

THURSDAY 13 JUNE 2024

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**PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT**

Members assembled in the Chamber at 09:00.

The Serjeant-at-Arms announced the Honourable the Acting Judge President of the High Court, Western Cape Division, Ms P L Goliath, who was received by members standing.

The Honourable the Acting Judge President took the chair and allowed an opportunity for silent prayer or meditation.

**CALLING OF MEETING  
OF WESTERN CAPE PROVINCIAL PARLIAMENT**

The Honourable the Acting Judge President announced that the meeting had been called under Section 110(1) of the National Constitution and Section 19(3) of the Constitution of the Western Cape and requested the Returning Officer to read the notice whereby this meeting had been called.

The Returning Officer read out the following notice, dated 13 June 2024:

**FIRST MEETING OF WESTERN CAPE PROVINCIAL PARLIAMENT**

It is hereby notified for general information that under and by virtue of the power vested in me by Section 110(1), read with Sections 128(1) and 111(1) of the Constitution of the Republic of South Africa, 1996, as well as Section 19(3), read with Sections 38(1) and 20(1) and 20 (2) of the Constitution of the Western Cape, 1997, I, Patricia L Goliath, Acting Judge President of the Western Cape High Court, have fixed Thursday, 13 June 2024 at 09:00 a.m. as the date and time, and the Chamber of the Western Cape Provincial Parliament, Cape Town, as the place for the first Sitting of the Seventh Parliament of the Western Cape, the nomination and election of a Premier of the Western Cape, and thereafter for the nomination and election of a Speaker and Deputy Speaker of the Western Cape Provincial Parliament.

Signed, Patricia L Goliath

Acting Judge President, Western Cape High Court, Cape Town.

The Honourable Acting Judge President announced that in terms of Section 107 of the Constitution of the Republic of South Africa, 1996, read with Section 16 of the Constitution of the Western Cape 1997, every member of the Provincial Parliament has to make and subscribe to the oath or solemn affirmation before taking his / her seat.

**OATH AND SOLEMN AFFIRMATION**

The following members made and subscribed the oath or solemn affirmation before the Honourable the Acting Judge President and took their seats:

Allen, R I; Baartman, D M; Bans, A P; Booysen, M; Bosman, G; Bredell, A W; Brinkhuis, G; Bryant, D W; Cassiem, A; Christians, F C; Constable, N; Du Toit Marais, A J; Herron, B N; Jacobs, D G; Johnson, P; Kaizer-Philander, W F; Kamfer, F; Lekker, P Z; Lithakong, T; Londt, J J; Mackenzie, R D; Marais, G P; Masipa, N P; Maynier, D J; Mbombo, N; Meyer, I H; Mitchell, D G; Ngqentsu, M B; Nkondlo, N D; Petrus, B; Sayed, M K; Sileku, I M; Simmers, T A; Stephens, D R; Stoffel, B N; Van Minnen, B M; Van Wyk, L D; Walters, T C R; Wenger, M M; Wessels, D J; Winde, A R; Windvogel, R.

That concluded the administering of the oath and the solemn affirmations.

The Returning Officer submitted to the Honourable the Acting Judge President a list of names of the members of the Western Cape Provincial Parliament, as follows:

Allen, R I; Baartman, D M; Bans, A P; Booysen, M; Bosman, G; Bredell, A W; Brinkhuis, G; Bryant, D W; Cassiem, A; Christians, F C; Constable, N; Du Toit Marais, A J; Herron, B N; Jacobs, D G; Johnson, P; Kaizer-Philander, W F; Kamfer, F; Lekker, P Z; Lithakong, T; Londt, J J; Mackenzie, R D; Marais, G P; Masipa, N P; Maynier, D J; Mbombo, N; Meyer, I H; Mitchell, D G; Ngqentsu, M B; Nkondlo, N D; Petrus, B; Sayed, M K; Sileku, I M; Simmers, T A; Stephens, D R; Stoffel, B N; Van Minnen, B M; Van Wyk, L D; Walters, T C R; Wenger, M M; Wessels, D J; Winde, A R; Windvogel, R.

