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THURSDAY, 13 AUGUST 2020

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PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT

The sign † indicates the original language and [ ] directly thereafter indicates a translation.

[Hybrid sitting held with some members present in the House and some in virtual attendance through Microsoft Teams]

The House met at 14:15.

The Speaker took the Chair and read the prayer.

**BUSINESS OF THE HOUSE**

The SPEAKER: Hon members, welcome in the official sitting of this House. The business of the day, as you would know it is a hybrid sitting and the idea is that some members are virtual and other members are here, so the members that are in the Chamber will speak using their microphones here and they will thus not have their devices switched on because they are live here in the Chamber, and I would like to request that hon members do not log in with

their devices for this purpose. The hon members that are on the virtual platform, as you know that when you wish to raise any matter, you lift your hand in terms of the virtual sitting directives that we have adopted here in this Chamber. So, the House Rules – any other person that is part of this meeting, being an observer or otherwise, you are a guest, including the members of the media. We know we have been working together since we started the virtual sittings, so please do not disappoint us today. Just continue to be a good partner as the members of the Fourth Estate, so we appreciate your presence and your participation all the time.

Hon members, for the sitting here now we have got the Interpellations and let me just see this, ja, we have Interpellations and the first interpellation in terms of the Order is the interpellation to the Minister of Community Safety. Let me just look at this. Order, hon members. As I indicated, I recognise the Minister.

## **INTERPELLATIONS**

### *Gang violence caused by turf wars*

#### **1. Mr M Xego asked the Minister of Community Safety:**

What role has been played by law-enforcement officials in the province in eradicating gang violence caused by turf wars?

The MINISTER OF COMMUNITY SAFETY: Good afternoon, hon Speaker, and I want to say thank you to the hon member Xego for the question. It is a very important question because he seems to be sometimes in the frontline of these types of law-enforcement issues.

So this is the answer I received because it pertains to the law-enforcement of officers based in the City, and the City of Cape Town informs me as follows: that the City of Cape Town Law-enforcement, the Metro Police and the Traffic Services are intended to act in support of the South African Police Services, which is the lead agency in fighting crime in the province. The City Enforcement Services have been engaging in operations to curb land invasions and protest actions as well as gang-related crime.

The City's Enforcement Agencies, hon Speaker, are committed to prioritising the safety of its residents in Cape Town within the limits of its resources and the mandate and it is important to note that for all these exercises a Joint Operational Plan is developed together with the police, with the South African Police Services where they take the lead with our Metro Police, with our Traffic and our Provincial Traffic because we sometimes forget about our Provincial Traffic. The City's Law-enforcement Advancement Plan (LEAP) has been operational since its launch in February 2020. The LEAP Officers have made 208 arrests from March to July 2020 and for various offences including drug possession and dealing in drugs, which is a large contributor

to the gang violence. The City's Gang and Drug Task Team have effected a total of 395 arrests from July 2019 to June 2020 for drug-related and firearm-related crimes as well as general arrests. Thank you.

The SPEAKER: Thank you hon Minister. Hon members, I now recognise hon member Xego.

Mr M XEGO: Thank you. When it comes to combating violent crimes related to gang violence, the police and law-enforcement officers in the province have failed dismally. Even to this day they continue to fail the people. Those responsible... [Interjection.]

The MINISTER OF COMMUNITY SAFETY: On a point of order, hon Speaker.

The SPEAKER: Hon Minister?

The MINISTER OF COMMUNITY SAFETY: I cannot hear. We cannot hear. There is an echoing sound. We cannot hear what the hon member is saying.

The SPEAKER: Alright, thank you, hon Minister. May I just request that all the hon members who are not speaking, switch their microphones off, but for the purposes of the member who is on the platform now – Minister, you may

now take your seat, I will direct the IT team to deal with the matter.

The MINISTER OF COMMUNITY SAFETY: Enkosi.

The SPEAKER: Thank you for bringing it to our attention. Hon member Xego, I will give you a minute, because it has now been disrupted by that point of order. You may please proceed.

Mr M XEGO: Thanks, hon Speaker. Should I start afresh, or should I just go on?

The SPEAKER: Yes please, please start afresh.

Mr M XEGO: Alright. No, I was saying Speaker, that when it comes to ... [incomplete.] The echo is still there, so.

The SPEAKER: It is still there?

Mr M XEGO: Ja.

The MINISTER OF COMMUNITY SAFETY: Ja, ja, it is still there.

The SPEAKER: Okay, now let us just pause for a moment. I will request that

the hon members, with your indulgence, allow us to try and resolve this. It is an IT glitch which we will deal with. It is just going to take a minute or so.

[Pause – IT Team attending to audio technicalities.]

The SPEAKER: Hon members, order! Will you now confirm whether or not it is fine?

Mr M XEGO: Alright, I think it is better now, Speaker.

The SPEAKER: Alright, now you may please proceed, hon member Xego.

Mr M XEGO: Thank you, Speaker. I was saying when it comes to the combating of violent crime-related to gang violence and turf wars, the police and law-enforcement officers in the province have failed dismally and even to this day they continue to fail the people. Those responsible to come up with a strategy to fighting crime in the townships are also sitting in their offices doing nothing. If we look at the township of Delft alone, in June there were 15 killings as a result of gang violence. The following month of July on 15 July there were 12 more people that were killed under the same similar circumstances.

Earlier this year, late in February, a 30-year-old pregnant woman was shot

and killed in her home in Bonteheuwel relating to gang shootings in the area. Fast-forwarding to that, early in July a nine-year-old girl, Gaylin Cupido, was also shot and killed during gang violence shooting in Kraaifontein. A few days later, in the same month, a three-year-old girl was shot and killed in similar circumstances in Eerste River. The majority of lives that are being lost in these gang-related shootings are those of innocent children and women who have absolutely nothing to do with gangsterism and these activities. These gang wars and shootings have become uninterrupted activities because in all of them there is no police visibility and presence, so the question that we are asking, what has our Department done to assist Community Policing Forums in these communities and to make sure that there is visibility of police and law-enforcement officers in these communities.

What has the Department done to address the issues of police and law-enforcement infrastructure challenges in these communities such as shortage of police vehicles as well as shortage of staff. Thank you very much, hon Speaker.

The SPEAKER: Thank you, hon member Xego. When you have three minutes you do not want all of them. When you have one minute you want more. [Laughter.]

Now hon members, I recognise hon member Allen. Hon member Allen.

Mr R I ALLEN: Hon Speaker, Speaker, can you hear me?

The SPEAKER: You are like you are in a tin somewhere! [Laughter.] But we can hear. You maybe proceed, hon member Allen.

Mr R I ALLEN: Thank you, hon Speaker.

The SPEAKER: Please proceed, hon member Allen.

The CHIEF WHIP (DA): Proceed.

Mr R I ALLEN: Thank you, hon Speaker, can you hear me?

The SPEAKER: If the members cannot hear you then they will say so. I think for now we can hear you. Please proceed, hon member Allen.

Mr R I ALLEN: Thank you so much, hon Speaker. Speaker, towards the beginning of 2019 for residents in Bonteheuwel in the City of Cape Town, it was a nightmare, gunshots went off in the morning, in the afternoon and in the evening, most days for more than four times, but something has changed. That is because the DA-run City of Cape Town employed 100



law-enforcement officers through an initiative called the Neighbourhood Safety Team. This initiative – a collaboration between the DA City and Provincial Government – shows that it is possible to stem the tide on horrifying gang-related murders and violence that seemed insurmountable, so Speaker, through you to the Minister. The illicit drug trade has a strong link in the ongoing surge of violence and organised crime in the Western Cape and has claimed not only lives, but the livelihoods of many.

Seeing that despite repeated calls, we are unfortunately awaiting an impact assessment on the SAPS Anti-drug Strategy. However, the aim of the Western Cape Safety Plan, which is to halve the murder rate in the ten hotspot areas; I wanted to check with the Minister if he is able to provide information on how this Safety Plan aims to address gang fights and curb wars, and also details around the violence prevention of the Safety Plan. Thank you.

The SPEAKER: Thank you, hon member Allen. Hon members, I now recognise hon Christians.

Mr F C CHRISTIANS: Thank you, Speaker. Speaker, the question is what role has law-enforcement officers played in the province in eradicating gang violence. Now as the Minister has pointed out, there is a Gang Task Team, a City Gang Task Team of law-enforcement officers. Now what hon

member Allen is saying is that the law-enforcement officers that were employed in Bonteheuwel, the 100 of them, that is not practical in the entire province. You cannot do that. But I am asking, there is a dedicated Gang Task Team, what are they doing and I know it is a joint operation with SAPS, the Metro and all of these agencies, but I want to know that task team, are they dedicated just for gang violence, because it seems to me that the gang violence is not subsiding?

What I also know, and I do not know if the Minister knows this offhand, how many law-enforcement officers belong to that task team and what is their primary role? Is it just to assist police or have their own operations when it comes to eradicating gang violence, because we know, today it is in Bonteheuwel, tomorrow it is in Hanover Park, then it is in Manenberg and then it is in Lentegeur and it goes on and on. It seems to me that we cannot get a handle on these gangsters. They are outsmarting law-enforcement agencies; people are getting killed in crossfire. We must read day in and day out of young children being killed in Lavender Hill in crossfire. So, I want to know from the Minister, what is the plan? I mean we have a Safety Plan in the province, but this question, specifically the law-enforcement officers of the City of Cape Town, I believe, but I want to know, how big is that team – that Gang Task Team – and what are they doing?

Are they just concentrating on gang violence because if they concentrate on gang violence, we are not winning, we are losing. [Interjection.]

The SPEAKER: Thank you, hon member Christians.

Mr F C CHRISTIANS: Thank you. Thank you, Speaker.

The SPEAKER: Thank you very much, hon Christians. Hon members, I now recognise hon member Kama.

Mr M KAMA: Thank you very much, Speaker. Speaker, we have seen the recent crime stats released by SAPS. One thing is for sure – the hard work of the police is starting to pay off. We have to recommend the hard work of the Provincial Police Commissioner who works under a strenuous environment of endless criticism from the same Provincial Government that is supposed to play an oversight role. We have always maintained that these law-enforcement officers as well as the Metro Police must operate under the SAPS command so that they can be used optimally and efficiently in the fight against gangs and drugs. The Premier and MEC are on record committing to this but to this day the law-enforcement remains the family of JP Smith.

As we speak, Khayelitsha resembles a war zone with gangs killing each

other on a daily basis over protection fees for businesses, but not a single law-enforcement officer has been deployed to fight this scourge. The only time you will see them is when they are going to demolish people's homes and this is found correctly, Speaker, in the first response of the MEC when you see that what is prioritised in this setup of the law-enforcement in the City is evictions and making sure that there are no land invasions.

In this regard I wish to reiterate our calls on these officers to operate under the SAPS command that we will all act with urgency to build a single police service. Can the MEC promise this House that as part of conducting oversight over law-enforcement by this Parliament, the Chief Director of the law-enforcement will be required to annually present its report to the Standing Committee on Community Safety? This will enable us, Speaker, to do exactly what the Premier promised, when he said when he was launching the Safety Plan to say that from time to time we will go back and check and see if what we have put in place is working or not. I thank you, Speaker.

The SPEAKER: Thank you, hon member Kama. Hon members, I now recognise hon member Xego.

Mr M XEGO: Thank you, Speaker. The National Minister of Police released the 2019/2020 Quarterly Crime Statistics, covering the period

1 April 2019 to 31 March 2020. At that time when these statistics were released with regard to the crime stats involving gang violence, the MEC or the Minister of Community Safety responded in an interview in saying that the Western Cape is investigating a number of programmes to prevent gang violence in our society, so what we want to understand is what programmes was the Minister referring to? If he can be able to mention at least one programme that we would be able to understand in telling us how will Community Safety be effective in terms of reducing gang-related crimes in the province, and then furthermore the MEC said that the key to our Province's efforts is to reduce crime by deploying safety resources.

Now what we want to understand is, where are these safety resources being deployed and when, because he talks about when they are needed. In all these townships I have mentioned before, safety resources are needed. The question that we are asking is that why there are only two cameras in the crimes hotspot called Delft area, and whereas they have in the past two years been calling for more cameras to be installed in order to assist the police to capture these gang-violence incidents and respond to them quickly and effectively. Thank you very much, Speaker.

The SPEAKER: Thank you, hon member Xego. Hon Minister, the podium is now yours.

The MINISTER OF COMMUNITY SAFETY: Thank you, thank you, hon Speaker. There is an echo.

The SPEAKER: You may proceed, hon Minister.

The MINISTER OF COMMUNITY SAFETY: So I really want to say thank you for the debate, specifically asking us what we are doing, and I find it very interesting from my hon colleagues asking some of these questions. I think they are quite very good questions. Let me start with the hon Xego. He asked, what are all these law-enforcement officers, let me just make this point abundantly clear, hon Speaker. The law-enforcement officers will always operate firstly in joint planning with SAPS as the lead agency, and I have said that, and secondly, they will always be subject to the command and control in a particular operation of SAPS.

So, it is SAPS, it is Metro Police, it is the Law-enforcement as I said, it is the Traffic Department and it is Provincial Traffic, so you have the City's Traffic and Provincial Traffic. All of them under the SAPS command, and by the way, in some instances we have seen, we also have the South African National Defence Force, and the one issue that I hear and I am going to answer all the questions directly, if you do not mind, hon Speaker, is that the very people who are asking us what these law-enforcement officers are doing are sometimes at the front of arranging

invasions, illegal land invasions, and that is a crime, so that our officers must respond to that; in the meantime the gangsters are enjoying it on the other hand, because then they can go on as they want because everyone is running to that side. The poor Provincial Commissioner, and I want to just for the record state what the hon member Kama was saying, we have an excellent working relationship with police. In fact, yesterday we met with the National Commissioner Sithole and we met with the Provincial Commissioner. We met with a number of generals, Head of Intelligence, heads of all these other programmes in the police, and the point I want to make here, hon Speaker, is that we have in fact raised exactly the issue of resources. We raised the issue why do we only have four POPS Units in this province while other provinces have six to seven POPS Units where the kind of land invasions are not happening to the extent that it is happening here.

An HON MEMBER: That is incorrect.

The MINISTER OF COMMUNITY SAFETY: So that our Gang Unit, our Anti-gang Unit, can focus on gangs, but let me make the other point and I like the question that the hon member Allen was asking. The hon member Allen is saying stop just doing the policing side.

Mr M XEGO: [Inaudible.] so those are Absa or Standard Bank.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Standard Bank.

Mr P J MARAIS: Standard Bank too.

The SPEAKER: Order! Order, hon Minister. I do not know who is advertising a bank somewhere there, but hon Minister, I wish you to proceed and if this disturbance continues, we will deal with that.

The MINISTER OF COMMUNITY SAFETY: Thank you. So, hon member Allen asked how we will stop this force going into our gang areas and also subjecting people to a kind of militarisation. That must go on and I think Bonteheuwel is a very good example where with the stabilisation of Bonteheuwel, the crime, the murders stopped completely in that area when we deployed the 100 Neighbourhood people in the Unit, in that team and what we have unfortunately with COVID incoming, we saw again the first murder because the gangs are opportunist, taking that kind of gang. But let me say, our Violence Prevention Programme is going to be rolled out.

In fact, tomorrow the first programme is launched by the Chrysalis Youth Hub Programme. It is called the Chrysalis Youth Hub, hon member Xego, I will also invite you if it is possible, to the launch of the Chrysalis Youth Hub Programme. That exactly speaks to crime prevention and violence prevention in all our gang areas. In fact, they are targeting seven areas,



seven hotspot gang areas; there is a first area that they are targeting, and we are then immediately after that looking at the four other areas. There are eleven areas, and those eleven areas will be our priority areas that will get all the resources for the Crime Prevention and the Violence Prevention Programme and I want to say, hon Speaker... [Interjection.]

The SPEAKER: You need to wrap up, hon Minister.

The MINISTER OF COMMUNITY SAFETY: Yes, hon Minister Sharna Fernandez, all of them are working with us on this. I also just want to very quickly say... [Interjection.]

The SPEAKER: Your time is up, hon Minister.

The MINISTER OF COMMUNITY SAFETY: Okay, thank you. Thank you, hon Speaker. [Time expired.]

The SPEAKER: Thank you, hon Minister Fritz. Hon members, that concludes this specific interpellation.

[Debate concluded.]

The SPEAKER: The next Interpellation is again to the Minister of

Community Safety, by hon member Kama. I recognise the hon Minister Fritz.

*Metropolitan Police uniform*

**2. Mr M Kama asked the Minister of Community Safety:**

Whether councillors and members of the Mayoral Committee of the City of Cape Town are allowed to wear the uniform of the Metropolitan Police; if not, why not; if so, what are the relevant details?

The MINISTER OF COMMUNITY SAFETY: Thank you very much, hon Speaker. The question that the hon member Kama asked was whether councillors and members of the Mayco Committee can wear uniforms. Now just when you see the question, you know they cannot, so you know, sometimes I wonder why we are asking these questions, because you just cannot.

The uniform of the Metro Police is worn by appointed officers under Section 64(c) of the South African Police Services Act and it is under that Act that you can wear the uniform. The uniform of the Metro Police requires that there is a badge that you must wear on your chest. The seal is displayed as well as rank identification, a name badge and an appointment certificate in terms of Section 64(g) of the Act and that is the only time you can wear it. If you talk about those, you know those tops that some of these councillors are

wearing, that is a different case but there is a very specific thing with a badge that you must wear to be a Metro officer. Thank you, hon Speaker.

