start off by saying that under Provincial Strategic Goal 1 it is a whole-of-government-approach so it involves various departments under that specific goal. I will also specifically then look at the whole of government and how we spend our money, be it on health or education, but also at how a primarily healthy population or an educated population will help us to grow and promote business and incentivise business, to grow and create jobs in our region. Zooming in more on my department, the Department of Economic Development and Tourism; we have a suite of

measures to promote and incentivise businesses to grow and create jobs and I will just reflect on a couple of them. Perhaps I will look at Wesgro, whose job it is to promote tourism, trade and to look at investment [Interjection.] and then of course there is the EDP which brings businesses together. We will be calling a meeting of 118 business organisations in the Western Cape alone to talk about how we interact with business as government or academia, so the EDP will be playing that role. Zooming in even further down than that we will find programmes like the Red Tape Reduction Unit, and I think this specifically is a key focus at how we make this province an easy place to do business. How do we make it easy to start businesses; what do we need to do as a government to create this environment that allows businesses to do what they need to do, to get their businesses up and running; to find out how we can gain access to funding and how do we release the funding that is in the system; how does that actually become available to business?

Then of course there is the partner network. We have 21 offices that we engage with in a partnership across the province. That is where small businesses can have access, can get help, and that is a link, a partnership, between both the provincial government and the national government. We have the Supplier Open Days on how we ourselves can be seen as to how we procure goods and services, and if I have time I will talk more about those Supplier Open Days - that is R9 billion in the economy already - and how that helps small businesses specifically to get themselves up and running.

Then we have within that the ED Fund. We have an Innovation Fund. These

are funds that are available to stimulate small businesses when they have a plan or an idea, and as I said earlier, funding seems to be a big issue so we are creating these funds which are there to try and help businesses to get going.

Then of course there are the incubators that we support. The one that I talk about often is the Bandwidth Barn. We are now rolling out the second Bandwidth Barn in Khayelitsha. We have concluded a partnership with one in George so we are creating more and more of these incubator spaces where businesses can enter and get themselves going.

The DEPUTY SPEAKER: Thank you Minister. Your time has expired. The hon member Ms Schäfer.

Ms B A SCHÄFER: Thank you Mr Deputy Speaker. The role of the Western Cape Government for economic development is to create and ensure a sustainable enabling environment for business to grow and jobs to be created.

The Western Cape supports a demand-led private-sector-driven economy, but what does that really mean?

Well, firstly the government must assume a leadership role in putting the right mechanisms in place that will stimulate businesses out there to become more competitive, creating more of a demand for services and goods and then have to employ more people to keep up with that demand, which will

ultimately grow the economy. So how does that happen on the ground in real life?

Let's look at some of the investments into infrastructure in place in public spaces in the City by way of the public and private sectors to create more sustainable jobs.

Business Tourism for one has to date contributed R22.4 billion into the Western Cape's GDP with the creation of 7,785 jobs during the 2012/2013 year. The Cape Town Convention Centre has injected more than R22 billion into the national GDP since 2003. Recently the Cape Town Convention Centre received the award as the best conference and events venue for 2014 in Africa at the South African Association for Conference Industry's Annual Awards.

Mr Q R DYANTYI: It is like an ANC [Inaudible.]

Ms B A SCHÄFER: The meetings industry is a huge growing sector for the Western Cape, hon member. The Cape Town Convention East multi million rand expansion project is a partnership involving the private sector, the City of Cape Town and Provincial Government. With the addition of the 10 000 extra square metres of flexible space that will be built, it is expected to raise at least another R22 billion over the next five years. The building phase will require a large contingency of contract workers, thus bringing job opportunities into the City from the time that the first spade hits the ground.

[Interjections.]

An HON MEMBER: Junior jobs for blacks; junior jobs for blacks! There is no decent job for blacks.

Ms B A SCHÄFER: When businesses across the globe are interviewed as to why they want to come to Cape Town [Interjection.]

Mr Q R DYANTYI: Yes, give it to our black people.

Ms B A SCHÄFER: They say it is because of our award-winning international airport, our world class infrastructure, such as our roads, making it a choice destination to meet. The greater the attraction, the more the international meetings and events to the City resulting in building the economy and creating greater competitiveness in the sector. [Interjections.]

Mr M N PAULSEN: What about housing? What about the housing?

The DEPUTY SPEAKER: Order!

Ms B A SCHÄFER: Projects such as the Portside Building, which is now the tallest building in Cape Town and is 32 floors high, with R1.6 billion price tag, with a 52 000 square metre office space, is going to become the banking hub of the City. [Interjections.] Job creation cannot be done... [Interjections.]



The DEPUTY SPEAKER: Order!

Ms B A SCHÄFER: ...without valuable partnerships between public and private sectors. The point I need to make here is that these kinds of large investment infrastructure projects will not be happening in this City if it was not for a constant investment into roads and other infrastructure by both the City and the province to ensure that the area is attractive enough for investors.

The DEPUTY SPEAKER: Order!

Ms B A SCHÄFER: These large projects [Interjection.]

The DEPUTY SPEAKER: Finish off.

Ms B A SCHÄFER: ...are aiming at growing the construction industry which employs large numbers of unskilled, semi-skilled and skilled workers [Interjection.]

The DEPUTY SPEAKER: Order hon member, order.

Ms B A SCHÄFER: ... but also creating long-term employment across many sectors [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Schäfer, your time has expired.

Ms B A SCHÄFER: ...in the City. Job creation requires partnerships... [Time expired.] [Interjections.]

The DEPUTY SPEAKER: Your time has expired. Order! Hon member Mr Lentit.

Mr R B LENTIT: Mr Deputy Speaker, as an oversight member of this Parliament I have great appreciation for the R1.3 billion rand Broadband Rollout Plan, which will provide internet access to the broader community in order to create jobs. The connecting economy is critical to the development because it is a resource which endows economic growth with the capacity to satisfy human needs. [Interjections.] Therefore the roll-out of broadband will promote and intensify educational interest, job creation and business growth in the Western Cape. The opportunity is here for young people to harness the advanced interest of the internet to stimulate their own economic growth by making use of available resources. Only 2% of South-Africa is home to 50% of the population that generates 70% of the national income. If broadband is made available to the remaining 50% of the population in 98% of the rural areas, favourable prospects will be set on the acceleration of our province's backbone.

The Western Cape is rapidly reaching the 20/20 goal of providing everyone with internet access. The World Bank estimates that every 10% increase in high-speed internet connectivity results in an increase of 1.3% economic growth. The more people who have affordable internet access, the more

educational and employment opportunities there will be, the stronger the Western Cape's growth economy and the growth rate will be.

Young people should be encouraged to explore android technology, which is the current entrepreneurial opportunity. I am looking forward to stand here one day or in a few months time to hear the testimonials of young people who have been able to access the pond of opportunities populated by accessibility of broadband throughout the Western Cape. [Interjections.] The Broadband Programme is not just a model technological development capability but also an opportunity... [Interjections.]

Mr M N PAULSEN: ... you know that is my business.

The DEPUTY SPEAKER: Order! Order!

Mr R B LENTIT: ... to be recognised [Interjections.]

The DEPUTY SPEAKER: Order! Order! Hon member Mr Paulsen, you will have a speaking turn in your debate later on today. You are going to use all your time now here [Interjections.] [Laughter.] ...and that is not the way to do it. [Interjections.] Order! Order! Hon member Mr Paulsen, I am talking to you. Please refrain from making interjections all the time. Hon member Mr Lentit, continue.

Mr R B LENTIT: In conclusion, the Broadband Programme is not just a

modern technological development capability, but also an opportunity to be recognised in a connecting economy within the economic framework. I thank you.

The DEPUTY SPEAKER: Thank you. Your time has expired.

Mnr Q R DYANTYI: Jy sukkel, jy sukkel nou.

The DEPUTY SPEAKER: I see the hon member Ms Davids. [Interjections.]

Mnr Q R DYANTYI: Jy sukkel om te lees. [Tussenwerpsels.] Jy sukkel.

Ms S W DAVIDS: Thank you Mr Deputy Speaker. This is another sweetheart question to allow statements by the MEC in posing as government's spokespeople. Why doesn't the MEC make an executive statement in his desire to inform the House on this matter?

Nonetheless we are unfazed by the libertarian squeak to only be a facilitator and not actively getting involved in other departments to ensure that service delivery involves excellence to advance job creation, new entrance and equality when they give contracts or tenders. That way this government can become a job creator and not just one that promotes or incentivise big businesses that translate into subsidising rich and successful business people to make more profits. We are mostly fed word-salad here, but not shown real advance made to actively grow jobs in a province where we know joblessness

has gone up.

'n AGBARE LID: Jy het 'n job!

Me S W DAVIDS Ek wil nie net 'n werk hê nie, daar moet werk wees vir ander ook. [Gelag.]

Farm workers do not get jobs when fine roads or infrastructure are built in rural areas. It only means the farmers make more money that helps at the macro-level, but what does it mean to the labourers who are kicked off the farms and now live next to the main roads? It is nice to talk about jobs in the province but the proof of the pudding lies in the eating and money buys the whiskey. [Interjections.]

HON MEMBERS: Jo! O-ho!

The DEPUTY SPEAKER: Hon member Ms Maseko.

Ms L M MASEKO: Thank you, Mr Deputy Speaker.

Considering all the problems mentioned by Minister Winde, hon member Ms Schäfer and hon member Mr Lentit, it is clear that the Western Cape Government promotes job creation and economic growth in the province.

The DA-governed Western Cape has adopted direct financial incentives for

business willing to invest for example in Atlantis. This investment incentive scheme has a broader framework of the metro-wide investment policy.

The scheme is meant to stimulate job creation by making it easier for entrepreneurs to start a new business and to support the growth of existing businesses in their Atlantis area. To start Atlantis as a manufacturing hub, companies like HiSense has injected about R350 million into the plant creating 300 production jobs and promoting a skills transfer programme.

An HON MEMBER: That is a blatant [Inaudible.] [Interjections.]

Ms L M MASEKO: This shows that like the DA the Western Cape Government is committed to creating the enabling environment needed for businesses to expand and grow. [Interjections.] We recognise the critical role [Interjection.]

The DEPUTY SPEAKER: Order! Just finish off your last sentence. Your time has expired.

Ms L M MASEKO: It is evident that the DA ensures economic development where we govern. [Interjections.]

An HON MEMBER: Yes!

The DEPUTY SPEAKER: Thank you. [Interjections.] Order! Order! The hon

member Ms Schäfer.

'n AGBARE LID: Nie whisky nie.

Ms B A SCHÄFER: Thank you, Mr Deputy Speaker. It is very clear that the hon member Ms Davids has no understanding of macroeconomics. She was just reading a speech written for her. I think the question really is about how do you boost the economy? [Interjections.] You really need to talk about how the Western Cape handles targeted interventions and key growth sector development... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Ms B A SCHÄFER: ... and investment.

The DEPUTY SPEAKER: Order! Order hon member Ms Schäfer.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker, if the hon Chairperson of the Standing Committee can just retract what she has just said, because I know what macroeconomics is.

An HON MEMBER: Order hon member, order. [Interjections.] Order!

An HON MEMBER: You were never right about whiskey.

The DEPUTY SPEAKER: Order! That is not a point of order. It is a debating point. Please continue honourable.

An HON MEMBER: Read your Rules.

An HON MEMBER: You were never right about whisky.

Ms B A SCHÄFER: Thank you. So why does this government in the Western Cape target certain key growth sector areas? The reason really is to boost the potential of the space for the economy to grow faster so that more jobs are created. How do we do this on the ground? [Interjections.]

Well, one is that the Western Cape facilitates and attracts investment into key areas such as broadband as hon member Mr Lentit spoke mentioned [Interjections.]

The DEPUTY SPEAKER: Hon member Ms Davids.

Ms B A SCHÄFER: ...really about more efficient, creating more efficient service delivery; connecting people and fast-tracking them into the fast moving world [Interjection.]

Ms S W DAVIDS: Not me!

The DEPUTY SPEAKER: Order! Order hon member Ms Schäfer; is that a



question or a point of order?

Mr S G TYATYAM: I want to ask a question.

The DEPUTY SPEAKER: The hon member wants to ask a question. Are you prepared to take a question? She is not prepared. [Interjections.]

Mr S G TYATYAM: Because she really [Interjection.]

The DEPUTY SPEAKER: Please take your seat. Please take your seat. [Interjections.] You may continue.

Ms B A SCHÄFER: Alright, connecting; the broadband strategy connecting people and the recent WiFi launch in the three key hubs which will actually connect 90 000 people right across the Western Cape with also the establishment of Bandwidth Barn in Khayelitsha [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order! Order! Hon member Ms Davids.

Ms B A SCHÄFER: I cannot speak, no.

The DEPUTY SPEAKER: I cannot allow a monologue across the floor while another member is speaking. [Interjections.]

Mr R B LENTIT: Sit hulle uit.

The DEPUTY SPEAKER: Please. Please contain yourself. [Interjections.] Order! The general noise level on the floor is too high and I am not talking about the speaker speaking, I am talking about other members. The general level of noise is too high, so hon member Ms Schäfer, please continue and I want the rest of the House to contain themselves.

Ms B A SCHÄFER: Mr Deputy Speaker, please let my time not be taken up by that.

The DEPUTY SPEAKER: We will give you some in due time.

Ms B A SCHÄFER: Thank you. The second area that we focus on is the business processing centres, which involve the call centres. They are currently employing 35 000 people in generating R7.9 billion into the economy and it is a direct link to upskilling youth and particularly those who are unemployed. [Interjection.]

The third focus is the Cape IT Initiative, which is aimed at promoting Cape Town as a co-global IT hub. It aims to employ a thousand people from unskilled, unemployed and previously disadvantaged individuals, through their Skills Development Programme; and then fourthly, the final and the large one project that we are involved in collectively through all three phases

of government, is the South African Oil and Gas Alliance which is a creation of the IDZ in Saldanha. It involves oil and gas rig repairs and with that an artisan skills programme, which is industry's work placement project for the placement into this very important sector for us here, so it is very important that we do target economic growth in strategic areas and one to create jobs, further jobs and increase job creation and sustainability. Thank you.

The DEPUTY SPEAKER: Thank you member, your time has now expired. The hon Minister Winde to respond.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much Mr Deputy Speaker. First of all, to all of those who took part in this mini-debate thank you very much. I think infrastructure was the common theme apart from some of those earlier things that I have mentioned and perhaps maybe one or two of the sectors like skills or oil and gas or BPO, but infrastructure specifically, and the broadband is definitively one of those areas that I think is going to be a big game changer. It is going to improve people's lives unbelievably and it is the most exciting thing that 90 000 young and poor people specifically are going to get, or have this last week received, free broadband or free WiFi for the first time. I hear a word coming up about tenders, these were given [Interjection.]

'n AGBARE LID: Mooi! Mooi!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: These were handed out to three NPOs because I said that with this tender we do not want it to go to any big companies. They went to non-profit companies or community based companies and all three of those companies are offering these services, free WiFi; 90 000 people are going to benefit from this and I think this pilot project is going to be one of those key projects that is really going to show the difference in people's lives in education outcomes, in ability to start businesses. It will really showcase how this highway called broadband makes a difference in the economy. I must just make one other point and this is actually from a report that I am going to be using in the answer to the hon member Ms Davids' statement about this government and procurement for "the white-owned businesses", as she said. Now this is the first quarter report on the provincial procurement information for the period 1 April 2014 to 30 June 2014 and obviously it is quite a long report, but I am just going to quote page 12 which talks about that quarter and procurement of this government.

The DEPUTY SPEAKER: Minister, you must do it quickly, your time has almost expired.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: There was R624 million, 82% of that R624 million went to BEE companies. Only 18% went to non-BEE companies.

An HON MEMBER: Who are they? [Interjection.]

Mr M N PAULSEN: Your own report. [Interjections.]

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

[Interjections.] Hon member Mr Paulsen, please. You are talking

[Interjections.] Hon member Mr Paulsen, you are having a turn afterwards

and you are running the risk of being chucked out before you get to your turn

to speak. [Interjections.]

Debate concluded.

The DEPUTY SPEAKER: We now move on to Interpellation 2. I don't have a speaker's list for that one, hon member Mr Wiley. [Interjections.] Order!

Mr M G E WILEY: Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Order!

Mr M G E WILEY: The Premier is unavoidably absent. The matter, as is per custom, been discussed with the Chief Whip of the Opposition, who is the interpellate in this particular case. The Premier has also corresponded directly with hon member Mr Uys and spoken to him and it has been agreed that the matter can stand over for another time and this applies also to this item which is the Questions without Notice to the Premier, that unfortunately she will not be here to explain [Interjection.]

Mnr Q R DYANTYI: Afwesig al weer [Tussenwerpsel.]

Mr M G E WILEY: But again an arrangement has been made that this will stand over to another time.

The DEPUTY SPEAKER: Order! The Chair notes that. Hon member Mr Uys, do you want to address me on that one?

Mr P UYS: Yes Mr Deputy Speaker, I want you [Interjections.]

The DEPUTY SPEAKER: Order! Order! There is too much noise in the House. Please calm down.

Mr P UYS: I want you to please rule, on the Order Paper the Premier must account to this House. There has been mention that she discussed it with me. I was just informed she is not going to be here, but Mr Deputy Speaker, [Interjections.] but as I understand this we will grant this if that member is on government business and this member is not on government business. [Interjections.]

An HON MEMBER: Yes, not on government business.

Mr P UYS: ...and I want your ruling on this because why would the member just walk away from this House not being away on government business? [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order!

Die MINISTER VAN GESONDHEID: Hoekom het jy dit nie vir haar gesê nie?

Me S W DAVIDS: Nee, dis mos nie nodig nie [Tussenwerpsels.]

The DEPUTY SPEAKER: Honourable [Interjections.] Order! Hon member Ms Davids, I will allow the honourable. [Interjections.]

The MINISTER OF FINANCE: Mr Deputy Speaker [Interjections.]

The DEPUTY SPEAKER: Hon Minister Meyer.

The MINISTER OF FINANCE: Mr Deputy Speaker, may I ... [Interjection.]

The DEPUTY SPEAKER: Yes, I will allow you to address me.

The MINISTER OF FINANCE: Hon members of this House [Interjections.]

An HON MEMBER: You are not the Premier! [Interjections.]

The MINISTER OF FINANCE: The Premier has made proper arrangements for this interpellation to stand over. She has also given an undertaking to this

House that she will take double the time to respond to questions but the real reason [Interjections.] ... why the Premier is not here today [Interjections.]

The DEPUTY SPEAKER: Order! Order!

The MINISTER OF FINANCE: The reason why the Premier is not here is because she today is receiving the spy tapes of President Zuma. [Interjections.] That is the reason why she is not here [Interjections.] Mr Deputy Speaker, [Interjections.]

Ms S W DAVIDS: Do you get paid as the Premier? [Interjections.]

The MINISTER OF FINANCE: There is also, in terms of a court order, a timeline that expires today and the Premier has to receive the tapes in Pretoria today and she is happy, unlike President Zuma, to come to this House and answer the questions. [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order! I am not going to allow a full debate on the issue of the Premier's absence or not. I have allowed the Chief Whip on that side to speak. I have allowed one speaker on this side. Hon member Mr Fransman I will allow you briefly, and that will be the last speaker.

Mr M L FRANSMAN: I want to make a point of order.



The DEPUTY SPEAKER: A point of order.

Mr M L FRANSMAN: As the Leader of the Opposition. Did we hear properly that the MEC of Finance apologised for the fact that the Premier is running around to do party-political work, whilst the sitting is taking place? [Interjections.]

The DEPUTY SPEAKER: Order!

Mr M L FRANSMAN: Is that what we have heard? [Interjections.]

The DEPUTY SPEAKER: Order! I don't think that is... [Interjections.] Order! Order! I am not... [Interjections.] Order! I am not going to rule on that, because it is not a point of order. It is a debating point, first of all. It is difficult for the Chair to give a ruling. The Chair cannot give a ruling on the movement of members of this House.

An HON MEMBER: You can!

The DEPUTY SPEAKER: The Premier is absent and I understand that there has been communication between parties. The Chair cannot interfere in the House into the programming of the House. There is no magic wand which can be used here to get the Premier back here. The Premier is not here, so for the purposes of this debate the Premier is not here. She has not as far as I know nominated somebody to act on her behalf in this case. Therefore this

interpellation will have to not stand over, but to fall away. There will have to be a new draft for the next one. So unfortunately that is the case. It is a given. We cannot do anything about that and that is the final say on the matter.

We move on to Interpellation number 3, the hon Minister Madikizela.  
[Interjections.]

*Thetford Porta Potties: rejection of*

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

What plans are in place to deal with the problem of the Thetford Porta Potties rejected by people living in informal settlements?

The MINISTER OF HUMAN SETTLEMENTS: Thank you very much Mr Deputy Speaker. Besides a few ANC anarchists and rabble-rousers, portable flush toilets have not been rejected by the majority of residents to whom they have been offered. Currently close to 20 000 portable flush toilets are being serviced by the City of Cape Town. All of these have been provided to people who have chosen to have them after educational awareness on the typology was provided. Portable flush toilets are entirely voluntary. These portable flush toilets are an additional service, which means it is a service provided over and above other sanitation services in informal settlements, such as flush toilets, because in many areas you find that because the structures are densely populated and it is difficult for the municipality to put flush toilets

in those areas, people then use these toilets at night because it is dangerous to walk a distance from where they are to these flush toilets.

No informal settlement is entirely reliant on the portable flush toilets typology. A portable flush toilet is a safe and hygienic option and is serviced three times a week by a City contractor free of charge to the beneficiary.

We understand that this is not an ideal situation where our people should reside, and it is not permanent, but the reality is that the rate of urbanisation has resulted in a number of informal settlements with no or limited services and the City has done what it could to make sure that at least some services are provided to the people who are living in these informal settlements.

In terms of the bigger plan of course we are going to relocate these people to habitable areas where they will eventually have flush toilets. Thank you very much.

The DEPUTY SPEAKER: Hon member Mr Magaxa.

Mr K E MAGAXA: Mr Deputy Speaker, we are living in a constitutional democracy, therefore we are obligated or obliged to conduct ourselves in high regard and be beyond reproach as public representatives. Democracy is not only limited to election periods where a political party is at liberty to contest through utilisation of publicity-seeking propaganda, untruths and disingenuity to curry favour with the electorate. But it refers to honouring aspirations of the citizenry while further ensuring adherence to respect of

their dignity and human rights as envisaged by and enshrined in the RSA Bill of Rights..

However, the reality of the situation is that our people are compelled to utilise the porta potties bucket system imposed on them. They have never been consulted when that was to be executed. It was compelled by this DA-led administration and the South African Human Rights Commission also referred to this as a racist and discriminatory kind of a system. I want to quote what is said there in their statement. I quote:

“Use of long-term contracts for provision of chemical toilets in informal settlement within the City of Cape Town significantly and adversely affected black African people in comparison with white, Indian and Coloured persons.”

Note the damning 71-page report; it further states, and I quote:

“84.4% of these porta potties are in informal settlements with populations that are overwhelmingly black...”

Furthermore it is important to note that this racial discriminatory and denigrating toilets have overwhelmingly and strongly been condemned and rejected by these communities as an undignified form of sanitation. This is an affront to the constitutional service imperatives that this administration is mandated to deliver on and it goes against their self-propagated narrative of a

so-called “caring government”.

I want to pose this question again to the MEC; what plans are in place to remedy this situation? He has just acknowledged here that this is not an ideal situation. It is not just a question of not being ideal. This is putting the life of ordinary poor people at stake in terms of their health because people cannot live in the same house with †ilindle \*faeces. I do not know what you call †ilindle ngesiNgesi. Kodwa akukho mntu ungachopha apha aphinde alale nale nto endlwini mfondini. \*in the same house with faeces. I do not know how to say ‘faeces’ in English. But no person can relieve themselves here and sleep with that thing here, guys.

Therefore you cannot just reduce that as not being an ideal situation. This is haphazard.

The DEPUTY SPEAKER: Order!

Mr K E MAGAXA: It has to be resolved.

The DEPUTY SPEAKER: Order! Hon member Mr Magaxa, your time has expired. The hon member Ms Maseko.