**ELECTION OF PREMIER OF THE  
WESTERN CAPE PROVINCIAL PARLIAMENT**

The Honourable the Acting Judge President announced that in terms of Rule 2 of the Rules for the election of Premier and Speaker, Mr Romeo Adams shall act as the Returning Officer, while Mr Lubabalo Stemele, Ms Margo Goldstone, Ms Lynne Saayman and Mr Alvin Poggenpoel have been appointed as Assistant Returning Officers. She further announced that the oath or solemn affirmation had already been administered to the Returning Officer and Assistant Returning Officers as required by these Rules.

The meeting proceeded to the election of a Premier for the Western Cape Provincial Parliament.

The Honourable the Acting Judge President reminded members that, in terms of the National Constitution and the Western Cape Constitution as well as the Rules, each nomination must be submitted on the prescribed form. She further drew the attention of members specially to Section 128(1) of the National Constitution and Section 38(1) of the Western Cape Constitution, in terms of which no person may be elected as Premier unless he or she is qualified to take his or her seat as a member of the Provincial Parliament.

The Honourable the Acting Judge President also informed members that in terms of Item 4 in Part A of Schedule 3 of the National Constitution and Item 4 of Schedule 2 of

the Western Cape Constitution there may be no debate.

The Honourable the Acting Judge President called for nominations.

Mr T A Simmers, seconded by Mr I H Meyer, nominated Mr A R Winde for election as Premier.

Ms R Windvogel, seconded by Mr F Kamfer, nominated Mr M K Sayed for election as Premier.

The Returning Officer reported to the Honourable the Acting Judge President that the nomination papers had been properly completed.

The Honourable the Acting Judge President announced the names of the candidates who had been duly nominated and stated that as more than one candidate had been nominated a secret ballot would take place in terms of Item 6 of Part A of Schedule 3 of the National Constitution and Item 6 of Schedule 2 of the Western Cape Constitution.

The Honourable the Acting Judge President suspended proceedings in order to allow ballot papers to be prepared.

Business of the House suspended at 09:50 and resumed at 10:15.

The House proceeded to the secret ballot for the election of the Premier.

The Honourable the Acting Judge President announced that business would be

suspended to allow the votes to be counted.

Business of the House suspended at 10:20 and resumed at 10:39.

The Honourable the Judge President announced the result of the ballot, *viz*:

Mr M K Sayed – 14 votes

Mr A R Winde – 26 votes

Spoilt papers – 2 votes

The Honourable the Acting Judge President announced that in terms of Item 6(c) of Part A of Schedule 3 of the National Constitution and Item 6(c) of Schedule 2 of the Western Cape Constitution she declared Mr A R Winde duly elected Premier of the Province of the Western Cape.

The Honourable the Acting Judge President, on behalf of all members present, congratulated Mr A R Winde on his election as Premier of the Province of the Western Cape and called upon the newly elected Premier to address the House.

### **ACCEPTANCE SPEECH BY THE PREMIER**

The PREMIER: Thank you very much, Acting Judge President, your Honour. It is an absolute honour and privilege to receive the majority vote in this very House and for that, I say to all of the hon members: thank you very much. I do not take this lightly. It is a privilege, but it is also an honour to be able to

take this position into this next term, on behalf of the citizens of this province.

I would also then like to acknowledge the citizens of the province. They have made a choice, and that choice is not only me and my party, but that is every single one of us. Every one of us in this House represents the will of the citizens of this province. We have all sworn an oath to uphold our Constitution, both of our National and Provincial Constitution, to do the best that we can.

I think as we move into a new term, as we move beyond 30 years of democracy into the next 30 years, our country is changing, and the demands are there. Our citizens, as every one of you represented in this House would have seen as we went to campaign, we would have seen the issues that our citizens face. I want to say that it is up to every one of us in the various roles that we play to make sure that this Parliament and this Government do the best that we can by our citizens who have voted for us to represent them here in this august House.

I can say that our population is growing rapidly, and the pressure is on us. I would also like to say that as we move into this next term, and in this next stage in our country, that we also need to make sure that this House, the robust debate in this House, at the end of the day is to the benefit of our citizens. We must use this House to bring innovative ideas and different ways of doing things in our roles as government and as opposition in our committees, that we use these platforms not for ourselves, but for all of those citizens of our province. I want to thank you very much.