The SPEAKER: Thank you, hon Minister. Hon members, I now recognise hon member Kama.

Mr M KAMA: Thank you very much, Speaker, and let me thank the MEC for the response. I am just a bit disappointed that now he is starting [Interjection.]

Mr P J MARAIS: A point of order, Mr Chair, a point of order, Mr Speaker.

The SPEAKER: What is the point of order, hon member Marais? Please take your seat, hon member Kama.

Mr P J MARAIS: Would the member please refrain from calling our Minister, who is constitutionally deemed to be a Minister, an “MEC”. MECs are for the other eight provinces. Our Constitution of the Western Cape refers to the Executive as Ministers.

The SPEAKER: Thank you, hon member Marais. That is not a point of order. Let me members, proceed. That is a point for debate.

Mr M KAMA: Thank you, Speaker. Without wasting any time, hon Speaker, in June a picture of DA councillor in the City of Cape Town, Angus McKenzie, made headlines. He was dressed in a City Law-enforcement jacket during a ride-along with officers in Bonteheuwel. Firstly, Angus is not a Mayco member, let alone for Safety, so he has no business wearing the uniform of law-enforcement officers or to even give orders during operations.

The above shows everything that is wrong about the attitude of the DA towards law-enforcement officers. It clearly shows that as a province we are paying millions through the Safety Plan to fund a private army of the DA and J P Smith and his cronies. The conduct of Angus was clearly unfair and constituted interference. It was clearly an abuse of power and contravened the code of conduct for councillors. While the ANC caucus in the City has taken up the matter, it is disappointing that the Premier and the MEC have been so quiet on the matter. Their silence can only show that [Inaudible.] fully supports the unlawful conduct of Angus as well as the attitude of J P Smith and his cronies towards the law-enforcement officers. The action of Angus now proves beyond any reasonable doubt that through the Safety Plan we are funding a private J P army which would be used as and when he sees fit. In actual fact, Speaker, we are funding a DA police force which can be used and controlled by DA members.

We therefore, Speaker, want to ask if that is not the case, then the MEC and

the Premier must take up the matter with their counterparts in the City. Over and above this, a criminal charge of impersonation must be opened against Angus. How far is the MEC willing to go, and as the MEC argues and reiterated in this sitting today that the law-enforcement officers will at all times work on joint operations and under the command of SAPS. Is the MEC saying today that all these activities – not only of wearing the uniform, but all these other activities, illegal activities, which the Minister has in some even gone out to call against them - is the Minister now alleging that these happened under the command of SAPS? I thank you, Speaker.

The SPEAKER: Thank you, hon member Kama. Hon members, I now recognise hon member Allen.

Mr R I ALLEN: Hon Speaker, thank you so much and although I note the question as posed by hon member Kama, there has been a spate of reports regarding criminals impersonating police officers. Allow me to condemn those acts and that SAPS should always have a concerted effort to track down those criminals impersonating SAPS officials and that they may be brought to book, but not to entertain the comments made by the hon member Kama; let me use this opportunity, via you, Speaker, to the Minister, on the tools. If the Department, if the Minister can share some of the tools at his disposal to report policing inefficiencies, etcetera, but also if he can touch on the outcomes of the Western Cape Provincial Ombudsman's presentation of the

Annual Report it will be appreciated. Thank you.

The SPEAKER: Thank you, hon member Allen. Hon members, I now recognise hon member Christians.

Mr F C CHRISTIANS: Thank you, hon Speaker. I just want to ask the question that in the *Cape Argus* in June month, 12 June 2020, dressed in a City Law-enforcement jacket, DA Ward Councillor, Angus McKenzie accompanied officers during an operation in Bonteheuwel on Wednesday. That was reported by the *Cape Argus*.

Now hearing what Minister Fritz is saying, it is clear that he did not know about this on giving his answer. So I want to know, and Minister Fritz must come back to this House and explain to us how is it possible that a ward councillor drives around with law-enforcement officers, as the newspaper put it, “accompanying with law-enforcement officers wearing a jacket”, not a badge, a jacket, so that is definitely in contravention. What the Minister has pointed out, that is definitely in contravention of the code of conduct for councillors, as to what the Minister is saying. So I want to know, is the Minister willing to investigate and also report back to this House, what is the cause of action? Thank you, Speaker.

The SPEAKER: Hon members, order! Thank you, hon member Christians.

I now recognise hon member Kama.

Mr M KAMA: Can you hear me, Speaker?

The SPEAKER: Yes, you are audible, hon member Kama. You may proceed.

Mr M KAMA: Thank you very much, Speaker. Speaker, the reasons why only law-enforcement officers are by law required to wear uniform is against what the Chair of the Committee is raising, where people impersonate law-enforcement officers in their criminal activities, but it is surprising that when this is raised now against a DA councillor, that changes the posture. We have every reason, Speaker, and expect the MEC and the Premier to be equally outraged by the warlord-like behaviour of councillor Angus McKenzie who is not only seen wearing part of the law-enforcement uniform, but also illegally serving people in Bonteheuwel. One wonders, where did Angus get this uniform? Who authorised it, guided by which law?

When we took office, Speaker, in this Sixth Administration, the MEC assured the people of this province, the ANC assured the people of this province and this House that we will be a united, effective, vigilant, responsive hardworking and, most importantly, a constructive Opposition. It is in honour of that commitment that we agreed with the MEC and the Premier when they said all should be discouraged from politicising our fight against

crime. Does the behaviour of Angus, J P and other DA members in relation to their interference with law-enforcement operations not constitute politicising of our fight against crime? What about the resolve of the DA to enforce its manifesto of having a provincial police force in the province against the precepts of the law – something which the people of this province must reject, Speaker.

Speaker, without any oversight body like IPID or the Western Cape Police Ombudsman, the law-enforcement structure and its operations are deliberately designed to suit the political agenda of the DA. It is either the DA Government takes full responsibility and acknowledges that it is through its political will that the people of this province have been subjected to vigilante groups masquerading as law-enforcement officers, or that we see a deliberate action from this Government to call Angus and [inaudible.] to order and subject them to the necessary disciplinary processes. How can we expect criminals, clear plain out criminals, not to impersonate SAPS or any other law-enforcement officers when we keep quiet and say nothing when our own who are supposed to lead, are doing the very same thing, we ask, Speaker. Thank you.

The SPEAKER: Thank you, hon member Kama. Hon members, I now recognise the hon Minister.



The MINISTER OF COMMUNITY SAFETY: Thank you, Speaker. I really want to say thank you to all the colleagues who took part in that interpellation and who made some of these points. I want to start off by saying I think we must welcome, and just hear me out, we must really welcome instances where the City Council of a particular ward would like to join with any group of people, go out into the streets of that community so that communities can see that the councillor is an active member of that community, making sure that the things are happening, that the places are cleaned up, like we do cleaning up, like we do all the other stuff, but also in crime going out. So, I need to firstly say that.

Wearing of the jacket, and I do not know what the nature of the jacket is, but I want to say I am very, very prepared to investigate that. I do not know why I should cover up for anything. I do not have any reason to cover up for anything, so I will go visit, I will really go and investigate it and report back to the Standing Committee the findings of that investigation and find out by the way whether the internal investigations of the City have been conducted. You know, we cannot jump the loop. If I can find out from the Speaker of the City that yes, there was a complaint, as the hon member Kama stated by the ANC in the City, that is the City, and in fact a lot of these questions I sometimes think must be asked of the City to hold councillors accountable in the City.

Of course, we have an oversight role and we will conduct that and carry out that oversight role, so we will make some enquiries at the City whether an investigation was conducted. If it was not conducted, then to institute an investigation or request the Speaker to investigate, and from there we will also then see what next and the report we get from there to come back to the Standing Committee. But I also want to say... [Interjection.]

An HON MEMBER: [Speaking simultaneously] ...being charged with this [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: Can you please keep quiet while I am talking.

The SPEAKER: Order!

The MINISTER OF COMMUNITY SAFETY: You know, I want to also say... [Interjection.]

The SPEAKER: Order, hon members. Hon Minister, please take your seat. Hon members, we have Rules that govern the virtual meetings. We do not allow heckling and that is the agreement of this House through a determination via my ruling in one of the sittings, so I am requesting that we respect that. It is for all of us, otherwise we are going to collapse these

meetings. Hon Minister, please proceed.

The MINISTER OF COMMUNITY SAFETY: Thank you, hon Speaker. I also want to say hon member Kama is taking it to the extent that the DA has got a private army. We do not operate like the ANC! We do not have little private armies. We do not come with little private armies, invade land and are at the front of it, and we are openly in front for the whole public to see. We operate within the law and in that context I will support the hon member Kama in getting that investigation. I also just want to add what hon member Allen was saying. It is so amazing, the kind of work that we see coming out from the Ombudsman.

In one of the questions by hon member Kama we will see the role that the law-enforcement office are not at this point subject to our oversight and the oversight of the Police Ombudsman, but we are trying to amend the Act and to see that that becomes part, so that all forces are accountable, and I want to insist to the hon member Kama that all law-enforcement agencies are subject to the control and the command of SAPS on all the operations that they do. They do it as an integrated operation as integrated forces and on that ground we have no fight with each other here at your level where you call us private armies and that, so hon Speaker, I just want to emphasise, sometimes we must really wake up because I think when we dream about private armies that is really a figment of our imagination, and I thank you on that note. Thank you.

The SPEAKER: Thank you, hon Minister. Hon members, that concludes the interpellation.

[Debate concluded.]

The SPEAKER: Now at this stage, we are now moving to Questions. The first question is by hon member Dugmore to the hon Premier. I recognise the hon Premier.

## **QUESTIONS FOR ORAL REPLY**

### *Inequalities and other imbalances of the past: addressing of*

#### **1. Mr C M Dugmore asked the Premier:**

What are the plans to address the inequality and other imbalances of the past that have been exposed by the high Corona virus infection rate in the various hotspot areas in the province?

The PREMIER: Thank you very much, Speaker, and thank you very much to the hon Leader of the Opposition for the question. So the answer to this question which talks to inequality and imbalances, both of the past, but also now during COVID-19, the Western Cape's response to the COVID-19 pandemic has been all encompassing not just focusing on our healthcare

services, ours has been on an all of government approach, tackling all aspects of the pandemic, including food insecurity and hunger and finding ways to support the economy and hotspots at times when it is most needed in order to protect jobs in this province.

Our healthcare response has ensured that no matter where you come from in the province you will receive the appropriate care if you test positive for COVID-19. Our response and perhaps even later on in this process, not even if you test positive, if you are at risk we would also then help you once we got past the peak.

Our province has been world-class in this respect, Speaker, and patients at our hospitals and our field hospitals have received excellent medical care at the hands of the dedicated healthcare workers in this province. We have built field hospitals, testing and triage centres, and we have invested in technology in order to introduce high-flow nasal oxygen and other innovations to make sure that we get through this pandemic as best as we can and saving as many lives as possible.

We have developed systems to protect those most at risk including diabetics and the elderly and delivered chronic medicines to patients at their homes. This is now in excess of 280 000 of our patients in this province if they are at risk, who receive their medication at home, whether they are elderly or have

comorbidities so that they do not have to go and stand in queues at our clinics.

Our investment into the healthcare response will also benefit our healthcare system into the future. We have learnt lessons and we will also make sure that we keep those lessons, we cannot slip back. That is my message within the administration at the moment: take those innovations and lessons forward which will benefit the people of this province.

As part of our response we also enabled South Africans to make use of our quarantine and isolation facilities if they were not able to do it at home. Our entire response has cost the province billions of rands and as this House knows, without receiving the adequate funding back from National Government but we have still gone ahead and spent the money as we have just gone through that Budget process, the first part in that first COVID-19 Adjustment Budget, and we also know that this is going to have huge impacts on our service delivery. The cuts that we are having to put in place definitely have to come from somewhere and unfortunately they end up coming from frontline services, but as you know, even prior to COVID-19 coming about, we already had a focus in this province:

- (1) Safe and cohesive communities;
- (2) Growth and jobs;

- (3) Empowering people;
- (4) Mobility and spatial transformation;
- (5) Innovation and culture.

And Speaker, I have spoken at length about these and specifically, for example, the safety programme and both interpellations that we have just had have covered parts of that. The first 500 of these trained LEAP officers have been deployed throughout this lockdown. Obviously during the hard lockdown they used to help SAPS and the Military deal with lockdown policing, but of course as lockdown has eased and we have seen crime spiking in our traditional areas again where we were focusing on the murder hotspots, etcetera, we deployed back into those specific areas with regards to those offices.

Also most importantly, in order to address inequalities, economic opportunity and job creation, this Province has worked hard to drive investment and economic development to create jobs, to improve people's ability to earn a living and provide for themselves and grow value within their lives. According to *Stats SA Quarterly Employment Survey*, the first quarter of this year the Western Cape had the lowest official expanded unemployment numbers for the country as well as the highest labour absorption rate. Stats SA unfortunately has delayed their latest *Quarterly Labour Force Survey*. It was supposed to come out two days ago and we wait to see what

those numbers look like now, but of course they are going to reflect the hardships that have been created by lockdown. Statistical indications previously released by Stats SA have shown the drastic impact of the lockdown on food-and-beverage industry, the closure of our borders, and the initial ban on local travel has also had a significant impact on our tourism industry. Our manufacturing data also released shows a 16,3% decline in manufacturing in June when compared to June 2019 and this in addition to the 49,3% decline recorded in April and the 32,4% decline in May, and so obviously these huge job losses in South Africa but also in our province are going to also have a massive impact on the ability of people to provide food and to provide sustainable futures for their families.

I must say that we have requested meetings specifically with Minister Dlamini-Zuma and Minister Mkhize to try and address these issues. Unfortunately we have not received that but what we did get, which I do appreciate, is Minister Mkhize putting out a *Gazette* last week on Friday which does promote different levels of lockdown, the risk-adjusted model which is at the very least what we will be pushing for this weekend.

We must also be mindful that our approach in this pandemic and the hotspot interventions have also included interventions into the economy and businesses to ensure that we could keep as many of them open as



possible, but still we understand that these implications are going to have long-lasting and a devastating effects on our system. Perhaps I also just want to know that in mitigating that risk of inequality I must also speak to the continued work that Human Settlements has done throughout this pandemic, that continued to deliver housing opportunities across the rural areas and city of our province; at the same time also I think specifically recognised the role that the humanitarian workstream has played, from Minister Fernandez through to Minister Schäfer. I think specifically the school feeding that continued through this time really did also make a big difference in mitigating risks specifically for communities that are highly at risk, and of course this must continue.

We need to get now the second pandemic, which is directly going to be affecting and actually making it worse than it was before, the vulnerable communities that have been part of those imbalances from the past and so hopefully we get more of the economy open and agreement for that this weekend, and we need actually the whole of South Africa, the whole of government and society to come together to put as much dedication and focus that we have seen into mitigating risks in COVID-19, putting that in to making sure that we mitigate any further job losses, any further economic processes that deprive people of opportunities in our country. Severe numbers are coming out at the moment and we need to make sure that we mitigate that and we actually would like to call on the hon member

Dugmore to please help us making sure that we get agreement across South Africa to actually focus on mitigation, on making sure that pandemic number 2, starvation, hunger and unemployment are addressed with the same kind of focus. Thank you, Speaker.

The SPEAKER: Thank you, hon Premier. Hon members, I will give the first opportunity to hon member Dugmore if he so wishes to put the follow-up question. I have not seen other hands.

The LEADER OF THE OFFICIAL OPPOSITION: Yes.

The SPEAKER: Oh, there are hands in the Chamber, yes. It is going to be hon member Dugmore, hon the Leader of the Opposition and then hon member Mackenzie, in that order, and hon member Makamba-Botya afterwards.

The LEADER OF THE OFFICIAL OPPOSITION: Ja. Thank you very much, Speaker, and thank you to the Premier for his response to the question. As a follow-up I would like to ask given his recognition of the inequalities in the health system that have emerged, that existed before the lockdown and that have continued to be visible during the lockdown, is the Premier of the view that the move towards a National Health Insurance System will actually assist in dealing with the health inequalities that have

become apparent during this lockdown and, if so, what steps will he actually take as the Premier of this Province to ensure his support for the national initiative to build a National Health Insurance System in this country?

The SPEAKER: Thank you hon, the Leader of the Opposition. I recognise the hon Premier.

The PREMIER: Thank you very much, and thank you very much to the hon Leader of the Opposition for that question. I suppose they always tell you in politics every time you ask a question you should know what the answer is, and I presume he does know what the answer is, that definitely not, we do not support the NHI and quite frankly right now the NHI was always unaffordable.

If you looked at those original documents of the NHI we need to be in excess of 3% GDP growth to even think about it, so no, but what I do want to say is that, and thinking about his question and the inequalities of the health system and not necessarily the health system - I mean we have the best health system out of any province in South Africa - but thinking about how the health system delivers healthcare specifically to people who are the most vulnerable, I think this shows where not the NHI but universal healthcare and partnerships are, where we should be going and what this

National Government and this country should be focusing on. So, for example, let us look at Khayelitsha, and one of the newer investments in hospitals is in Khayelitsha, but what we did during this pandemic to make sure that the people of Khayelitsha got the best healthcare that we could give, we entered into a partnership with Médecins sans Frontières and so the first temporary hospital delivered alongside Khayelitsha Hospital in our province during this pandemic was in Khayelitsha. It was at the Thusong Centre, and I had the honour and privilege of being there at the beginning when it opened up and I also had the honour and privilege of being there yesterday when it closed down, and of course this shows you where you partner with private sector and NGOs you actually find huge benefit and that is what we have got to be doing. We partnered during this pandemic with the private sector with regards to extra beds and ICU facilities, etcetera. That is going to build a universal healthcare system where private sector and Government partnered together to find ways to deliver services that are in the best interest of the citizens, but let us get back to Khayelitsha.