Ms L M MASEKO: Thank you, Mr Deputy Speaker. I would like to challenge the ANC government provinces today, ask your residents if they would like a portable full-flush toilet system. The DA will like to state that 40 000

residents in the Western Cape applied for these additional toilets. Porta potties are not mandatory. They are strictly in addition to existing sanitation systems. They are given to sick and elderly people, to young families, people with disabilities. If you need one, ask.

The City of Cape Town has provided additional toilets which are optional to the relevant communities. It needs to be noted that Western Cape delivers one toilet to every family, which is above the national standard which is set by the ANC, which is one toilet to five families. [Interjections.]

In the Western Cape poor politicians have opted to promote their porta potties protest to back their own political positions. [Interjections.] The ANC loves the race card and uses service deliveries as political footballs whilst exploiting the legitimate suffering of the poor to gain the personal political ascendancy. [Interjections.]

From April 2013 to date 179 chemical toilets have been destroyed. [Interjections.] They cost approximate R6 000 each. A further 231 have been vandalised. Around 900 portable waste tanks were destroyed in April and May 2013 as a result of protests. Damage to the amount of R122 million was reported by the Water & Sanitation Maintenance Team in 29 000 cases, caused by theft, vandalism and disregard.

Unnecessary poo-protesting is costing our country too much. I thank you.

The DEPUTY SPEAKER: Thank you. Your time has also just expired. I see the hon member Mr Magaxa again.

Mr K E MAGAXA: Mr Deputy Speaker, I want first to challenge both the Human Settlements MEC and his Chairperson... [Interjections.]

An HON MEMBER: Deputy MEC.

Mr K E MAGAXA: ...who has just spoken, to go with me even tomorrow to the areas where these porta potties are used and to conduct a referendum; to ask those people whether they think this is the right system of sanitation these people would want. The reality of the situation is that the Chairperson of the Human Settlements Committee doesn't believe what she has just said.

An HON MEMBER: I am sure she does not.

Mr K E MAGAXA: I know if she grew up under those conditions she would know very well that there is no one who could absorb even a day sleeping under those conditions. I will challenge her to go with me tomorrow, even after this sitting, to go there and ask people whether people are comfortable with that system. I am happy that hon Minister Madikizela has acknowledged for the first time that the porta potty system is not an ideal situation, but he is missing the point. He is missing the point that the people are happy with that because it mentions the distance to the loo and all that. It is not true. In Gugulethu people have been living under those conditions. I grew up under

those conditions. You walk to the loo outside and it is decent because it is protected, it is a house. There is a roof over your head. This is decent while you walk and it is protected. Why the DA-led government cannot continue with that form of sanitation; why do they have to give †abantu iipowu ezindlwini? Bahlale nazo ezindlwini zinuka. \*people potties to stay with them in their houses. To stay with them while they smell guys.

How can a person who grew up in an African community come and have the audacity... [Interjection.]

The DEPUTY SPEAKER: Order!, please finish. Please finish off.

Mr K E MAGAXA: ...to encourage that kind of a situation here.

The DEPUTY SPEAKER: Thank you hon member Mr Magaxa. Your time has expired. Hon member Mr Hinana.

Mr N E HINANA: Thank you, Mr Deputy Speaker. In terms of the law you cannot illegally invade public or private land in any way, because in private land there is no way that the government can provide the infrastructure that is so complex, because the land is private. [Interjections.]

In the event that the informal settlement is used as a residential area there are basic minimum service provisions that are rendered in those areas/informal settlement.



†Khona ngoku kwiindawo esihlala kuzo, ezi khonteyina zilapha ezindleleni abantu bazicocayo, into ebangela ukuba kube lula ngoku ukuba eziya khonteyina zibe ziyasebenzeka, abantu bebefudula bethatha ilindle ngeeplastiki ezindwini, bezilahlela phaya. Abantu abacoca eziya khonteyina basixelela ukuba kukho ilindle eliphaya eziplastikini ezikhonteyineni.  
[Interjections.]

\*Even now in places there are containers along the road which makes it easy to work with them now. People used to take faeces in plastic bags from their houses and throw it there. People who clean those containers told us that there was faeces in plastic bags in the containers.

The DEPUTY SPEAKER: Order!

†UMnu N E HINANA: Niyayazi nani ukuba ayisekho loo nto. \*You too know that that is no more.

The DEPUTY SPEAKER: Order! Hon member, your time has expired. You just had one minute to finish. Hon Minister Madikizela, sorry, hon member Mr Magaxa.

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. That was clever of hon member Mr Hinana too, but I am happy that he at least acknowledged. He said it is really inhuman. He has really acknowledged that it is inhuman to

live with that kind of a thing in the house, but before I sit down I just want to quickly refer to this invasion of land. The invasion of land, nobody who respects the Constitution of the Country will encourage the invading of any land. Our Constitution refuses that. [Interjections.]

However, it is also the DA that must take responsibility. This is the governing party in the Western Cape. The people who occupy by force that land are breaking the law, it is the DA's responsibility and they have here a City police that is supposed to look after any person who is violating our own bylaws. It is there, unless they are asking us to assist them in governing because they are unable to govern here and protect the properties of the people.

The DEPUTY SPEAKER: Order! Thank you. Hon Minister Madikizela.

The MINISTER OF HUMAN SETTLEMENTS: Thank you very much, Mr Deputy Speaker. I am not sure if the member wants to be embarrassed because [Interjections.]

I will be very happy to go with the member to the areas that he wants me to visit and he will realise actually that these areas were there during the time when he was in government.

An HON MEMBER: Yes.

The MINISTER OF HUMAN SETTLEMENTS: ...and he did nothing to those areas. Now it has everything to do with that. You are missing the point completely. Now you did nothing in those areas. Now you come here and claim to care for those areas now. [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER OF HUMAN SETTLEMENTS: Here is the issue. We have said that the current situation that our people are living under is not an ideal situation, but I do want to say again, ANC people always pretend that they care about the poor. [Interjections.]

Now I want to draw your attention to this report by Stats SA. It is a report by Stats SA, pages 4, 5 and 6.

An HON MEMBER: It is a new report.

The MINISTER OF HUMAN SETTLEMENTS: Ja, it is a new report, but let me tell you what this report is saying. Let me tell you what this report is saying because you pretend [Interjections.] No-no, listen, listen, listen.

The DEPUTY SPEAKER: Order!

The MINISTER OF HUMAN SETTLEMENTS: Because you pretend to care for the poor as if you are doing better where you are governing.

The DEPUTY SPEAKER: Order! Order! Hon member Mr Magaxa!

The MINISTER OF HUMAN SETTLEMENTS: Now in terms of the number of consumer units receiving water and free basic services, the Western Cape is number one.

An HON MEMBER: Yes.

The MINISTER OF HUMAN SETTLEMENTS: The Western Cape showed the highest proportion of consumer units that benefited from basic water. That is the first. [Interjections.]

An HON MEMBER: The ANC, the ANC!

The MINISTER OF HUMAN SETTLEMENTS: Now if you do not want to listen to stats, then you do not deserve to be in this House. [Interjections.]

An HON MEMBER: Really?

The MINISTER OF HUMAN SETTLEMENTS: The number of consumer units receiving electricity and free basic electricity services, according to Stats SA, [Interjections.] ...unless the member is saying [Interjections.] ...the Stats SA report is unreliable. Again the Western Cape tops all the provinces in South-Africa. Now let us come to sanitation.

The DEPUTY SPEAKER: Minister Madikizela [Interjections.]

The MINISTER OF HUMAN SETTLEMENTS: Number of consumer units receiving [Interjections.]

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

The MINISTER OF HUMAN SETTLEMENTS: The last point that I want to make [Interjections.]

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

The MINISTER OF HUMAN SETTLEMENTS: The number of consumer units receiving sewerage and sanitation and free basic services on sanitation [Interjections.]

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

The MINISTER OF HUMAN SETTLEMENTS: ...again the Western Cape tops the country [Interjections.]

The DEPUTY SPEAKER: Order, Minister Madikizela, please conclude.

The MINISTER OF HUMAN SETTLEMENTS: Now the ANC cannot tell us about provision of sanitation [Interjections.]

The DEPUTY SPEAKER: Order! Order Minister, your time has expired. Your time has expired.

The MINISTER OF HUMAN SETTLEMENTS: I will give you this report. [Time expired.] [Interjections.]

The DEPUTY SPEAKER: Order!

Debate concluded.

The DEPUTY SPEAKER: Order! [Interjections.] I want to... [Interjections.] Order! I want to appeal to the House specifically the back bench from the ANC's side; there is just too much constant heckling and noise coming from that side. I am looking at the hon member Makeleni.

Ms P MAKELENI: Yes [Inaudible.]

The DEPUTY SPEAKER: Hon member Ms Makeleni! I am busy talking to you; then you make another comment. Please abide by the Rules and allow the hon members who speak some sort of freedom to speak when they want to speak. We now move on from Interpellations to Questions for Oral Reply; the first question, hon member Mr Mnqasela to Minister Bredell. I see Minister

Bredell, Question 1.

## QUESTIONS FOR ORAL REPLY

### *Municipal managers: remuneration*

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

Whether there are municipal managers whose salaries exceed the upper limit of the total remuneration package payable to municipal managers and managers directly accountable to the municipal manager; if so, what are the relevant details?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING: Baie dankie mnr die Adjunktspeker. Daar is 26 munisipale bestuurders wat bo die maksimum perk verdien in terme van die totale vergoedingspakket betaalbaar aan munisipale bestuurders en bestuurders wat direk verantwoordelik is aan die munisipale bestuurders.

Twee van die poste is vakant. Tersaaklike besonderhede is beskikbaar in die vorm van 'n aangehegte skedule. Daar moet op gelet word dat die Konsepregulasies wat aan die LUR vir kommentaar voorsien is drasties verskil van die gepubliseerde uitgawe, in die lig daarvan dat die graderings van munisipaliteite buite die metro met minstens twee kategorieë verminder het. Daar moet ook op gelet word dat die maksimum salariskerwe in die tabel

hieronder met 20% verhoog kan word om meer gekwalifiseerde persone te lok en dit sluit nie moontlike prestasiebonusse in nie. Teen hierdie agtergrond is die salaris van munisipale bestuurders in die Wes-Kaap nie hoofsaaklik 'n bron van kommer nie. Ek stem saam dat die salarisse gereguleer moet word maar ek is ook bewus daarvan dat die huidige konsep praktiese implementeringsprobleme het. Die boonste perk sal jaarliks hersien moet word. Tot en met nou toe het die nasionale departement 'n proses om belanghebbendes voor finalisering van die bogenoemde kennisgewing te nader. Ek dank u.

The DEPUTY SPEAKER: No follow-up questions? We move on to... is there a follow up question? Hon member Mr Mnqasela. You can ask your question.

†UMnu M MNQASELA: Sekela Somlomo, ndifuna ukubuza phaya kuMphathiswa ukuba njengokuba le miqathango ingenazo iibhonasi zomsebenzi nje siza kuqiniseka njani ukuba sifumana abantu abanezakhono, abantu abangengokuba nje bafuna ukusebenza, kodwa abantu abazimiseleyo kule nkonz o yokuzisa iinkonz o ebantwini? Enkosi kakhulu.

\*Mr Deputy Speaker, I want to ask the Minister that as these regulations do not have performance bonuses how can we be sure that we are getting skilled people, people who do not just want a job, but people who are dedicated and willing to bring services to the people? Thank you very much.

The DEPUTY SPEAKER: Hon Minister Bredell.



The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Mr Deputy Speaker, yes, it is important. This whole salary debate that we are currently having, it is actually a bit of a mess caused by national government. [Interjections.] ...and I am honest, it is not... [Interjections.]

The regulations they sent out we commented on and on the first draft we warned national. Now normally there should be a public participation process through which these kind of rules will pass and it hasn't happened. We have commented. We have warned them and now we will see in the near future that they are going to push this out of the way and start over again, because currently this is very problematic. We sit, we sit [Interjection.]

Mnr Q R DYANTYI: [Onhoorbaar.] Daai is baie maklik; 'n nasionale probleem.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: We sit in the situation [Interjections.]

Mnr Q R DYANTYI: Drink maar die water, want nasionaal is die probleem.

Die ADJUNKSPEAKER: Agb lid mnr Dyantyi.

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSKE EN

ONTWIKKELINGSBEPLANNING: Is jou skoene skoon vandag?

Die MINISTER VAN GESONDHEID: Jy moet eers aan hom aandag gee. Dis nie 'n kindertuin hierdie nie.

Die ADJUNKSPEAKER: Gaan voort Minister Bredell.

'n AGBARE LID: Dis 'n hoërskool.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Currently, if a municipal manager resigns, the advert will be placed on the salary scale where the new incumbent will earn less than the directors within the municipality. It is really problematic. When you start a system like the performance management system and you can make out a case to add another 20%, there is something wrong with the original system and especially with the categorisation of municipalities we have started off; we always had six categories of municipalities. They increased that to eight but the categorisation of the municipalities within the old sector has stayed more or less the same and I think that is core of the problem that we are currently experiencing.

I am quite happy to engage - and I am busy through our Minmec - with the National Minister and the National Deputy Minister. I am still a big believer that you employ somebody and you pay him for a 100% job to be done. You

measure performance to determine gaps within the skills shortages and so forth and you can provide the necessary training, but I am not very much in favour of a performance management system where there is money connected to that. Thank you.

The DEPUTY SPEAKER: Thank you, hon member Mr Dyantyi, a follow-up question?

Mr Q R DYANTYI: Asseblief. Does the MEC know, because he has just said that he is a firm believer, that his own department recently told us that out of 30 they have done 28 out of 30 municipalities, but they have not completed it. They still have to come back to us to tell us whether those bonuses they have paid are linked, because the point he is making is he believes in that. I want him to tell us, and this is the point [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Dyantyi, what is the question?

Mr Q R DYANTYI: Nou is die vraag. Daai is 'n lang een. Dit is die vraag.

The DEPUTY SPEAKER: Hon member Mr Dyantyi, I have given you some leniency but get to the question.

Mnr Q R DYANTYI: Ja. Asseblief, bly stil. Wag 'n bietjie.

The DEPUTY SPEAKER: Please continue and ask your question please.

Mr Q R DYANTYI: Thank you, Mr Deputy Speaker, for protecting me from the blue bench.

The DEPUTY SPEAKER: I will protect you up to a point, but then you must ask your question.

Mr Q R DYANTYI: Does the MEC know that out of the 28 out of 30 municipalities that have municipal managers at this stage, not all of them have done the bonuses, because he is making that as a point [Interjection.]

The DEPUTY SPEAKER: Okay Minister Bredell, you have got the question.

Mnr Q R DYANTYI: Daar is nog, wag 'n bietjie!

The DEPUTY SPEAKER: Minister Bredell.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Yes, I know.

The DEPUTY SPEAKER: Thank you. That is the answer. Any further follow-ups? [Interjections.] Then we move on to the next question, Question 2, hon member Mr Dyantyi to ask Minister Bredell. Minister Bredell.

**2. Mr Q R Dyantyi asked the Minister of Local Government, Environmental Affairs and Development Planning:**

- (1) What is his input toward the 2016 municipal elections as required by law;
- (2) whether the input will help take local government to the next level in the province; if not, why not; if so, what are the relevant details;
- (3) whether there has been transparent consultation on the matter with municipalities and organised local government in the province; if not, why not; if so, what are the relevant details?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING: Baie dankie, baie dankie aan die agbare lid vir die vraag. My departement het die Munisipale Afbakeningsraad in terme van Artikel 21 van die Plaaslike Regering Munisipale Afvaardigingswet, 27 van 1998, ondersteun met die proses van herbepaling van die buitengrense van munisipaliteite. Hierdie veranderings was kleiner tegniese veranderings maar sal munisipaliteite help met die proses wanneer eiendomsbelasting gehef word. Sommige grense [Onhoorbaar] straal deur plase geloop wat meegebring het dat die eienaars belasting aan twee munisipale owerhede moet betaal. Hierdie probleme was reggestel deur die grense te verander. Hierdie bepaling is in werking vanaf 2016 se verkiesing. Ingevolge Artikel 20 van die Plaaslike Regeringswet op Munisipale Strukture, 117 van 1998, kan ek die getal raadslede per

munisipaliteit ooreenkomstig die nasionale Minister se formule bepaal. Hierdie formule is tans nog nie afgekondig nie en my besluit sal gemaak word wanneer hierdie formule deur die nasionale Minister gepubliseer word.

In die aanloop tot die 2011-munisipale verkiesing het my departement 'n hulpllessenaar daargestel met toegewyde kapasiteit om onmiddellik aandag te gee aan enige navraag. Die departement het die eerste vergaderings met die munisipaliteite bygewoon waar munisipale rade gekonstitueer was en het in die verband advies en leiding verskaf.

'n Soortgelyke ondersteuningsinisiatief sal in plek wees na die 2016-verkiesing. Enige insette en bepalings wat ek sal maak sal dien tot beste voordeel van die munisipaliteite tesame met die belang van die toepaslike gemeenskappe om sodoende die volgende te bevorder: deelnemende regering en verteenwoordiging.

Vraag drie of deel drie van die vraag: ja, openbare vergaderings is gehou ten opsigte van die herbepaling van buitengrense deur die Munisipale Afbakeningsraad met die bystand van my departement in alle areas wat geaffekteer word. Soos aangedui is die bepalings van die getal raadslede afhangend van die publikasie van die nasionale Minister se afkondiging van die formule, waarna die proses vir die herbepaling van grense aan wyke sal voortgaan.

Die laasgenoemde proses word gefasiliteer deur die Afbakeningsraad in

samewerking met die Verkiesingskommissie ingevolge Item 2 van Skedule 1, die verkiesingstelsel vir metro's en plaaslike rade in die Wet van Munisipale Strukture. Die proses van konsultasie met munisipaliteite en georganiseerde plaaslike regering in die provinsie sal deur die Afbakeningsraad bestuur word met die ondersteuning van die Departement van Plaaslike Regering. Dankie.

Mr Q R DYANTYI: Thank you Madam Speaker, and welcome to the House.

The SPEAKER: Thank you. [Laughter.]

Mr Q R DYANTYI: MEC, can you indicate to the House that if national government, the Minister of Cogta accepts your submission, can you tell us how the Western Cape municipalities would look? What are the changes? Are we going to have more wards, if he accepts what your wish is?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, with all due respect, I think the hon member does not understand. Let me try again. [Interjections.]

The MINISTER OF HEALTH: He is upsetting himself.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: The national Minister determines the formula. [Interjections.] I will get the formula from the national Minister. I do not make any submissions to him. I get the formula. Now that is also

another good question. You see, normal [Interjections.]

The SPEAKER: Order!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: As you will pick up, everything that the ANC touches ends up in chaos.

The MINISTER OF HEALTH: Is that all? [Interjections.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Because... [Interjections.] you can go and look at your timeframes. We were supposed [Interjections.] We were supposed to receive this formula January to February. We are now in August. Last week I said to the national Minister: “Minister, when can we get this formula, because we are pushing this now into a bottleneck and at the end of the day we cannot consult with our people.” So the Deputy Minister responded to tell me that we will get it at the end of August, and that was Friday. I said to him: “But hello, it is the end of August...” She said: “But give us a couple of days, within September...” Now we are in September. The only thing I can promise this House is that when I receive this formula we will be in a position within two weeks to consult with our councils. I think it is important that we do consult. I will as in the previous rounds try to stick to uneven numbers, so that we do not get hang councils. I can deviate 10% from the formula, and that is what we will do. Thank you.



The MINISTER OF HEALTH: Go speak to your Minister.

The SPEAKER: Hon member Mr Dyantyi.

Mr Q R DYANTYI: Madam Speaker, let me speak to my MEC here. The first part of the question was about your input into this process. We know about the formulas. Now the question I want to ask is a follow-up to the Minister. Can we share with this House what your input exactly was saying to the Minister in relation to the changes that are supposed to be made? The formula is something else, that it is not your discretion. It is the Minister's decision. What did you say, you did send something?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I really do not understand, because the national Minister does not ask my comments on the formula. He determines the formula. He does not ask my comments on it. There are two systems [Interjections.]

The SPEAKER: Order! Order. [Interjections.]

The MINISTER OF HEALTH: We cannot work it out.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, the system works like

this: we have worked through the first section and that was to demarcate boundaries within municipalities. I have explained that. The second phase now is ward determination. We do not give inputs into that. The national Minister determines the formula. The formula will determine the number of new wards. If we get the formula and there is one added councillor to a municipality that will be a new ward and that will change all the boundaries within, and that is the system that we enter into.

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

Mr P UYS: Madam Speaker, just to get clarity from the MEC, did he not write to the Minister and make an input on the formula that the Minister must determine? I think it is very clear, yes or no? Did he write to the Minister and advise on the formula?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: My letter to the Minister, I have asked him to provide [Interjections.]

'n AGBARE LID: Luister.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: It was not to give inputs, no. [Interjections.] It was not to give inputs. The letter was to ask the Minister that considering we are six months past February, if we can please get the

formula so that we can start and get our house in order. [Interjections.] So that was our letter to the Minister. On a Minmec we had a discussion with the Minister and I said to the Minister: “Maybe it is time that we start to discuss and think about whether we need more councillors or need permanent councillors.” That was on a Minmec. It wasn’t in a letter. It was on a discussion, so that we start [Interjections.] ... asking the questions of what is the best for the people we represent. Do we need more councillors or do we need more permanent councillors because a ward councillor [Interjection.] ... needs to spend a lot of time within their wards and I do not think it can be just a part-time job anymore. Thank you.

The SPEAKER: Thank you. Hon member Mr Uys.

Mr P UYS: Madam Speaker, I just want to ask the MEC why is he hiding and trying to pretend that he did not write to the Minister and even putting the formula to the Minister that he believes is the right formula that must be implemented. Why are you scared to tell us that?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Agb Speaker, dan moet die agb lid mnr Uys maar vir my die brief gee.

The SPEAKER: Sorry, that concludes question 2. There have been four follow-ups. Can we move to question 3? I see the hon Minister Winde.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much, Madam Speaker.

Ms S W DAVIDS: Sorry Madam Speaker, before the hon Minister Winde answers. Just a correction on the question, it is the situation with the 80 equity farms, not eight. I think there was a problem there. [Interjections.]

The SPEAKER: Okay. Well hon member Ms Davids, in your follow-up question you can clarify, alright. Minister Winde.

*Empowerment farms*

**3. Ms S W Davids asked the Minister of Agriculture, Economic Development and Tourism:**

- (1) How many empowerment farms are supported by the Western Cape Provincial Government, (b) how many of these are share schemes and (c) what is the situation with the eight equity farms;
- (2) whether any of the equity farms failed; if so, what are the relevant details?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much Madam Speaker.

- (a) Since 2009 the department supported a total of 275 land reform projects

across various commodities, including fruit, animal production, sheep and wool, vegetables (grain), vegetables (seed), table grapes and wine grapes. 35 of the 83 farm equity schemes were supported through the Comprehensive Agricultural Support Programme (CASP).

- (b) Recent data from the Department of Rural Development and Land Reform indicates that there are 83 equity farm schemes in the Western Cape of which the majority of these are situated in the Cape Winelands. That is 58%.
- (c) In order to investigate the general status of farm equity schemes in the province, 20 schemes were randomly selected from the various regions and site visits were conducted by officials. Indicators were identified to determine progress made, including ownership, structure, living and working conditions, capacity building, education and financial dividends and compensation. The results of the assessment revealed that good progress has been made by these equity share schemes. The findings were further confirmed by an external land reform performance evaluation conducted by the department during the fourth quarter of 2013/14 financial year, which revealed 62% success rate.

And then two, recent studies have revealed that 5% of the 83 schemes are currently not active. The study raised challenges in areas like lack of business management, knowledge and experience of beneficiaries. Nevertheless almost all of the engagements on the equity share schemes

acknowledged that management of expectations of all stakeholders is critical as it take years for agricultural businesses to make a profit.

The SPEAKER: Thank you. Hon member Ms Davids, you can now address your question.