Ms JUSTICE P GOLIATH: Thank you very much, hon Premier.

**ELECTION OF THE SPEAKER OF THE  
WESTERN CAPE PROVINCIAL PARLIAMENT**

The meeting proceeded to the election of a Speaker.

The Honourable the Acting Judge President reminded members that, in terms of the National Constitution and Western Cape Constitution and the Rules, each nomination must be submitted on the prescribed form. She further drew the attention of members specially to Section 111 of the National Constitution and Section 20(1) of the Western Cape Constitution, in terms of which no person may be elected as Speaker unless he or she is qualified to take his or her seat as a member of the Provincial Parliament.

The Honourable the Acting Judge President also informed members that in terms of Item 4 of Part A of Schedule 3 of the National Constitution and Item 4 of Schedule 2 of the Western Cape Constitution, there may be no debate.

The Honourable the Acting Judge President called for nominations.

Mr T A Simmers, seconded by Mr I H Meyer, nominated Mr D G Mitchell for election as Speaker.

Mr M B Ngqentsu, seconded by Ms B N Stoffel, nominated Ms A P Bans



for election as Speaker.

The Returning Officer reported to the Honourable the Acting Judge President that the nomination papers had been properly completed.

The Honourable the Acting Judge President announced the names of the candidates who had been duly nominated and stated that as more than one candidate had been nominated a secret ballot would take place in terms of Item 6 of Part A of Schedule 3 of the National Constitution and Item 6 of Schedule 2 of the Western Cape Constitution.

The Honourable the Acting Judge President suspended proceedings in order to allow ballot papers to be prepared.

Business of the House suspended at 10:49 and resumed at 11:08.

The House proceeded to the secret ballot for election of the Speaker.

The Honourable the Acting Judge President announced that business would be suspended to allow the votes to be counted.

Business of the House suspended at 11:23 and resumed at 11:38.

The Honourable the Acting Judge President announced the result of the ballot,  
*viz:*

Mr D G Mitchell – 26 votes

Ms A P Bans – 12 votes

Spoilt papers – 2 votes

The Honourable the Acting Judge President announced that in terms of Item 6(c) of Part A of Schedule 3 of the National Constitution and Item 6(c) of Schedule 2 of the Western Cape Constitution she declared Mr D G Mitchell duly elected Speaker of the Western Cape Provincial Parliament.

The Honourable the Acting Judge President declared that the proceedings of the morning were concluded in terms of Section 110(1) of the National Constitution and Section 19(3), read with Sections 38(1) and 20(1) of the Constitution of the Western Cape.

Having congratulated Mr D G Mitchell on his election as Speaker, on behalf of all present, the Honourable the Acting Judge President vacated the chair and left the Chamber.

The Speaker was conducted to the Chair.

### **ACCEPTANCE SPEECH BY THE SPEAKER**

The SPEAKER: [Applause.] Hon Acting Judge President Goliath, hon Premier, hon members of the Provincial Parliament and guests. I am deeply humbled to

address you today as the newly elected Speaker of the Western Cape Provincial Parliament. Humbled, but also grateful and proud to represent the Western Cape Provincial Parliament and all hon members of the 7<sup>th</sup> Parliament in this great province of ours.

I am fully aware of the extent of my responsibilities and also mindful that we cannot be successful as a legislative institution without the cooperation of all our members across the political divide. Despite our political differences, which often result in robust and lively debates in the House and its committees, this House has always managed to conduct its business on matters of provincial interest with the dignity and the decorum as the upper most guiding principles. As the Chief Presiding Officer and your representative, you can count on my upholding my side of the bargain.

As Speaker, I commit to fulfilling my constitutional and other responsibilities in a fair and an impartial manner, and always in the best interest of all the members and citizens of our province. Being an advocate for strong and open democracy, I am privileged to be the Speaker of an open, transparent and an accessible institution. Respect for legislative institutions will grow when people are informed about what Legislatures are doing and are able to participate. We should not take our positions for granted but work towards the improvement of our institution at all times.