So in the beginning of June, when we opened that partnership facility, we also know that Khayelitsha is one of the hotspot areas and of course in the question we refer to hotspot areas, if you remember it is where we saw some of the highest infection rates during this pandemic. In actual fact after we opened that facility, which saved 241 lives during this pandemic,

we had two weeks, two and a half weeks after opening that facility our infection-to-population ratio in Khayelitsha was 588 to 100 000 and as of yesterday we have managed to bring that down through the hotspot interventions, and I must thank every single person who was involved in that hotspot.

It is not only the health response and I know it is from even the Speaker, yourself, from members of the National Assembly, from councillors, from civil society, and from Government, all getting involved in making sure we identify a hotspot and we focus on it to bring down those infection rates. We are now down to 16 active cases per 100 000 and slowed the curve so much so that from mostly hovering at the space of the second most infectious subregion of the City, you will have a look if you look at our dashboard now how it has slipped way down in the infection ratings and that 16 active cases per 100 000 must really be celebrated. And of course, this is how I want to take things forward and use the learnings of COVID-19 to really make differences in society where you use that hotspot system of first of all reporting back into Government, but also bringing everyone together to tackle the big issues going forward that specifically focus on inequalities, focus on economic opportunities, safety, and human dignity going forward in each of those specific areas. Thank you, Speaker.

The SPEAKER: Thank you, hon Premier. Hon members, I now recognise

hon Mackenzie.

Mr R D MACKENZIE: Thank you, hon Speaker, and thank you, hon Premier for the response and hon member Dugmore for such a very important question.

Hon Premier, during the response you talked about what the Department of Education has done and particularly when we talk about inequality and imbalance one can talk about food distribution. I wanted to find out from the Premier what has the Department practically done when it comes to the feeding of children in the Western Cape and comparatively to other provinces, were they on par, did we do more or less particularly during this pandemic? Have you under your government in this province, taking into account the inequality and the imbalances with regards to that, and secondly and furthermore, Chairperson, dealing with the inequalities and imbalances require billions of rands, and I know you have previously stated during the previous question sector that the President was going to give you billions of rands. Has that money arrived and how would you spend those billions? Thank you.

The SPEAKER: Thank you, hon member Mackenzie. I now recognise the hon Premier.

The PREMIER: Thank you very much, Speaker, and thank you very much to the hon member Mackenzie for should I say the question, but there were two parts to it.

I think first of all, we do know that this lockdown process leads to massive job losses but also led to massive issues around food security and here I recognise not only the Education Department but also Minister Fernandez who led that humanitarian group along with Minister Marais and Minister Meyer, so obviously Agriculture played a big role, but Education too, and I remember despite lots of pressure, lots of pressure, people tried to stop the mechanism of feeding through schools.

Now the one thing that we do have is an effective and efficient school feeding system that feeds thousands and thousands of young people in our province every single day and we stood our ground there, and you would have seen in a court case even that we were the only province that managed to get this right during this pandemic. Other provinces were then forced by court to get school feeding back up and running, but it went way further than school feeding because it was also how the province responded *in toto*, and I think if anybody wants to just go and double-check, go and have a look at the dashboard created. It is on our website. We have got obviously the Coronavirus Health Dashboard which shows you our response to the pandemic as a government from a health

response point of view and infections, but also the second dashboard that really shows you the food security response right down to where parcels were delivered to whom, where and in which municipality, of course which NPOs and NGOs and non-governmental organisations, which actually carried the biggest brunt and really stood up and supported Government in making sure that we step into the breach to help those most vulnerable. But Speaker, if you will allow me, the real problem is going forward. It is not when – we know it was a big issue during the lockdown, but the latest statistics show us that, number one, during the lockdown the poorest 10% of our country lost 55% of the total number of jobs. In other words, in South Africa the three million jobs that were lost, more than half of them come from the poorest 10% of South Africa. That again is going to lead to massive food security issues.

The second one is that in the food security measurements that are coming out right now that I will be taking to the President on Saturday, is that food-insecure households that was at 25% of South Africa's population, has not risen to 47% of South Africa's population. So food security is a massive issue going forward for us and not only as a province but as a country, and so, Speaker, obviously the question was about specifically looking at education, but I think across the board what was done by Government but also what was done and achieved through coordination of this process alleviated much of the pressure within the system in



communities. But the warning is still there that this is probably going to get worse as the next months and even years go forward, Speaker.

The SPEAKER: Thank you, hon Premier. Hon members, I now recognise hon member Makamba-Botya, followed by ... [Interjection.]

Ms N MAKAMBA-BOTYA: Thank you Speaker.

The SPEAKER: Sorry, hon member Makamba-Botya. That will be followed by hon member Mackenzie in the Chamber. You may proceed.

Ms N MAKAMBA-BOTYA: Thank you, Speaker, and thank you to the Premier. The Premier has actually made a presentation on what the Western Cape Government intends to address inequalities, but it is very strange and shocking that in all the provincial budgets that we have dealt with recently, nothing was budgeted or even spoke on how the issue of overpopulated and dense communities will be addressed as a mitigating factor against the spread of COVID-19.

At some stage even the Minister of Human Settlements promised to move communities in dense areas such as Dunoon, Kosovo and other areas, so what happened to that because nothing has happened, we are here now but nothing of that nature has actually taken place. Thank you.

The SPEAKER: Thank you, hon member Makamba-Botya.

The LEADER OF THE OFFICIAL OPPOSITION: Can I raise a point of order, Speaker?

The SPEAKER: What is your point of order, hon member Dugmore?

The LEADER OF THE OFFICIAL OPPOSITION: I am sorry to interrupt the Premier from his response to hon member Makamba-Botya, but I wanted to say that in regard to this being my particular question and that we are allowed four questions - if I am correct you have indicated that you are going to give hon member Mackenzie a second chance – and whereas the initiator of this question, it is normally convention that I am allowed to have the next follow-up before another member, Chair, so could you please consider that because I definitely do have a follow-up question.

The SPEAKER: Thank you, hon member Dugmore. The Rule that we have been using since we started with the virtual platform, the first follow-up, goes to the member who has asked the question and then afterwards we recognise any other member who so wishes to put the question to the Minister or the member of the Executive, so in this case I recognise the members who had their hands up, so your hand was not up so I was not able to determine that prior to you raising your hand. So that is the order

that we have been following. So, I am not changing any Rule, I am consistent with what we have been using since we started off. Thank you, hon the Leader of the Opposition. I now recognise the Premier.

The PREMIER: Thank you very much, Speaker, and the hon member Makamba-Botya for the question. I think first of all in the Adjustment Budget you must remember that we are sitting at R5.5 billion spent thus far in the province, R5.3 billion, and of course this is the first Special Adjustment Budget, and the question that you asked specifically around human settlements, it is obviously much quicker to arrange delivery of a medicine parcel or even to build a hospital, which we learned to do in four weeks, than to build whole new human settlement decanting operations. Of course, I think for specifics you will need to ask the Minister of Human Settlements that question, but what I can say to you is that specifically the Department of Human Settlements have not allowed lockdown to slow any of their progress. They delivered over 400 houses across this province during that lockdown time in the Overberg, in Stellenbosch and in McGregor as well as in the Forrest Village Development, many families coming from informal settlements. That is over 400 homes to 400 families in less than 200 days, but also understanding that specifically in Dunoon that process is still ongoing, although I do know that Minister Simmers and the City of Cape Town are working very hard to make sure that we can actually get on site to develop the new decanting houses. It has been

inundated with pressure at the moment from illegal occupiers trying to take that piece of land from those rightful citizens who are supposed to be getting that space, which is becoming very difficult to manage. Of course these things do take a little bit longer in delivering a home versus delivering some of these other projects, but it is definitely still on track for further detail and even the budgetary processes which you will see now again in the Second Adjustment Budget which comes in, or could I say, the normal Adjustment Budget day which comes in November, you will see those numbers rectified once again, but I think for further and in-depth detail you will need to ask the Minister of Human Settlements. Thank you, Speaker.

The SPEAKER: Thank you, hon Premier. Hon members, just before I allow hon member Mackenzie to speak, I see there is a hand from hon member Kama. Is that a point of order, hon member Kama, or did you inadvertently place your hand up?

Mr M KAMA: Thank you, hon Speaker, and I do not mean to question your ruling, Speaker, on the order raised by hon member Dugmore, but perhaps we maybe need clarity so that I do not become at fault moving forward. I agree, Speaker, that in terms of the Rules you raise your hand and then you are recognised as the first person to ask a follow-up question, but I do not know whether it was you, Speaker, or the Deputy Speaker, that when

we entered this platform, because other people might be using devices that do not have the hand function, it was then agreed that the first ... [incomplete – connectivity problems.]

The SPEAKER: Proceed, hon member Kama, I need to hear you.

Mr M KAMA: [Inaudible.] or not and that has been the practice, Speaker. Are we now saying that it is a matter according to the Rules as we would do in the House that you have to raise your question and perhaps wonder what happens when you do not have that function to, hon Speaker.

The SPEAKER: Thank you, hon member Kama, now let me lift, let me lower down – I am going to lower your hands now. Ja, it is fine, thank you. Hon members, let me state this once again for clarity of all the hon members. It has always been the practice since we entered the period for virtual sittings, that the first opportunity for a follow-up and that is once the Minister has responded to your question or the member of the Executive responds to your question, the first opportunity is for you as the member who have asked that question to put a follow-up, because you were the one who asked the question and that has been the Rule and that actually is written for any Presiding Officer here to be consistent with what we are dealing with, so that is not my ruling and the Deputy Speaker's ruling or any other Presiding Officer's ruling, so that is the

practice. Any other follow-up question that the member wishes to raise, you then have to lift your hand up or indicate in the chat room, but neither the chat room nor the hand was raised by the hon, the Leader of the Opposition, and that concludes on this matter, so I am closing this matter now. There is no further debate on it, and this is consistent with everything that we have been doing. I now recognise hon member Mackenzie.

Mr R D MACKENZIE: Thank you, hon Speaker, and thank you to the Premier for his response earlier on. Hon Speaker, I think it has now been established by common-sense that to deal with inequality and imbalances of the past is a growing economy and individuals having jobs, and I want to find out from the Premier, what is the effect of the current regulations or some of these bizarre regulations on the Western Cape economy in the province trying to deal with inequality and imbalances, and what should be done particularly on those regulations or other legislation impeding on his Government's ability to deal with inequalities and imbalances of the past? Furthermore, noting that corruption is the biggest impediment of dealing with inequalities and imbalances of the past, how would he comparatively deal, share with us in this Chamber, compared to other provinces? How have we fared during this Corona virus period particularly when it comes to PPEs? Thank you, Chairperson.

The SPEAKER: Thank you, hon member Mackenzie. Hon members, I now recognise the hon Premier.

The PREMIER: Thank you very much, Speaker, and thank you very much to the hon member for the question. I think first of all I will start with the second part first around PPEs and obviously we have led in this process of making our PPE procurement price, company, etcetera, open to the public for scrutiny and I know that a number of questions have gone through to the Treasury, so hopefully what that does is it teaches us so next month when we put out the next lot we might have some more detail and more information, and hopefully again we can never guarantee that we are corruption free but at least these processes are a first for our country and showcasing what we are doing to show light on where the problems lie. We have seen that in other parts of the country it has almost been a free-for-all feeding frenzy around PPE and hopefully we see some people jailed pretty quickly that have been involved in these corrupt activities, and also that the learnings that we have put in place actually get accepted into other provinces. I know that we have just finished in a discussion with the Gauteng administration. Premier Makhura wants to put in a very similar system to what we have done as well as the lifestyle audits and we have also been engaging with him on the lifestyle audits, because he is also going to be doing the same thing, and that is welcomed because I think our big problem in South Africa is that corruption has become the

sort-of number one pastime and there is much more focus on people feeding their own pockets rather than helping the citizens of this country. And if we can help in other ways that we create transparency and we get people who are involved in this corruption put behind bars, it will definitely make for a better country.

Then also specifically around the impact of the lockdown, and we always know and we always knew that a lockdown was there for one purpose – get your health response ready during this lockdown, and then we can start to find the balance between fighting the virus as well as enabling your economy again, because lockdown stops the economy and specifically the question was around this province, but I will start first of all with the three million people who lost their jobs during lockdown thus far in South Africa – most of them being women.

That is really a massive indictment and that is why we think and we have got to be opening up the economy far quicker, and my pitch on Saturday and already to the President is that we have a health response in place. We know it is not back to normal but it is back to the new normal safely opening our businesses, but the direct impact what the member asks about our province and what we have in our tourism economy, we have lost 104 504 jobs thus far. Our informal sector which is really a critical sector and again impacts specifically on the poorest of the poor, we have lost



38 276 employment opportunities in the informal sector.

The construction sector, we already knew they were in deep, deep trouble. Because we were in junk status, our economy was failing because of – if the hon member Dugmore knows about his first question that he got to ask which was around NHI - NHI, expropriation without compensation, some of the really crazy policies that have been pushed year after year after year in our country, pushing our economic growth down and down and down, already at junk status, and of course now this pandemic pushing us really further over the edge, and the construction industry, part of that was really hit very hard prior to this and now we have lost a third of 41 000 in the construction industry space. So definitely, the prolonged lockdown has been hugely detrimental to the economic wellbeing of the citizens of our province and that is why we are saying our health response is in place. We flattened the curve. We need to be responsible, but we need to actually now open up the economy. Thank you, hon Speaker.

The SPEAKER: Thank you, hon Premier. Hon members, that concludes the first question. That is the question to the Premier. Now the next question is by hon member Christians to the hon Minister of Finance and Economic Opportunities. Hon Minister, †meneer, [sir] I recognise you, sir.

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: [No

audible reply.]

[Ms L M Maseko takes the Chair.]

The TEMPORARY CHAIRPERSON: Hon Minister Maynier, I recognise you. [Pause.]

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: [No audible reply.]

The TEMPORARY CHAIRPERSON: It seems Minister Maynier is not with us. Oh, he is here. Minister Maynier, can you unmute yourself? [Pause.]

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: [No audible reply.]

The TEMPORARY CHAIRPERSON: You are still on mute. Please try again? [Pause.]

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: [No audible reply.]

The TEMPORARY CHAIRPERSON: No, there is still a technical challenge

with Minister Maynier. Can we – okay, maybe it will help if you can switch off and reconnect again. That can maybe assist us to unmute you. [Pause.] Okay, hon members, if you can bear with us for some few seconds to allow the Minister to reconnect again so that we can continue with the second question. [Pause.]

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: [No audible reply.]

The TEMPORARY CHAIRPERSON: Okay, I do not know if we should continue. [Pause.] It seems it is going to take some time. Can we maybe give Minister Maynier about two minutes to see if we can; are you okay, can we hear you now, Minister Maynier?

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: [No audible reply.]

The TEMPORARY CHAIRPERSON: No, there is still the challenge. Okay, while we sort out the problem with Minister Maynier, can I suggest that we continue with Question 5?

An HON MEMBER: Oh, it is five now?

The TEMPORARY CHAIRPERSON: Sorry, Question 5 is... [Interjection.]

An HON MEMBER: Question 4.

The TEMPORARY CHAIRPERSON: It is me. [Indistinct discussion in background – no microphones] Can we take Question 6, because Question 3 is still Minister Maynier and then Question 5 is going to stand over, so it is over to Minister Mbombo. Minister Mbombo, I recognise you for the question from hon member Makamba-Botya. [Pause.]

The MINISTER OF HEALTH: [No audible reply.]

The TEMPORARY CHAIRPERSON: Minister Mbombo? [Pause.]

The MINISTER OF HEALTH: [No audible reply.]

The TEMPORARY CHAIRPERSON: The Minister also is not with us. Can I suggest that maybe through the Table staff we take about two minutes break to see if we can get all Ministers to be on a standby as we have technical challenges.

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: I am up.

The SPEAKER: Thank you very much, hon members.

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES:  
Chairperson, can you hear me?

An HON MEMBER: I can hear you fine. [Inaudible.]

The SPEAKER: Okay, I recognise you, Minister Maynier.

*Lockdown: small business assistance*

**2. Mr F C Christians asked the Minister of Finance and Economic Opportunities:**

What is he and his Department doing to assist small businesses that have had to close down during the lockdown period?

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: Thank you, Chairperson, and I do apologise for the challenge with connectivity. I was in full flight delivering my response when you called me to order, so let me begin again.

Chairperson, with the announcement obviously of the national lockdown on 26 March 2020, many businesses, especially small businesses of course were forced to close. During this period and throughout the alert level restrictions my Department has been working hard to support business, again especially small business to open safely and responsibly so that we can save jobs and

save the economy in the Western Cape and where we thought certain sectors should and could open safely and responsibly under the risk-adjusted approach, we have worked hard to engage with National Government to allow these sectors to open. Many of our recommendations were included in those amended regulations, particularly in relation to e-commerce, in construction and in tourism which have to some extent been opened and our most recent success of course was getting the tourism accommodation for leisure open for travel within provinces in the Western Cape. But in addition to our efforts to open the economy, and we have also taken a number of steps to support business, especially small business through the COVID-19 crisis, we of course have set up a COVID-19 Content Centre together with our partners at Wesgro and the City of Cape Town to provide support and advice to businesses.