Ms S W DAVIDS: Thank you Madam Speaker, the Minister already has clarified that one. My follow-up question will be to the Minister, since he has said that 5% of these farms failed. My question that I pose to him is [Interjections.]

The SPEAKER: Order!

Ms S W DAVIDS: Of the 5% that failed, how many dividends have been paid out to the beneficiaries and what happened to those beneficiaries of the 5% that failed?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: It is very difficult to answer that question right here, because I haven't visited myself personally all 5%, but I can tell you that the ones that I have visited - and quite frankly this is where I think that the major failure is - I have realised that we give people property and farms but then we do not offer the correct support and we have to identify what those systems are.

So I will tell you about a farm that I visited. It is called Belleview and I

welcome anybody, perhaps the Standing Committee as well, to go and visit it. There is a farmer on a property called Belleview. It is an equity share scheme. The national department, Minister Nkwinti's department, handed this farm over to this farmer two years ago. Four years ago, long before he was given the property, I actually gave this farmer an entrepreneurship award. At that time he was farming illegally on some City property in Philippi. He had 90 producing sows. He had a vibrant business. He was doing very, very well, and I think because of that he became the ideal beneficiary for a farm. This project was handed over to him and another partner who is busy studying chicken farming at the moment, but what happened, two years ago? In two years they still do not have a lease from the department on the property, so no contractual agreements can happen because of that. The support officers from my department are not allowed to enter into any agreements and we make monthly phone calls on a number of these properties to say: "Please let us get the paperwork in place." That property has over R200 000 worth of electricity bills outstanding. They haven't paid their electricity bill. It is really, really sad. It is a fully functional farm, but at the moment no water pumps work. The man who had 90 producing sows has now got eight pigs. It is such a sad state of affairs. It really, really is.

Now we really have to understand where these things fail and why they fail and then we have to put the systems in place to create successes because I believe that we set people up to fail, and that is absolutely wrong. [Interjections.] We cannot do that to people. It is absolutely unfair and that is exactly the point [Interjections.]

The SPEAKER: Order!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: ...as made by the hon member over the floor, that is exactly what happens. [Interjections.]

The SPEAKER: Calm down. Hon member Ms Davids.

Ms S W DAVIDS: Thank you Madam Speaker. It is good to hear that the Minister does not know what is going on in his portfolio. [Interjections.] He doesn't even know the farms and he just said that. Of the 58 farms in the Cape, 58% farms in the Cape Winelands area, Minister Winde, how many of those you know are still, like you said, "in good standing"?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: As I said 62% of the equity share farms that have been supported; now remember I said there are 245. There are probably even something like 400 equity share schemes in this province, but 245 that we support and there is 62% - not of the 245 - but of the 48 that are supported by government that are successful, and that means they are fully successful across all of the measurement criteria; from management to payment of shares into the system. There is a full programme report and of course if the member would like it we can deliver that report as well.

The SPEAKER: Thank you. Hon member Ms Davids.



Ms S W DAVIDS: Thank you Madam Speaker, so the Minister is actually saying that the successful ones are from national government. It will be good if the Minister can give us a list of all these farms and I want to ask the Minister if he will do an investigation on the farms that were not successful. Thank you.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Yes, we have already commenced with that investigation because I said earlier that I want to know where we failed, if we do not understand where the failures lie we cannot correct it going forward and we cannot set people up for failure.

The SPEAKER: Thank you, any further questions? That takes us to question 4. I recognise the hon Minister Winde.

*Rural development nodes*

**4. Ms S W Davids asked the Minister of Agriculture, Economic Development and Tourism**

(a) How many rural development nodes are there in the province, (b) what is the programme progress of these and (c) what funding was allocated from national government to these nodes?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: Thank you very much.

- (a) There are 16 rural nodes that have been activated in the Western Cape Province since the initiation of the CRDP programme roll-out in 2010. I have a full table, putting all together, which I will hand to you;
- (b) 16 rural development nodes have been activated and 36 councils of stakeholders have been established which are representative of the communities concerned. These councils interface with the three spheres of government on planning and implementation of development initiative within the nodes, focusing on social upliftment, infrastructure development and economic development. Twelve inter-government steering committees have been established to support the rural nodal development since the establishment in 2010. These ICSs comprise of representatives from all three spheres of government with municipalities being the major role-player as they are the closest to grassroots level. Eighty-nine projects driven by various stakeholders were captured, implemented and monitored via the ICSs across the province in 2013/14. Cross-sectoral planning and reporting are the current focus through engagement with Provincial Treasury and other relevant HODs.
- (c) According to the information captured on the ICSs as a result of departmental representatives inputs an amount of R169 829 271.27 has been recorded as committed to implementation of projects in these

rural nodes.

The SPEAKER: Hon member Ms Davids.

Ms S W DAVIDS: Thank you Madam Speaker. My question to the Minister is, how many rural women and youth have benefited from these projects that he is talking about in the rural nodes?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: I would like to point out to the member that if that is what she wanted to know she should have written that in the question that she put to me and I would have given her that number, because that is not what she asked me.

Ms S W DAVIDS: Thank you Minister, just say you do not know, and then my second question, what is the situation in the Dysselsdorp node and in which phases are the process? [Interjections.]

The SPEAKER: Yes, hon member Ms Davids, just on a point of order, in terms of the questions the questions need to be directly related to the original question which we pose, so we talk to relevance and as the Minister said the question around women and youth is not encapsulated in here, so try and stick to the content of your key question please. Thank you.

Ms S W DAVIDS: I am asking a question on the nodes. The Minister spoke

about the projects that are running within those rural nodes. Are the women and youth of that rural areas benefiting from the projects that he is running there; and then my follow-up question, what is the situation in Dysselsdorp?

An HON MEMBER: It is a reasonable question.

The SPEAKER: Ask the Minister, do you want to take that?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Dysselsdorp is in the Eden district. It is in the Oudtshoorn Municipality. It incorporates Ward 9 and Ward 10 and the answer is yes.

The SPEAKER: Any further questions? We now move to question number 5. I see the hon Minister Bredell.

### *CapeNature*

#### **5. Ms T M Dijana asked the Minister of Local Government, Environmental Affairs and Development Planning:**

(a) How many meetings did he have with CapeNature since 2009 to improve the performance outcomes of this entity and (b) what steps were put in place to ensure that the financial reporting will improve?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Dankie Agb Speaker, dankie vir die vraag. Ek vergader twee keer per maand met die uitvoerende hoof en die

betrokke uitvoerende bestuurslede van CapeNature om die prestasie-uitkomst van die entiteit te verbeter. Verskeie stappe is in plek gestel om te verseker dat die finansiële verslagdoening van CapeNature verbeter. Dit sluit in 'n maandelikse hersiening van Cape Nature se finansiële verslae deur die uitvoerende hoof en die voorsitter van die Finansiële Komitee van die Wes-Kaapse Natuurbewaringsraad; 'n kwartaallikse hersiening van finansiële verslae deur die Finansies en ICT Komitee, die Oudit- en Risiko-komitee en die Raad.

Die finansiële verslae sluit in geskikte balansstate en inkomstestate wat maandeliks gerekonsilieer word vir volledigheid, akkuraatheid, geldigheid en nakoming in terme van die relevante algemene erkende rekenkundige praktyke soos wat ons dit ken, GRAP. Dankie.

The SPEAKER: The hon member Ms Dijana.

Ms T M DIJANA: Thanks Madam Speaker. Thank you MEC, but my question was how many meetings did he have with the CapeNature since 2009. I did not hear that, but looking at the Auditor-General's report, which said that there is no progress being made by the MEC in addressing risk areas for CapeNature and the department itself, can the MEC tell us what measures has he put in place in addressing the risk areas mentioned by the Auditor-General? Thank you.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS

AND DEVELOPMENT PLANNING: I do not know, maybe the member has got the wrong report, maybe last year's report. This year I think we have managed to get CapeNature from a qualified report to an unqualified, clean audit, so all the measures have worked.

If the member really wants me to go through my diary and count the meetings we had since 2009 we can do that. I just think it is a senseless exercise. There were problems two years ago with the audit. We stepped up. CapeNature went through a dip. We currently have a very competent team managing CapeNature. We have got all the necessary financial controls in place. I am going to answer question 6 later on, and I will also ask to give a summary, because it is a lengthy report on especially the financial systems, what we have done, what we have put in place. I am quite comfortable that everything is running quite smoothly. I thank you. [Interjections.]

The SPEAKER: Hon member Ms Dijana. Thank you, any follow-ups? I am now going to move to question 6. I see the hon Minister Bredell.

*Department of Local Government, Environmental Affairs and  
Development Planning: control and monitoring of*

**6. Ms T M Dijana asked the Minister of Local Government,  
Environmental Affairs and Development Planning:**

What is done by the accounting authority/officers and senior management in his department to strengthen the relevant controls to (a)

create a control environment that supports reliable financial and performance reporting, (b) institute consequences for poor performance and transgressions and (c) implement controls to ensure effective compliance monitoring under his control?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, thank you for the question. If the member allows me I am going to give her a summary, because I can stand here and read the whole day, but I will hand in the report.

It is from Local Government's side. Section 45 of the Public Financial Management Act requires all officials in the department to ensure that the systems of the financial management and internal audit controls which have been established for the department are carried out within an area of responsibility of those officials. To ensure compliance with this section by all officials, the department has implemented the following actions: training is given to officials on various internal controls; communiqué are issued to all staff making them aware of the various policies.

On a monthly basis different directorates meet with the chief financial officer and her staff to discuss their budgets and advice is given at this platform. Expenditure reports are circulated to directors on a monthly basis to ensure that trends are identified on time and rectified.

Furthermore financial related matters are standing items on the department's

management meeting agenda. The performance agreement of every senior manager is directly linked to what the manager is expected to deliver on; and also as finance is a key performance area, quarterly assessments of performance of each programme is conducted and feedback given to programmes. All supervisors are required to conduct performance reviews biannually to ensure effective compliance. The internal control unit of the department is also reviewing departmental transactions and identifies issues of non-compliance.

On the environmental side we have all those in place and the department has an internal control unit that was reviewed by the Department of the Premier's organisational development component and a new structure was formulated and approved by the accounting officer. The department has also established Enterprise Risk Management Committees. Provincial Treasury indicated the cooperative governance review, the MPA or the CGRO compliance tool to the department and if we looked further at the entity of CapeNature - and maybe this will latch onto the previous question, hon member - it is creating a control environment for implementing internal processes that include monthly reporting and quarterly reviews with the necessary means of rectification of all pre-determined objectives. The CEO meets weekly with the executive managers to identify and address poor performance and where transgressions are prevalent the necessary disciplinary steps will be instituted.

The financial control environment has been improved. The entity of CapeNature through the Department of Environmental Affairs and



Development Planning submitted an application to Treasury for the establishment of an Internal Control Unit that will be responsible for ensuring that sound internal control practices are maintained. Thank you.

The SPEAKER: Hon member Ms Dijana.

Ms T M DIJANA: Thank you Madam Speaker. I will urge MEC to provide me with that report, since it is too thick, so that I can put my questions afterwards.

The SPEAKER: Okay. Any other follow-up questions? We now move to question 7. I see the hon Minister Winde.

*Energy demand and consumption*

**7. Mr R B Lentit asked the Minister of Agriculture, Economic Development and Tourism:**

- (1) What is the Western Cape's share of the total national energy demand, and (b) what is the energy consumption and demand forecast/predictions for the next (i) five and (ii) ten years in relation to the provincial government's expected economic growth;
- (2) whether there are any alternative sources of energy proposals to be considered for future economic prospects and social opportunities; if not, why not; if so, what are the relevant details?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you Madam Speaker.

- (1) The Western Cape's electricity demand is roughly 10% of the national figure. In 2012 Statistics SA confirmed that roughly 23 terawatt hours of electricity was delivered to the Western Cape during that year compared to the 220 terawatt hours nationally. The Western Cape imports roughly 2000 megawatts of electricity at times of peak demand. Some of this comes from the peaking power plants at Ankerlug and Gourikwa, which are open-cycle gas turbine plants running on diesel. These plants have been operating at much higher load factors than initially intended at considerable expense in terms of diesel and in 2013/14 Eskom spent R10.5 billion on diesel for these plants.

The sections (ii) and (iii), the update on electricity resource master plan released to the public for comment late in 2013 suggests that the national electricity demand will likely be in the range of 345 to 460 terawatt hours annually by 2030, so therefore assuming the Western Cape economy continues to grow, we will need between 35 and 42 terawatt hours for the Western Cape by 2030.

- (2) The Western Cape Government is actively promoting a range of alternatives in conjunction with other key government stakeholders as well as the private sector. These include and this is part of the Renewable Energy Independent Power Producer Programme. To date

roughly 10% of wind and solar projects confirmed nationally under this programme will be erected in the Western Cape and going forward we aim to see this increase. Regarding the promotion of small-scale renewable energy power production for industry and domestic applications, the so-called “embedded generation opportunity”, international experience to date suggests that this opportunity could be as large as the utility scale uptake given a supportive investment and regulatory climate, and then there is the promotion of natural gas, which of course we support in this region. Energy efficient measures to curb our usage is also something that we support so that we can actually reduce demand, and then of course the last is energy from waste, including co-generation bio-gas and other bio-fuels to power production.

The SPEAKER: Okay. The hon member Mr Lentit.

Mr R B LENTIT: Thank you very much Madam Speaker. I want to know from the Minister whether Eskom will be able to cope with the demands that are forecast for 2030? Thank you.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: It is an interesting question and I cannot really give you that answer right now. I was reading that report that was released on Monday around the coming online of Medupi versus our backlog in maintenance when Medupi itself will not even be sufficient to manage the shortfall in

maintenance, which we are sitting at about 75% compared to the norm of about 90%. I think we run the real risk and it is quite interesting from a national point of view; I think it is a major crisis staring us in the face, and it is interesting we have now a Minister of Energy but we hear absolutely nothing from her. She was appointed after she destroyed agriculture [Interjections.]

Mr R B LENTIT: Skande!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: ...but of course at least we are hearing Minister Brown talking about this. I think she is realising this big issue [Interjections.]

The SPEAKER: Order!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: ...and what I think we need to be doing is really look at how we can find a solution with gas to energy in our region. We already know Medupi is going to come in at about R1.20 a kilowatt hour and we think gas could come in probably under that, at around about R1.00 a kilowatt hour. We have made applications to national on it and I think that would be specifically for some energy security in this region. That would be a good call. [Interjections.]

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: Madam Speaker, just a follow-up question. MEC, given that there is a great deal of scepticism particularly amongst black business in the Western Cape about their active inclusion in the Western Cape economy, can you please explain to us exactly what your plans are in the renewable sector to specifically ensure that HDI businesses and small and medium black contractors are actively involved in the renewable sector?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: That is key to how we are trying to deliver solutions and obviously it is in all of our programmes that are linked to GreenCape and that is why we set GreenCape up as a mechanism to try and create the green economy. We see the potential for many SMMEs. We see the potential for skills. You will see as well that we have managed to pull in R105 million in upskilling green skills, linked to our technical universities and these are all mechanisms on how we specifically try to grow that green economy.

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: At least I am actually specific and I want to ask again. Can you please indicate what your strategy is to empower HDI and black small and medium enterprises? You have not responded to that and I would appeal to you please respond to that.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: Everything we do focuses on HDI small black businesses.

Mr M N PAULSEN: That is a lie.

Mr M G E WILEY: That is absolutely unacceptable to say that is a lie.

The SPEAKER: Hon member Mr Paulsen, it is considered unparliamentary.  
Will you withdraw that comment please?

Mr M N PAULSEN: Madam Speaker, I said it is a lie. I did not say he is a liar.

The SPEAKER: You need to withdraw, hon member Mr Paulsen. It is unparliamentary.

Mr M N PAULSEN: I withdraw, Madam Speaker.

The SPEAKER: Thank you. That concludes section 7, if there are no more follow-ups. I now see the Minister Meyer.

*Eskom: money owed by municipalities*

#### **8. Mr M Mnqasela asked the Minister of Finance:**

With reference to a recent report tabled in national Parliament according to which the province owes Eskom R1.27 billion, how much is owed by

municipalities in the province for the period of (a) 30, (b) 60, (c) 90 and (d) more than 90 days?

The MINISTER OF FINANCE: Thank you Madam Speaker and thank you to hon member Mr Mnqasela for this question. As reflected in the MFMA Section 41 report, this is the Eskom report submitted to the National Treasury, as at 31 July 2014 the total debt including current billings owed by municipalities in the province for bulk electricity sales amounts to R1.32 billion. Of this amount R1.3 billion relates to current billings. The remainder, and it is ageing for the period 30, 60 and 90 days, and more than 90, are as follows: R4.36 million is outstanding for 30 days; R6.63 million is outstanding for 60 days; R4.93 million is outstanding for 90 days and R9.88 million is outstanding for the period longer than 90 days. I thank you.

The SPEAKER: Hon member Mr Mnqasela, I see you and then the hon member Mr Fransman.

Mr M MNQASELA: Thank you Madam Speaker. This is a very bleak picture. I very much would like to see how the Minister intends to address this particular situation.

The MINISTER OF FINANCE: Madam Speaker, to the hon member Mr Mnqasela. On the 28<sup>th</sup> of May the CEO of Eskom wrote to the Premier to alert her that two municipalities are defaulting on their electricity accounts. The Premier has responded and requested [Interjections.]

The SPEAKER: Order!

The MINISTER OF FINANCE: ...my colleague, hon Minister of Local Government Environmental Affairs and Development Planning, Minister Anton Bredell and myself to meet to sort out this particular problem and we have met and my colleague has met with Eskom and we have successfully worked out a repayment plan.

The SPEAKER: Hon member Mr Fransman. [Interjections.] Order members, allow the question to be posed.

Mr M L FRANSMAN: Can the MEC indicate how much in fact is owed to Eskom of the R1.2 billion by the City of Cape Town?

The MINISTER OF HEALTH: In the current account or what? [Interjections.]

The MINISTER OF FINANCE: That information is contained in the report. If the member would like to receive the report I am happy to give it to him, but what is important is that out of this R1.32 billion, R1.3 billion is on the current, so in other words there is only R20 million outstanding for all the municipalities in the Western Cape.

The SPEAKER: Hon member Mr Fransman.



Mr M L FRANSMAN: I actually want to address the speaker on this. What is currently owed by the City of Cape Town out of the money owed to Eskom? That was really the question. [Interjections.]

An HON MEMBER: The current account. [Interjections.]

An HON MEMBER: They do not understand.

An HON MEMBER: Current accounts.

'n AGBARE LID: Maar jy weet Kaapstad s'n [Onhoorbaar.]

The SPEAKER: Hon Minister Meyer. [Interjections.]

'n AGBARE LID: En Kannaland s'n is so. Kannaland s'n is so. [Tussenwerpsels.] Dis Kannaland.

Mr M L FRANSMAN: Can I then suggest, Madam Speaker, that if the hon MEC, bearing in mind that he is trying to put numbers there together, to rather give it to me. Thanks.

The MINISTER OF FINANCE: Madam Speaker, I am happy to submit it to the hon Leader of the Official Opposition, Mr Fransman.

The SPEAKER: Thank you. Hon member Mr Mnqasela.

Mr M MNQASELA: Thank you Madam Speaker. I would like to know which of the municipalities owe Eskom more than 30 days in arrears [Interjections.] It is a very important question. The Minister here is one of finance. Which of the municipalities owe Eskom more than 30 days in arrears?

The SPEAKER: Order members. Hon Minister Meyer. [Interjections.] Order!

The MINISTER OF FINANCE: Madam Speaker, this is a very important matter and if you have noticed today in the *Business Day* there was also a main report on a bid to cap Eskom tariff rise, so this is really a very important matter for discussion in this House. But let me reply to the question of the hon member. The municipalities that have arrear debt greater than 30 days are Kannaland, R14.93 million [Interjections.] and Cederberg R10.1 million; and [Interjections.] ... Kannaland Municipality concluded a payment arrangement on the 7<sup>th</sup> of August with Eskom.

The SPEAKER: Order!

The MINISTER OF FINANCE: What is of concern here is that this government has to engage with municipalities in helping them to work out a repayment plan. Kannaland has concluded a payment agreement on the 7<sup>th</sup> of August with Eskom. My colleague, hon [Interjections.] Minister, he has answered you [Interjection.]

The SPEAKER: Hon member Mr Dyantyi!

The MINISTER OF FINANCE: ...on that question in the House, but I am answering it again because you do not listen. [Interjections.] ...and so because you just shine your shoes, you must start shining your ears [Interjections.]

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

The MINISTER OF FINANCE: And so hon member, what is important to note here is that after the successful intervention by my colleague Minister Bredell a payment agreement has been concluded with Eskom in Kannaland, but it is very sad to announce in this House that Cederberg Municipality last payment was R5.1 million that was made on the 5<sup>th</sup> of July, and although the municipality has lodged queries with Eskom in terms of the tariff adjustment, which in the long run will effect the billings and the amount due, the current payment arrangement by Cederberg Municipality is not honoured and accordingly was advised to institute remedial steps to rectify this position.

This House must note there is a warning from Eskom [Interjection.]

Mr Q R DYANTYI: What are you doing about that?

The MINISTER OF FINANCE: ...and the warning is that we are intervening, we are working with the municipality having discussions to work out a

repayment plan, but your ANC municipality rejects it.

The SPEAKER: Order hon member Mr Dyantyi, Order!

The MINISTER OF FINANCE: Your municipality is rejecting the help, and Eskom has now [Interjections.] ... sent a warning to the ANC municipality. If they refuse to pay they will switch off the lights in Cederberg. I thank you.

The SPEAKER: I am sorry, unfortunately in terms of the Rules that was the four follow-ups so that will conclude that question. We now need to move to question number 9, the hon Minister Fritz, I see you.

*The South African Social Security Agency*

**9. Ms M M Wenger asked the Minister of Social Development:**

Whether he and his Department have received any concerns or complaints from members of the public or civil society regarding the South African Social Security Agency; if so, what is the nature of these complaints?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you Madam Speaker. Thank you to hon member Ms Wenger for the question.

An HON MEMBER: Wenger.

The MINISTER OF SOCIAL DEVELOPMENT: Hon member Ms Wenger, whatever [Interjections.] You are so anti-colonial, then you promote colonial surnames! [Interjections.]

The SPEAKER: Hon members, please allow the hon Minister to respond.

The MINISTER OF SOCIAL DEVELOPMENT: For the last six months we have had 188 complaints. Now I want to remind the House that the South African Social Security Agency (Sassa) is a national entity. It is not part of my competency, and they have exclusive authority around that and so it is from absolute desperation that our poor people are coming to our local offices, and now to the Ministry directly to render the complaints that they have with Sassa, and it includes people's money being deducted from them. No-one can explain where the money is going and with respect, there is some syndicate within Sassa who is making huge sums of money and I think the speculation at this point is millions of rands from stealing from the poor; taking from the poor all the time. I also want to state the fact that we are [Interjection.]

The SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: ...constantly referring the complaints received from our poor old people to Sassa who simply tells us that they are aware of the complaints but it doesn't seem as if systems are being put in place to actually stop the theft from the poor. I also want to

make the point that I had to appoint, as I said in the last time in the House, two people just to work on those complaints. They have become experts on Sassa's problems and the issue of administering grants to the poor. So you know, we can talk a lot here in this House about the poor and the poor and the poor. Let them feel it on the ground, and I think it is disgraceful because you are part of your ruling party, it is disgraceful that people have to go through this, and specifically poor people. They must walk from pillar to post; sometimes have an affidavit; for instance a poor woman of 94 must go to the police station down in Bellville which is almost a kilometre or two kilometres away from the Sassa office. No-one would think that they can just get the person there, have the authority to do it. [Interjections.]

No that is what we suggest to them, to do the affidavit at Sassa and to resolve it, but it seems as if whatever the ANC touches they destroy.

Mnr R B LENTIT: Skande!

The SPEAKER: Hon member Ms Wenger, I see you. [Interjections.] Excuse me, hon member Wenger first and then hon member Ms Gillion. Thank you, it is hon member Ms Wenger's question she posed to the Minister.

Ms M M WENGER: Thank you Madam Speaker. Would the Minister tell the House whether these problems are particular to the Western Cape?