To this end, I shall ensure that the constitutional responsibilities of the Western Cape Provincial Parliament, namely lawmaking, oversight over the Executive,

and public involvement in our processes and the work the Provincial Parliament, are fully fulfilled and intensified. As the employer of the staff of the Administration of the Provincial Parliament, I, together with the Secretary to the Provincial Parliament, shall ensure that members are served by an impartial, dedicated, committed, and a well-trained workforce.

Hon members, having had the privilege to serve as the Western Cape Provincial Parliament Speaker in the previous term, we will continue to build on the foundations laid by our strategic objectives for the institution. I commit to take our newly elected members on board this journey, in our quest for improvement and innovation.

In conclusion, may we represent the interests of our constituents forcefully within the confines of the law and our rules, and be proud members of the Western Cape Provincial Parliament, demonstrating our commitment to the vision of being the best regional parliament in Africa, in all our endeavours. I thank you. [Applause.]

**ELECTION OF DEPUTY SPEAKER  
OF THE WESTERN CAPE PROVINCIAL PARLIAMENT**

The meeting proceeded to the election of a Deputy Speaker.

The Speaker reminded members that, in terms of the National Constitution and Western Cape Constitution and the Rules, each nomination must be submitted

on the prescribed form. He further drew the attention of members, specially to Section 111 of the National Constitution and Section 20(3)(a) of the Western Cape Constitution, in terms of which no person may be elected as Deputy Speaker unless he or she is qualified to take his or her seat as a member of the Provincial Parliament.

The Speaker also informed members that in terms of Item 4 of Part A of Schedule 3 of the National Constitution and Item 4 of Schedule 2 of the Western Cape Constitution there may be no debate during this process.

The Speaker called for nominations.

Mr T A Simmers, seconded by Mr I H Meyer nominated Mr R I Allen for election as Deputy Speaker.

Ms P Z Lekker, seconded by Ms R Windvogel nominated Ms N D Nkondlo for election as Deputy Speaker.

The Returning Officer reported to the Speaker that the nomination papers had been properly completed.

The Speaker announced the names of the candidates who had been duly nominated and stated that as more than one candidate had been nominated a secret ballot would take place in terms of Item 6 of Part A of Schedule 3 of the National Constitution and Item 6 of Schedule 2 of the Western Cape Constitution.

The Speaker suspended proceedings in order to allow ballot papers to be prepared.

Business of the House suspended at 11:49 and resumed at 12:06.

The House proceeded to the secret ballot for election of the Deputy Speaker.

The Speaker announced that business would be suspended to allow the votes to be counted.

Business of the House suspended at 12:18 and resumed at 12:30.

The Speaker announced the result of the ballot, *viz*:

Mr R I Allen – 26 votes

Ms N D Nkondlo – 12 votes

Spoilt papers – 3 votes

The Speaker announced that in terms of Item 6(c) of Part A of Schedule 3 of the National Constitution and Item 6(c) of Schedule 2 of the Western Cape Constitution he declared Mr R I Allen duly elected Deputy Speaker of the Western Cape Provincial Parliament.

The Speaker on behalf of all members present congratulated Mr R I Allen on

his election as Deputy Speaker of the Western Cape Provincial Parliament.

### **ACCEPTANCE SPEECH BY THE DEPUTY SPEAKER**

The DEPUTY SPEAKER: Hon Speaker, I firmly believe that today is ultimately part of my destiny. Growing up in Mitchells Plain, I am so aware that life has never been easy. I grew up with a speech impediment, I took very long to even approach my beautiful wife. But today, I can make up for the times I could not speak. I will be very brief.

It has been an honour for me to have been elected not only in this particular Parliament, also in the 6<sup>th</sup> Parliament, and also in the 5<sup>th</sup> Parliament. I will remain committed to making sure that I will fulfil my constitutional obligations. I will be fair; I will be impartial. I will support the hon Speaker and I want to ensure that that support is extended to the Secretary and to all the officials of this particular House.

I have fond memories of working in this particular Legislature, and I want to commit to working with each and every hon member on this side of the aisle and that side of the aisle. It is each and every day when you walk into this House, when you know that that should never have been your story. So, we are here to ultimately fulfil destinies because I know, †waar sou ek gewees het as dit nie vir die Here se goedheid en Sy guns ...[Applous.] oor my lewe was nie [where would I have been if it had not been for the Lord's kindness and his favour ...[Applause.] over my life.] So, I have full confidence that we will

fulfil our obligations. We will hold the Government accountable and †ek is dankbaar aan die Here en vir my vrou [I am grateful to the Lord and to my wife.] The ...[Laughter.] ...[Applause.]