We have launched our COVID-19 Support Finder which helps businesses navigate and access the financial relief packages which may be available to them. We have launched an app for entrepreneurs to assist businesses to start to scale up and to grow and of course our Red Tape Reduction Unit has assisted businesses navigate the sometimes very complex new regulatory environment, and I think the Department has achieved considerable success, you step back, 146 000 visitors have used our support business website. 2674 queries have been dealt with by the COVID-19 Content Centre. 6900 businesses have used our COVID-19 Support Finder and over 1248 queries have been dealt with by the Red Tape Reduction Unit.

We have gone further, particularly in the tourism sector which has been hit hard, by launching a Tourism Product Development Fund, which commits a total of about R5 million to support new or existing tourism products and experiences in our province and we have launched a five-part weekly Webinar series for the tourism sector that provides support and advice to business on opening safely during the COVID-19 pandemic, but Chairperson, we have gone further. We have worked hard to ensure that all employers and employees implement and adhere to the critical safety measures to stop the spread of COVID-19 in the workplace. We have made available health guidelines and information materials on preventing and managing COVID-19 infections in the workplace.

We have assisted businesses find PPE suppliers through our PPE marketplace. We have provided employees with frequently asked questions that advised them on how to stay safe in the workplace and we have provided employees and customers with a mechanism to report businesses that are not following the necessary health guidelines to stop the spread of the virus in the workplace, and to date we have received about 1373 complaints of which 1122 have been resolved, and finally, of course, we have been distributing or are in the process of distributing 11 000 COVID-19 Business Safety Kits to small businesses and informal traders across the Western Cape.

Chairperson, in the Special Adjustments Budget we announced an

additional R14 million to assist businesses: R3 million to Occupational and Health and Safety Programmes, R9 million to an SMME COVID-19 Relief and Recovery Fund, R2 million to a Small Business Supplier Developer Programme which will support 20 small businesses manufacturing cloth masks, hand-sanitisers, and dispensers; R2 million to a Community Economic Recovery Project to stimulate the informal economy and support especially spaza shops.

So we have worked hard to support business including the small businesses who have been hit hard by the COVID-19 pandemic and we are going to continue to support those businesses as we face the second pandemic of unemployment in the Western Cape. That is why last week, having recognised that our healthcare system remains stable and we are able to ensure access to health facilities for all COVID-19 patients, the Western Cape Cabinet agreed that our approach would be that all businesses that can open safely should be allowed to do so in the Western Cape and that is precisely what the Premier referred to. He will be taking responsibility to engage with the Minister of Cooperative Governance and Traditional Affairs, Nkosazana Zuma as well as the Minister of Health, Zweli Mkhize, so that we can further open up the economy in a way that is safe and responsible and in a way that saves jobs and saves the economy in the Western Cape. Thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon Minister. I recognise hon member Christians for the follow-up for his question. Hon



member Christians.

Mr F C CHRISTIANS: Thank you, Chairperson, and thank you to the Minister and his Department for what they are doing. Chairperson, if the Minister saw in the question I have put what they have done to assist small business that closed down; now when you go to places you see just their doors are closed and they are not going to open again, so there are a lot of small businesses that have closed down completely, and I wonder, those guys are really in trouble. It is just I saw also in an article that SMMEs are facing severe financial difficulties through the lockdown and it is estimated by the Jaco Small Business Recovery Monitor that small and medium-sized businesses turnover has dropped from 72% to 60% versus pre-COVID-19, so I appreciate what the Minister said but I would also want the Minister just to elaborate on those small businesses, we heard of many businesses that are never going to open again and it means that people are unemployed and it means that the unemployment rate is then growing. So, thank you for that, Minister, if you can just elaborate. Thank you, Chair.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Christians. Minister, over to you.

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: Chairperson, our general approach is to assist all businesses including those that have closed down, if we can assist we will, those that are sort of

on the brink. We stand ready to assist them with the systems and mechanisms that I have set out, including systems where possible through our Relief and Recovery Fund, where I have of course allocated an additional R9 million to the Relief and Recovery Fund. So we stand ready, and I can ensure the hon member to support all businesses, especially small businesses, who are in distress in the Western Cape, and if we can assist a small business that has closed down that has the potential to recover, we stand ready to support that small business here in the Western Cape.

The TEMPORARY CHAIRPERSON: Thank you very much, Minister Maynier. I recognise hon member Baartman. After hon member Baartman I recognise hon member Nkondlo. Hon member Baartman.

Ms D M BAARTMAN: Thank you, Chairperson. Chairperson, I would like to ask the Minister, the Unemployment Insurance Fund Temporary Employee Relief Scheme (UIF TERS) payments from the National Labour Department, in terms of when you must apply for payments to your employees at your small business, the May applications opened late. The June applications opened late and the July applications are not even open yet. Of the June applications, only 40% of the small businesses that applied have already received payment and 64% of those have not even received payment in full. Have any small businesses contacted your Department for assistance regarding payment of UIF TERS, because employees are not able to get their funding and if the National Department

of Labour does not pay out the funding through the UIF. Thank you.

The TEMPORARY CHAIRPERSON: Thank you very much. I recognise hon member Nkondlo.

Ms N D NKONDLO: Thank you. Thank you...

The TEMPORARY CHAIRPERSON: Sorry, sorry, hon member Nkondlo? Just take your seat a bit. I recognise hon Minister Maynier for the response.

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: Thank you, Chairperson. The hon member is absolutely correct. The UIF TERS or non-payment of UIF TERS, has compromised I think many small businesses' capacity to provide relief to employees.

The answer is yes, we have been approached by businesses to assist, and indeed we have assisted businesses to apply for funds through of course our Covid Content Centre, our Covid Support Finder, and of course the Red Tape Reduction Unit.

Where challenges, especially where those challenges relate to either non-payment or undue delays in payment, we have liaised directly with the relevant department in order to try to assist, and I am advised that to date we have managed to assist I think approximately about 3,000 employees

access UIF TERS payments in the Western Cape.

There are obviously major systemic issues and we – causing either non-payment or undue delay in payment of UIF TERS, and we continue to assist business, and to deal with the Department so that we can get the UIF TERS payments out the door to distressed employees in the Western Cape.

The TEMPORARY CHAIRPERSON: Thank you very much, hon Minister.  
Hon member Nkondlo?

Ms N D NKONDLO: Thank you, Madam Speaker of the day. I just wanted to check from the Minister in relation to the question, that as we are sitting, can the Department provide us with any information of the SMME's that have closed down? Does the Department have such data where those businesses are; what type of businesses are those in terms of the different, or the provincial economy? Including if, as part of the hotspot strategy, because I would pick up in one of the presentations the Minister and the Department made in the ad hoc Committee, that indeed Minister and the Department are driving the economic response, and therefore I am interested if indeed in each of the hotspots we can be able to get that data from them of the businesses, or small businesses that they have assisted in those hotspots, per area, that have been declared.

So my question is exactly if there is that particular data which can actually help us to understand what support, over and above advising, facilitating

between themselves and National Government interventions. Thank you very much, hon Speaker.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Nkondlo. I recognise hon Minister Maynier.

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: Thank you, Chairperson. I am not aware, although I stand corrected, that there is detailed data in every hotspot about exactly which businesses have closed, but that is certainly a matter that I will enquire about from the Department, but the Department of course does conduct surveys of businesses, including small business, and so we do have some indicative data about the number and rate at which businesses have been closing in the Western Cape.

The TEMPORARY CHAIRPERSON: Thank you very much, Minister Maynier. I now recognise hon member Baartman.

Ms D M BAARTMAN: Thank you, Chairperson. The Minister mentioned in his original answer that the Western Cape Department and Ministry have been assisting regarding submitting recommendations to the National Department on how to open up the economy again and through the lockdown regulations, in order to assist small businesses, as well as individuals, and I wanted to find out whether his Department has engaged on the opening of title Deeds Offices, because that is also impacting on

small businesses and individuals at the moment, because if you have a title deed, you have access to funding, and you have access to being able to be on your property, and you have also access to sell, for example. Thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Baartman. I now recognise Minister Maynier.

The MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES: Thank you, Chairperson. I can certainly confirm that we have worked on the whole question of the Deeds Office, which, I mean, has been fairly regularly closed. We believe those closures are often unwarranted, and that, as the hon member suggests, has been a significant, if you like, handbrake on the economy in the property and real estate sector in the Western Cape, and we have had extensive engagement on this issue.

I have, for example, been in correspondence with the Minister of Agriculture, Land Reform and Rural Development, Thoko Didiza. My Head of Department, Solly Fourie, has had several engagements with senior officials in the Department of Agriculture, Land Reform and Rural Development, and officials working on occupational health and safety, have had regular engagements with the Deeds Office over the last two weeks, and of course that is in addition to a whole range of engagements with sector bodies.

I have to say, Chairperson, that it appears that we are finally moving in the right direction. I am aware that the Minister, and I mean by that the National Minister, Thoko Didiza, has now released a statement where she has confirmed that she has met the Chief Registrar of Deeds. That there is now a plan in place to ensure that the Deeds Office, to the extent that it can, remains open and that the considerable backlog which has built up over the last couple of weeks, is now dealt with, and some of those measures would include, for example, allocating work to examiners in their homes; ensuring that larger numbers of staff in the Deeds Office attend or show up at the office; and of course there are also measures to include, ensure that the closure of the Deeds Office is minimised.

So we think that we are moving in the right direction. We are obviously going to monitor process. Our Department stands ready to assist in any way that we can, and we hope that this new plan to deal with the backlog in the Deeds Office, I think succeeds, and enables ultimately the property and real estate sector in the Western Cape. Thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon Minister Maynier. Hon members, that concludes the Questions for Oral Replies. Outstanding replies will be printed in the Hansard.

We are now going to move on to the Statements by the members, and I recognise the DA.

## STATEMENTS BY MEMBERS

Mr R D MACKENZIE: Thank you. Is somebody coughing? Oh, sneezing? Okay. [Laughs.]

The TEMPORARY CHAIRPERSON: Hon member Mackenzie.

Mr R D MACKENZIE: Thank you, hon Chair, House Chairperson. House Chairperson, it has just been over 10 weeks since the President committed himself to a differentiated approach, the varying levels of infections in different areas. This was to enable a risk adjusted strategy that takes precautions, but also preserve livelihoods.

This announcement was much longer since the [Inaudible.] announcement and subsequent short-change of R20 billion to fight Covid-19, but to date the President has not given teeth to meaning. We find ourselves without a differentiated approach per region and no funds, only a national economy on full life-support.

Data shows that we have now passed the peak of the infections in the Western Cape with adequate capacity and stock to spare through a capable and transparent government.

Hon Speaker, I commend the Western Cape Government for not wasting a day of the hard lockdown, especially in preparing its healthcare system for



the peak of infections. I welcome the position undertaken by the Premier and the Cabinet, which aims to beat the second pandemic, the economic catastrophe, and provide a recovery plan that is currently gaining momentum.

House Chairperson, this is in the absence of the National Government, which has monopolised the crisis through tenders for families, from Presidential spokespersons to MEC's and friends, and Premiers of friends of ANC-led provinces. This opportunity cost is in essence theft from taxpayers.

House Chairperson, we have reached this position without the President's commitment and his promise of a differentiated approach to save both lives and livelihoods. We urgently call for the President to completely lift this lockdown to ensure people get back to work safely.

House Chairperson, it might only be in light of the upcoming election that the President made those announcements, but it is not clear. What is clear is that our current health crisis and state of public finances demands punishment at the polls for the suffering South Africans had to endure from the mismanagement of this crisis by the National Government.

In closing, House Chairperson, I would like to take this opportunity to commend our female frontline workers for their effort during the last five months, and extend a happy Women's Month to women in our province in

recognition, and despite the hardship they have to overcome on a daily basis. I thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Mackenzie. I now recognise the ANC.

The CHIEF WHIP (ANC): Chairperson, am I audible enough?

The TEMPORARY CHAIRPERSON: Yes, hon member Lekker, we can hear you.

The CHIEF WHIP (ANC): Thank you, Chairperson. The hypocrisy of the Democratic Alliance knows no bounds. In June the DA asked the Public Protector, the Zondo Commission of Inquiry, as well as the Public Service Commission, to investigate the ANC's cadre deployment policy. Such is a defensive move and a tactical manoeuvre to deflect people's attention from the real corruption, cronyism, capture, and cadre deployment that is collapsing governance in this province, and municipalities under the DA rule.

There are endless examples of DA boetie-boetie favouritism in the province. Former DA MP, Tim Harris, the CEO of Wesgro, received a salary increase of nearly R1 million during the Covid-19 pandemic, which had severe impact on the country and province.

Donald Grant is the advisor to the Premier; former Deputy Speaker, Piet Pretorius, was hired as a consultant for this Legislature. When Paul Bowie resigned as the DA CEO, he got a cushy job created for him in the City of Cape Town. The most recent case is the appointment of the former DA MP, Vusumzi Magwebu, as the City's new Ombudsman; a position he will hold for the next five years, where he has to act impartially and provide without any bias. How can one trust a former DA MP to be impartial and transparent when he investigates his own party?

What one sees in the province is crass exploitation of the public purse to create jobs for former DA MP's who could not make it back to Parliament, I thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Lekker. I now recognise EFF.

Ms N MAKAMBA-BOTYA: Thank you, hon Speaker. The EFF condemns in the strongest terms the barbaric acts demonstrated by the South African Police officials against a group of 50 peaceful protestors under the banner of #JoziStellenbosch.

The group was made up of student organisations, activists, and politicians, who marched against the Stellenbosch mafia who run the white monopoly. Amongst their demands were the expropriation of land without compensation, reparations, and the return of [Inaudible.], and the end to

the white monopoly.

However, despite demonstrating peaceful protest, the white mafia-led dogs in the form of South African Police and municipal law enforcement officials, came guns blazing. They used excessive force in the form of shooting the protestors with rubber bullets, and manhandling others in a very brutal and violent manner, including women.

As EFF we find it shocking and quite amusing that whenever there are peaceful protests by black people demanding justice, there is always a plethora of police officials present. However, when women and children are abused, raped, and killed, the very same police officials are nowhere to be found. Our police officials are institutionally designed to protect and act in the interest of the white mafia, as was the case during the colonial times and apartheid. Outside this task they remain useless.

There was no need to apply such excessive force against the protestors, because even the spokesperson of the community forum in the area did mention that there was no damage to property or cars as a result of these demonstrations, to warrant such violent force from the police. I thank you, hon Speaker.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Makamba-Botya. I now recognise [interjections.] the DA.

An HON MEMBER: House Chairperson, I call on Government to lift the blanket ban on the sale of alcohol tonight, and to save jobs and livelihoods in the liquor industry.

This ban is also killing jobs in the restaurant, printing, graphic design, and numerous other industries. This ban has also forced a large manufacturer of glass bottles to shelve its investment in a multi-million manufacturing plant.

Not only is Government driving away much needed international investors, we are hurting small entrepreneurs. The industry supports 35,000 township-based businesses. It is predicted that over 50 Western Cape restaurants will close; that the wine industry is facing a potential R1 billion loss of income; and that 18,000 jobs are on the line.

Government actions are directly related to the predicted contraction of 8% in GDP this year, and yes, alcohol consumption has its risks. Yet there are many other aspects of life that also carry risks – electricity; motor vehicles; and particularly knives, all add to trauma cases in ICU wards, yet we all continue to use electricity, motorised vehicles, and knives on a daily basis. Why? Because the benefits far outweigh the risks associated with the use of these articles.

A capable government provides clarity, certainty, and direction. A capable government improves people's lives. A capable government broadens the

number of residents that respect the law. This ANC Government is failing on all counts.

I again call on Government to turn around, to lift this ban on the sale of liquor tonight, and to help us rebuild our economy. I thank you.

The TEMPORARY CHAIRPERSON: Thank you, hon member. I now recognise GOOD.

Mr B N HERRON: Thank you, hon Chairperson. Hon Chairperson, today the Provincial Government issued a statement about its engagements with the National Police Commissioner, and what it calls land invasion and protest.

Once again this Government looks to criminalise poverty and turns to policing as its solution. It does so without any reference to its responsibility to address the shortage of housing and access to public land. Public land is owned by the people of South Africa and the State has an obligation to use the public's land for public good.

That different parcels of land happen to be in the custody of different spheres of government, is simply an accident of history. Releasing land for housing, land reform, and land restitution, are shared responsibilities across National, Provincial, and Local Governments. As desperate land occupations escalate, we need to understand the roles that each sphere of

government has played in the shortage of housing and land in cities.

Apartheid denied access to cities and towns, but a massive RDP housing programme in the democratic era sought to alleviate housing backlogs. Unfortunately by the end of the Zuma administration the delivery of housing nationally dropped to 40% of its earlier peaks. Declining delivery exacerbates the already massive housing backlog, and delayed release of land to build on, are only fuelling the situation.

Last year the Premier said his Government will release its land for housing only if National Government does so first. This absurdly childish position exposes the DA's attitude to housing specifically, and land in general. Their governments refuse to contribute any funding from their coffers for housing development. They will only use the conditional grant from National Government. If the DA will not spend money on housing, then the least they can do is make the land they control available to benefit homeless and landless South Africans.