The MINISTER OF SOCIAL DEVELOPMENT: Hon member, according to the

last Minmec meeting that I attended about two weeks ago, amazingly not [Interjections.]

Two weeks, yes. You are not that amazingly observant. Two weeks ago we had the opportunity to actually witness seven other provinces and MECs raising the same problem, so it is not only in the Western Cape where the Minister had to speak very strongly to Sassa, to say to them: “Sort out the problem...” It is not peculiar to the Western Cape, so hon member it is a national problem.

The SPEAKER: Thank you. Hon member Ms Gillion, I see you.

Ms M N GILLION: Thank you Madam Speaker. It is not the first time that the honourable MEC is talking about the allegations of a syndicate, but my question to the hon Minister Fritz is, what has he done as the Minister to investigate these allegations and what is his department doing to assist the poorest of the poor regarding these allegations?

The MINISTER OF SOCIAL DEVELOPMENT: I think that is a very good question and it seems as if the hon member Ms Gillion is condoning the theft that is happening from within Sassa. [Interjections.] The point that I have been making to the hon member Ms Gillion, who is a very lovely woman, what I have been saying to you consistently is that we have tried. I have appointed two people in the office. We have referred all those issues to Sassa. I have spoken and met with the top management of Sassa and the issue just cannot be resolved. Now I do not have the legal competency, I haven't

got the jurisdiction over it if it is a national entity, and that is the point, but go and defend the wrong, hon member Ms Gillion. Do not ‘smeer dit toe asseblief’ hon member Ms Gillion.

The SPEAKER: Thank you, hon member Ms Gillion, I see you.

Ms M N GILLION: Madam Speaker, I am not “smearing anything toe” in the words of the hon MEC Fritz. My question is, as it is a national department operating in the Western Cape, what has the MEC done?

The MINISTER OF SOCIAL DEVELOPMENT: Again, my job is to do my oversight, to prove [Interjections.]

The SPEAKER: Order! Order members.

The MINISTER OF SOCIAL DEVELOPMENT: ...to do my oversight properly over Sassa and that is what I am doing, and you know, it seems as if - and I am not accusing the hon member Ms Gillion of condoning it - she is condoning the wrong things and I am asking her, let us start working together to get a solution to it and stop fighting about the poor man. Let us get a solution to it. [Interjections.]

The SPEAKER: Thank you hon member Mr Fransman, I see you.  
[Interjections.] Order members.



Mr M L FRANSMAN: Madam Speaker, consistently the MEC says that we or in particular hon member Ms Gillion should not play politics. The whole input of the MEC now has been playing politics. That is wrong, MEC.

'n AGBARE LID: Stel die vraag.

Mr M L FRANSMAN: Because what it actually does, it is hypocritical. [Interjections.] I think the question on exclusive authority [Interjections.]

The SPEAKER: Order hon members [Interjections.]

Mr M L FRANSMAN: The MEC spoke about exclusive authority. Is it so that there are institutional mechanisms between the Department of Social Development in the Western Cape and Sassa on a regular basis where they come together to iron out some of these problems? [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: Again I think it is a constructive comment. Let me just make that point.

An HON MEMBER: Please [Inaudible.] Ja.

The MINISTER OF SOCIAL DEVELOPMENT: But let me also remind the hon Leader of the Opposition that all is in place. We consistently have those structures in place. Those two people have an almost weekly meeting with the Sassa but the issue I am making is that a systemic issue that exists is not

corrected by Sassa, and I think that is the point I am making, that we need to get that right and that we actually need to take hands to resolve it. I really do not think one should make politics out of it, I just think it is an issue that affects people's bread and butter on the table. They are hungry when they go to bed ... [Interjection.]

An HON MEMBER: That is part of the problem.

The MINISTER OF SOCIAL DEVELOPMENT: ...because we are not acting and because there is no will from the national government specifically to act in this regard. Thank you.

The SPEAKER: Thank you. That concludes question 9. I now see the hon Minister Mbombo.

*School children: participation in sports*

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

Whether she or her department has a plan to create a conducive environment for all children at school to participate in sports; if not, why not; if so, what are the timeframes?

†UMPHATHISWA WEMICIMBI YEZENKCUBEKO NEZEMIDLALO:  
Ndibulele ngalo mbuzo welungu elibekekileyo uMnu Tyamtyam. Umcimbi wezemidlalo ezikolweni uphantsi kweSebe lezeMfundo, Western Cape

Department of Education, neyimidlalo elapha esikolweni naphakathi kwezikolo. Into abayenzayo bona ngabo abenza ukuba iindawo zemidlalo, nezakheko nezmidla ezikolweni zenzeke. Nemimdlalo ngexesha lesikolo yenzeke. Thina kweliya Sebe lezeNkcubeko neMidlalo sincedisana nezikolo ukuba xa befuna ukwenza uhlobo oluthile lomdlalo, bakwazi ukuba bangenza njani na ngokuphathelele kwizakheko. Naxa beza kudlala umzekelo iiligi zephondo, ukuba bangenza njani na. Naxa kuza kufuneka kulungiselelwe ukhuphiswano lweentshatsheli zesizwe. Thina sileliya Sebe imidlalo sisebenza ngayo emva kwexesha lesikolo ngamaziko eMOD. Imibuzo yakho ndiyiphendule.

\*The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank for the question by the hon member Mr Tyamtyam. The issue of sport in schools is under the Department of Education of the Western Cape which is intra and inter-schools sport. What they do is to make sport facilities and sport structures possible in schools and sport during school hours possible. We in that Department of Cultural Affairs and Sport assist schools that when they want to play a certain sport code they must be able to do so in terms of structures and when they are going to play in provincial leagues what has to be done. Even when there has to be preparations for national championships. We as that Department deal with sport after school with MOD centres. I have answered your questions.

The SPEAKER: Hon member Mr Tyatyam.

†UMnu S G TYATYAM: Enkosi Mphathiswa. Uthetha kamnandi xa usithi nixakeke kukwakha, nokuncedisana neendawo ezikolweni. Ndifuna ukubuza ukuba phaya kwisikolo saMabanga aPhantsi iVuyani, uMphathiswa kulo nyaka uphelileyo wavuma ukuba kuza kwakhiwa phaya, kubekho ibala lemidlalo elenziwe ngabantu, liseza kwakhiwa.

\*Mr S G TYATYAM: Thank you MEC. You speak well when you say you are busy building and assisting with sports facilities in schools. I want to ask that at Vuyani Primary School last year the MEC advised that they would build an artificial playground. It is still to be built.

The SPEAKER: Order, hon member Mr Tyatyam. Are you raising a point of order hon member Mr Wiley?

Mr M G E WILEY: It is a point of order. I think it is important that we get back to the Rules; a leading sentence leading up to the question, but then there has to be a question, but these are long statements leading up to nothing and it is ... [Interjections.]

†UMnu S G TYATYAM: Ukuba unengxaki yesiXhosa, xa engasazi makasimamele kakuhle. UMphathiswa ebephaya kulo nyaka uphelileyo wathi uza kwakhela abantwana baseVuyani ibala lemidlalo elenziwe ngabantu. Wenze ntoni ukuza kuthi ga ngoku kuba akukho nto ukuza kuthi ga ngoku?

\*Mr S G TYATYAM: If he has a problem with isiXhosa he must listen

carefully. The MEC was there last year and said he would build an artificial playground for the children of Vuyani. What has he done thus far because there is nothing to date?

The SPEAKER: Order! Hon member Mr Tyatyam.

Mr M G E WILEY: The member has got time to insult me, but then he continues with his statement and he does not ask the question. So just ask the question. It is like “when, how, does, if.” [Interjections.]

Mr S G TYATYAM: What is the insult? If you want to be the Speaker, be the Speaker.

An HON MEMBER: He did not insult you.

Mr S G TYATYAM: He can change mos. The point is [Interjections.]

An HON MEMBER: A Xhosa insult, or what? [Interjections.]

The SPEAKER: Hon member Mr Tyatyam, I have been following the response on the translation.

Mr S G TYATYAM: The translation.

The SPEAKER: A question is indeed being asked.

Mr S G TYATYAM: Yes.

The SPEAKER: But I would appreciate it if you could cut to the chase. You have an opening line and then pose the question please, thank you.  
[Interjections.]

Mr S G TYATYAM: Well if the member have a problem with Xhosa, then I will say it in English. [Interjections.]

An HON MEMBER: You do not have to. [Laughter.]

Mr S G TYATYAM: What has the MEC Mbombo done in terms of the promise given before elections about erecting an artificial stadium at Vuyane Higher Primary School?

An HON MEMBER: Thank you. [Interjections.]

The SPEAKER: Thank you. [Interjections.] Order members.

†UMPHATHISWA WEMICIMBI YEZENKCUBEKO NEZEMIDLALO:  
Umbuzo uthi ingaba iSebe okanye uMphathiswa unaso na isicwangciso sokwenza imeko ilungele bonke abantwana esikolweni ukuba bathathe inxaxheba kwezemidlalo. Impendulo ndithi, abantu abajongene nemidlalo ezikolweni liSebe lezeMfundo, lilo elijongene nemidlalo yezikolo. ISebe

lezeNkcubeko neMidlalo lincedisana kudidi oluthile lwemidlalo. Kodwa kuba iSebe lezeMfundo liqhwarela kwezemidlalo zezikolo, thina ke ngoko sancedise ukuphuma kwesikolo apho sinamagunya khona ngamaziko eMOD, sancedise ngezinye izinto ezifana nemidlalo leyo. Umbuzo wokuba uMphathiswa obengaphambili bekutheni athini athini, andizukuyiphendula ke leyo. Kwakhona ndiyatsho ukuthi iindawo zemidlalo ngumsebenzi weSebe lezeMfundo.

\*The MINISTER OF CULTURAL AFFAIRS AND SPORT: The question is whether the Department or the MEC has a plan to make conditions conducive to all children to be able to participate in sport. In reply I say, the people responsible for sport in schools are the Department of Education. They are responsible for school sport. The Department of Cultural Affairs and Sport assists with certain sporting codes. But because the Department of Education is lacking in school sports we then assist in things like sport. The question about why the previous MEC did this or that I will not answer that. Again I say sport facilities are the responsibility of the Department of Education.

The SPEAKER: Hon member Mr Tyatyam, this will be the last follow-up in terms of the Rules.

Mr P UYS: It is his second question.

Mr S G TYATYAM: Ja, it is my second one only.

Mr P UYS: It is only his second.

The SPEAKER: Okay, sorry, proceed.

†UMnu S G TYATYAM: Ndifuna ukubuza ke ngoku ukuba ingaba uMphathiswa uthi uMphathiswa lo wayephambi kwakhe wabaqhatha na abantu xa ebathembisa ngebala elenziwe ngabantu. Yayisisithembiso nje seenjongo zonyulo eso, ukuba aye kuthembisa abantu, akazange anyanzeliswe ukuba makathembise abantu.

\*Mr S G TYATYAM: Now I want to ask whether the MEC thinks the previous MEC deceived the people when he promised them an artificial playground. That was just a promise for purposes of votes, that he must go and promise people. He was never forced to promise the people.

†UMPHATHISWA WEMICIMBI YEZENKCUBEKO NEZEMIDLALO: Andikwazi ukuwuphendula loo mbuzo kuba awungqamenanga nale nto ubuyibuza ekuqaleni, andizukukwazi.

\*The MINISTER OF CULTURAL AFFAIRS AND SPORT: I will not respond to that question because it has nothing to do with your original question. I cannot.

Mr S G TYATYAM: What the previous Minister was doing was actually promising that there will be a conducive environment by providing artificial



turf so my question is, if you are saying that you are not going to be following up, are you saying that the previous MEC was just lying?

'n AGBARE LID: Wiks hom! [Tussenwerpsels.]

†UMPHATHISWA WEMICIMBI YEZENKCUBEKO NEZEMIDLALO:  
Andikwazi kuwuphendula lo mbuzo kuba andiwazi ukuba ungqamene njani nale kuba ndiyiphendule into yokuba thina siliSebe lezeNkcubeko neMidlalo imidlalo yezikolo siyenza ukuphuma kwesikolo ngethuba lesiko yenziwa sisikolo. Eyokuba kwisikolo into ethile kwakutheni yenziwe, ingenziwa andizukukwazi ukuyiphendula loo nto.

\*The MINISTER OF CULTURAL AFFAIRS AND SPORT: I will not answer this question because I do not know how it is connected to this because I answered that we as the Department of Cultural Affairs and Sport are only involved in school sport after school hours. During school hours that is done by the school. Why such and such was done, or not done at a certain school, I will not answer that.

Mr S G TYATYAM: Now I just maybe want to ask ... [Interjection.]

The SPEAKER: Sorry hon member Mr Tyatyam, this is your final response. Thank you.

Mr S G TYATYAM: Ja.

'n AGBARE LID: Wiks hom, agb Speaker. [Tussenwerpsels.]

The SPEAKER: Order hon members!

Mr S G TYATYAM: If the Minister is saying that they are only involved in sports in schools after hours are they saying that the sports that takes place on weekends do not fall under them? Are they saying that the sports, for instance the national sports that takes about a week or two weeks, that they are not involved in that, if they are saying that they are only involved after hours in terms of sport? [Interjections.]

†UMPHATHISWA WEMICIMBI YEZENKCUBEKO NEZEMIDLALO:  
Ndiphinde ndiphendule, ndithe sixhasa iSebe lezeMfundo leNtshona Koloni kwiindidi ezithile zemidlalo, baze bona babe noxanduva lwemidlalo xa iyonke. Umzekelo, ukuba kuthiwa abantwana badlala ibhola ekhatywayo esikolweni, kuthetha ukuba baza kufuna umqeqeshi webhola ekhatywayo. Kuthetha ukuba ukuze loo mqeqeshi aphunyezwe, mhlawumbi oza kube eyinxalenye yootitshala, luxanduva lwethu ukuba siqinisekise ukuba umqeqeshi ubhalisiwe uphunyeziwe. Xa abantwana beza kudlala, umzekelo kukhuphiswano lwesizwe lobuntshatsheli, sithi abadala laa meko yokuba izikolo zikwazi ukudlala zikhuphisane. Ukuba umzekelo kuthiwa kukho isithili, kuba kwizikolo siqala kwisekethe, kwisithili ukuya kwiphondo. Sidala laa meko, kwiindidi ezithile zemidlalo yezikolo. Ewe, enkosi. Iindawo zemidlalo ezikolweni ...

\*The MINISTER OF CULTURAL AFFAIRS AND SPORT: Let me answer again. I said we support the Department of Education of the Western Cape in certain sporting codes and they are responsible for overall sports. For example, if it is said children are playing soccer at school, it means they will need a soccer coach. It means for that coach to be approved, perhaps who will be part of educators, it is our responsibility to ensure that the coach is approved and accredited. When children are going to play, for example in national championships, we create that environment for schools to play and compete. If for example there is a district, because with schools we start with a circuit, a district and then the province. We create that environment in certain school sporting codes. Yes, thank you.

†School sport facilities are part of the Department of Education within the school because the school belongs to the Department of Education.

The SPEAKER: That concludes question 10. We now move to question 11. I see the hon Minister Plato. [Interjections.]

An HON MEMBER: He is not here.

The SPEAKER: Is he not here. Okay sorry. [Interjections.]

Mr M G E WILEY: Madam Speaker, with bearing your indulgence, the hon Minister Plato is speaking in the NCOP at this time. It has been discussed

with hon member Ms Wenger and the questioner and all is in order. Thank you.

*[Question 10 by hon member Ms Wenger to the Minister of Community Safety to stand over]*

The SPEAKER: So that also in terms of our time is the end of questions for oral reply. Any outstanding replies will be printed in Hansard.

Mr P UYS: Madam Speaker, just a point of order in terms of Rule 203. In terms of Rule 203 any time that was not used in terms of interpellations will be utilised under questions. There were only two interpellations of an half an hour so there are 15 minutes available and I urge you to follow that rule.

An HON MEMBER: Yes. [Interjections.]

The MINISTER OF HEALTH: You are not here to tell us what to do. [Laughter.]

The SPEAKER: Sorry, Mr Nage, an extra 15 minutes for questions. [Interjections.] Okay, hon member Mr Uys, your comments are noted. The Table has just informed me that they will allow another fifteen minutes for questions, thank you. [Interjections.]

An HON MEMBER: You need a workshop, the ANC needs a workshop.

[Interjections.]

The SPEAKER: Okay, my understanding is that hon Plato is at the NCOP so we will now move to question number 12 and I see the Minister Grant. Order members.

*Conradie Hospital: sale of*

**12. Mr D Joseph asked the Minister of Transport and Public Works:**

- (1) Whether the Iliza Elitsha Investments contract for the sale of the Conradie Hospital site was cancelled; if so, what are the relevant details;
- (2) what (a) type of development proposals were received for the 25 hectare property and (b) are the long term plans of his department for the hospital site?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank you Madam Speaker, and thank you to the hon member Mr Joseph for the question.

- (1) In response to part one the answer is yes. The parties by mutual agreement decided to terminate the sale agreement and on the 26<sup>th</sup> of July 2013 signed the termination agreement.
- (2) (a) The initial development proposal received was for a mixed use development which was in line with the requirement of an integrated

sustainable human settlement.

(b) On the 23<sup>rd</sup> of April 2014 approval was granted to the Department of Transport and Public Works by the Provincial Cabinet as per Cabinet Resolution 77/2014 to include the Conradie Hospital site in the Provincial Regeneration Programme to serve as a pilot project for the development of an integrated mixed use sustainable and residentially led live-work-and-play development in cooperation with other relevant departments.

The SPEAKER: The hon member Mr Joseph.

Mr D JOSEPH: Thank you Madam Speaker. Thank you hon Minister for the valuable information. I just would like to ask in what financial year does the department envisage to start or if there are more than one department to start with these projects. Thank you.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: We are already underway looking at the Conradie site as one of the lead regeneration projects, and there is a lot of background work that needs to go with the development of the site, including the demolition of the existing buildings, but as soon as we can get going with the regeneration project it will obviously have to be in consultation with the City in view of services being linked to that site and access to the site, so it is not going to happen overnight, but we are very keen to actually proceed with that development as

soon as possible because of the shortage of sustainable housing.

The SPEAKER: The hon member Mr Dugmore.

Mr C M DUGMORE: Thank you Madam Speaker, I would like to ask the MEC that given that his own office claimed in the newspaper publicly that this particular developer referred to in the question, Iliza Elitsha, failed to produce the finance, that that statement in fact implies that black economic empowerment in this province cannot work, and is he prepared today to distance himself from the statement issued by his own office that they failed to produce the money, given that you have conceded that R8 million was deposited? In fact you agreed to pay back R14 million. [Interjections.]

An HON MEMBER: That is two questions.

An HON MEMBER: It is not [Interjections.] Distance yourself please.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Madam Speaker, I completely concur with the hon member Mr Dugmore [Interjections.]

Mr Q R DYANTYI: Distance yourself.

The SPEAKER: Order! Hon member Mr Dyantyi order please.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: ... that statement

from my Ministry was incorrect.

Mr Q R DYANTYI: Ja.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: And when that particular individual gets back to my Ministry he is scheduled to have a conversation with me about that.

An HON MEMBER: Fire him!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Okay, I did issue a press release to say that the Western Cape Government rejects in the strongest terms that there have been any implications of impropriety on the part of the original purchaser, but frankly I am really disappointed that the *Cape Times* did not print that part in the paper this morning. [Interjections.]

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

Mr M G E WILEY: Yes, Madam Speaker, I wonder if the hon Minister could indicate who was the Provincial Minister at the time [Interjections.] [Laughter.] ...who negotiated this particular deal and whether this was subject also to the Auditor-General's response.

The SPEAKER: Hon Minister Grant.



The MINISTER OF TRANSPORT AND PUBLIC WORKS: Madam Speaker, I may be under correction here, but I know the year was 2006 and I think it was possibly the hon Leader of the Opposition. [Interjections.]

An HON MEMBER: Yes.

The SPEAKER: Thank you. I see hon member Mr Wiley and then hon member Mr Fransman. [Interjections.]

Mr M G E WILEY: Madam Speaker, just for elucidation for the people who cannot see or hear that; can we just confirm that the hon Leader of the Opposition is in fact the hon member Fransman.

The SPEAKER: Thank you hon member Mr Wiley. [Interjections.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Madam Speaker, the answer to that is yes. [Interjections.]

The SPEAKER: Thank you.

An HON MEMBER: No! [Interjections.]

An HON MEMBER: No, that is nonsense.

Mr M L FRANSMAN: Madam Speaker, it is clear that hon MEC Grant

indicated that there was no wrongful action by the successful bidder. The question really here would also be whether the tender was awarded to a wrong contractor, meaning there were flaws in the tender allocation?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Let me say that I have in the House with me the original sale agreement, which took place in 2006 and the nature of the deal was a *voetstoots* sale, and also that there were various issues around title and considerations. [Interjections.]

The SPEAKER: Order!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I do have a document relating to a very reputable legal firm presiding on the termination agreement between Iliza Elitsha Investments (Pty) Limited and the Provincial Government, and in the introduction to that it specifically states under Clause 3.2: "...that the parties wish to terminate the sale by mutual agreement..." and in clause 3.3: "In this agreement the parties record in writing their agreement about the termination; related matters and other matters..." Therefore I see no need for any finger-pointing of any kind.

The SPEAKER: That concludes question 12, thank you. We now move to question 13. I see the hon Minister Botha.

*Health care facilities, public participation in transfer of*

**13. Ms D Gopie asked the Minister of Health:**

What role did his department play in ensuring citizen engagement/public participation in the transfer of health care facilities from the City of Cape Town to the Western Cape Provincial Parliament?

The MINISTER OF HEALTH: Thank you Madam Speaker. Thank you to the member for asking the question. The intention of a single authority is enshrined in the Constitution and legislation and policy framework in South-Africa. The transfer of personal primary healthcare services from the City to the province is therefore the conclusion of a process which was started in 2006 by my colleague hon member Mr Uys, which included citizen engagement and public participation.

The SPEAKER: The hon member Ms Gopie, I see you.

Ms D GOPIE: I would say that the communities were not involved at all, were not included in consultation, because if it was done then we wouldn't have communities like Belhar, Mfuleni standing up against the deed.

An HON MEMBER: What was the question?

Mr M G E WILEY: There is no question involved there.

The MINISTER OF HEALTH: Thank you for the speech.

The SPEAKER: Thank you, hon member Ms Gopie, would you like to restate

your question for the Minister's response please?

Ms D GOPIE: Ek sê vir die Minister ek dink ons gemeenskappe was nie genoeg betrokke nie, want as die gemeenskappe betrokke was, sou ons nie gemeenskappe gekry het soos Belhar wat ontevrede is met wat gebeur in terme van ...

The SPEAKER: Hon member Ms Gopie, wat is die vraag? You made a statement but you haven't posed a question, which is why the hon Minister cannot respond to your statement, because it is not a question.

Ms D GOPIE: No, the question was, were the citizens consulted? That was my original question.

The SPEAKER: Okay, thank you.

An HON MEMBER: And it has been answered.

The SPEAKER: Thank you. Hon Minister Botha.

An HON MEMBER: Kindly respond to us please.

The MINISTER OF HEALTH: Madam Speaker?

The SPEAKER: Will you respond or do you not have a response?

[Interjections.] [Laughter.]

The MINISTER OF HEALTH: No Madam Speaker.

Mr P UYS: Wake up! Answer!

The MINISTER OF HEALTH: In all due respect, if I may address you on this question issue. It really requires me to mention that, through you, I want to ask the hon Leader of the Opposition and the Chief Whip of the Opposition to ensure that their members know about the Rules and what it means...

[Interjection.]

Mr Q R DYANTYI: Asseblief!

The MINISTER OF HEALTH: ...because questions like this is wasting our time.

The SPEAKER: Hon member Mr Fransman, I see you.

Mr M L FRANSMAN: Madam Speaker, through yourself. I think that was extremely insulting to hon member Ms Gopie.

An HON MEMBER: Yes.

Mr M L FRANSMAN: She has posed a question and the MEC refuses to

answer. Is he satisfied that the community was properly consulted; he gave a response and she followed up on the question.

An HON MEMBER: No, they did not follow-up the question. [Interjections.]