The SPEAKER: Thank you very much, hon Deputy Speaker. Hon members, we now move onto the next Order of the Day, which is Motions. I recognise the hon Gillion Bosman.

### **PERMANENT DELEGATES TO NCOP**

The CHIEF WHIP (DA): Thank you very much, hon Speaker. Hon Speaker, I move in my name:

That, in terms of Section 61(2) of the Constitution of the Republic of South Africa and in accordance with Rule 210 of the Standing Rules, the following persons be appointed as permanent delegates for the Western Cape Province to the National Council of Provinces:

Hon F J Badenhorst (DA)

Hon N Gotsel (DA)

Hon P J Swart (DA)

Hon M Bains (ANC)

Hon B Farmer (PA)

Hon V Gericke (EFF).



I so move.

The SPEAKER: Thank you very much, hon Chief Whip. Hon members, are there any objections to the motion being moved? No objections, agreed to. I recognise the Chief Whip of the Majority Party.

### **DELEGATES TO NCOP: AUTHORITY TO VOTE**

The CHIEF WHIP (DA): Hon Speaker, I once again move in my name:

That this House in accordance with Rule 215 of the Standing Rules confers authority on the Province's delegation to the National Council of Provinces for the election of the Chairperson, the permanent Deputy Chairperson and the rotating Deputy Chairperson of the National Council of Provinces to vote in accordance with a decision taken by the delegation itself.

I so move.

The SPEAKER: Thank you very much, hon Chief Whip. Hon members, are there any objections to the motion being moved? No objections, agreed to. I recognise the Chief Whip.

### **STANDING RULES: OPERATING RULES CONFIRMATION**

The CHIEF WHIP (DA): Hon Speaker, once again I move in my name:

That the House confirms the existing Standing Rules as the operating rules for the Seventh Provincial Parliament and that the Rules be referred to the Rules Committee for periodic scrutiny.

I so move.

The SPEAKER: Thank you very much. Hon members, are there any objections to the motion being moved? No objections, agreed to. I recognise the Chief Whip.

#### **STANDING RULES: COMMITTEE REPRESENTATIVES**

The CHIEF WHIP (DA): Thank you very much, hon Speaker. Being mindful of the fact that I am standing in the way of hon members and lunch, I once again move in my name:

That the Rules Committee, in accordance with Rule 96, consists of the Speaker and the Deputy Speaker, and such other members nominated by parties, as follows:

Democratic Alliance – 5 members;

African National Congress – 2 members;

Patriotic Alliance – 1 member;

Economic Freedom Fighters – 1 member; and

National Coloured Congress – 1 member.

The Freedom Front Plus, Al Jama-Ah, African Christian Democratic Party and GOOD, as parties decide on a representative to represent them on an annual rotation basis in order of electoral support received during the elections.

I so move.

The SPEAKER: Thank you very much, hon Chief Whip. Hon members, are there any objections to the motion being moved?

Hon MEMBERS: No.

The SPEAKER: No objections, agreed to. Hon members ...[Applause.] Hon members, I am not going to adjourn the House yet. I am going to suspend for two minutes in order for the Administration just to capture the House as part of the preparations for today. So, if you will please just work with us. So, the House will now be suspended. The House is suspended.

Business of the House suspended at 12:38 and resumed at 12:42.

The SPEAKER: Please be seated. Hon members, before I adjourn the House, I would like to remind the hon members, the permanent to the NCOP, to please meet myself and the Administration outside of the Chamber. I would also like to invite all our guests to the Members Dining Room for lunch.

Hon members, thank you very much for this Sitting, for today, and thank you very much to all out guests for joining us. And thank you to the Acting Judge for the presiding of the smooth election of both the Premier and the Speaker this morning.

Hon members, with that being said, that concludes the business for the day. The Secretary will now end the meeting and all members will be exited from the Sitting. The House is adjourned.

The House adjourned at 12:43.