All of our governments have a responsibility to fix the housing crisis and landlessness. This responsibility includes releasing public land in response to urgent local needs. Posturing and making the release of public land conditional on another government doing so, is reckless, and is contributing to the conflict we are seeing daily. Thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member

Herron. I now recognise ACDP.

Mr F C CHRISTIANS: Thank you, House Chairperson. House Chairperson, I was shocked when a resident alerted me to fellow residents fearing unsafe stairs in various communities.

Chairperson, when I researched the matter I read articles like:

“Temporary scaffolding used as staircases at Mannenberg Council Houses as a safety hazard.”

I also read:

“Residents fear for unsafe stairs.”

Now, Chair, why I’m bringing this up. It is a City issue, but I want the Minister of Local Government, who has got an oversight role, to intervene and engage the City to address this urgent matter. The staircases is not only a problem in Mannenberg, but also in other areas as well. These staircases is all City stock. A resident said that the structure currently erected is about in four locations, and the problem is this is unsafe. We are playing with the lives of our people, and the City’s Human Settlements Mayco member, must be brought to book and explain why these [Inaudible.] were not serviced in time.



Now people must walk on scaffolding to get to their houses. Chairperson, I just further want to say that these scaffolding, if there is not an urgent intervention, somebody is going to be injured and injured quite severely.

So I ask the MEC for Local Government to intervene and address this matter urgently. It is not only in Mannenberg; it is places like Lavender Hill, Retreat, Parkwood [Interjections.]

The TEMPORARY CHAIRPERSON: Hon member [Interjections.]

Mr F C CHRISTIANS: ...Hanover Park. I thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Christians. I now recognise the ANC. Hon members, I recognise the ANC.

The CHIEF WHIP (ANC): Chairperson?

The TEMPORARY CHAIRPERSON: Yes, hon member Lekker?

The CHIEF WHIP (ANC): Thank you, Chair.

Ms N G BAKUBAKU-VOS: Chairperson [Interjections.]

The CHIEF WHIP (ANC): I am trying to, I am trying to get hold of Comrade, hon member Bakubaku-Vos. She indicated earlier on that they

have got a loadshedding in Milnerton, so I am not sure where she is [Inaudible.].

The TEMPORARY CHAIRPERSON: Hon member [Interjections.]

Ms N G BAKUBAKU-VOS: I am in.

The TEMPORARY CHAIRPERSON: ...I think I hear his, her voice when you were talking. Can we try to give a chance? Hon member Bakubaku-Vos, are you there?

Ms N G BAKUBAKU-VOS: Yes, I am, Chair. Thank you, hon Speaker [Interjections.]

The TEMPORARY CHAIRPERSON: Go on, hon member Bakubaku-Vos.

Ms N G BAKUBAKU-VOS: ...can you hear me?

The TEMPORARY CHAIRPERSON: Yes, hon member, I can hear you. Over to you.

Ms N G BAKUBAKU-VOS: Thank you, hon Speaker. Hon Speaker, as we mark the Women's Day five days ago, I want to propose that we give thought to many challenges experienced by women and young girls during this period. My thoughts and prayers are with the family of 22-year old

Sindiswa Rum, who was last seen on Tuesday leaving Nyanga Police Station, where she worked as constable. Let us pray for her safe return.

Not much focus has been given the impact of Covid-19 on women and young girls in the Province. One example is the impact it had on livelihoods of single mothers trading in the formal sectors, which received no support from Provincial Government.

As we also saw in the Special Budget Adjustment, the Provincial Government has cut budget for sanitary dignity project at a time when many young women are in need of sanitary towels.

The 2019/2020 police crime stats show that the Western Cape has 17 police stations in the top 30 for sexual assault. Thirteen of these are in the top 20, including areas like Mitchells Plain, Delft, Mannenberg, Mfuleni, and Kleinvlei. These are areas where we need more shelters for victim empowerment. The R21 million to operate 20 shelters for victims of crime is not enough to deal with the challenge of rising in the Western Cape. To only have four operational stage 1 shelters during lockdown, shows that this Government does not appreciate the severity and magnitude of the crisis of GBV and femicide. I thank you.

The TEMPORARY CHAIRPERSON: Hon member Bakubaku-Vos, thank you very much, hon member, your time is up. Can you finish off the sentence?

Ms N G BAKUBAKU-VOS: I am done.

The TEMPORARY CHAIRPERSON: Thank you very much. Thank you, hon member, I now recognise the DA.

Ms D M BAARTMAN: Thank you, Chairperson, Deidre Baartman. Chairperson, Mr Willem Adams, a new Laingsburg municipal official was appointed as a PEO officer in Laingsburg on 1 July 2020 on post level 10. Mr Adams, a former South African Police Service member, who resigned, founded the Karoo Development Party, and currently serves as the chairperson of the KOP in Laingsburg since 2016.

Mr Adams has no qualification or experience to hold this position. Furthermore he has always been in a political position, the chairperson of the current KOP and ANC coalition in Laingsburg, and at the Laingsburg Council meeting held on 24 March 2020, a proposal was put on the table to appoint Mr Adams to the post of PEO. The proposal was supported by three DA councillors – sorry, the three councillors, was opposed by three DA councillors, and one councillor abstained. That particular councillor was actually also of the ANC.

The Speaker, Mr Louw, from the KOP Party, wanted to cast his special vote, but an objection was lodged by the DA councillors, because the Council was fully present. The proposal therefore lapsed and the decision had to be revoked. The DA councillors then further proposed an

amendment that the post should be re-advertised. This was agreed to by the Council, but never happened.

Despite the decisions at the Laingsburg Council meeting, at a subsequent Laingsburg Council meeting the Speaker then made a statement that he was to appoint Mr Adams to the post without re-advertising the post or voting on it again. The DA councillor in Laingsburg, Ms Potgieter, has since written to the Minister of Local Government in the Province to request an investigation into the legality and validity of the process, including the new vote cast by the Speaker [Interjections.]

The TEMPORARY CHAIRPERSON: Hon member Baartman, 20 seconds left.

Ms D M BAARTMAN: No problem. The fact that the appointment was not re-advertised, the conflict of interest, and the absence of appropriate qualifications, and the post is not even on the municipal organogram. Thank you, hon Chairperson.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Baartman. I now recognise the Freedom Front Plus.

Mr P J MARAIS: ...much. Hon Speaker, the Freedom Front Plus is extremely perturbed by the continued illegal land invasions in the Western Cape. The deliberate occupation of privately owned land in particular, is a

grave injustice and concern. I am reminded of the private owned land of Mrs Irene Fischer, a 86-year old coloured pensioner, whose private land in Philippi was invaded in 2013, and currently has over 60,000 squatters on her property. Since a 2007 Court's judgment, she has been waiting for the City to compensate her for her loss, but to no avail. It is still an ongoing legal battle.

It is heart-breaking to know that Section 25 of the Constitution is being raped and violated almost daily, and no end to this violation is in sight. My wish is that we will once again restore the rule of law and create a better protection to private owners, landowners.

A constitutional right of mere access to housing is no carte blanche for forceful and illegal occupation by anyone of privately owned land, especially occupation by foreign nationals.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Marais. I now recognise Al Jama-ah. Okay. Is hon member in the House? Okay. It seems hon member is not in the House. I now recognise the DA.

An HON MEMBER: Thank you, Chair. Chair, what is up with the ANC in Knysna? The Municipal Public Accounts Committee, MPAC, are being established in Councils in terms of Section 79 of the Municipal Structures Act.

The purpose of these committees are to perform an oversight function on behalf of the Council over the executive function of the Council.

According to the DA's constituency head, Dr Deon George, that, he says that the DA is committed to ensuring that MPAC's are as strong as possible so that they can fulfil the important oversight function. He further states that when the DA was in government in Knysna, they made sure that the terms of reference contained the stipulation that the chairperson of MPAC must be an experienced councillor who has the necessary skills and expertise, and that chairperson shall be from the largest opposition party.

As was the case, the ANC assumed the chairperson at the time. Therefore it is with regret, hon Speaker, Chairperson, that on 6 August 2020, the ANC Knysna tabled a motion in the Council to remove the DA councillor, Michelle Wasserman, as the Chairperson of MPAC. Dr George further added that councillor Michelle Wasserman, who was appointed to that role at the beginning of July 2020, is ideally suited for the position as she had been chairperson of the Finance and Governance Committee, a member of the Audit Committee, investigated the performance of municipalities for the South African Human Rights Commission, practices as an advocate in the High Court of South Africa for five years, and has been a councillor in the Knysna Municipality for just under six years.

So why are the ANC and its Mayor removing councillor Wasserman as MPAC Chairperson [Interjections.]

The TEMPORARY CHAIRPERSON: Hon member, your time is up. You can finish the sentence.

An HON MEMBER: Is there perhaps a nefarious reason why the ANC remove a qualified and capable person, or an ulterior motive behind the haste to deliberately weaken MPAC [Interjections.]

The TEMPORARY CHAIRPERSON: Thank you [Interjections.]

An HON MEMBER: ...thus emasculating [Interjections.]

The TEMPORARY CHAIRPERSON: ...very much, hon member.

An HON MEMBER: ...[Inaudible] scrutiny. Thank you, Chair.

The TEMPORARY CHAIRPERSON: Thank you very much. Hon members, in terms of Rule 145(6), I now give one Minister an opportunity to respond to member's statement, for not more than five minutes.

The MINISTER OF HUMAN SETTLEMENTS: Hon House Chair, Minister Simmers. Can I start?

The TEMPORARY CHAIRPERSON: Over to you, hon Minister Simmers, you can go on.



The MINISTER OF HUMAN SETTLEMENTS: Thank you, hon House Chair. Hon House Chair, over the last few weeks we have seen the persistent tit-for-tat by the hon member Herron and his party leadership, consistently emphasising that our Provincial Government needs to release land for human settlements, instead of asking nationally owned department for a portion of land.

I would just like to put the record straight, hon House Chair, that firstly from the Provincial Government's perspective our Department has made more than 365 hectares of land available for integrated human settlements development, which will yield in excess of 20 000 residential housing opportunities for individuals covering different income groups across this entire province.

Similarly, much of the municipal and provincially owned land has already been prioritised in terms of our municipal housing pipelines for future development, and we are also now looking and assisting municipalities as looking at their spatial development frameworks to plan for further integrated human settlement development.

Madam House Chair, there are 15 parcels of land yielding, that could possibly yield at the moment 9,650 housing opportunities that has a total hectarage of 135,7 hectares, and the land parcels that I am referring to, has already been released and the projects are at varied stages of implementation on these 15 parcels of land.

Some of these projects are already committed and some are prioritised in terms of the Provincial Housing Business Plan. Furthermore, Madam Chair, and hence – this is why my Department has consistently requested the National Department of Public Works for additional land as per the announcement last October by the National Minister, Patricia de Lille, of which only three has been released to various municipalities, and yet those that she has highlighted that will be earmarked for housing, for human settlements development, we are yet to receive the power of attorney so that we can certainly seek to address the injustices of the past, but as you can clearly see, Madam House Chair, we have committed our own land; the municipalities have committed their land.

It is now time that the National Minister of the Department of Public Works put her money where her mouth is. [Inaudible – connection lost.] people of the Western Cape. I thank you.

The TEMPORARY CHAIRPERSON: Thank you very much, hon Minister Simmers. Hon members, that is the end of Members' Statements. We now move to the Notices of Motion.

I have been informed that in the Programming Authority meeting of 11 August 2020, it was resolved that political parties would submit the names of hon members in the desired order of speaking, and who wish to move motions with notice in this sitting of the House.

I will therefore recognise hon members whose names have accordingly been submitted; alternating between the Majority Party and Opposition parties.

I now recognise hon member Christians.

#### MOTIONS WITH NOTICE

Mr F C CHRISTIANS: Thank you, House Chairperson, I give notice that I shall move:

That the House debates the ongoing gang violence in our communities that takes the lives of innocent people.

I so move, thank you.

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

The TEMPORARY CHAIRPERSON: Thank you very much, hon members. I now recognise hon member Van der Westhuizen.

Mr A P VAN DER WESTHUIZEN: House Chair, I give notice that I shall move:

That this House debates the effects of the nation-wide liquor ban on

the wine and agriculture industry of the Western Cape. Furthermore, that this House recognises that the ban will result in a potential R1 billion of loss for the wine industry, that it has put 18,000 jobs on the line. The ban has devastating effects as 49% of our wines in the province are sold to the domestic market.

I so move.

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

The TEMPORARY CHAIRPERSON: Hon member Dugmore, I recognise you.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you very much, House Chair. I give notice that I shall move:

That this House discusses the decision of the Western Cape Provincial Cabinet to call on the President to open the economy, including the lifting of the ban on the sale of alcohol and to establish which stakeholders were consulted before this decision of the Provincial Cabinet was taken.

I so move.

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

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Dugmore. Notice taken. I now recognise hon member Mackenzie.

Mr R D MACKENZIE: Thank you, hon House Chairperson. I give notice that I shall move:

That the House debates the impacts of the draconian measures taken by National Government on the economy, which cost South Africans their jobs and is exacerbated by the reoccurrence of loadshedding this morning, which will result in many more job losses.

I so move.

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

The TEMPORARY CHAIRPERSON: Thank you very much, notice taken. I now recognise hon member Bakubaku-Vos. Hon member, you are on mute. Try to unmute yourself.

Ms N G BAKUBAKU-VOS: Okay, sorry, hon Speaker.

The TEMPORARY CHAIRPERSON: Thank you, hon member.

Ms N G BAKUBAKU-VOS: Thank you, hon Speaker. I give notice that I shall move:

That this House debates the urgent need for full empowerment of women by this DA-run Provincial Government.

I so move.

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

The TEMPORARY CHAIRPERSON: Thank you, hon member, notice taken.

I now recognise again hon member Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you very much, House Chair. I give notice that I shall move:

That this House discusses the outcomes of the lifestyle audits as announced by the Premier last week, given that no details were provided in the said announcement made by the Premier.

I so move.

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

The TEMPORARY CHAIRPERSON: Notice taken, hon member Dugmore. I now recognise hon member Xego.

Mr M XEGO: Thank you, House Chair. I give notice that I shall move:

That the House should debate the Western Cape Provincial Government's acquisition and procurement of Personal Protective Equipment during the COVID-19 Pandemic in South Africa.

I so move. Thank you very much.

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

The TEMPORARY CHAIRPERSON: Notice taken. I recognise you again, hon member Xego.

Mr M XEGO: Thank you very much, House Chair. I give notice that I shall move:

That the House should debate the report outcome regarding the lifestyle audit concerning members of the Western Cape Provincial Government Executive.

Thank you very much.

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

The TEMPORARY CHAIRPERSON: Thank you very much. Hon members,

that concludes Notices of Motion. Now we are going to deal with the Motions without Notice.

Again I have been informed that in the Programming Authority meeting of 11 August 2020, it was resolved that political parties would submit the names of hon members in the desired order of speaking, who wish to move motions without notice in the sitting of the House.

I will therefore recognise hon members whose names have accordingly been submitted, alternating between the majority party and opposition parties.

I now recognise hon member Christians.

#### MOTIONS WITHOUT NOTICE

Mr F C CHRISTIANS: Thank you very much, House Chairperson. House Chairperson, I move without notice:

That the House extends its sincere condolences to the family of traffic officer, Deon Sampson, aged 46, who died on Friday night, 7 August, in the line of duty at a stationed roadblock in Khayelitsha. Officer Sampson, while being part of an integrated operation with the South African Police Service, while doing his job, checking for license discs on vehicles, died a horrific death when he was ran over and dragged



for nearly 200 meters, before his body was forced out of position. Officer Sampson leaves behind his wife and his children; Lucian, Dane, Liam, and Jemma, their daughter.

Thank you.

*[Motion as moved by member.]*

The TEMPORARY CHAIRPERSON: Are there any objections to the motion being moved without notice?

The LEADER OF THE OFFICIAL OPPOSITION: No.

The TEMPORARY CHAIRPERSON: There is no objection, I – motion – if there is no objection, I now recognise hon member Marran.

Mr P MARRAN: Hon Speakers, thanks, and good afternoon. Hon Speaker, I move without notice:

That this House notes with sadness the passing on of Duncan Davids, an EMS official from Witzenberg, who lost his life due to lung complications earlier this week. Notes further that Davids was a selfless employee who dedicated his life to save lives of Witzenberg people, and conveys condolences to his family, friends, and colleagues.

I so move.

*[Motion as moved by member.]*

The TEMPORARY CHAIRPERSON: Thank you very much. Is there any objection to the motion? If there is no objection the motion agreed to. I now recognise hon member Baartman.

Ms D M BAARTMAN: Thank, Chairperson. I move without notice:

That this House notes the passing of DA Councillor Rukeya Meyer on 5 August 2020; a committed and passionate South African who worked tirelessly for the betterment of her community. Councillor Meyer at various times has served as Laingsburg's Deputy Mayor, Hon Speaker, and Executive Mayor. She also served as an elected councillor from Laingsburg to the Central Karoo District Municipality, and later as a MMC for the Municipality. I move that this House extends our sincere condolences to her husband, Colin Meyer, and their children, and call on all public representatives to follow her glowing example of dedication to her community and honesty in government.

I so move.

*[Motion as moved by member.]*

The TEMPORARY CHAIRPERSON: Thank you. Is there any objection to the motion? If there is no objection, agreed to. I now recognise hon member Marran.