The SPEAKER: Okay, can I appeal to the members of the House before we run away with this, there was a question posed: were the communities consulted and I would appreciate it if the hon Minister can respond to that question in order for us to move on effectively. [Interjections.]

The MINISTER OF HEALTH: Madam Speaker, I will read word by word [Interjections.]

'n AGBARE LID: Sies!

The MINISTER OF HEALTH: It is not “sies”, you must do something about your members because that is a shame. [Interjections.]

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

Mr M L FRANSMAN: A point of order, Madam Speaker, I really want you to rule on the conduct of hon MEC on the way he has just conducted himself in response to legitimate questions in this House by the Opposition. [Interjection.]

Mr M G E WILEY: May I address you on this matter? The hon Minister had a question posed to him.

The SPEAKER: Correct.

Mr M G E WILEY: The hon Minister read his answer. The hon member Ms Gopie then stood up [Interjections.]

The SPEAKER: Order members! Order!

Mr M G E WILEY: ...and made a statement in English. When you invited her to pose a question she then repeated the statement in Afrikaans. There is no question to answer, because the hon Minister has already answered the question. So what I would ask of you, please rule on this because there is an impression that there is a question hanging. There is no question hanging. There were two statements, one in English, one in Afrikaans. May I ask that Hansard be consulted to see whether a question was asked and if the question is hanging, then the Minister can come back to the House and answer the question?

The MINISTER OF HEALTH: Madam Speaker, on replying to the question I want to ask you to consult Hansard.

The SPEAKER: Yes, I will.

The MINISTER OF HEALTH: On how I answered exactly that question, specifically with reference to the consultation of the communities, and then in all due respect Madam Speaker, when a member has the opportunity to ask follow-up questions and you repeat that twice and there is no question to come [Interjections.]

Mr M L FRANSMAN: Madam Speaker [Interjection.]

The MINISTER OF HEALTH: Listen!

Mr M L FRANSMAN: A point of order, Madam Speaker.

The SPEAKER: Hon member Mr Fransman.

Mr M L FRANSMAN: I have only requested the Speaker, because what the member does is not to respond to the question, but he actually tries to give a lesson in his own stupidity. [Interjections.]

The SPEAKER: Okay, colleagues, hon members, there was a recommendation that we refer to Hansard, which I believe is important, there was a statement made. I clarified the statement with the hon member Ms Gopie. She restated her question to ask if the communities were involved. If there are any follow-up questions I will ask the hon member Ms Gopie if she has a follow-up question and as for the rest of the debate we will refer to Hansard and I will come back to the House with a ruling. Thank you.



Mr R B LENTIT: On a point of order, Madam Speaker, you know when it comes back, the member actually asked exactly the same question as printed here on the page.

The SPEAKER: Hon member Mr Lentit, I have said that I will go to Hansard so let us accept that and we will come back with a ruling on whether there was a question asked or whether there were statements made, but I think for the purposes of getting on with the business of the day we will request the hon member Ms Gopie, do you have a follow-up question that you would like to pose to the Minister? I also would like to caution Minister Botha and ask that you afford hon member Ms Gopie the time to pose a follow-up question please. [Interjections.]

An HON MEMBER: Thank you Madam Speaker.

Ms D GOPIE: Minister [Interjections.]

An HON MEMBER: Minister, listen.

Ms D GOPIE: Is u tevrede met die konsultasies wat gedoen is sover?

Die MINISTER VAN GESONDHEID: Agb Speaker, die konsultasies het agt jaar gelede plaasgevind. Dit het deur 'n baie volledige proses in die land gegaan. Ek was op daardie stadium 'n uitvoerende burgemeester en agb lid

mnr Uys was die toepaslike Minister gewees op daardie stadium, en ek dink ek as burgemeester was toe baie goed geraadpleeg met my gemeenskap, so ek glo dat die gemeenskap 'n behoorlike geleentheid gehad het om daar hulle insette te lewer.

The SPEAKER: Thank you. That concludes question 13. We now move to question 14.

*Health and bed care: resource allocations*

**14. Ms D Gopie asked the Minister of Health:**

What are the resource allocations for health and bed care in the province in order to meet the demands for more space and beds for patients in terms of (a) staff, (b) facilities, (c) equipment, and (d) optimum cost per patient?

The MINISTER OF HEALTH: Mr Deputy Speaker, yes, the provincial equitable share is a redistributive population driven unconditional transfer allocated to provinces. The formula is designed to divide the national revenue in an appropriate efficient and unbiased manner. To ensure that the formula is reflective of inter-provincial changes the data used in the formula is applied or is updated on an annual basis to ensure that the province's share of national funding reflects the population and service delivery changes; to ensure continuity in funding allocations and to cushion provinces against significant changes to the provincial equitable share. As a result of data

updates, changes to the provincial equitable share are phased in over a medium term expenditure framework period.

The weighting allocated to each of the components, for instance 27% for health, is based on the historical spending patterns within provinces and it is not suggestive of how much a province should allocate to a specific area. Provinces, through their own budget allocations, then determine their own allocations based on their own prioritisation process.

In the Western Cape health is regarded as such a high priority that we allocate 36.2% of our provincial budget to the health component and if you compared this for instance with Mpumalanga which is 24%, or North West which is 25%, then it is an indication to what extent we are allocating it in the Western Cape.

In the DA term here in office we increased the bed numbers - that is part of the question - with 425 beds over the past five year period. That is 2009 to 2014. During the ANC's previous tenure in 2007/08 in that region in that era they reduced the number of beds. [Interjections.]

An HON MEMBER: That was an error.

The MINISTER OF HEALTH: It was actually, yes. It was an error. They reduced the number of beds by between 90 and 100 under my colleague, hon member Mr Uys. We increased them by 425. When we took office our staff

numbers were approximately 26 000. It is currently approximately 32 000 so we increased the staff by approximately 6 000 - which is also then a part of that question - and regarding the facilities the department has invested an unprecedented R2.7 billion in infrastructure over the past five years, of which new infrastructure included seven new clinics and community day centres, seven EMS stations, five forensic pathology laboratories, two district hospitals and many other upgrades. During the 2014/15 financial year the department will further allocate R723 million towards the construction of new health facilities and that will include the upgrading and maintenance of many facilities and some of those would be the New Symphony Way Community Day Centre in Delft, the Community Day Centre in Hermanus; the New Dunoon Community Health Centre; the temporary Emergency Centre at Heideveld Community Day Centre; the new Rawsonville Clinic; new Robertson and Heidelberg ambulance stations; new emergency stations at Karl Bremer and Knysna Hospital; a new Psychiatric Observation Unit at Mitchells Plain Hospital; and upgrading and additions to the emergency centre at Tygerberg Hospital; plans will be completed for the new Helderberg Hospital; the reconstruction of the new G F Jooste Hospital; the revitalisation of Valkenberg Hospital; a Forensic Pathology Unit in Knysna; a Forensic Pathology Unit in Salt River; and this long list of projects is possible because of the way we deal with tenders in the Western Cape.

An HON MEMBER: Yes.

The MINISTER OF HEALTH: The expenditure on facilities for equipment

increased from R203 million in 2009 to R341 million in the current financial year but something which was also part of this question, which is very, very important to note in this House, is that the optimum cost per patient which was requested, in the Western Cape the *per capita* expenditure is R3 852 per patient. In the Eastern Cape it is R2 968; in Limpopo it is R2 800. In North West it is R2 600 and in Mpumalanga it is R2 400...

An HON MEMBER: It is right to do those [Interjection.]

The MINISTER OF HEALTH: ...in comparison to the Western Cape cost and expenditure per patient of R3 852. [Interjections.]

Mr Q R DYANTYI: Come back to the question please [Interjection.]

The MINISTER OF HEALTH: So in conclusion to this question, the resource allocations to health in the Western Cape are not only generous but very well spent and the population can be very proud of the services that they get in this province.

The DEPUTY SPEAKER: Is there a follow-up, hon member Mr Lentit?

Mr R B LENTIT: Thank you very much Mr Deputy Speaker. Minister Botha is it true that while hon member Mr Uys was Minister at the time that they reduced the number of beds and that they made use of labour brokers for the (a) part of the question? [Interjections.]

The MINISTER OF HEALTH: Hon member Mr Lentit, it is such a sad question that I would actually not have even wanted to reply to it, but the unfortunate reality and truth is yes, it is true.

An HON MEMBER: It is a joke. [Interjections.]

The DEPUTY SPEAKER: Thank you, are there any further? Hon member Ms Gopie? A follow-up question, sorry hon member Ms Gopie, is there a question? I will give you the chance first.

Ms D GOPIE: Minister Botha [Interjection.]

An HON MEMBER: Sorry, sorry, the microphone is not working here Mr Deputy Speaker.

The DEPUTY SPEAKER: What is not working?

HON MEMBERS: The mike.

An HON MEMBER: Is it?

An HON MEMBER: Uh-uh.

The DEPUTY SPEAKER: Put the one closest on to the member please.

Mr R B LENTIT: Use mine, mine works. [Interjections.] [Laughter.]

The DEPUTY SPEAKER: Thank you.

Ms D GOPIE: Minister, u sal saamstem as ek sê dat ons is nog altyd 'n tekort aan personeel het in selfs al hierdie nuwe hospitale en ook die primêre gesondheidsorg fasiliteite?.

Die ADJUNKSPEAKER: Agb Minister Botha.

Die MINISTER VAN GESONDHEID: Mnr die Adjunkspeaker, daar was nie 'n vraag nie, maar ek verstaan wat die lid probeer sê of probeer vasstel en daarom gaan ek dit met sodanige respek hanteer [Tussenwerpsel.]

An HON MEMBER: That is better!

Die MINISTER VAN GESONDHEID: ...want haar eie kookusbestuur kan haar nie help nie. Dit is so dat ons nog steeds hopeloos te min personeel het in gesondheid, ten spyte van die feit dat ons dit met 6 000 personeellede vermeerder het en baie fasiliteite vermeerder het maar die waarheid is ook dat in terme van gesondheidsnorme en standaarde met die allokasie van poste en spesifiek aan die diensleweringkant met verpleegkundiges en mediese beamptes, ons 'n baie, baie lae persentasie vakante poste het. Ons poste in die Wes-Kaap is gemiddeld vakant teen tussen 3 en 4% terwyl dit in die land

meer as 40% is. So ons is baie bevoorreg wat dit ook betref  
[Tussenwerpsels.]

Mnr Q R DYANTYI: Los die land.

Die MINISTER VAN GESONDHEID: ...maar dit is so dat ons altyd met meer personeel kan doen. Ten opsigte van ons verpleegpersoneel spesifiek is dit die moeite werd om te noem dat ons in die Wes-Kaap meer verpleegsters oplei as wat ons kan opneem in die staatssektor en dit plaas ons in 'n posisie waar ons in die vorige finansiële jaar byvoorbeeld hierdie regering se fondse gebruik het om verpleegsters op te lei en dan hierdie verpleegsters aan die Noord-Kaap Provinsie beskikbaar gestel het sonder om van hulle te verwag om die beursgelde terug te betaal. So wat ons gedoen het met die opleiding van ons personeel, ons het nie net in 'n baie kort tyd ons eie agterstand uitgewis nie, ons handhaaf ons bestaande personeel en ons kan ook ander provinsies help.

Die ADJUNKSPEAKER: Dankie. Agbare lid me Gillion.

Ms M N GILLION: Mr Deputy Speaker through you to the MEC, we went to Kraaifontein Day Hospital [Interjections.]

An HON MEMBER: It is a speech?

Ms M N GILLION: It is not a speech, I am coming to my question.



The DEPUTY SPEAKER: I am listening, please get to it. Thank you.

Ms M N GILLION: Am I protected?

The DEPUTY SPEAKER: You are always protected.

Ms M N GILLION: Thank you. As the Portfolio Committee on Health we had an oversight visit on Tuesday to Kraaifontein Day Hospital. I would like to ask the MEC to go on an oversight visit to the hospital, to that specific Day Hospital because the situation wasn't good and I want to ask the question to the MEC [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Gillion, please finish your question.

Ms M N GILLION: What is the problem?

The DEPUTY SPEAKER: Please continue your question and I will allow [Interjection.]

Mr M G E WILEY: What is the question? That is all we want.

The DEPUTY SPEAKER: Hon member Mr Wiley [Interjections.]

Ms M N GILLION: I will ask the hon Deputy Speaker to protect me.

The DEPUTY SPEAKER: Order! Order hon member Ms Gillion, I am protecting you, please continue with your question.

Ms M N GILLION: Thank you.

The DEPUTY SPEAKER: But finish it off soon, because you are taking a long time now.

Ms M N GILLION: I will go to the question. I will ask the MEC if he can answer the question in this House today on the way the security company at that hospital was appointed because there was an incident. If the MEC can come back to us with a report on that security company. Thank you.

The DEPUTY SPEAKER: Hon member Ms Gillion, yes, the hon MEC must have heard you, but the question was about allocation of health and beds and bed-care in the province. That is slightly off topic, but the Minister, if you want to respond to that you are welcome.

The MINISTER OF HEALTH: Mr Deputy Speaker, I wanted the member to complete what she was saying and I want to request you to please go and listen to this and make a ruling on what was presented here. There is no question for me that has any relation to what I have in front of me.

The DEPUTY SPEAKER: That is fine. That then concludes this question. It concludes the additional time for questions as well.

*[Replies to Questions 15 to 21 to be printed in Hansard]*

The DEPUTY SPEAKER: We continue with the Order Paper. We have already heard that the Premier is not here for the Questions to the Premier. We then proceed to Statements by Members. I see the DA first. I see the DA first for the second time; which one is first? Hon member Mr Kivedo.

#### **STATEMENTS BY MEMBERS**

Mr B D KIVEDO: Mr Deputy Speaker, hon fellow members, distinguished guests, I take this opportunity to commend the Western Cape Education Department on their swift proactive reaction to the media reports regarding the alleged rape game player in a Mitchells Plain school.

Although it was established that the game of this nature was not being played in schools, the very thought of it as a reality is appalling. This is especially shocking in the light of the increasing number of sexual violence offences particularly in which school-going-aged children are involved.

In agreement with the department, due to the allegations found untrue, we as public representatives and as the role-players entrusted with the wellbeing of the people of the Western Cape cannot and must not be complacent. It is a

sad reality that sexual violence is prevalent and too many of our children are exposed to these crimes.

The manner in which the Western Cape Education Department responded to the reports is both commendable and admirable. As soon as the reports appeared in the media, the department made it public knowledge and also included their steps in addressing the issue. They immediately launched a full investigation into the matter and engaged with all the relevant stakeholders.

The DA is pleased that no such game is being played by children in the Western Cape. However, false accusations of this nature is taken seriously because it can imprint in the minds of learners ideas to be executed in reality. We welcome the guidelines made available by the department and also the creation of awareness on the call from provincial Minister of Education, Minister Debbie Schäfer, in which learners are encouraged to contact our Safe Schools Centre on 0800 45 46 47 [Interjection.]

The DEPUTY SPEAKER: Order hon member Mr Kivedo [Interjection.]

Mr B D KIVEDO: ...to report sexual abuse.

The DEPUTY SPEAKER: Order hon member Mr Kivedo, your time has expired. Just finish off your sentence?

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

The DEPUTY SPEAKER: I see the ANC.

Mr M L FRANSMAN: Mr Deputy Speaker, the first 100 days of this DA Western Cape Government have come and gone and it indeed has demonstrated that the DA government has little or no intention to shake off its DNA of preserving mainly white privilege.

We have seen that there was in fact a failure of the provincial government to do justice to the imperatives of our Constitution by delivering to the poorest of the poor, but what did they deliver?

They have in fact delivered Filcon, corrupt construction type of contracts to among others driven by a man banned as company director in Britain. They have delivered a cadreship deployment like the new shadow mayor of Cape Town, Tim Harris, and to which the Opposition already referred.

What they have delivered in this provincial administration is the biggest disgrace of the banning of a Madiba banner on international Nelson Mandela Day in Durbanville.

In fact the worst that they have delivered under Premier Zille is the SAHRC finding on the DA's racist toilets against the human crisis of a housing and sanitation shortage for the poor. In fact it was the Human Rights Commission that reported that it was undignified, that it was in fact a problem; that it

creates serious problems for the poorest of the poor, but what was more worrying was the type of assault and attack on the Section 9 Institution by the leadership of the City as well as the leadership of the province. What is worrying is that what they have delivered is the Khayelitsha Commission with a waste of R15 million.

The DEPUTY SPEAKER: Hon member Mr Fransman, your time has expired, but just finish off, if you want to add another sentence, I am allowing you one sentence.

Mr M L FRANSMAN: ...and we have seen now the biggest indictment is in fact the finding in the court around the Rheenendal bus tragedy, where it is clear that the Western Cape Government indeed have blood on their hands for the failure of what we have picked up [Interjection.] [Time expired.]

The DEPUTY SPEAKER: Thank you, that is end of your statement; your time has expired. I see the DA. Hon member Ms Schäfer.

Ms B A SCHÄFER: Thank you, Mr Deputy Speaker. September marks the start of tourism month centred on the theme of “Tourism transforming lives.”

The Western Cape tourism industry is a major employer and driver of economic growth, contributing R18.5 billion to the region’s economy and employing more than 150 000 people.

According to the South African Tourism Index quarter three of the 2013 report, the Western Cape showed an impressive 25.9% growth, recording the highest number of tourism arrivals in this quarter. It is an impressive recovery from the declining economic trend we experienced between 2011 and 2012, but it is most disconcerting that I stand in this House today with a pile of complaints received from concerned stakeholders and families regarding the implementation of the new visa regulations.

Recent media reports have indicated that these regulations have already ripped apart families, dissuaded investors and led to the cancellation of multi million rand film and tourism ventures.

Is this really how tourism is transforming lives in South-Africa?

The new visa regulations continue to negatively impact tourism bookings and investment. Virgin Atlantic has just announced that it will be cancelling its Cape Town / London route. While SAA continues to operate the Johannesburg / Beijing route, despite an estimated R309 million a year loss, with these new visa regulations, we will see a 70% decline of visitors from China. I wonder what will happen to the future Chinese/South-Africa relations and ultimately to the sustainability of SAA as a result? So why risk the collapse of this important economic sector with legislation that has clearly not been thought through?

More tragic than this is the impact of children on attending schools in South

Africa. A family was unable to fulfil a custody court order to return their child to his paternal father at the right time forfeiting the cost of three air tickets and additional lawyer's fees as they were told their child could not return if he left, and would be classified as undesirable. It has been reported that a child as young as five months old has also been classified undesirable with a five year ban.

The DEPUTY SPEAKER: Order! Please finish off, your last sentence.

Ms B A SCHÄFER: I am here to announce that we have unanimously agreed on the 27<sup>th</sup> of August to hold public hearings to afford stakeholders the opportunity to raise their concerns with Parliament. We will conduct these hearings on the 25<sup>th</sup> and 26<sup>th</sup> of September.

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

Mr M N PAULSEN: During the 2014 State of the Province Address the Premier [Interjection.]

An HON MEMBER: Your mike is not working.

The DEPUTY SPEAKER: It is working now.

Mr M N PAULSEN: The Premier boasted about creating thousands of jobs



and also invited a number of black business owners supposedly assisted by the Western Cape Government; how they were directly involved is still a mystery. On top of the stats boasted about, we were told the government has created an environment and platforms for business to flourish and for employment to take place. However the quality of all jobs created by the Western Cape Government is appalling. Jobs attained through labour brokers and contracts should never be celebrated. If anything the government should be ashamed that with all the land and mineral wealth South-Africa has, this is the best we can do for our people.

Temporary contracts and labour brokers are modern day slavery, giving our people false hope and creating an illusion that the government even cares. For years we have shouted slogans like “Vukuzenzela” and “working together to make South-Africa a better place”, but we have a government that has suffocated most business ventures championed by black people. Let us take the taxi industry for instance, wholly black owned, black run and highly successful; this is now being slowly phased out by the same government that claims to create platforms for business to flourish through the MyCiTi Project. Instead of supporting the taxi industry the DA government has opted to move their infamous evictions from communities to taxi ranks. We are now getting rid of black-owned businesses.

The MyCiTi Programme has displaced hundreds of taxi drivers who have not only lost their source of income but have never been compensated with most not having received alternate employment. The government has as per

tradition invested enormously in infrastructure and failed in everything else. People are still sandwiched in MyCiTi buses as they were in Metrorail and we are now sitting with unemployed drivers.

Even the cleaning staff in the legislature in this building have not the slightest idea whether they will still be employed next month. You change contracts, you see, this government has so little capacity; we even have people contracted to purchase toilet paper.

What fate then befalls the millions of desperate people outside this building who are trying their best only to have barriers and hurdles put in front of them, by the very people that should be assisting them. So much for a government that cares.

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

Mr M N PAULSEN: The EFF has always maintained that the DA-led Western Cape Government is a capitalist and racist government.

The DEPUTY SPEAKER: Thank you hon member Mr Paulsen, your time has expired now. I see the DA, hon member Mr Mnqasela.

Mr M MNQASELA: Thank you, Mr Deputy Speaker. The Statistics South Africa on municipal service delivery report that was released last week once

again places the Western Cape as number one in the country. The statistics in the report also published last week by the South African Institute for Race Relations confirm these findings.

According to non-financial census of municipalities for the year ended 30 June 2013 the Western Cape showed the highest proportion of consumer units that benefited from the free basic services. In water, 77.3% benefited, in electricity 44.3%, in sewerage and sanitation 69% and that is just the Western Cape. In other provinces the story is very clear, it is messy.

The Western Cape in these statistics proved that the DA cares for the poor. We do not just speak for the poor, we do not just act and pretend, but we deliver to the poor and they see it. That is why we are back in government now and these statistics unequivocally prove there is no better government anywhere else in this country, but only where the DA is in power municipalities perform better. [Interjections.]

The DA believes that corruption and mismanagement destroys jobs and the economic growth of our country, that it kills investments. It makes the poor even poorer. This is especially evident in provinces like Limpopo, Mpumalanga, Eastern Cape, which all of them rank to the bottom of the list by Statistics SA. To end, [Interjection.]

The DEPUTY SPEAKER: Your end must be quick, because your time has expired.

Mr M MNQASELA: 76% of our budget in the Western Cape we spend on  
[Interjections.]

Mr Q R DYANTYI: Porta potties.

Mr M MNQASELA: ...poor programmes in poor communities and those  
programmes are very clear, they better the lives of the poor.

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

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

The DEPUTY SPEAKER: The ANC, hon member Mr Dyantyi.

Mr Q R DYANTYI: What a circus the DA has turned Oudtshoorn into! The  
desperate DA in Oudtshoorn even attempted an illegal power grab and now it  
has to pay a price for its ill-considered actions!

At first it destabilised the municipal council by buying over five other  
councillors, pretty much resembling the rash Tlokwe takeover farce. As soon  
as it had the chance the DA councillors illegally gathered and after electing a  
bogus mayoral team, took a decision to pay the legal costs of a certain  
member, Pierre Nel. Onthou Pierre Nel. [Tussenwerpsels.]

This included fraud and the falsification of a Constitutional Court order! Nel has since been provisionally sequestered for the cost incurred!

An HON MEMBER: He paid a lot of money.

An HON MEMBER: Yes.

Mr Q R DYANTYI: The plot thickened and the DA clowns started to become a crowd.

An HON MEMBER: Yes.

Mr Q R DYANTYI: Now eleven of them are collecting money like paupers in public to pay the legal cost after the sheriff started writing up their earthly possessions!

An HON MEMBER: Yes.

Mr Q R DYANTYI: This is due to High Court legal cost after staging the illegal council meeting. [Interjections.]

Die DA wil Oudtshoorn oorvat en dit terselfdertyd onder administrasie laat plaas! Dit is so snaaks!

'n AGBARE LID: Maar dis chaos daar.

Mnr Q R DYANTYI: Want die DA sal dan vir die tweede keer  
[Tussenwerpsels.]

'n AGBARE LID: Nadat dit begin het by Gordon Thomas [Onhoorbaar.]

Mnr Q R DYANTYI: ...nie kan heers nie omdat 'n administrateur na sy sake  
moet omsien!