Mr P MARRAN: Thanks, Chair. I move without notice:

That this House commiserates with all family and friends of Covid-19 related victims, and sends condolences to the loved ones of Worcester and Hex River Valley farmer, Alexander “Boetie” Kriel.

I so move.

*[Motion as moved by member.]*

The TEMPORARY CHAIRPERSON: Hon members, are there any objections to this motion? If there is not any objection, the motion is agreed to. I now recognise hon Mitchell.

The DEPUTY CHIEF WHIP (DA): Thank you, hon Chairperson. Chair, I move without notice:

That the House extends its sincerest condolences to the family and loved ones of the late Cape Town Traffic Officer, Mr Deon Sampson. Officer Deon Sampson was a valued member of the Cape Town Traffic Department for many years. Officer Sampson sadly passed away

whilst on duty on 7 August 2020 as a result of a criminal act. Our thoughts and prayers are with his loved ones during this difficult time.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Mitchell. Is there any objection to the motion? If there is no objection, agreed to, and I now recognise hon Kama. Hon member Kama?

Mr M KAMA: Thank you, Chair, can you hear me?

The TEMPORARY CHAIRPERSON: Yes, I can hear you, go on, hon member Kama.

Mr M KAMA: Thanks, Chair. I move without notice:

That the House welcomes the support that is given to Azola Phaphu in celebration of his 6th birthday; that appreciation is send to the SAPS Public Order Police team that went to visit him and gave him gifts; applaud that these police members went in a different police uniform than the one they would wear in a protest, as that gesture educates Azola that policing is not about a war against its people, but exists to

enforce the laws of the Republic.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?  
If there is no objection, agreed to. I now recognise hon member Allen.

Mr R I ALLEN: House Chairperson, I move without notice:

That this House extends its sincere condolences to the family and friends of radio personality Bob Mabena. We will indeed miss his voice on the radio and presence in the entertainment and news industry, and our thoughts and prayers are with his family, friends and colleagues.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Allen. Is there any objection to the motion? If there is no objection, agreed to, and I [Interjections.]

Mr P J MARAIS: The objection is only that I do not what he said, because it was [Interjections.]

The TEMPORARY CHAIRPERSON: Hon member Marais, you are not recognised. Hon member Marais?

Mr P J MARAIS: I say [Interjections.]

The TEMPORARY CHAIRPERSON: You are not recognised. I now recognise hon member Kama.

Mr M KAMA: Thank you, Chairperson [Interjections.]

Mr P J MARAIS: [Inaudible.] any objections, and I said yes. How can you not recognise me if I object?

The TEMPORARY CHAIRPERSON: You did not say “objection”, or you were talking hon member.

Mr P J MARAIS: Then how can say [Interjections.]

The TEMPORARY CHAIRPERSON: There is no need for the motivation of the objection.

Mr P J MARAIS: ...whether I object or not, if it was wobbled, because the

reception is so poor?

So how are you going to rule on that? How can I say whether I accept it or not, if I could not even understand what was said?

An HON MEMBER: It is not an objection.

The TEMPORARY CHAIRPERSON: Hon member Marais, what is your objection now? Is it the sound or the motion itself?

Mr P J MARAIS: No, it is not the motion itself. I just said I would not [Interjections.]

An HON MEMBER: What it is.

Mr P J MARAIS: ...know whether I accept or not, because it was garbled; we could not hear, the reception was so poor.

So you say you do not recognise me.

The TEMPORARY CHAIRPERSON: Hon member, move where you can get the reception. I really sympathise with you. Maybe that will be easier for you, but we have to continue. I now recognise, hon member Kama.

An HON MEMBER: Sorry, House Chair. House Chairperson?

The TEMPORARY CHAIRPERSON: Yes, hon member?

An HON MEMBER: No, to be honest, the problem is not with hon member Marais. When hon member Allen was speaking, your microphones were on, yours, as the Speaker, and then it resulted in an echo. We could not be able to hear anything he said.

All what hon member Marais is saying, that if he can be given a chance to say an audible thing, so that we would know whether we object or we do not object, because we could not hear a thing.

The TEMPORARY CHAIRPERSON: Okay, hon member, I will indulge you. Hon member Allen, can you do us the honour of repeating your motion, please?

Mr R I ALLEN: Thank you so much, House Chairperson, I will repeat and go slowly. I move without notice:

That this House extends its sincere condolences to the family and friends of radio personality Bob Mabena. We will indeed miss his voice on the radio and presence in the entertainment and news industry. Our thoughts and prayers are with his family, friends and colleagues.

I so move.



*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Allen. Is there any objection to the motion?

Mr P J MARAIS: No objection.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member, agreed to. I now recognise hon member Kama.

Mr M KAMA: Thank you, Chair. I move without notice:

That the House notes the urgency required to address the imbalances of the past which contributes to gender-based violence; that the former system of governance has long made women of all races secondary citizens, and that all need to realize the importance of defending and championing the interests of women in all institutions of Government, and the commanding heights of our economy.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Kama. Are there any objections to the motion? If there is no objection, it is agreed to.

I now recognise hon member Makamba-Botya.

Ms N MAKAMBA-BOTYA: Thank you, hon Chairperson. I move without notice:

That the House notes with sadness the death of 19-year old Osiphayo Zenani. Zenani was shot and killed last week by 63-year old Anthony van Jaarsveld during land protests in Kraaifontein. Her death comes at the time when the country celebrates the bravery of women in their fight against all forms of oppression, and their deprivation of basic human rights, such as the right to shelter. To this day not much has changed on the side of women since the colonial and apartheid times. Black women continue to live in a male-dominated, racist, and patriarchal society, in a nation and province where whites still regard black people as sub-human and of little significance. Osiphayo's bravery and efforts, which resulted in her death, will not go in vain. As EFF we will not be deterred, and we will continue to fight for land until we obtain it. May her soul rest in peace.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Makamba-Botya. Is there any objection to the motion?

An HON MEMBER: Yes.

An HON MEMBER: Yes.

An HON MEMBER: Yes.

The TEMPORARY CHAIRPERSON: Okay, there is an objection. The motion will be printed on the Order Paper. I now recognise hon member Windvogel.

Ms R WINDVOGEL: Thank you, Chair. I move without notice:

That this Council notes the Covid pandemic has surpassed the 100,000 mark with confirmed Coronavirus infections in the province, and that the Western Cape is well underway to pass the 5,000 death rate too.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Windvogel. Is there any objection to the motion? If there is no objection, agreed to. I now recognise hon member Baartman.

The PREMIER: Sorry, Chair, there definitely is an objection to that

motion.

The TEMPORARY CHAIRPERSON: Sorry, hon member?

The PREMIER: This is Alan Winde; there definitely is an objection to that last motion.

The TEMPORARY CHAIRPERSON: It is an objection to the [Interjections.]

An HON MEMBER: Chair [Interjections.]

The TEMPORARY CHAIRPERSON: ...to the motion?

An HON MEMBER: Correct.

The TEMPORARY CHAIRPERSON: Of hon member Windvogel?

An HON MEMBER: Yes, Chair.

The TEMPORARY CHAIRPERSON: Okay. Okay, the motion will be printed on the Order Paper. I am sorry, hon member, I did not hear you there. Let us continue with the motion, hon member Baartman.

Ms D M BAARTMAN: Thank you, Chairperson. I move without notice:

That this House notes the ruling of the Gauteng High Court on 11 August 2020, on the matter between the City of Cape Town and the Minister of Energy and National Energy Regulator of South Africa, relating to the City of Cape Town's application for a Section 34 ministerial determination to allow the City to procure electricity from IPP's. Further notes despite numerous attempts to engage National Government on Section 34 approvals, that it has been sent back to the very same people and institutions who do not wish to cooperate in good faith, and has effectively endorsed the deliberate lack of by the Minister of Energy, and calls on the National Minister of Energy to approve the City of Cape Town's application to procure energy directly from IPP's.

I so move.

*[Motion as moved by Member.]*

An HON MEMBER: Object!

The TEMPORARY CHAIRPERSON: Thank you very much [Interjections.]

An HON MEMBER: Object!

The TEMPORARY CHAIRPERSON: ...hon member Baartman.

An HON MEMBER: We object.

The TEMPORARY CHAIRPERSON: There is an objection to the motion. The motion will be printed on the Order Paper. I now recognise hon member Kama.

Mr M KAMA: Thank you very much, Chair. I move without notice:

That the House notes the Western Cape police arrested 712 suspects over the weekend for various crimes...

The TEMPORARY CHAIRPERSON: Hon member Kama, are you done? Oh, we lost you. Okay. Hon member Kama? He seems to be lost, hon member Kama. We will come back to him, because he did not finish with his motion.

We are now going to continue with hon member Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you, House Chair. I move without notice:

That this House commends the Premiers of Gauteng and the Eastern Cape for requesting the State Security Agency to conduct lifestyle audits of members of their respective Executive Councils.

I so move.

[Motion as moved by Member.]

The TEMPORARY CHAIRPERSON: Thank you, hon member Dugmore. Is there any objection to the motion?

An HON MEMBER: What does that got to do with us?

An HON MEMBER: Yes!

Mr P J MARAIS: Objection.

The TEMPORARY CHAIRPERSON: There is an objection to the motion [Interjections.]. The motion will printed [Interjections.]

An HON MEMBER: It has everything to do.

An HON MEMBER: You are in the wrong province, Dugmore.

The TEMPORARY CHAIRPERSON: ...on the Order Paper.

An HON MEMBER: It has everything to do [Interjections.]

The TEMPORARY CHAIRPERSON: I now recognise [Interjections.] – hon

member Kama, are you back? [Interjections.]

Mr P J MARAIS: Why do they not get independent bodies to do the audit?

The TEMPORARY CHAIRPERSON: Hon members, you have behaved so well [Interjections.]

An HON MEMBER: They can manipulate them. [Interjections.] They can manipulate them.

An HON MEMBER: They do not trust the State Security [Interjections.]

The TEMPORARY CHAIRPERSON: Hon members!

The LEADER OF THE OFFICIAL OPPOSITION: On a point of order. On a point of order.

An HON MEMBER: Why are you [Interjections.]

The TEMPORARY CHAIRPERSON: Hon members!

An HON MEMBER: ...worried about the audit?

The LEADER OF THE OFFICIAL OPPOSITION: On a point of order.



The TEMPORARY CHAIRPERSON: Hon member Dugmore, what is your point of order?

The LEADER OF THE OFFICIAL OPPOSITION: Chair, my point of order is that the Rules related to these sessions have been made clear by the Speaker. There were clearly interjections, which have been ruled as impermissible during these sessions by the Speaker, in the Rules that he has read out previously.

MEC Bredell, Madikizela, MEC Fritz, as well as the Deputy Chief Whip, have all interjected. I would like to move that as House Chair you request the Speaker to investigate the conduct of all of these members who, despite the clear ruling of the Speaker, have continued to make interjections during the session.

An HON MEMBER: Objection.

An HON MEMBER: You are so petty.

The TEMPORARY CHAIRPERSON: Hon member Dugmore, I did not hear any interjection from my side, I will investigate that and then the next sitting we will attend to that.

Let us continue – and hon members who interjected, maybe can you make sure that you keep the decorum of the House and we stick to the Rules that

we set as the hon members, so that we can continue with the business of the day.

Hon member Dugmore, can you start with your motion again so that we can be able to hear your motion?

The LEADER OF THE OFFICIAL OPPOSITION: Thank you very much, Chair of Chairs, and thank you for your ruling. I move without notice:

That this House commends the Premiers of Gauteng and the Eastern Cape for requesting the State Security Agency to conduct lifestyle audits of members of their respective Executive Councils.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion, hon members? [Interjections.]

An HON MEMBER: Yes.

An HON MEMBER: Object, object, object!

The TEMPORARY CHAIRPERSON: Thank you very much. The motion

will be printed on the Order Paper, there is an objection. I continue with hon member America.

Mr D AMERICA: Thank you Chair. I move without notice:

That this House extends its congratulations to the DA-led municipalities of Cape Town, Mossel Bay, Saldanha Bay, and the Swartland, for their outstanding results in the recent Ratings Afrika survey. The City achieved the highest rating amongst all metros in South Africa, scoring a 75 out of 100 on the sustainability index; with a score of 95 out of 100 on liquidity, and its revenue collection rate of 95%, the highest in the country, this report collated by Ratings Africa determined that the management of financial affairs of the City of Cape Town are in an excellent state. That the House further congratulates Mossel Bay as ranked the best municipality in the country with an index score of 76. Two other Western Cape municipalities also took second and third place: Saldanha with 74 and Swartland with 73 out of 100, respectively. That this House further notes that these victories have been achieved for the benefit of all residents of the Western Cape.

I so move.

*[Motion as moved by Member.]*

The LEADER OF THE OFFICIAL OPPOSITION: Object!

The TEMPORARY CHAIRPERSON: Thank you, hon member America.

There is an objection to the motion [Interjections.]

An HON MEMBER: Petty.

The TEMPORARY CHAIRPERSON: ...the motion will be printed on the Order Paper. I now recognise hon member Sayed.

The DEPUTY CHIEF WHIP (ANC): Thank you, hon House Chair. I move without notice:

That this House notes various interactions with civil society role-players by members of this House that have taken place over the past two weeks, to promote the role of gender justice as part of our celebration of our National Women's Day, like for example joint events between the Southern Suburbs Legal Advice Centre and Women of Hope in Retreat, and the Webinar hosted by Siyakwazi Youth Network.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Sayed. Is there any objection to the motion? If there is not any objection, agreed to. I now recognise hon member Allen.

Mr R I ALLEN: House Chairperson, I move without notice:

That this House notes that redress of past injustices remains a crucial constitutional obligation for all spheres of government to address. That this House further notes that real redress cannot be achieved through violence, vandalism, and the destruction of public property, and that we as a nation must engage in dialogue on our diverse histories, the difficult past, and chart a way forward through upholding our Constitution's imperatives, the rule of law, building social cohesion, and trust through democratic processes.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Allen. Is there any objection to the motion?

An HON MEMBER: Yes [Inaudible.]

The TEMPORARY CHAIRPERSON: I did not hear that, is there any

objection?

An HON MEMBER: Yes, there is an objection.

An HON MEMBER: What?

The TEMPORARY CHAIRPERSON: Okay. The motion, there is an objection. The motion will be printed on the Order Paper. I now recognise hon member Sayed.

The DEPUTY CHIEF WHIP (ANC): Hon House Chair, I move without notice:

That this House notes the temporary protection has now been given to the cultural heritage space in the Bo-Kaap, and that developments that are tied to the gentrification of that particular area, are basically now on hold, and that these gentrification aspects have been able to strangle the communities' ethos, heritage, and cost of living.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Sayed. Is there any objection to the motion? If there is no objection, agreed to. I

now recognise hon member Marran.

Mr P MARRAN: Thanks, House Chair. I move without notice:

That the House notes the Corona pandemic is still very active in areas like Witzenberg, where schools and an old age home in Ceres had to bite the bullet lately.

I so move.

*[Motion as moved by Member.]*

Mr P J MARAIS: We cannot hear you, Chairperson, we cannot hear you. We cannot hear you.

The TEMPORARY CHAIRPERSON: ...on – thank you very much, hon member Marran. Is there any objection to the motion? If there is no objection, let us to move hon member Marran.

An HON MEMBER: Again?

The TEMPORARY CHAIRPERSON: Hon member Philander. I am sorry, hon member Philander, it is your turn.

Ms W F PHILANDER: Thank you, House Chair. I move without notice:

That this House notes the celebration of Women's Day on 9 August 2020; that we pay tribute to the struggle behind the commemoration of this day. That in this year we pay tribute to the females in frontline, those who continue to suffer under gender-based violence and, nonetheless, commit support to women and wish them a happy Women's Month.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Philander. Is there any objection to the motion? Motion has been agreed to. Let us continue to hon member Mvimbi.

Mr L L MVIMBI: Thank you very much, Chairperson. I move without notice:

That this House notes a Cape Town taxi driver was arrested for murder after a traffic official inspected the taxi's licence disk at a roadblock, and unexpectedly the taxi sped off, dragging officer Deon Sampson 200 metres under the vehicle and he unfortunately died on the scene. Heartfelt and sincere condolences to the family of the late Deon Sampson.



I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

An HON MEMBER: No.

The TEMPORARY CHAIRPERSON: There is no objection, agreed to. Let us try hon member Kama again, if he is back. Hon member Kama?

Mr M KAMA: Thank you very much, Chair, apologies there for that. Chair, if you can give me guidance [Inaudible, cellular phone ringing]...

The TEMPORARY CHAIRPERSON: Hon member Kama – he is off. Hon member Kama?

Mr M KAMA: Yes, Chair.

The TEMPORARY CHAIRPERSON: Okay. So you are still on the motion. You did not finish your motion. You were number 13 there. Can you go back to it so that you can finish it, and then we will continue.

Mr M KAMA: Thank you very much, Chair. I move without notice:

That the House notes the Western Cape police arrested 712 suspects over the weekend for various crimes, including murder and attempted murder. Also notes that altogether 1,443 fines of R1,6 million were issued for breaking the Disaster Management Act, and commends the police for the sterling work done.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you very much. Hon members, is there any objection to the motion?

Mr P J MARAIS: No.

The TEMPORARY CHAIRPERSON: Okay, there is no objection, agreed to. I now recognise hon member Philander.

Ms W F PHILANDER: House Chair, I move without notice:

That this House congratulates Gift of the Givers on their celebration of the 38th birthday, and extend its sincere appreciation for their effort and contribution in revamping Lentegour Psychiatric Hospital.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

There is no objection, agreed to. I now recognise on hon member Kama.

Mr M KAMA: Thank you, Chairperson. I move without notice:

That this House notes violence again broke out in Bloekombos after Cape Town Metro Police evicted people from land, and that demonstrations over the weekend saw a 19-year old girl killed in a shooting, and calls on calm in all areas and to work with police to deal with transgressors.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

An HON MEMBER: No.

The TEMPORARY CHAIRPERSON: There is no objection [Interjections.]

An HON MEMBER: No.

The TEMPORARY CHAIRPERSON: ...agreed to. I now recognise hon member Mackenzie.

Mr R D MACKENZIE: Thank you, hon House Chairperson. I move without notice:

That this House extend a special vote of thanks to Vodacom for the R9 million donation towards support for the communication strategy for the Western Cape Government in the fight against Covid-19.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Thank you, hon member Mackenzie. Is there any objection to the motion? If there is no objection, motion agreed to. I now recognise hon member Mvimbi.

Mr L L MVIMBI: Thank you very much [Interjections.]

The TEMPORARY CHAIRPERSON: Hon member Mvimbi?

Mr L L MVIMBI: Thank you very much, Chairperson. I move without

notice:

That the House notes that George traffic officer, Janneke Bergman, was shot in the face with her own service pistol by a motorist on Friday, and she now is recovering in hospital and this Legislature would like to call upon that we bid and wish her a speedy recovery.

I so move.

[Motion as moved by Member.]

The TEMPORARY CHAIRPERSON: Any objection to the motion?

An HON MEMBER: No.

The TEMPORARY CHAIRPERSON: There is no objection, agreed to. I now recognise hon member Mackenzie.

Mr R D MACKENZIE: Thank you, House Chairperson. I move without notice:

That this House congratulates the Premier for portraying the Western Cape Government's value of transparency and accountability in the report released regarding the lifestyle audits for the Executive in the Western Cape. Further note that the Western Cape is the first province

to conduct lifestyle audits and urge other provinces to follow suit.

I so move.

*[Motion as moved by Member.]*

The LEADER OF THE OFFICIAL OPPOSITION: Objection! Objection.

The TEMPORARY CHAIRPERSON: There is an objection to the motion.

The motion will be printed on the Order Paper. I now recognise

[Interjections.]

An HON MEMBER: [Inaudible.] accountability.

The TEMPORARY CHAIRPERSON: ...hon member Lekker. Hon member Lekker, I recognise you.

The CHIEF WHIP (ANC): [No audible response.]

The TEMPORARY CHAIRPERSON: I now recognise hon member Mvimbi.

We will go back to hon member Lekker when she reconnects.

Mr L L MVIMBI: Thank you very much, Chairperson. I move without notice:

That the Legislature notes at least nine people died on Western Cape roads since over the long weekend that just ended. In the latest crash three people were killed Monday on the Tulbagh and Wolseley road, and six Sunday night on the R27 near Silver Stream.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objection to the motion?

An HON MEMBER: No.

The TEMPORARY CHAIRPERSON: Motion agreed to. I now recognise hon member Sayed.

The DEPUTY CHIEF WHIP (ANC): Hon House Chair, can you hear me?

The TEMPORARY CHAIRPERSON: Yes, hon member Sayed, I can hear you.

The DEPUTY CHIEF WHIP (ANC): I move without notice:

That this House notes many schools experience serious problems with racism and racial profiling, and that even learners, past and present,

are now standing up to denounce this pandemic, like at the SACS High School in Cape Town, and that many learners, teachers, and parents are worried about the quality of education since so many weeks were lost during the lockdown and teachers are not trained to do home or distance schooling with new media, and calls on the Education Department in the Province to gear up, prioritising, and to accelerate training with new technology.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

Mr P J MARAIS: Objection [Interjections.]

An HON MEMBER: Yes!

Mr P J MARAIS: ...objection to this disjointed motion.

The TEMPORARY CHAIRPERSON: The motion has been objected. It will be printed on the Order Paper. I now recognise hon member Mvimbi.

Mr L L MVIMBI: Thank you very much, Chairperson. I move without notice:



That the House notes the Breede Valley Municipality in Worcester is split over a long outstanding issue about tarring of certain roads in the townships for poor and marginalised residents, like Avian Park, and also notes that it seems that this old vendetta between the well-off and well-to do and well-heeled privileged residents, members of the leafy suburbs and poor people of colour, is overheating again.

I so move.

*[Motion as moved by Member.]*

Mr P J MARAIS: Objection!

Mr L L MVIMBI: Haai, man.

The TEMPORARY CHAIRPERSON: Objection [Interjections.]

An HON MEMBER: Objection!

The TEMPORARY CHAIRPERSON: The motion will be printed on the Order Paper. I now recognise hon member Kama.

Mr M KAMA: Thank you, Chair. I move without notice:

That the House notes the prevalence of missing women and children in the province; welcomes the renewed focus by SAPS leadership on strategies and more resources when dealing with missing people. Thanks all who helped to find constable Sandiswa Rum who was missing since Tuesday in Nyanga, and ask all to help find 3-year old Anothando Mhlobo, who was last seen by his mother on 10 August in Hout Bay's Imizamo Yethu, and lastly calls on the Provincial Department of Community Safety to assist the police in any way they can.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

There is no objection [Interjections.]

The MINISTER OF COMMUNITY SAFETY: There is no objection to the motion, there is an objection to the [Inaudible.] because we are already with the police. [Laughter.]

The TEMPORARY CHAIRPERSON: Is there an objection, Minister?

An HON MEMBER: No objections.

The MINISTER OF COMMUNITY SAFETY: Anyway, let us not object, let us not be as petty as the ANC.

The TEMPORARY CHAIRPERSON: Thank you, hon member  
[Interjections.]

The MINISTER OF COMMUNITY SAFETY: Of the House.

The TEMPORARY CHAIRPERSON: ...there is no objection, motion agreed to. I now recognise hon member Kama. Huh-uh, I now recognise hon member Windvogel.

Ms R WINDVOGEL: Thank you, Chairperson.

The TEMPORARY CHAIRPERSON: I can hear you, hon member Windvogel.

Ms R WINDVOGEL: I move without notice:

That the House notes many health officers are amongst emergency staff who tested positive for the Coronavirus, and that in George Hospital alone 76 staff contracted the disease. We thank all who selflessly continue to serve their communities in the most laudable ways, despite the dreaded pandemic.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

There is no objection, motion agreed to. I now recognise hon member Xego.

Mr M XEGO: Thanks, House Chair. I move without notice:

That the House notes we are celebrating the National Women's Day, celebrated the National Women's Day on Sunday. This is despite the leadership, the hardship, and endurance and victories. Women continue to be subjected to all forms of oppression and institutional abuse. From forceful sterilization, rape culture, physical abuse, and as well as murder. Their bravery inspires us, all of us. Let us all join hands in a fight to protect and embrace our women, and implement laws and legislation, and adopt a culture which accords with such a spirit.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objection to the motion? Motion

agreed to. I now recognise hon member Windvogel.

Ms R WINDVOGEL: Thank you, Chair. I move without notice:

That the House notes the Thusong Emergency Field Hospital in Khayelitsha was closed after Doctors Without Borders treated 241 Covid-19 patients there since mid-June. Also notes 23 virus-related deaths were recorded there. Further notes the equipment, including beds and oxygen tanks, are moved to hotspots in KwaZulu Natal  
[Interjections.]

The TEMPORARY CHAIRPERSON: Hon member Windvogel  
[Interjections.]

Ms R WINDVOGEL: ...and the Eastern Cape...

The TEMPORARY CHAIRPERSON: Hon member Windvogel, can you start again? We cannot hear you.

An HON MEMBER: Yes, please.

Ms R WINDVOGEL: Thank you, Chair [Interjections.]

The TEMPORARY CHAIRPERSON: Honourable [Interjections.]

Ms R WINDVOGEL: ...I move without notice – can you hear me, Chair?

The TEMPORARY CHAIRPERSON: I can hear you now, go on.

Ms R WINDVOGEL: Okay. I move without notice:

That the House notes the Thusong Emergency Field Hospital in Khayelitsha was closed after Doctors Without Borders treated 241 Covid-19 patients there since mid-June. Also notes 23 virus-related deaths were recorded there. Further note the equipment, including beds and oxygen tanks, are moved to hotspots in KwaZulu Natal and the Eastern Cape, and finally thanks these doctors for their selfless service during these difficult times.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

If there is no objection to the motion, motion agreed to. I now recognise hon member Kama.

Mr M KAMA: Thank you, Chair. I move without notice:

That the House notes the Western Cape Liquor Authority suspended

37 licences for lockdown transgressors, and calls on this authority to keep up the good work.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

An HON MEMBER: No objection.

The TEMPORARY CHAIRPERSON: There is no objection, motion agreed to. I now recognise hon member Smith.

Mr D SMITH: Thank you, Chairperson. I move without notice:

That this House notes the threats against especially councillors were reportedly made in areas where the DA loses the support of the public as part of its implosion at municipal level [Interjections.] and condemn these deplorable actions.

I so move.

*[Motion as moved by Member.]*

An HON MEMBER: Object.

An HON MEMBER: Objections.

The MINISTER OF COMMUNITY SAFETY: Objection!

The TEMPORARY CHAIRPERSON: Objection to the motion.

An HON MEMBER: Object.

The TEMPORARY CHAIRPERSON: The motion will be printed on the Order Paper. I now recognise hon member Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Chair of Committees, thank you very much. I move without notice:

That this House calls on the Chairperson of the Legislature Standing Committee responsible for Local Government to urgently convene the Committee, as requested by Hon member Smith, to investigate all the allegations against MEC Bredell and officials of this Provincial Government, and to delay no further.

I so move.

*[Motion as moved by Member.]*



An HON MEMBER: Object!

An HON MEMBER: Objections.

An HON MEMBER: Object.

The TEMPORARY CHAIRPERSON: There is an objection to the motion [Interjections.]. The motion will be printed on the Order Paper. I now recognise hon member Lili.

Mr A LILI: Thank you, Ms Chair, or House Chair [Interjections.]

An HON MEMBER: Objection!

Mr A LILI: Haai, before I even speak [Laughs.]. [Interjections.] I move without notice:

That this House reject [Interjections.] the budget passed for Human Settlement, led by devil alliance.

I so move.

*[Motion as moved by Member.]*

The MINISTER OF COMMUNITY SAFETY: What is your motion?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: We do not only object [Interjections.]

The TEMPORARY CHAIRPERSON: Is there any objection to the motion, hon members?

An HON MEMBERS: Objection.

An HON MEMBER: Who is the “devil alliance”?

An HON MEMBER: Object!

The TEMPORARY CHAIRPERSON: There is an objection to the motion. The motion will be printed on the Order Paper. I now recognise hon member Sayed.

The MINISTER OF COMMUNITY SAFETY: Point of order, point of order [Interjections.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Point of order, Chair.

The TEMPORARY CHAIRPERSON: Point of order, who is calling for a point of order?

The MINISTER OF COMMUNITY SAFETY: Thank you, to hon member Bongi.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: It is Madikizela.

The TEMPORARY CHAIRPERSON: Hon Minister Madikizela, what is your point of order?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank you, Chair. Chair, this does not qualify as a motion. I think the hon member must be educated on the parliamentary processes. You can either pass or reject the budget at a particular time.

So this cannot be even considered as a motion.

An HON MEMBER: Order! [Interjections.]

The MINISTER OF COMMUNITY SAFETY: Point of order.

An HON MEMBER: That is [Inaudible.]

The CHIEF WHIP (DA): Point of order.

The TEMPORARY CHAIRPERSON: Okay, hon Chief Whip of the Majority

Party, is there a point of order?

The CHIEF WHIP (DA): Thank you, House Chair. I rise on Rule 60, which states that:

“No member may reflect on a decision of the House taken less than six months previously.”

And therefore that proposed motion, we would argue, would need to be withdrawn.

The TEMPORARY CHAIRPERSON: Thank you, hon member Wenger. Hon member Lili, hon member Lili, we will have to – hon – can I address hon member Lili? [Interjections.] Hon member Lili, are you on the line, or did we lose you?

Mr A LILI: Yes. Yes, I am.

The TEMPORARY CHAIRPERSON: Hon member Lili, you will have to withdraw your motion.

Mr A LILI: I cannot withdraw it, Chair, on the basis that [Interjections.]

An HON MEMBER: On what Rule, Chair? On what Rule?

Mr A LILI: The Budget does not, does not necessarily address a need of those [Interjections.]

An HON MEMBER: Let her speak.

Mr A LILI: ...who are with houses, are with no houses, Chair.

So on that note, Chair, I stand by my motion. I am representing the masses, Chair, I am not [Interjections.]

An HON MEMBER: You are not recognised!

The MINISTER OF COMMUNITY SAFETY: Point of order. You are not – ja, you are not recognised.

The TEMPORARY CHAIRPERSON: Hon members [Interjections.]

Mr A LILI: I will not speak, Chair, what the DA wants. I will speak...

The CHIEF WHIP (DA): Point of order!

The TEMPORARY CHAIRPERSON: Hon Chief, hon member Wenger, I recognise you.

The CHIEF WHIP (DA): Thank you, Madam House Chair. I think it is not

procedural for an hon member to interrupt you while you are trying to deliver a ruling on a point of order, and I would ask that the hon member respect you [Interjections.]

Mr A LILI: [Inaudible.] I was given an opportunity [Interjections.]

The CHIEF WHIP (DA): ...I ask the hon member [Interjections.] to refrain from interrupting members and the Presiding Officer, thank you.

An HON MEMBER: You have been doing that yourself.

The TEMPORARY CHAIRPERSON: Thank you very much. Hon members, hon members, the Rule 60, I am going to read it, what does it say. It says:

“No member may reflect upon a statute passed by the House less than six months previously, except for the purpose of moving for its amendment or repeal.”

Now, hon member Lili, is there any amendment [Interjections.]

Mr L L MVIMBI: Sorry, hon [Interjections.]

The TEMPORARY CHAIRPERSON: ...or repeal to your motion?

Mr L L MVIMBI: Hon Chairperson, just a – I think you have read Rule 61

instead of Rule 60.

The TEMPORARY CHAIRPERSON: Okay, I do have a book that says Rule 60. Which 61 did I read, hon member? And I was talking to hon member Lili. Can I get a response from hon member Lili? Because it says it is either he amends or he rescinded on that motion.

The CHIEF WHIP (ANC): Order, Chair.

The TEMPORARY CHAIRPERSON: Okay, there is no response from hon member Lili, so it is out of order; it will not be printed on the Order Paper. Let us continue, hon members. [Interjections.]

The CHIEF WHIP (ANC): [Inaudible.] I have raised an order [Interjections.]

An HON MEMBER: House Chair [Interjections.]

An HON MEMBER: Point of order, Chair.

An HON MEMBER: Chairperson, I have raised an order and you did not acknowledge me.

The TEMPORARY CHAIRPERSON: Okay, hon member Lekker, what was the point of order?

The CHIEF WHIP (ANC): Thank you, House Chair. I think you really need to clarify whether you have read Rule 60 or Rule 61, because hon member Mvimbi pointed out to you that you have actually read a wrong Rule.

So in that regard I am asking you to do what is necessary and read properly a proper reference to what you are saying. Thank you.

The TEMPORARY CHAIRPERSON: Okay, let me – can I read it, and then after we can move forward?

So the Rule 60 says:

“No member may reflect upon any decision of the House taken less than six months previously, except for the purpose of moving that the decision be amended or rescinded.”

So I asked the question to hon member Lili, is he amending or rescinding the motion, so he did not respond.

Mr A LILI: Point of order, Chair. It is Lili.

The TEMPORARY CHAIRPERSON: Hon members – hon member Lili, are you responding, are you amending or rescinding the motion?

Mr A LILI: I am rescinding the motion, Chair.



The TEMPORARY CHAIRPERSON: Listen, go on, hon member Lili.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: He just rescinded it.

The TEMPORARY CHAIRPERSON: I [Interjections.]

An HON MEMBER: He rescinded, he rescinded, Chair.

The CHIEF WHIP (DA): Chairperson, a point of order.

The TEMPORARY CHAIRPERSON: Okay. Hon member Wenger.

An HON MEMBER: Chairperson [Interjections.]

The CHIEF WHIP (DA): Thank you, Chair [Interjections.]

An HON MEMBER: ...point of order. Chair [Interjections.]

The CHIEF WHIP (DA): He has to move for its amendment or repeal.

An HON MEMBER: How many Chairs in the House?

An HON MEMBER: He have done so.

The CHIEF WHIP (DA): So to read the Rule as you have read it  
[Interjections.]

Mr A LILI: Chairperson, I have been raising a point of order  
[Interjections.]

The CHIEF WHIP (DA): “To move for the amendment or repeal”  
[Interjections.]

Mr A LILI: ...and you are recognising the DA [Interjections.]

The CHIEF WHIP (DA): ...which the hon member has failed to do.

Mr A LILI: ...for the second time now.

The TEMPORARY CHAIRPERSON: Okay, hon members, really we are not going to spend about 30 minutes to talk about the Adjustment Budget, and I know I carry you in a highest respect ever, and I know you respect the decorum of the House.