'n AGBARE LID: Julle het dit alles opgemors.

Mnr Q R DYANTYI: Dit sal die tweede keer wees dat Oudtshoorn onder  
administrasie sal wees, terwyl die DA dit beheer! [Tussenwerpsels.] Nou kom  
die punt: the main joker, the Mayor Wessie van der Westhuizen. Onthou  
Wessie, die een wat nou in Wesgro is. [Interjections.] In public he typified  
Oudtshoorn as a circus.

An HON MEMBER: Yes!

Mr Q R DYANTYI: It is indeed the DA circus and nothing there is funny. It  
is a travesty! Shame on the DA for turning local government into a public  
spectacle! You have to see this... [Interjection.]

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

Mr Q R DYANTYI: ...in these papers, showing the money. This is Oudtshoorn. This is the DA.

The DEPUTY SPEAKER: Order! Your time has expired, member. I see the DA. The DA.

Mr D JOSEPH: Dankie. Mnr die Adjunkspeaker, vandag moet ons kennis neem dat Oudtshoorn onder die ANC/NPP koalisie 'n konstitusionele krisis skep. Daar is geen leiding nie, ook nie van nasionaal af nie en daarom stuur dit op 'n krisis af. Die ANC weier net om die mag oor te gee en hulle weet dat partye regeer van verkiesing tot verkiesing en die ANC is op rekord dat hulle sê hulle sal regeer totdat Jesus kom. [Tussenwerpsels.]

Mnr Q R DYANTYI: Gaan Oudtshoorn toe [Tussenwerpsels.]

Mnr D JOSEPH: Maar hulle het vergeet Jesus was daar op die 7de Augustus verlede jaar, so hulle het klaar die geveg verloor. [Tussenwerpsels.]

Hulle het die verkiesing verloor. Hulle het geen respek meer vir die Grondwet nie, en Oudtshoorn onder ANC is 'n mislukte staat; geen respek vir demokrasie vir die inwoners en vir die munisipaliteit nie, en vir hofuitsprake en vir die belastingbetalers nie.

Die ANC-koalisie is onwettig en hulle het onwettig raadslede geskors en die hof het gereël dat hulle weer ingestel moet word, en daarom kan ons vandag

sê dat hierdie Parlement en die DA-regering hom verbind tot demokrasie en ons respekteer die konstitusie van die land. Daar is geen raadsvergaderings, geen MAYCO vergaderings... [Tussenwerpsels.]

'n AGBARE LID: So julle respekteer nou alles!

Mnr D JOSEPH: ...geen hofuitsprake wat nou gerespekteer word in die hof nie. Ons moet kennis neem dat die raad in Oudtshoorn nie hulle wetlike pligte kan uitvoer of nakom nie. [Tussenwerpsels.] Die 2014-verkiesing het dus bewys dat die mense van die Wes-Kaap en Oudtshoorn nie die ANC kan vertrou nie. [Tussenwerpsels.] Ek dank u.

Die ADJUNKSPEAKER: Orde! [Tussenwerpsels.] Orde! Orde! The ACDP, then I see the ANC, agb lid mnr Olivier.

Mr R T OLIVIER: Mr Deputy Speaker, the DA has been caught out after much covering-up, refusing to release the secret learner transport report and not coming clean on the fiasco after the very tragic Rheenendal disaster in which fourteen learners and the bus driver lost their lives. [Interjections.]

On Friday we saw the DA-run Western Cape Department of Education laid bare for all to see. It was negligent to the extreme; I repeat, negligent to the extreme, in that fifteen people had to be buried.

Now we all know that why the DA scrambled so much to cover-up and hide!



It was trying to run away from its responsibilities as it is liable for the death of so many children. In two households three siblings each died and in another two of the same family perished. All their blood is on the hands of those in the DA administration that manipulated information and tried to run away from their responsibility as government.

An HON MEMBER: Yes, Uh-huh.

Mr R T OLIVIER: The DA was quick to run to get cheap publicity from the tragedy but this week when the third anniversary of that horrible day was commemorated in Rheenendal, the DA was nowhere to console the bereaved!

An HON MEMBER: It is not elections. [Interjections.]

An HON MEMBER: As usual.

Mr R T OLIVIER: This shows the real DA is uncaring and heartless! Shame on the DA! Shame on the DA leader! Shame on them, the MEC Donald Grant for his part in the cover-up!

An HON MEMBER: Yes, terrible.

The DEPUTY SPEAKER: Thank you. I see the DA, sorry [Interjections.]  
Order! Order! Order!

Mr M G E WILEY: Mr Deputy Speaker, I would like you to consider a ruling please. It is the second statement from an ANC member where it accuses the administration of having “blood on its hands.” I would like a ruling on the matter.

The DEPUTY SPEAKER: I am going to attend to [Interjections.] Order! Order! [Interjections.] Order! I did not hear those specific words in this statement. I heard it in hon member Mr Fransman’s statement and I am going to address that at the end of statements.

Mr M G E WILEY: It was also in this gentleman’s statement.

The DEPUTY SPEAKER: Okay, I missed that, but I will get to that. I saw the DA for the last person.

An HON MEMBER: [Inaudible.] you were killers and there was nothing done.

Mr L H MAX: Mr Deputy Speaker [Interjections.]

An HON MEMBER: Yes, you were killers.

Mr L H MAX: The orchestrated poo-throwing, the increased illegal protest actions, attacks on our motorists and on our national roads, destruction of our

rail system and Golden Arrow buses, the assault of bus drivers and the killing of our people in the Western Cape are causes for serious concern.

Mr Q R DYANTYI: I agree with you there.

Mr L H MAX: There is no doubt that these attacks are part of the ongoing strategy to make the City of Cape Town and the Western Cape ungovernable.  
[Interjections.]

An HON MEMBER: Ah, come-on.

Mr L H MAX: These faceless and mindless criminals should face the full might of the law and must account for their callous deeds. We have drawn the line in the sand and said “enough is enough and this lawlessness cannot be tolerated any longer.”

The so-called discontent about the increase of traffic fines and the legal impoundment of taxis cannot be used as a justification for these criminal actions. These criminal acts not only inconvenience the law-abiding citizens of the Western Cape, but it also adversely affects our economy.

It is therefore that I urge the South African Police Service and other policing agencies to expedite these cases and to bring the perpetrators to book.

The general perception is that the national government condones these acts, as it drags its feet to ensure that the South African Police Service in the Western Cape is properly resourced to deal with this type of criminality.

The rule of law must always be upheld and no amount of political bickering will obstruct the process of good governance in this DA-led Western Cape Government.

An HON MEMBER: It is failing.

Mr L H MAX: To the people of the Western Cape, we as the DA says: your solid constitutional mandate of electing this government will never fail you, and the safety of all commuters, their properties and the lives of our people will remain for us a priority. [Interjections.]

The DEPUTY SPEAKER: Thank you hon member Mr Max. That brings us to the end of the statements. As I indicated, I just want to address the hon member Mr Fransman; in his last sentence, the injury time sentence, you referred to the DA government as “having blood on its hands.” I just want to make sure that you did not refer to any specific member in the House when you said that. Can you just confirm that, that we can hear?

Mr M L FRANSMAN: I can confirm that.

The DEPUTY SPEAKER: Thank you. That disposes of that one. The hon member Mr Olivier, I did not hear what you said, did you say similar words?

Mr R T OLIVIER: Yes.

The DEPUTY SPEAKER: Can you also indicate whether in fact you referred to a member of this House or not?

Mr R T OLIVIER: No, I referred to the DA, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you, that is acceptable. [Interjections.] We will then continue with motions. [Interjections.] Order! Listen carefully, we continue with motions. Are there any motions where notice is given now? I see the hon member Ms Wenger.

### **MOTIONS WITH NOTICE**

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

That the House debates the eventual release of the so-called “spy-tapes” and the role that this case has played in defence of our state institutions and the constitutional principle of equality before the law.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Notice taken. Any further hon member Mr Olivier?

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

That the House debates the state of learner transport in the Western Cape and the Department of Education's role in ensuring the best possible service for learners.

*[Notice of motion as moved by Member.]*

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

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

That the House debates the first 100 days in the new term of government under the leadership of Premier Zille and her Cabinet.

*[Notice of motion as moved by Member.]*

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

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

That the House discusses the South African Women's Charter that was adopted sixty years ago and the "strive" achieved, particularly here in

the Western Cape.

*[Notice of motion as moved by Member.]*

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

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

That the House debates the report by Stats SA on the provision of free basic services per province, which shows that the Western Cape is number one in all primary categories.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Notice taken. Are there any further, hon member Ms Lekker.

†UNKzs P Z LEKKER: Enkosi Sekela Somlomo. \*Thank you, Mr Deputy Speaker. I give notice that I shall move:

That the House debates the increasing problem of intimidation by drug lords and gangsters to the level where parents are too scared to send their children to school.

*[Notice of motion as moved by Member.]*

The DEPUTY SPEAKER: Notice taken. Are there any further? No further? Then we proceed to motions without notice. Are there any motions without notice, hon member Mr Joseph. Sorry, I did not see you.

### **MOTIONS WITHOUT NOTICE**

Mr D JOSEPH: Mr Deputy Speaker, I move [Interjections.]

The DEPUTY SPEAKER: Order! Please carry on, you can carry on.

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

That this House notes the resignation of Adv Pansy Tlakula as Chair of the IEC and its importance for the preservation of the integrity of our Chapter 9 Institutions.

*[Motion as moved by Member.]*

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

Agreed to.

The DEPUTY SPEAKER: Hon member Mr Tyatyam.



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

That the House expresses condolences to the family, friends and comrades of former Langa black consciousness stalwart, Vuyisa Qunta, who died after a short illness at the age of 65. Qunta is a real struggle hero who served as the public secretary of the Black Consciousness Movement of Azania and former Azanla fighters.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Thank you. Despite the motivation we will take note of that. Is there any objection to the motion without notice? No objection to the motion itself?

Agreed to.

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

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

That this House expresses our deepest sympathy to the family and friends of one of South Africa's most well-known accordion players, Ollie Viljoen, who passed away on Saturday, the 31<sup>st</sup> of August 2014.

*[Motion as moved by Member.]*

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

Agreed to.

The DEPUTY SPEAKER: Then the hon member Mr Lentit and then I will come this side. Hon member Mr Lentit.

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

Dat die Huis die burgemeester van Stellenbosch, raadslid Conrad Sidego en die munisipaliteit gelukwens met die toekenning as die groenste munisipaliteit in die land vir die aanplanting van 'n miljoen bome.

*[Voorstel soos deur lid voorgestel.]*

Die ADJUNKSPEAKER: Geen beswaar teen die voorstel sonder kennis? [Tussenwerpsels.] Hon member Mr Dyantyi, I am battling to speak with you. Geen beswaar teen die voorstel sonder kennis? Geen beswaar teen die voorstel self?

Goedgekeur.

The DEPUTY SPEAKER: Hon member Ms Lekker.

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

That the House commiserates with the family and friends of the 21-year-old Emil van Staden who became the sixteenth victim of a gang killing in Wesbank in the last month.

*[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 Mnqasela.

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

That the House congratulates Mr Luyuyo Rani, a young entrepreneur from Khayelitsha and Founder of Silulo Ulutho Technologies, on his selection as one of the 2014 Junior Chamber International Ten Outstanding Young Persons of the World. He will be representing South Africa at the Congress in Leipzig in Germany in November 2014.

*[Motion as moved by Member.]*

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

Agreed to.

The DEPUTY SPEAKER: Hon member Mr Olivier first and then hon member Mr Mackenzie, first hon member Mr Olivier.

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

That the House condemns the recent rape of a 22-year-old Matie student on Saturday morning after a break-in at the Banhoek House, Joubert Street, Stellenbosch.

*[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 the House wishes the Western Province under-21 player John Dave Schickerling a speedy recovery after he suffered a serious neck injury during the match against the Blue Bulls at Loftus Versfeld on Saturday.

*[Motion as moved by Member.]*

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

Agreed to.

The DEPUTY SPEAKER: Hon member Mr Tyatyam.

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

That the House congratulates the newly appointed Western Cape provincial mini-cricket coordinator in the Western Cape, Mark Khoabane.

*[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: First hon member Mr Lentit and then I will come to this side. Hon member Mr Lentit.

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

Dat die Huis die Premier van die Wes-Kaap en leier van die DA bedank vir die volgehoue ywer waarmee sy die Grondwet van Suid-Afrika verdedig en handhaaf.

*[Voorstel soos deur lid voorgestel.]*

Mnr Q R DYANTYI: Asseblief!

Die ADJUNKSPEAKER: Is daar beswaar? Daar is beswaar. Dit sal op die Ordelys gedruk word. Agb lid me Davids. [Tussenwerpsels.] Die beswaar was teen die feit dat dit sonder kennis voorgestel word.

Mnr Q R DYANTYI: Asseblief man! [Interjections.]

The DEPUTY SPEAKER: Then hon member Ms Davids.

Ms S W DAVIDS: Mr Deputy Speaker, I move without notice:

That this House notes that the Cape Chamber of Commerce and Industry slammed the DA-run City of Cape Town for the new tariff hikes on outside tables of the city's restaurants as unreasonable and unacceptable, and other role-players claiming it would lead to job losses and the reduction of tourist facilities.

*[Motion as moved by Member.]*

Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder kennis? Is daar beswaar? Is there an objection? We will note the objection. Any further? Is there a further one, hon member Mr Mnqasela.

Mr Q R DYANTYI: Short and sweet.

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

That this House congratulates the Democratic Alliance in the Western Cape for governing the province that provides the best basic services to all its people.

*[Motion as moved by member.]*

An HON MEMBER: You cannot move. There is objection!

The DEPUTY SPEAKER: Is there an objection to the fact that it is being moved without notice? [Interjections.]

An HON MEMBER: Objection!

The DEPUTY SPEAKER: Order! Order! Order! I have noted the objection. It will be printed on the Order Paper. Are you standing hon member Ms Lekker; you are standing? [Interjections.]

An HON MEMBER: An objection? [Interjections.]

The DEPUTY SPEAKER: You may proceed. [Interjections.] Order! Please continue.

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

That the House commends the South African Police Services for intensifying the struggle against drugs and illegal substance abuse; especially with the bust of R3.5 million in Swellendam.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Is there any objection to the motion? [Applause.]

No objection to the motion without notice? No objection to the motion itself?



Agreed to.

The DEPUTY SPEAKER: Hon member Mr Olivier. Hon member Mr Olivier, I am waiting for you.

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

That the House commends the National Department of Basic Education and Deputy Minister Enver Surty for their Accelerated Schools Infrastructure Delivery Initiative programme for the upgrading of school facilities of which Die Duine Primary School in Lotus River is a prime example of the excellent service delivery under this national programme.

*[Motion as moved by Member.]*

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

An HON MEMBER: Yes.

The DEPUTY SPEAKER: There is an objection. [Interjections.] Order! Order! I have noted the objection. It will be printed on the Order Paper. Hon member Mr Dugmore.

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

That the House calls on the national government to assist the Western Cape to deal with the current sabotage and acts of violence which have impacted on the taxi industry in the province [Interjections.]

Mnr Q R DYANTYI: Hulle is te swak.

Mr C M DUGMORE: ...and calls on the Mayor of Cape Town to desist from describing the violence as part of an ungovernability strategy towards 2016; a description which has no basis in reality. [Interjections.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Order!

Mr M G E WILEY: Objection to the motion being moved without notice.

The DEPUTY SPEAKER: Yes, I have noted the objection. The objection is against the fact that it is moved without notice. It will be printed on the Order Paper. Are there any further? Hon member Ms Gopie.

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

That the House notes the persistent bad newspaper reports of poor

service delivery or bad experiences at facilities of the Provincial Department of Health together with the fact that health workers now have to work under duress as they fear for their lives.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Is there any objection to the motion being moved without notice? [Interjections.] There is an objection. [Interjections.] Order! It will be printed on the Order Paper. Are there any further? Hon member Mr Magaxa.

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

That the House notes the fact that reports indicate that the DA-led City of Cape Town continuously tears down dwellings in informal settlements with their dreaded unit known as the Land Hit Squad and leaves scores of poor people with children homeless.

*[Motion as moved by Member.]*

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

Mr M G E WILEY: Objection to it being moved without notice, yes.

The DEPUTY SPEAKER: The objection will be recorded and it will be printed on the Order Paper. Are there any further motions? For the last time? No further motions? Hon member Mr Fransman?

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

That the House recognises the challenges in the public transport sector and the inability of the responsible institutions to address such challenges.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Are there any objections to the motion without notice? [Interjections.] There is an objection. It will be printed on the Order Paper. Hon member Mr Fransman. [Interjections.]

An HON MEMBER: No objection, no.

The DEPUTY SPEAKER: Is there? There is an objection? Do you object?

Ms D GOPIE: Yes. That man objects to all our [Interjections.]

The DEPUTY SPEAKER: Order! I am looking at the Whips. Is there an objection to the fact that it is being moved without notice? This is the question?

An HON MEMBER: They are so confused.

Ms D GOPIE: They are so confused.

The DEPUTY SPEAKER: There is no objection?

An HON MEMBER: There is no objection [Interjection.]

The DEPUTY SPEAKER: It will be printed on the Order Paper. Hon member Mr Fransman, just sign and give it to the Table, thank you.

'n AGBARE LID: Mooi.

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

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

That the House notes the fact that the Western Cape Department of Education has been found negligent in the Rheenendal bus tragedy in which fifteen people lost their lives.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Is there an objection to that motion without notice?

Mr M G E WILEY: I could not hear his first opening words. Could he please repeat it?

The DEPUTY SPEAKER: The hon member Mr Olivier, will you please [Interjections.] Please, the House must please quiet down. I will ask the hon member Mr Olivier to again read that.

†UMnu R T OLIVIER: Sekela Somlomo... \*Mr Deputy Speaker ...

Mr Q R DYANTYI: Slowly!

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

That this House notes the fact that the Western Cape Department of Education has been found negligent in the Rheenendal bus tragedy in which fifteen people lost their lives.

*[Motion as moved by Member.]*

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

There is no objection. Are there any further? [Interjections.]

An HON MEMBER: Yes!

The DEPUTY SPEAKER: Is there an objection?

Mr B D KIVEDO: Objection. [Interjections.]

The DEPUTY SPEAKER: Order! I am looking [Interjection.] I am taking my... [Interjections.] Order, order members, order. [Interjections.] Order! I am taking the cue from the Chief Whip. Chief Whip, there is no objection to the fact that it is being moved without notice? There is no objection. We continue, hon member Ms Gillion. [Interjections.]

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

That the House calls on the Western Cape Provincial Government to investigate and speed up the process and provide support to hundreds of struggling crèches in poor areas to get the necessary certification in order to enable them to get State funding to continue with the good work of nurturing the poor workers' children [Interjections.]

The DEPUTY SPEAKER: Order! [Interjections.]

Ms M N GILLION: ...all be likened to the apartheid's regime [Inaudible.]

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Is that an objection?

Mr M G E WILEY: These are long statements which are being motivated. They do not fall within the Rules, [Interjections.] ...first of all and secondly these [Interjections.]

Ms M N GILLION: Thank you.

Mr M G E WILEY: It is without notice. They must be with notice.

An HON MEMBER: No man [Interjections.]

The DEPUTY SPEAKER: Hon member Mr Wiley, there is no rule about what the statement should look like. [Interjections.] Order! Order! Can I just speak for myself? A statement may not be motivated. That is the rule. You may not motivate a statement. There is no restriction on length. The ideal situation for statements without notice is that the various party Whips agree beforehand which motions are moved without, but that has been found to be unfavourable by the Whips, so the only other option is the Whips must announce or must stand up and say “we object to the fact that a specific motion is moved without notice.” Then it gets blocked and it gets put on the Order Paper.

An HON MEMBER: Then we object.

The DEPUTY SPEAKER: And this one we will then object to, or they have objected to it. It will be printed on the Order Paper. Are there any further?



Hon Makeleni.

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

That the House calls on the Western Cape Provincial Government to investigate why the City of Cape Town kicked out the African Brothers Football Academy from a public recreational facility in the Cape City Bowl area of Gardens, leaving hundreds of underprivileged children without a place to play.

*[Motion as moved by Member.]*

The DEPUTY SPEAKER: Is there any objection to the motion being moved without notice? There is no objection?

Agreed to.

The DEPUTY SPEAKER: Hon member Mr Tyatyam.

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

That the House congratulates the Khayelitsha soccer team, Cape Town All Stars from Khayelitsha for winning their playoffs to begin their campaign in the National First Division; and wishes them well.

*[Motion as moved by Member.]*

An HON MEMBER: We wish them very well.

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

Agreed to.

The DEPUTY SPEAKER: Are there any further? Hon member Ms Makeleni.

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

That the House notes that this month we also commemorate the fourth year since the Battle of Hangberg where four people each lost an eye in an eviction standoff never seen in this province before.

*[Motion as moved by Member.]*

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

Agreed to.

The DEPUTY SPEAKER: Are there any further on this side? Hon member Mr

Wiley?

Mr M G E WILEY: Mr Deputy Speaker, may I address you on a matter please?

The DEPUTY SPEAKER: Yes, you may. Can I just check, is that the final? You have got to do it afterwards when we are finished. Are there any further motions on this side? Then you can address me.

Mr M G E WILEY: Mr Deputy Speaker I just want to address you on a matter. The Rheenendal bus report that came through, we in fact do object to it. The fact of the matter is there are so many of these statements that are coming to us without notice when they in fact should be tabled as motions with notice. It is difficult to keep track. Many of these statements have got implications for this government and we object to the one with regard to Rheenendal [Interjections.]

The DEPUTY SPEAKER: Order! Order! Hon member Mr Uys.

Mr P UYS: May I address you Mr Deputy Speaker?

The DEPUTY SPEAKER: You may.

Mr P UYS: Mr Deputy Speaker, this was very clear, you actually for a second time asked the House and the Chief Whip said yes, he is in agreement. Then

afterwards MEC Schäfer came to him and objected to the Chief Whip. It is unacceptable and that that must go through. [Interjections.]

Mr B D KIVEDO: Mr Deputy Speaker, I have been on my feet.

The DEPUTY SPEAKER: Is it the same point?

Mr B D KIVEDO: Yes, the same point where I objected to that motion.

The DEPUTY SPEAKER: Yes. [Interjections.] Order! Order! Order members! You are making it very difficult for the Chair because the Chair must take its cue normally from the Chief Whip.

An HON MEMBER: That is the rule yes. [Interjections.]

The DEPUTY SPEAKER: In this case I know there were [Interjections.] Order!

An HON MEMBER: Let us vote on it. It is a circus. [Interjections.]

The DEPUTY SPEAKER: In this case it was very [Interjections.] I am asking for the last time for the ANC backbenchers to behave themselves when the Chair speaks. It is awfully difficult for the Chair to make a call when there is no clear indication. Whatever the Chair will now decide will have consequences. At the time we said that there was no objection. There clearly

is an objection from that side of the majority party... [Interjection.]

Mr Q R DYANTYI: It is a circus. It is a circus.

The DEPUTY SPEAKER: ...and I must accept that objection. If there is a need from the ANC to change anything before we get to the next point then certainly I will also accept that. In moving these motions there is controversial stuff, difficult stuff, long-winded stuff, and it is awfully difficult for the Whips to make a call instantaneously. That is why I suggested previously that the Whips, when they come with controversial motions, must at least clear it within their Whips group. This is not something new. This is standard procedure at national Parliament as well. I am not asking for the impossible. I am asking that the Whips when they come with controversial stuff clear it beforehand otherwise we are going to fall into this trap all along and we want to avoid that. Hon member Mr Uys, for the last time, I will hear you.

Mr P UYS: Thank you, Mr Deputy Speaker. You were very clear. You asked whether there was any objection.

The DEPUTY SPEAKER: I agree, yes.

An HON MEMBER: That is it!

Mr P UYS: And there was no objection. We must protect the Chair here. We

cannot let people now change because they are unhappy with that afterwards. There was no objection and I want you to rule that way.

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

The DEPUTY SPEAKER: I have ruled on that, and I am taking the controversial route and now you want to burn the Chair for that.

An HON MEMBER: Thank you.

The DEPUTY SPEAKER: But I have given both sides a chance to change anything afterwards and I want to ask that the Whips in future discuss these things because it is going to lead to a continuation of the same problem [Inaudible.] [Interjection.]

Mr B D KIVEDO: Mr Deputy Speaker if you can just allow me a chance to speak.

HON MEMBERS: No! No!

Mr B D KIVEDO: I was definitely on my feet when you asked for any objections. I rose and I spoke and I lodged my objection at the time.

The DEPUTY SPEAKER: Hon member Mr Kivedo, you can take your seat. I know there were more than one person standing up and objecting but I said

before I cannot take any individual objection because there must be an official objection from the party and that official objection comes via the Chief Whip. [Interjections.] At that point there was no objection and I agree, I asked the Chief Whip, but I am saying it is fair if a party changes its mind or gets different insights into a topic, that the party then asks the Chair to consider a different view and this is what I have done and that is my ruling. Hon member Mr Fransman.

Mr M L FRANSMAN: Mr Deputy Speaker, I actually want to address you on that issue.

The DEPUTY SPEAKER: Yes please.

Mr M L FRANSMAN: It was in fact a decision of the House that there was no objection to that matter. [Interjections.] That was the decision of the House so in that context, after closure of that point, what the Rules therefore do say, if one wants to reopen a decision that the House has taken, and I think that is the issue that I will take with your [Interjections.]

The DEPUTY SPEAKER: No I accept [Interjection.]

Mr M L FRANSMAN: ... controversial point.

The DEPUTY SPEAKER: I accept that, except to say that once the House has adjourned it is different, then you need to put it on the Order Paper and have

a discussion in the House. This is still the same topic before the House. It is still motions before the House [Interjections.] So for the moment I am ruling that we leave it there. If there is a change of mind through other research that we have done we may come back to the House with a different view, but I stand by the ruling that the party was given the opportunity to change its mind and to come with an objection and I have accepted that.

Mnr Q R DYANTYI: Julle is deurmekaar.

The DEPUTY SPEAKER: Let us proceed, otherwise we are going to stay here the whole day.

Mr M L FRANSMAN: Mr Deputy Speaker, clarity before [Interjection.]

The DEPUTY SPEAKER: Sorry?

Mr M L FRANSMAN: Clarity, is it then so that there was an agreement of the House and thereafter the Chief Whip has changed its mind so that is [Interjection.]

The MINISTER OF EDUCATION: Let me cut matters short.

Mr M L FRANSMAN: That is the minutes that we are [Interjection.]

The DEPUTY SPEAKER: I know the point that you are making, but I am



saying, my ruling is that for the moment, because it is still the same topic before the House, I will allow the party to come with a different view if they need to do. Hon member Mr Tyatyam, and after that I am closing the case.

Mr S G TYATYAM: Yes.

The MINISTER OF EDUCATION: No [Inaudible.] Oh.

Mr S G TYATYAM: Mr Deputy Speaker, there is a particular role that we must all be vigilant particularly when there are motions. We cannot help it when the Whip party of the majority party decided to sleep when we were dealing with motions. [Interjections.] It is their problem. It is not for us, because we are all told that we must be vigilant and there is a rule to that.

The DEPUTY SPEAKER: Ja.

Mr S G TYATYAM: Thanks.

The DEPUTY SPEAKER: Hon Minister, do you want to address me as the last speaker?

The MINISTER OF EDUCATION: Thank you Mr Deputy Speaker. I specifically said I object. I have read the Rheenendal judgment. It is not true what was said in that motion and I did object at the time. So it is not true that it was an agreement of this House.

An HON MEMBER: No, no, no.

The DEPUTY SPEAKER: I am not disputing that. I did say that a couple of people did stand up and sort of objected, but I was looking at the Chief Whip for my final cue, which is the normal procedure, and there was nothing coming from there. People, we cannot continue like this. Hon member Mr Uys, I want to close this matter.

Mr P UYS: This is very serious Mr Deputy Speaker. Each motion gets voted or decided on, on its own. You cannot now say we lump all the motions together and collectively we are still busy with motions. We are not busy with motions. Each motion gets disposed of at its own time.

An HON MEMBER: Yes.

Mr P UYS: And we disposed of that motion at its time.

The DEPUTY SPEAKER: Yes. We did.

Mr P UYS: So please, Mr Deputy Speaker... [Interjection.]

The DEPUTY SPEAKER: I said, I said ... [Interjection.]

Mr P UYS: ...reconsider what you ruled.

The DEPUTY SPEAKER: I said my ruling stands unless we reconsider it and I will come back with a different ruling if necessary. That can be done, but for the moment my ruling stands as I have indicated. We must now move on to the subject for discussion.

Mr Q R DYANTYI: It is a circus.

The DEPUTY SPEAKER: The subject for discussion is in the name of the hon member Mr Paulsen, and hon member Mr Dyantyi, I want you to please be quiet while the speaker speaks. In the name of the hon member Mr Paulsen, but before we give the floor to the hon member Mr Paulsen, I need to address the House on something which is topical in this case.

The wording of the subject for discussion states as a fact that the Western Cape Government “prioritises tenderpreneurship over service delivery” and “restoring people’s human dignity”. We are all aware that there is a negative connotation to the term “tenderpreneur” and that it is often associated with corruption. The Chair does not hold any brief for the Western Cape Government or wants to protect it in any way. However, to be able to have that stated as a fact on the agenda of the provincial Parliament is extremely unfair. If the word “perceived” preceded the “prioritisation of tenderpreneurship” it would have been acceptable.

The Speaker shall in future look at proposed topics carefully to ensure that

no perception or opinion is put forward as fact and we will deal with draft motions in terms of the powers assigned to the Speaker under Rule 150.

We now proceed to the Speaker's list and I see the hon member Mr Paulsen.

**SUBJECT FOR DISCUSSION:**

The Western Cape Government's prioritisation of "tenderpreneurship" over service delivery and restoring people's human dignity.

Mr M N PAULSEN (EFF): A government that says it cannot create jobs, nor is it their responsibility to do so, is unfit to govern. Our country needs to be rebuilt after the apartheid years of skewed development and underdevelopment. For millions without a job it is not just a loss of being able to afford the basic things, it is also the loss of dignity that destroys people and their communities. This will mean that this government has to take the lead by providing bricks and cement for rebuilding South Africa. Black economic empowerment should be black employment empowerment with employment placed at the centre of government policy. But we need to ask why this has not happened in the 20 years of democracy.

This Western Cape government has taken their cue from the national government whose response has been tenderpreneurship. The tender process is prone to corruption. Two tenderpreneurs, Power Construction and ASLA - you would be well aware of them, members of the ruling party - have been

appointed implementing agents for social housing. An implementing agent is supposed to assist in the development of specifications for, in this case, housing projects and allocating work to subcontractors. The implementing agents awarded some of the tenders to themselves. Talk about a conflict of interest.

Other tenderpreneurs, AKON and Aurecon are implementing agents for community residential unit projects. Two of many CRU projects awarded to the tenderpreneur Filcon are the upgrades of the Hanover Park and Manenberg Flats. In total Filcon has done R160 million worth of work on these projects. As we all know, Filcon is no longer operational. In any construction project, latent defects only surface three to five years after completion. Where are the guarantees for materials and workmanship? Guarantees can reduce the cost of future maintenance and repairs by up to 60%. The worst consequence of Filcon's demise is the [Inaudible.] stay in those living containers or as it is known temporary accommodation villages, TAVs.

Let us talk about some other Filcon misdemeanours. They left Silvertree Youth Club with an electricity bill of more than R300 000. In 2010/2011, Filcon was apparently paid over R1 million to revamp 48 containers which were used in the Woodlands TAV. Filcon then used the same containers in Manenberg.

The DEPUTY SPEAKER: Order.

Mr M N PAULSEN: In 2012/2013 ...

The DEPUTY SPEAKER: Hon member Mr Paulsen, your time has expired. Please finish off.

Mr M N PAULSEN: ... they got paid another R1.2 million to revamp those same containers. [Time expired.]

The DEPUTY SPEAKER: Thank you. Your time has now really expired. The hon Minister Fritz.

The MINISTER OF SOCIAL DEVELOPMENT (DA): Mr Deputy Speaker, hon members, ladies and gentlemen: I am astounded at the irony of who raised this topic of debate. Indeed the irony of today's debate is really a loss to the Economic Freedom Fighters whose leaders are probably the experts in what is tenderpreneurship. I find it incredibly interesting that the hon member Paulsen, in the first instance, brought this debate to this House.

Mr M N PAULSEN: You do not tell me what to debate!

The MINISTER OF SOCIAL DEVELOPMENT: The second point is that there is this constant narrative emerging from both the EFF and the ANC. It is a kind of narrative that creates the perception that black business persons in this province are excluded from the mainstream ...

An HON MEMBER: That is true.

An HON MEMBER: Very true.

The MINISTER OF SOCIAL DEVELOPMENT: ... of the economy and that specifically includes small and medium size businesses. It is interesting that that narrative emerges from the very people who have perfected the art of excluding the majority of previously black disadvantaged people and who have created an elite group of what we call the new kind of bourgeois emerging with an incredible capitalist interest but with a Marxist ideology or so-called ideology. [Interjections.]

It is ironic that someone like the hon member Mr Paulsen comes here week after week with his red overall that means absolutely nothing.

Mr M N PAULSEN: Do not discuss my clothes. Discuss the topic.

The DEPUTY SPEAKER: Order.

The MINISTER OF SOCIAL DEVELOPMENT: As the debate progresses I think we will show the kind of irony and the contradictions and the hypocrisy that emerges out of this ... [Interjections.] The promulgation of the initially narrowly defined Black Economic Empowerment Act of 2003 saw the unintended consequences of already influential and or well connected

individuals of colour leapfrog to the front of the economic queue as the law mandated companies to apportion 26% of their shareholding to previously disadvantaged individuals. The policy also called for preferential procurement practices from both big businesses and government and giving small black businesses a hand up and foot in the economic life of this country. Both these initiatives as the policy direction for redress - and let me emphasise, for redress – are really welcome and the Democratic Alliance welcomes it.

However, as with most things with the ANC and now with the EFF [Interjection.] they are spoilt to suit crooked cadres. We, the DA, have always held that we need a BEE which creates opportunities for all previously disadvantaged individuals and not just a few billionaires. The policy must create jobs and wealth for most of the people, not for a few billionaires, and really practically billionaires. The rise of the crooked cadres and fighters unable to explain their wealth ...

An HON MEMBER: Fighters!

The MINISTER OF SOCIAL DEVELOPMENT: ... has left a trail of economic destruction and legitimate entrepreneurs are locked out of the economy due to the limited opportunities and equally poor people receive poor services and service delivery due to this tenderpreneurship. In both instances people's liberty to pursue opportunity and their prosperity are limited and I think that is the sad thing.



One of the most common views you hear, especially among enterprising youth, is how they feel shut out of the opportunities as they may not be politically connected. Things are no better on the preferential procurement side either. The lived experience of many legitimate entrepreneurs, across the country and in this province, is that municipalities, provincial and national government departments and parastatals, under the ANC, readily give out tenders and contracts to politicians, their families and friends.

We see constantly in our media alarming cases of politicians and their family members amassing huge amounts of wealth primarily through dealings with the State. I am so happy that we have a law in this province that prohibits us from doing any business with the State and it bans us from accumulating money through ‘skelmheid’.

One needs to look further than the Zuma family, and everyone uses the Zuma family, but allow me to mention the case of the Mpisanes in Durban, who have become very wealthy people through the riches that were specifically from the ANC-run City of Durban.

The EFF I know better. Their leader, Julius Malema, is a former ANC Youth leader and a spoilt, petty, bourgeois boy [Interjections.] who is cut from the very same ANC cloth which he denies today. Now today he attacks the ANC but he is from there. He drove, on the UWC campus, one of the best – I always remember this picture, as a Youth League guy – most expensive cars

in the middle of poor students, who did not even have lunch for that afternoon with the music blaring, forgetting that it is a university. That is the capitalist the hon member Mr Paulsen must understand. He is facing serious charges of fraud and racketeering through dubious State contracts in Limpopo through his business siphoned into the Ratanang Trust. [Interjection.] Perhaps hon member Mr Paulsen can tell us here today what he, the EFF and Julius Malema mean by nationalisation because their nationalisation, to me, is for themselves.

Mr M N PAULSEN: You would not know!

The MINISTER OF SOCIAL DEVELOPMENT: It is truly astounding that the ANC and the EFF will sit here and try and paint a false image of themselves to the public of the Western Cape. Real entrepreneurs are people like Herman Mashaba, the founder of the hugely successful 'Black Like Me' brand, who innovates enterprise and takes risks. These are people who should be the role models, not the Malemas and his buddies like this poor hon member Mr Paulsen. He is the poor man's friend of Malema. He is the sidekick.

The telltale sign of a tenderpreneur is terrible service delivery and that is the sad part of this. [Interjection.] Tenders are given to people who cannot do the job ...

The DEPUTY SPEAKER: Order.

The MINISTER OF SOCIAL DEVELOPMENT: ...who cannot deliver and in the end people suffer through the lack of service delivery. Again, ladies and gentleman, today in the House during question time the issue that came up again was the issue of the Sassa Cash Paymaster Services tender that was given and was declared irregular by the court. You know what? We every day see the consequences of giving tenders to people like them because it is this one in the Director-General of that department, and this is the issue. The administration of social grants speaks for itself and we have seen the issues around those kinds of practices where we have tenders. We have no service delivery.

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

The MINISTER OF SOCIAL DEVELOPMENT: This is my last sentence.

The DEPUTY SPEAKER: Your last sentence, yes.

The MINISTER OF SOCIAL DEVELOPMENT: The point I am driving home is that tenderpreneurs deliver poor service and it is the poor who suffer the most regardless of these tenderpreneurs ...

The DEPUTY SPEAKER: Order.

The MINISTER OF SOCIAL DEVELOPMENT: ... and rent seekers like this

dear friend, hon member Mr Paulsen.

The DEPUTY SPEAKER: Order. Your time has expired.

The MINISTER OF SOCIAL DEVELOPMENT: I thank you. [Time expired.]

The DEPUTY SPEAKER: Hon member Mr Paulsen, you have time at the end to respond so please contain yourself now. Hon member Mr Dugmore.

Mr C M DUGMORE (ANC): Thank you very much, Mr Deputy Speaker. Our Constitution is very clear about how procurement should take place in South Africa.

The MINISTER OF HEALTH: So do it.

Mr C M DUGMORE: Section 217 of the Constitution states that when an organ of State in the national, provincial or local sphere of government contracts for goods and services it must do so in accordance with a system which is fair, equitable, transparent, competitive and cost effective. What is also important for the purpose of our debate today is that Section 217 (1) which I have just referred to, does not prevent the organs of State from implementing a procurement policy providing for categories of preference in the allocation of contracts and also the protection or advancement of persons or categories of persons disadvantaged by unfair discrimination.

It is clear, as more and more information come to us sitting here on these Opposition benches about how the DA has been governing this province since 2009, that they have failed the people of the Western Cape on numerous occasions by actually firstly creating an environment in which procurement is in fact, unfair, inequitable, not transparent, uncompetitive and in fact, wasteful of public resources.

Secondly, the record will show that this province has failed to ensure that there has been substantive advancement of persons disadvantaged by unfair discrimination. In simple terms, the DA has used and abused the procurement process for narrow, party political ends.

Thirdly, they have failed to empower black women and youth contractors and service providers and by black I mean Coloured, African and Indian in any significant manner.

These are the facts. This is the real story of DA rule in our province. Today's debate will reveal some examples but after only three months in the Opposition it is clear that this is only the tip of the iceberg and over the next months and years the full truth will begin to emerge about what has actually been happening under the DA's watch. I want to focus on three issues today: The Hunt Lascaris Tender, the DA's Filcon scandal and then the shameful situation regarding forensic audit in the Department of the Premier.

The Public Protector report into the alleged procurement of communication

services by the Department of the Premier is titled “Yes, we made mistakes.” The title is actually a euphemism for serious mismanagement, corrupt practices and maladministration by the Department of the Premier. This was the tender where the Premier allowed DA political advisors to serve on a tender committee to decide on which company should provide transversal communication services.

The draft report issued by the Public Protector had found that both DA political advisors, Ryan Coetzee and Gavin Davis, should not have been there and that their involvement was unlawful, that the contract was rendered invalid and termination was required. What then happened is that the DA leader threatened the Public Protector and said that if the Public Protector failed to correct the draft report they would take the findings on review to the High Court, all the way to the Constitutional Court. This is nothing more than bullying tactics by the DA leader.

The final report of the Public Protector found: that the procurement process embarked upon by the Department of the Premier was not facilitated by Treasury, as required by Regulation 1665, the Department had failed to keep proper records of the proceedings of the Bid Evaluation Committee and that the then Acting Deputy Director-General, Mr Groenewald, was found to have authorised the involvement of the two DA spin doctors. Clearly the Premier was aware of their involvement in this process and she did nothing to stop it.

The Public Protector’s final report found that the procurement process

constituted maladministration, resulted in fruitless and wasteful expenditure and it was found that the appointment of these two spin doctors by the Acting DD-G was improper. In fact, the D-G's conduct, Adv. Brent Gerber found to be improper and amounted to maladministration.

The question really is ... [Interjection.]

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

The MINISTER OF HEALTH: I want to know whether the member will take a question.

The DEPUTY SPEAKER: Will you take a question?

Mr C M DUGMORE: No.

The DEPUTY SPEAKER: The hon member Mr Dugmore is not prepared to.

The MINISTER OF HEALTH: I want to ask you about ....

The DEPUTY SPEAKER: Please continue.

Mr C M DUGMORE: The question that needs to be asked of this House is whether any disciplinary steps have been taken against any of those mentioned in this report? A further question to this House, which we suggest

that Scopa investigates, is exactly how much was paid over to TBWA Hunt Lascaris because there were commitments given by the Premier that no more than R70 million would be spent. So whilst we have admission of mistakes being made there has been no commitment by the DA to hold those responsible accountable. In fact, when one looks at both Filcon and the scandal about the forensic audit, it is clear that certain officials in this administration continue to act with impunity and with the political cover of the Premier and their MEC's.

If we look at Filcon, MEC Grant stood up in this House a short while ago and claimed that before Filcon was appointed by the provincial government they did a check on all the listed directors, including Saul Loggenberg, who has been banned from doing business in the UK by the British Insolvency Service. [Interjection.] "Nothing untoward was found" says MEC Grant. [Interjections.]

This is simply not believable because tender S17912 was awarded to Filcon on 13 February 2013. Before the tender was awarded there is evidence that at least three liquidation applications against Filcon and their directors were enrolled at the Cape High Court. The first one, on 12 August 2011, two years before the tender was awarded – Cape Air Conditioning. The second one, Paolo Plumbing on 11 April 2011 and an Albert's Carpets liquidation application on 24 November 2011. All these three in the High Court and yet MEC Grant comes and tells us that in the scan of directors of these companies nothing came up. This is simply laughable and unbelievable.



It has now come to light that the Western Cape Education Department, while Donald Grant was the MEC, appointed a former Filcon employee to the department at director level. That was on 19 March 2012. This appointment would clearly have served at the Provincial Cabinet. In a Standing Committee meeting last month the said official indicated that she served on the procurement committee on behalf of the Education Department under the Department of Public Works which awarded the contract to build three schools – that contract was awarded to Filcon – and that the official, the director, a former employee of Filcon now employed by the Western Cape Education Department sat on that tender committee.

At this meeting of the portfolio committee, hon members, the said official did not inform the committee that she was in fact a former employee of Filcon. These three schools are now incomplete with hundreds of subcontractors and individuals unpaid.

The DEPUTY SPEAKER: Order, just finish your last sentence please. Your time has expired.

Mr C M DUGMORE: The Public Protector is currently investigating the DA Filcon scandal and we will move in this House that MEC Robin Carlisle, MEC Donald Grant, Saul Loggenberg and other role players as well the DA provincial and national leadership shall be called to answer before Scopa in this house. [Time expired.]

An HON MEMBER: Yes.

The DEPUTY SPEAKER: Order, your time has expired. The hon member Ms Schäfer.

Ms B A SCHÄFER (DA): Thank you, Mr Deputy Speaker. The hon member Mr Paulsen is coming to this House to debate tenderpreneurship, a word, an action, tried and tested so much by his own leader and that of the ANC that it now has its own official Wikipedia page. [Laughter.]

Does the hon member Mr Paulsen come here today wanting to perfect it, taking full ownership of it? I am not sure that the hon member Mr Paulsen quite understands the word otherwise he would not be using it because tenderpreneurship - as quoted here - says someone politically well connected, has got rich through a government tendering system.

An HON MEMBER: Filcon! [Interjections.]

Ms B A SCHÄFER: That definition does not refer to where the DA governs ...[Interjection.]

The DEPUTY SPEAKER: Order.

Ms B A SCHÄFER: ... because... [Interjection.]

The DEPUTY SPEAKER: Order, hon member Mr Paulsen. Please continue.

Ms B A SCHÄFER: ... where the DA governs tenders are only awarded to enhance service delivery and ultimately restore the dignity of people - for no other reason. I want to take the opportunity to educate the hon member Mr Paulsen and the ANC [Interjection.] on good [Inaudible.] transparent processes and accountable supply chain management in DA-governed municipalities such as the City of Cape Town, because more than any other entity it is at the level of municipalities where the heart of service delivery takes place.

Fundamentally, it is within local government that we change the lives of people and give them the dignity they deserve. We do not give our tenders to pals like the ANC does. DA-run municipalities such as the City of Cape Town ensure that there is a sound, sustainable and accountable supply chain management process. The awarding of tenders is underpinned by a legal framework known as the Preferential Procurement Framework Act. It is that simple. [Interjection.] We ask for good services to be delivered at good prices. But let me not throw stones here. Let us rather focus on the facts. [Interjection.]

An HON MEMBER: Tenders for white business.

Ms B A SCHÄFER: When the DA-led coalition took over control of the City

of Cape Town it scrapped the BEE procurement rules and implemented a 10% weighting on historically disadvantaged individuals for tenders up to R500 000 and 20% on tenders above that, once again restoring the dignity of our people. [Interjection.]

The DEPUTY SPEAKER: Order.

Ms B A SCHÄFER: Yet ...

The DEPUTY SPEAKER: Order, hon member Ms Schäfer. Hon member Mr Paulsen, I am giving you a last chance. If you want to be here when you have a chance to reply please behave yourself now. [Laughter.]

Ms B A SCHÄFER: Yet when the ANC-governed Cape Town before 2006, it stipulated that all companies had to be 30% black owned so it could advance the interest of bidders with political connections, setting the tone to creating tenderpreneurs.

What did the DA do instead? We opened up the Bid Adjudication Committee to the public. We actively managed a supply database and advertised all requests for quotations over R2 000 on the City's website. What was the outcome of this process? Well, the latest City's supply chain management report for the year ending June 2014 shows that more than 86% of the City's 196 339 purchase orders were placed with triple BEE compliant vendors, not tenderpreneurs, equating to more than R10,77 billion once again, providing

opportunity, redressing the past and restoring the dignity of our people. It is broad based black economic empowerment tenders which bring dignity to the lives of our people and not only to an elite few.

According to the report a total of 3 563 tender submissions were received during the 2013/2014 financial year. From the 99 appeals lodged against the award of tenders, only two successful appeals were upheld by the appeals authority. Yes, the City continues to deal with suppliers who abuse the system through fraud, corruption, fronting or failure to deliver adequately on contracts but as of June 2014 there were 71 suppliers on the City's blacklist who may not do business with the City again. Yes, things sometimes do go wrong but we certainly do our due diligence.

So, the fact remains the City of Cape Town does not engage in tenderpreneurship but rather delivers on a sound process of supply chain management in line with the strategic objective of a well run city. The audit results show just that. When comparing South Africa's municipalities for the 2012/2013 financial year, the City of Cape Town was named the only metro in South Africa to achieve a clean audit. Once again, the DA has fulfilled the commitment to building a well run city delivering services and restoring the dignity of all our people. I thank you.

Die MINISTER VAN GESONDHEID: Mooi!

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

Ms S W DAVIDS (ANC): Thank you, Mr Deputy Speaker. The DA is rotten to the core with tenderpreneurship, favouritism, cronyism, improper DA cadre deployment and nepotism. Many around the DA leaders are getting stinking rich.

The DA pretends to be as clean as a whistle and preaches to others, but meanwhile in the backroom it is working overtime for more blue T-shirts and other things. This is the real DA.

In Afrikaans sê ons: Bo blink, maar onder stink. In Afrikaans we say: Clean on the outside, but bad on the inside. Daar waar ek vandaan kom in Drakenstein gons dit nog soos mense praat van die DA se eie Berghof – the profit making guest farm business of Mayor Gesie van Deventer where a blank cheque was given for the security upgrade that includes electric fencing, CCTV cameras, lights, 24 hour a day armed response on callout and even a new motor for the electric gate.

In Witzenberg MEC Meyer got a cheap holiday home in the little Switzerland estate of Dennebos near Ceres; and contrary to the use regulations wanted full compensation after the scheme was closed down.

Then we have the notoriously infamous case of corrupt Swellendam enrichment where a certain DA leader had business interests with a company that got substantial contracts and services from the municipality. Many other funny things happened there too that are still kept under wraps by this DA government.

Swellendam is a case in point of how the DA's one hand washes the other. Like with the provision of parking at the expense of taxpayers for a private development and numerous corruptive actions, where the DA unashamedly looks after its friends and family with the blessing of the leaders that do not act against them.

Then we can take a look over the fence into Eden where Mayor Wessie van der Westhuizen is the cowboy and marshall of the one-horse town. He does as he pleases without any concerns because where his own caucus said he must be removed as councillor, the MEC saved him.

And in Oudtshoorn, where he is the caucus chairperson, the DA 'leaders' interfered and even had an illegal meeting to manipulate and push through a resolution to pay the private legal cost of a DA councillor by the name of Pierre Nel. Yes, even court papers were falsified to defraud the taxpayer to steal millions of rand from the poor. He was caught out and now he is under provisional sequestration.

In the latest move the sheriff of the court started to take steps to recover legal costs for another High Court case from other councillors – including one Wessie van der Westhuizen. The court ruled against them for that illegal council meeting.

An HON MEMBER: Yes!

Ms S W DAVIDS: In George a lot of corruption is also swept under the DA carpet. And what happens to those implicated? They are promoted, deployed and appointed elsewhere.

Let us look at the City of Cape Town where senior DA public representatives like MP Denise Robinson and Council Chief Whip, Anthea Seretslev, had close family members employed.

Not to speak of the many other DA faithful parked in Cape Town, like Paul Boughey, Tim Harris, Gerhard Ras and Owen Kinahan – all politicians pretending to be officials. That is ‘boetie-boetie’ cadre deployment by the DA.



'n AGBARE LID: Gooi kole!

Ms S W DAVIDS: We even heard of very senior political appointees using the State for other reasons – like a top official – who abused a council tender to improve the living place of a woman with whom he is romantically involved.

An HON MEMBER: Ow!

Ms S W DAVIS: Then the MEC of Health must tell this House if one of his sons is working for ASLA who is getting all the housing tenders.

HON MEMBERS: Yoh!

Ms S W DAVIDS: When we speak of tenderpreneurs, it is rich for the honourable EFF member to raise that issue if the king of tenderpreneurs is his own party president Juju Malema and his friends who are the biggest tenderpreneurs who abused their powers to enrich themselves. I thank you.

An HON MEMBER: Ow!

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

Mr R D MACKENZIE (DA): Mr Deputy Speaker, the subject for discussion is an interesting one considering that the hon member Mr Paulsen put it forth. It is especially interesting considering he represents the Economic Freedom Fighters, the very party and leadership whose foundation is based on corruption, maladministration and tenderpreneurship.

The EFF's shaking foundation is further entrenched by its leader, Julius Malema, who has looted everything from Limpopo, the province from which he originates and now he has the audacity to say President Zuma must pay back the money. Whilst we agree President Zuma must pay back the money for Nkandla, we also agree that the founder of tenderpreneurship, the leader of the EFF should pay back the money. We also note that the so-called Project Management Division, run by On-Point Engineering which the hon member Mr Paulsen's leader ran, bankrupted the Limpopo Province and the province was put under administration.

Never before in South Africa was a province put under administration. We have to ask here: pot have you met the kettle? The hypocrisy within the EFF is so prevalent and obvious. Together with the hon member Mr Paulsen, the EFF claims the Western Cape has not prioritised service delivery and

restoring people's rights. If anything, they have blocked service delivery time and time again.

Before the hon member Mr Paulsen enters the conversation of restoring human dignity he should look to his own party and their disregard for taxpayers' money. Before the national sitting which the EFF intentionally disrespected, their leaders retreated to a lush club at the Waterfront where they gulped down Johnnie Walker Gold. That was the night after they were seen shopping ... [Interjections.]

The DEPUTY SPEAKER: Order!

Mr R D MACKENZIE: ... at exclusive Fabiani. This is the hypocrisy of these leaders. This was barely two weeks after they were sworn in as members of Parliament and they did not even receive their first salary but they were already living it up. This is hypocrisy of the highest level. The hon member Mr Paulsen clearly does not know what he is talking about because his leader did not stop there.

As recently as two weeks ago, after exiting Parliament, Julius Malema jumped into a luxurious Mercedes Benz with his bodyguards. This is

hypocrisy to the highest level by him and his party. We all know that under their overalls they wear very expensive label suits.

The hon member Mr Paulsen is also no stranger to the finer things in life. He is party to the lifestyle of his leader Julius Malema because Julius does not surround himself with non-believers of his lifestyle. The ‘show me your friends and tell me who are’ mantra comes to mind. [Interjections.] I call on the hon member Mr Paulsen and his party to stop exploiting the poor people not only in the Western Cape but also in South Africa. As public representatives, elected by the people, we have a constitutional mandate to create opportunities for all. Our goal is not to be destructive but to work together with all role players to service the people of the Western Cape. I urge hon member Mr Paulsen not to make a mockery of the democracy many fought for in the Western Cape and including the DA. The hon member Mr Paulsen may be too busy being occupied executing his party tenderpreneurship policies and causing or trying to cause disruption. If he simply reads the annual report of the Western Cape since 2009 he would be reminded that the DA delivers to the vulnerable of the province as well as nationally. Where the DA governs, we govern well. I thank you.

The DEPUTY SPEAKER: Thank you. The hon member Mr Magaxa.

Mr K E MAGAXA: Mr Deputy Speaker, hon member Mr Mackenzie is one of the political rejects that we are enjoying the fruit with the person he is hitting hard [Inaudible.] Now that he has joined the DA she seems to have purified. The dominant neo-liberal dogma embraced by the Democratic Alliance as a shop steward of domestic and international big business propagates “lean government, private sector dominance, liberalisation etc.” These “triple evils” amongst others, produce and reproduce corruption, greed, profit maximisation and the rampant, savage accumulation. We shall return to this later.

Hon members, the DA endorses the idea that the State must be reduced to a spectator and the development must be subjected to the dictates of the market. The catastrophic results of the recurrent, cyclical global economic crisis are indicative of the fundamental flaws of this logic. The foolhardy DA and global capitalism deny this reality and still want to prescribe this disastrous recipe. Our young democracy has suffered under the weight of global capitalism advocated by the World Bank and the adopted self-imposed Structural Adjustment Programme. This resulted in a cut in social expenditure, privatisation and out-sourcing, liberalisation and tenderpreneurship. As the African National Congress, we have conducted a thorough analysis and the advancement of the second more radical phase within the developmental State model which will push back these “triple evils” I am referring to of neo-liberalism.

The ANC is committed to the realisation of the second more radical phase of National Democratic Revolution to rid our society of the vestiges of apartheid capitalism, including racialised inequality, poverty, unemployment. We are acutely aware that the DA will want to stunt this radical phase of economic transformation before it begins. We are ready to defeat this force of reaction and push it back.

It is interesting today that it is actually the offspring of lumpen tenderpreneurship masquerading as revolutionaries that is raising this debate which is not new. These lumpen tenderpreneurs are still running away from justice for bankrupting the provincial government in Limpopo. †Inde ingalo yomthetho, yaye iza kukurhintyela. \*The arm of the law is long and it will catch up with you.

The ANC government for three years has had to intervene in Limpopo Province and put our government under administration. This happened after Julius Malema, the modern Hitler, who formed the EFF, bankrupted that provincial government. This is why today they shout more than anybody else about corruption while they are formed to perpetuate this corruption. In fact this is a product, the EFF is a product of lumpen tenderpreneurship and corruption.

The DA is also hypocritically minded if it concurs with the suggestion that the EFF is either anti-tendering or anti-corruption. There is no leader who has been guilty of tax evasion from the wealth, whose source is unknown, except corrupting the state like the leader of the EFF.

The DA has also found comfort within the tendering system. It is now public knowledge that the Premier is actively involved in the allocation of tenders to advance patronage. [Interjections.] It is not a hidden agenda. It is open. The reports of the Public Protector and Auditor-General are littered with examples of abuse of the tender system including the DA-run City of Cape Town. The DA characteristically as opportunists of the highest order have abused the tendering system to benefit their get rich quick Mafia's at the expense of the delivery of quality service. You must question why only one company has been benefiting in the construction industry under this DA government. What are you getting from that company [Interjections.] while a lot of other companies are continually applying for tenders in this province?

The DA does not want to address the fundamental structural problems in eliminating informal settlements and townships because they want to remain a cash cow for their tenderpreneurs. In this province the DA is also notorious for using this tender system to buy votes, influence and support but also fund its election machinery as was the case in the City of Cape Town when millions were spent on changing the logo on the eve of the election when people needed decent services.

The ANC government has taken its drive of infrastructure development. The key ANC government resolution to centralise the procurement system and to build capacity for public works to deliver quality services to all people ...

The DEPUTY SPEAKER: Order.

Mr K E MAGAXA: ... needs to be urgently expedited. This is critical towards eliminating the rampant greed and savage accumulation. In this way we will push back the predatory capitalism led by the DA as well as lumpen tenderpreneurship camouflaged as a revolutionary political party which is really ...

The DEPUTY SPEAKER: Order.

Mr K E MAGAXA: They are a Fascist party actually. In the Department of Human Settlements – unfortunately the honourable MEC is not here – the MEC's brother is the sole beneficiary in the BHB. Why? Why did only his brother have access to that BHB process up until today? I have raised that in the last three years. I was here and up until today that is still taking place. [Interjections.] Why? Why is it difficult for the DA? If the DA really is careful, if the DA is concerned about the continuation of this



tenderpreneurship why is the DA not helping us in calling for de-tenderisation of the State? Why is the DA not helping us to centralise this process or in fact to do away with tenderisation? Why is the DA not helping us?

Recently, not long ago, the Premier of this province agreed here with me that she actually has employed people from the DA list to her office, in the Premier's office. [Interjections.] They have accepted that here. You know, she has employed two people who were on the list of DA to Parliament.

The DEPUTY SPEAKER: Order.

Mr K E MAGAXA: Those two people, she has agreed with me here.

The DEPUTY SPEAKER: Order, hon member Mr Magaxa, your time has expired. If you have a last sentence you can use that.

Mr K E MAGAXA: I also want to ask the DA why they refused to answer the question they were asked if Filcon has benefited, I mean have given money to the DA? Why was that question not answered? [Time expired.]

The DEPUTY SPEAKER: Thank you. Your time has expired. [Interjections.]  
Order. Order! The hon Minister Winde.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Thank you very much, Mr Deputy Speaker. I must say that I thought that this was going to be one of these really powerful debates where we were going to have this sort of mindblowing statement that was going to be laid on the Table [Interjection.] in the two minutes that the EFF started but quite frankly when you think about the EFF putting this discussion on the Order Paper it is called 'shoot in the foot'. I mean, quite frankly, the first thing you do is Google 'tenderpreneurship' and guess what comes up when you Google 'tenderpreneurship'?

The MINISTER OF HEALTH: Julius Malema.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Julius Malema. [Laughter.] When you Google it, it is the first thing that comes up and I thought we were going to have this serious policy debate [Interjections.] and guess what happens?

The DEPUTY SPEAKER: Order, order!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Guess what happens? The press gets up and leaves. [Interjections.] So I thought we were going to have this serious policy debate and then I thought that if it was going to be a policy debate, imagine that if this political party wins an election, what tenderpreneurship is going to be like in their policy discussion as they start to manage whatever they win. So guess what I did? We decided to see what that risk was because imagine if the EFF was actually running a town. They are not running this province, they have got one seat, with two minutes but in the next election let us go and have a look and see where the EFF is actually going to be in government and then perhaps implementing their policy.

An HON MEMBER: In Kannaland.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: So, I quickly had a look. What we did was, we said let us just find where the EFF did well, in which municipalities. So my office phoned the EFF head office and asked them the question. They said: "Listen, can you please tell us in which towns you are the strongest from a vote point of view and which ones are you going to win in the next election?" They were very confused. They did not know what the question was about. In actual fact they got a bit angry with us but I will tell you because we went and got this information. Their closest chance that they have got is in Rustenburg.

An HON MEMBER: In Russia?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: No, Rustenburg not Russia. [Laughter.] From a policy point of view maybe in Russia but in Rustenburg where they have got 21% they have to bring the ANC's 56.6% right down if they want to win Rustenburg. Then of course, the next one is in Pietersburg with 18% and then we have Naboomspruit with 11.3%.

So quite frankly, if they manage to do some fancy footwork and get some of these harebrained policies of theirs to be bought by some voters, they might be running one or two of those towns and then we are really going to see what tenderpreneurship is all about. I am sorry I could not get to answer the question that was actually asked by the hon member earlier so I will maybe build a little bit of that into this debate because it has come up in a number of these questions, but let us actually talk about the track record of this government and tenderpreneurship.

You have heard from the hon member Ms Schäfer about the open transparent system in the City of Cape Town and in this province we have a supplier database and the detail is put on the internet every single time a tender is awarded, so you can go and have a look at who got the contract and who did

not get the contract. [Interjection.] You see, you hear it again. This is only for building for white people. Well, quite frankly there are 6 442 companies on the supplier database.

The outcome, as I have said, when you read the report of the tenders in this province for the last quarter is: R114 643 000 went to non-BEE compliant companies. That was 18% of the total contracts given from this government – non-BEE contribution. There is a law in this country and we adhere to the law. But 82% of black-owned companies got business with this government, 82%. So do not come here with your nonsense. [Interjections.] 82%, R509 million worth of contracts. [Interjections.] Do not come here with your nonsense! [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Mr M N PAULSEN: On a point of order, Mr Deputy Speaker.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Let me put a challenge...

The DEPUTY SPEAKER: Order, hon Minister Winde. Hon member Mr Paulsen, is that a question?

Mr M N PAULSEN: Not a question but can he stand there and point and poke at me? I am cautioned when I do that. Why are those people - even Theunsie did it?

The DEPUTY SPEAKER: Okay, I will watch the hon Minister carefully. Please take your seat. Hon Minister Winde, please do not point your fingers.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Thank you very much, Mr Deputy Speaker. It is this very province – and I am pointing downwards. [Laughter.] It is this very province, the only province that five years ago when we came into power passed a law that said it was illegal to do business and be involved in this government. Illegal to do business. We have got systems to pick it up and we react with the Auditor-General. [Interjections.] Go and have a look at the Auditor-General's report on how much money in this country disappears every year - R30 billion. That is two Nkandla's every single day ...

An HON MEMBER: Ja!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: ... disappears. Talk about tenderpreneurship. And then the hon

members come here and they make a whole lot of spurious statements. If you listen to what they said this is a nightmare. It is a real shocker. The hon members Mr Paulsen, he mentioned some names, the hon member Mr Dugmore, he mentioned some names, the hon member Ms Davids, she mentioned some names and the hon member Mr Magaxa mentioned some names; so I challenge them to take their speeches when the House finishes and walk down to the police station and lay the charges. [Interjections.] Because they come here and they make these spurious kind of statements ...

The DEPUTY SPEAKER: Order.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: ... but it is absolute rubbish. They have got no back up ... [Interjections.]

The DEPUTY SPEAKER: Order. Order. Order! The noise level in the House is too high. Please Minister continue.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Thank you very much, Mr Deputy Speaker. They come here with unresearched rubbish, make statements, hopefully that the protection of the House is going to keep them away from being sued. Tell them, go lay the

charges at the police station and make those statements outside of the House and then let us see what happens to them. Perhaps it is their houses that will be taken away.

If I have a little bit of time left, perhaps I just wanted to answer two questions raised by the hon member Mr Dugmore. I think what he should do is he should start asking these questions in the House. He has the power to ask these questions in the House. Why does he not ask the question as to how much money this government spent when the Hunt Lascaris contract was in place? For what was it spent? Get a full printout on every single thing ...

Mr C M DUGMORE: [Inaudible.] against the D-G.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Ask for it. Then he can also ask for full details on any of the processes in what happened after Thuli Madonsela's investigation and you will see that in actual fact it comes out that in that process when we corrected it we found R8 000. R8 000 that could be classed as irregular and had to be corrected. [Interjections.] R8 000. We are talking R30 billion at a national level.

I have another point for the hon member Mr Dugmore ... [Interjections.]



The DEPUTY SPEAKER: Order.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: ... and this person who stands up here defaming while he is standing in this place. Does he actually know what she did?

The DEPUTY SPEAKER: Order. Is it a point of order or a question?

Mr K E MAGAXA: Yes, Mr Deputy Speaker.

The DEPUTY SPEAKER: What is it?

Mr K E MAGAXA: I want to ask if the MEC can take only one question? Only one.

The DEPUTY SPEAKER: Yes, you may proceed. The Minister is prepared.

Mr K E MAGAXA: Do you, MEC Winde, think that it is right to steal R8 000 because it is so little? From the coffers. [Interjections.]

The DEPUTY SPEAKER: Minister Winde.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Nobody said anything about stealing. I said, if you have a look at the contract it could not be found within the contract so it would be classed as irregular and has to be corrected. We can account for every single cent. Let us talk about stealing and the R30 billion that his political party needs to account for every year. [Interjections.] R30 billion. Two Nkandla's every single day. Let us talk about that. [Interjections.]

The DEPUTY SPEAKER: Order. Order.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT & TOURISM: Then the hon member Mr Dugmore made some statements around the Filcon tender. He talks about the full amount. He should actually ask the question as to exactly how much money went to Filcon and ask questions around the processes for Filcon. He will find out that SARS was checked off, that the CIPC was checked off, that the national Treasury database was checked off [Interjection.] that due diligence and risk assessments were done, that the BEE accreditation of the Department of Trade and Industry was done. But he should ask those questions because he has the power to do it in this House, not come here and make spurious statements in his speech.

Then the person whom he decides to attack in this process; he should go and find out the facts before he does it because he will know then once he has found out the facts, that that person worked for Filcon for one and a half month's or six weeks, a long time ago, and that the role that that person played was standing back and adjudicating when the envelopes were opened before they went off to the Adjudication Committee. So, he should actually find out before he makes these kinds of statements, sitting here in the House. His facts are wrong. [Interjections.]

Anyway, that all aside, can I say that this item put on the Table here, tenderpreneurships and making these kind of spurious statements, nothing has come out in this debate. It is all rubbish. Let us put the challenge to these people who make these statements to go and lay those charges with the police that will really prove that they are actually standing here having researched and are able to stand behind what they say here in this House. I thank you.

The DEPUTY SPEAKER: Hon member Mr Paulsen. Now you will have your two minutes to respond. [Applause.] Please give him a quiet House.

Mr M N PAULSEN: Thank you, Mr Deputy Speaker. I am really concerned. We are governed by a party where there are members who are obsessed with individuals. He is as obsessed with hon member Dyantyi's shoes. This one,

when he sees me, he starts suffering from uncontrollable excitement. That guy has fallen in love with Julius Malema. [Interjections.]

The DEPUTY SPEAKER: Order. Order. Order! Hon member Mr Paulsen.

Mr M N PAULSEN: Mr Deputy Speaker ...

The DEPUTY SPEAKER: Order! Order. Just one second. Hon member Mr Wiley?

Mr M G E WILEY: I just want to return the favour ... [Laughter.]

Mr M N PAULSEN: It is nothing unusual. Wherever we go and people see red overalls they start suffering from uncontrollable excitement. This was never about individuals. It was about a system, a process that is prone to corruption. We are not saying, let us manage the tender process. We are saying abolish it. Build competence in government. Build houses. Do not outsource it. We are not saying let us manage this outsourcing of tenders. We say abolish it because even on that side you must admit you are suspicious about your own colleagues. You do not know who is on the take. [Laughter.] For me the smoothest guy is always the most devious one. He

can talk his way out of anything. Okay. [Interjections.] This is a serious thing.

The DEPUTY SPEAKER: Order. Order.

Mr M N PAULSEN: There are enormous resources to overcome the destruction of the Bantusan policies that still exist and put an end to our apartheid divided cities and towns. Millions are without houses and other basic infrastructure. It is why we can talk about unemployment as a virus. Imagine we were to in-source all these opportunities. We would be able to create jobs. This virus has turned our communities into places of fear and misery with violence ...

The DEPUTY SPEAKER: Order. Is there is question or a point of order?

An HON MEMBER: I want to ask if the member is willing to take a question.

The DEPUTY SPEAKER: The member's time is very limited. Please continue.

Mr M N PAULSEN: This unemployment as a virus has turned our communities into places of fear and misery with violence, abuse and crime our daily reality. Yet, all we do is to ensure that money is taken from the poor to give to the rich, your pals, Akon, Aurecon, ASLA, Power Construction and poor Saul Loggenberg. Thank you.

The DEPUTY SPEAKER: Thank you, hon member Mr Paulsen. Order. That disposes of the ... [Interjections.] Order! Order, members. I want to address the House. That disposes of this particular issue but before we adjourn can I just come back to the issue which we had earlier today about the motion. I have taken some advice and we have consulted on the matter.

Let me then rule further that the resolution of the House should represent the distinct will of the House and I want to deal with this matter as a procedurally fair manner, that is why we are bringing it up now at this stage. The resolution of the House should represent the distinct will of the House. With regard to the notice of Mr Olivier and the subsequent appeals by individual members, that they in fact have objected to the motion without notice and the general confusion amongst members as to what was agreed to, the motion will be put again to the House for a resolution to avoid any uncertainty. In terms of the Rules, notices of motion can only be dispensed of with the concurrence of all the members and I want to rule that in future when we table motions again that only the cues of the Whips of the parties will be taken as the official view of the party on Rules. We cannot have

individual members jumping up left and right. It makes it awfully impossible for the Chair to rule on.

I want to also appeal to the Whips to somehow find one another, to come up with a solution so that in future this will not happen again. I then put the motion again. It is the motion by the hon member Mr Olivier.

Mr P UYS: Mr Deputy Speaker, may I address you please?

The DEPUTY SPEAKER: Before I put the motion?

Mr P UYS: Yes please.

The DEPUTY SPEAKER: You may do that.

Mr P UYS: Mr Deputy Speaker, I think it is wrong to put the motion again. 4It has been put. It has been decided on in this House and your ruling is against the Rules to say it is only the Whips who can object to a motion. It is very clear in the Rules that any one member can object against that and I think it is wrong if you try to now push it to a single group of people,

because all members have the same rights in this but to put the motion again is wrong I believe, Mr Deputy Speaker.

There is a way to amend motions and I think that is the route that must be followed and not to put the motion again today.

The DEPUTY SPEAKER: I hear your response. I am not changing the Rules by saying no member may do it, I am simply saying that for practical purposes the views of the Whips of the various parties will be taken into account.

I am going to proceed. I am going to put the motion again. The motion was clear. The motion is :

That the House notes that the Western Cape Department of Education has been found negligent in the Rheenendal bus tragedy in which fifteen people lost their lives.

That was the motion. I therefore put the motion. Are there any objections to the motion being put without notice? I simply putting the motion without notice. There is an objection therefore it will be printed on the Order Paper.



The outcome is exactly the same as what my ruling was previously but procedurally it is the correct procedure.

That then brings us to the end of the proceedings for the day. The House is adjourned.

The House adjourned at 18:15.