So hon member Lili has to amend or rescind the motion, that is what needs to happen so that we can continue to cover 59 motions without notice. So work with me so that can have progress.

Now I am asking the question to hon member Lili, I wish to hear hon

member Lili's voice only, so that we can go on, or move on to another motion. Hon member Lili, can you start again with your motion so that we can continue? And now, when you continue on that motion, remember the Rule 60 says:

“No member may reflect upon any decision of the House taken less than six months previously, except for the purpose of moving that decision be amended or rescinded.”

Or – so [Interjections.]

Mr A LILI: House Chair, for the sake of [Interjections.]

The TEMPORARY CHAIRPERSON: ...hon member Lili [Interjections.]

Mr A LILI: ...for the sake of saving time, I withdraw my motion.

The TEMPORARY CHAIRPERSON: Thank you very much, hon member Lili. We may now continue. Hon member Sayed?

The DEPUTY CHIEF WHIP (ANC): Thank you, hon House Chair. I move without notice:

That the Western Cape Legislature notes that Northpine Technical High School's Grade 10 learners had to go back to school a week

earlier so that they could write tests, which they allegedly were not ready for, in light of the nationwide school closures due to Covid-19, and requests further information from WCED be given to the Standing Committee.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

An HON MEMBER: Yes.

The TEMPORARY CHAIRPERSON: Objection, it will be recorded in the Order Paper. I now recognise hon member Makamba-Botya.

Ms N MAKAMBA-BOTYA: Thank you, hon Chairperson. I move without notice:

That the House notes with sadness the passing of radio broadcasting legend Bob Mabena. His passing comes at the time when he was still mourning the death of his grandmother who passed on two months ago due to Coronavirus. Mr Mabena will always be remembered as a cultural icon who paved the way for black voices in radio during the late 80's. We send our heartfelt condolences to the family, friends,

and colleagues, may his soul rest in peace.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?  
If there is no objection, agreed to. I now recognise hon member Sayed.

The DEPUTY CHIEF WHIP (ANC): Thank you, hon House Chair. I move  
without notice:

That this Legislature notes that Northern Cape Education MEC, Mr  
MacCollen Jack, has died yesterday after two weeks of treatment in a  
Kimberley hospital, and that condolences be sent to the family,  
friends, and colleagues of that MEC and the Northern Cape Provincial  
Legislature.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?  
There is no objection, agreed to. I now recognise hon member Smith.

Mr D SMITH: Thank you, hon Chair [Interjections.]

An HON MEMBER: Objection.

Mr D SMITH: Chair, can you hear me?

The TEMPORARY CHAIRPERSON: Hon member Smith, I can hear you.

Mr D SMITH: Okay, thank you, Chair. I move without notice:

That the Legislature notes the hon Local Government MEC, Anton Bredell, applauds the NPA for its intention to act against two Kannaland officials, but the MEC silent on his own party [Interjections.] errant in a number of other municipalities.

I so move, Chair.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Hon member Sayed, we can hear your conversation, please mute yourself. Go on, hon member Smith. Hon member Smith?

Mr D SMITH: Hon Chair, I [Inaudible, audio breaking up.] – must I reread? I am done, Chair. Can I reread [Inaudible, audio breaking up.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: No, we have heard it, we object. [Interjections.]

The TEMPORARY CHAIRPERSON: Okay. No, the hon members they are saying they heard you, there is an objection [Interjections.], the motion will be printed on the Order Paper. I now recognise hon member Kama.

Mr M KAMA: Thank you, Chairperson. I move without notice:

That the House notes Khayelitsha is recently [Interjections.]

Mr D SMITH: Hon Chair?

The TEMPORARY CHAIRPERSON: Hon member Kama, continue.

Mr M KAMA: Oh, sorry, Chair, I thought that was a point of order.

Mr D SMITH: Chair [Inaudible, audio breaking up.]

The TEMPORARY CHAIRPERSON: There is a staccato there, I do not know if it is a point of order [Interjections.]

Mr D SMITH: Chair, did you hear my motion?

The TEMPORARY CHAIRPERSON: Your – who is speaking? Is it hon

member Smith? Hon member Smith? Okay, hon member Kama, I am sorry, just continue.

Mr M KAMA: Thank you, Chair. I move without notice [Interjections.]

An HON MEMBER: [Inaudible.] on silent.

Mr M KAMA: I move without notice:

The House notes Khayelitsha has as recently as a week ago suffered another mass murder when two people were killed, and an attempt to kill another was made, and commends the police for swift action to arrest and deal with the situation.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there an objection to the motion?

There is no objection, agreed to. I now recognise hon member Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you very much, House Chair. I move without notice:

That this House notes with concern that a number of protests in regard



to land and housing across the province are taking place, while the Provincial Government has, up until today, failed to develop a comprehensive land release strategy.

An HON MEMBER: Object.

An HON MEMBER: Object.

The TEMPORARY CHAIRPERSON: There is an objection to the motion. The motion will be printed on the Order Paper. I now recognise hon member Lili.

An HON MEMBER: President.

The TEMPORARY CHAIRPERSON: Hon member Lekker?

The CHIEF WHIP (ANC): Thank you, House Chairperson. I move without notice:

That the House notes South Africa commemorated the brave women of 1956 on Sunday who took racism and patriarchy in our country head on, by marching to the erstwhile apartheid Union Buildings to demand an end to unfair discrimination. We will every year remember them on this our National Women's Day.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there an objection to the motion? If there is no objection, agreed to. I now recognise hon member Marran.

Mr P MARRAN: Thanks, Chair. I move without notice:

That the House notes with concern the illegal and inhumane eviction of farm workers on the farm Albanie in Lambertsbaai during a nationwide lockdown. Notes further that the farmer teared the doors and closed it off with bricks, locking all the belongings of the workers inside the house; condemns this heinous act, and calls for criminal charges to be laid against farmer Coen Visser.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objection to the motion?

An HON MEMBER: Object!

The TEMPORARY CHAIRPERSON: If there is no objection, agreed

[Interjections.]

An HON MEMBER: Object!

The TEMPORARY CHAIRPERSON: Okay, there is an objection to the motion. The motion will be printed in the Order Paper. I now recognise hon member Kama.

Mr M KAMA: Thank you very much, Chair. I move without notice:

That the House notes many successes by SAPS and especially [Inaudible, audio breaking up.]

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

There is no objection to the motion [Interjections.]

Ms D M BAARTMAN: Chair?

The TEMPORARY CHAIRPERSON: ...the...

Ms D M BAARTMAN: Chair?

The TEMPORARY CHAIRPERSON: Hon member Baartman?

Ms D M BAARTMAN: Apologies. Thank you, Chair. Is hon member Kama

done? Because the noise faded out at the end. Is it possible for him to re-read the motion?

The TEMPORARY CHAIRPERSON: Hon member Kama?

The MINISTER OF COMMUNITY SAFETY: Please, please, ja, because we cannot hear.

The TEMPORARY CHAIRPERSON: Hon member Kama, can you please repeat your motion for the hon members to hear? Hon member Kama, are you still online? Okay, I cannot continue with hon member Kama, we will try to get him later to repeat the motion. I recognise hon member Lekker.

The CHIEF WHIP (ANC): Thank you, House Chair. I move without notice:

That the House notes this coming Monday, 17 August 2020, the late MPL, John James Issel, would have turned 74 years; notes the celebrated Johnny Issel was a political activist, apartheid detainee, regional secretary of SASO, UDF member, and former public representative of note.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objection to the motion? The motion agreed to. I now recognise hon member Marran.

Mr P MARRAN: Thanks, Chair. I move without notice:

That this House notes people also protest not getting TERS money from their employees, and also notes some of this industrial action is aimed against big businesses like Aquilla Safari and CTE along the N1 beyond De Doorns.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objection to the motion?

The MINISTER OF COMMUNITY SAFETY: Objection! They destroyed the economy, now they come and [Inaudible.]

The TEMPORARY CHAIRPERSON: The motion is being objected, the motion will be printed on the Order Paper. I now recognise hon member Kama.

Mr M KAMA: Thank you very much, Chair. I move without notice:

That the House commends Western Cape SAPS for arresting 11 suspects for possession of unlicensed guns and ammo in one weekend.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection?

The MINISTER OF COMMUNITY SAFETY: [Inaudible.]

The TEMPORARY CHAIRPERSON: Is there an objection to the motion?

An HON MEMBER: Chair, [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: No, just a lot of repetition.

The same stuff is [Interjections.]

The TEMPORARY CHAIRPERSON: Hon members, the question is, is there any objection to the motion?

The MINISTER OF COMMUNITY SAFETY: No, there is no objection, but he is repeating the same [Inaudible.]

The TEMPORARY CHAIRPERSON: If there is no objection, the motion is

agreed to. Hon member Kama, the hon member said they did not hear you with the motion that you did before this one. Can you repeat it? Hon member Kama? Okay, hon member Kama is not there again. Hon member Mvimbi, I recognise you.

Mr L L MVIMBI: Sorry, Chair, thanks, Chair. I move without notice:

That the House notes the Western Cape Department of Human Settlements spent R187 million during the past 15 months to safeguard property, and that that money could have given housing opportunities to thousands of people.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objections to the motion?

The MINISTER OF COMMUNITY SAFETY: Object! You destroyed houses  
[Interjections.]

The TEMPORARY CHAIRPERSON: There is an objection [Interjections.]

An HON MEMBER: Object.

The TEMPORARY CHAIRPERSON: ...the motion will be printed on the Order Paper. I now recognise hon member Sayed.

The DEPUTY CHIEF WHIP (ANC): Thank you, House Chairperson. I move without notice:

That this House notes that the Western Cape at least has a shortage of over 100 teachers for our matriculants, and without teachers halfway through to their final examinations.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objection to the motion?

An HON MEMBER: Yes.

An HON MEMBER: Object! They made plans for that.

The TEMPORARY CHAIRPERSON: The motion is objected, the motion will be printed on the Order Paper. I now recognise hon member Kama. Hon member Kama is not available. I recognise hon member Mvimbi.

Mr L L MVIMBI: Thanks very much, Chairperson. I move without notice:



That the House congratulates former South African sevens rugby team head, Paul Treu, on his appointment as University of the Western Cape coach, and wishes him and the team success in future.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Any objection to the motion?

The MINISTER OF COMMUNITY SAFETY: No objection.

An HON MEMBER: No objection, it is [Inaudible.]

The TEMPORARY CHAIRPERSON: The motion agreed to, and I recognise hon member Sayed. Hon member Sayed, he is not available. Hon member Kama?

The DEPUTY CHIEF WHIP (ANC): House Chair, I am here.

The TEMPORARY CHAIRPERSON: Okay, go on, hon member Sayed.

The DEPUTY CHIEF WHIP (ANC): I move without notice:

That this House notes many allegations of DA looting with Corona tenders that are emerging in the public domain. This includes [Interjections.]

An HON MEMBER: Objection!

The DEPUTY CHIEF WHIP (ANC): ...more than [Interjections.]

An HON MEMBER: Objection.

An HON MEMBER: [Inaudible.]

The DEPUTY CHIEF WHIP (ANC): ...

...R100 million on protection gear in Education, and R38 million in Transport and Public Works, and reports on the hon Premier's Department where thermometers are overpriced by R1,000; far above the regular retail price per unit.

I so move.

*[Motion as moved by Member.]*

An HON MEMBER: Objection!

An HON MEMBER: Go to Gauteng [Interjections.]

The TEMPORARY CHAIRPERSON: There is an objection. The motion will be printed on the Order Paper. I now recognise hon member Kama again. Hon member Kama?

The MINISTER OF COMMUNITY SAFETY: He has absconded, he is gone.

The TEMPORARY CHAIRPERSON: He is not available. Hon member Mvimbi again.

Mr L L MVIMBI: Thank you very much, Chairperson. I move without notice:

That this House notes a Steenberg Village restaurant waiter, Brenden Cannoo, of the age of 22 years, of Cape Town, died last week when he went after thieves who stole a patron's mobile phone and that he was thrown off the bonnet of the speeding car, thus succumbed and died. I would like on behalf of the House that we wish and send condolences to the family of the deceased.

I so move.

*[Motion as moved by Member.]*

The TEMPORARY CHAIRPERSON: Is there any objection to the motion?

The MINISTER OF COMMUNITY SAFETY: No objections.

The TEMPORARY CHAIRPERSON: Motion agreed to. I now recognise hon  
Sayed.

The DEPUTY CHIEF WHIP (ANC): Thank you, House Chair. I move without  
notice:

That the House notes that the Head of Education in the Western Cape,  
Mr Brian Schreuder, leaves his position when he was still due to lead for  
a few more months. We further note that a replacement for him is now  
being sought and that the House requests that a full briefing on this  
matter be made to the Standing Committee and that we thank Mr  
Schreuder for his services to Education of Province over so many years.  
I so move.

*[Motion as moved by Member.]*

The CHAIRPERSON: Is there any objection to the motion? If there is no  
objection [Interjection.]

An HON MEMBER: Yes.

The CHAIRPERSON: Is there an objection?

An HON MEMBER: Yes, yes.

The CHAIRPERSON: Okay. There is an objection to the motion. The motion will be printed on the Order Paper. I now recognise [Interjection.]

The DEPUTY CHIEF WHIP (ANC): But Brian has done a good job [Interjection.]

The CHAIRPERSON: ... hon Kama.

An HON MEMBER: Yes, I just cannot [Interjection.]

The CHAIRPERSON: Hon Kama is not available.

An HON MEMBER: Thank you, Chair.

The CHAIRPERSON: Okay. Hon Kama, are you there? Okay. That concludes the Motions without Notice. Thank you very much, hon members. The next item on the Order Paper is the Draft Resolution in the name of hon Dugmore. Thank you, hon members. I now recognise hon Marran.

### **DRAFT RESOLUTION**

The LEADER OF THE OFFICIAL OPPOSITION: Hon Speaker, I move without notice:

That the House, in accordance with Rule 119 of the Standing Rules of the Western Cape Provincial Parliament (March 2019), appoints an ad-hoc committee consisting of a representative of each political party represented in the House to investigate the Deputy Speaker who allegedly prevented a labour inspector from entering the premises of a factory in Maitland on 4 April 2020; and further resolves that the Deputy Speaker be suspended for the duration of the investigation and until the Legislature has considered the report and made a resolution on the findings.

Mr P MARRAN: Thanks, Chairperson. Hon House Chair, on 4 April 2020, the same day in which the Premier told the province that we were standing to see an increase in local transmission cases which will result in additional pressure on our health facilities and health workers, the Deputy Speaker of this august House, Ms Beverly Schäfer, is alleged to have blocked a labour inspector from conducting his job at a Maitland factory.

This was not just any inspector, but the Chief Labour inspector within the Province, who was conducting his job around the area when he noticed people working at the factory of a company called Snowflake Flour. He then decided to pay them a courtesy visit. He noticed non-adherence to social distancing. He was denied entry when he wanted to conduct a risk assessment to determine if the company complied with the COVID-19 regulations in terms of the Occupational Health and Safety Act. The reasons given was that

labour inspectors were not allowed on the premises, according to the communications from the Deputy Speaker of the Western Cape Legislature.

In a telephonic conversation with Ms Schäfer she insisted that the labour inspector did not have the necessary powers to visit the premises, as there was a great possibility that he might carry the Coronavirus and that she was not prepared to take that chance. The Chief Inspector was only allowed in after he threatened to lay criminal charges if anyone stopped him from doing his job. It is alleged the Deputy Speaker only then instructed the employer to allow him access to the premises. We must welcome the access by the labour inspector who laid criminal charges against the Deputy Speaker with a case number known to us.

House Chair, also in April, the labour inspector had noticed that most of the COVID-19 Coronavirus risk violations took place in the agricultural sector where he had received numerous complaints from farmworkers that they were forced to work without the necessary PPE's and have no safety measures in the workplace. During this period a message of the Deputy Speaker have reached many farmers who circulated messages on social media platforms, encouraging each other not to allow labour inspectors on their farms without an appointment and to call police to stop them if they insisted in conducting inspections.

Recently labour inspectors visited Langrivier Farm outside Ceres, where they discovered 160 workers who had arrived from the Eastern Cape to take up

employment at the farm and its [Inaudible.]. The workers were brought by a taxi contractor on behalf of the owner, but they had no contracts of employment and no proper health screening was conducted before their departure. These visits on the farm came without warning or without pre-arrangements by the inspectors.

It is these type of atrocities the Deputy Speaker wanted to be hidden, putting the lives of many workers who innocently wake up in the morning, go to work to earn a living wage to be able to put food on the table of the families, in danger. As members of this Legislature we affirmed that we will be faithful to the Republic of South Africa and the Western Cape and will obey, respect and uphold the National Constitution, the Provincial Constitution and all other laws of the Republic and solemnly promise to perform our functions to the best of our abilities.

The actions of the Deputy Speaker are in violation of this oath. They were carried out with a degree of impunity, uncaring attitude and placed the lives of many at risk. It is for this reason I appeal to members of this Legislature to lead by example, to uphold the Constitution in resolving to set up this multi-party ad hoc committee to look into these allegations and to summarily suspend the Deputy Speaker pending the investigation. If this Legislature can do this to protect the lives of innocent workers against those in high positions who want to introduce chaos and lawlessness, only then this Legislature can be regarded as one by the people, for the people. A Legislature that speaks proof to power. I thank you, House Chair.



The SPEAKER: Thank you, hon Marran. Thank you, hon members. I now recognise the Chief Whip, hon Wenger.

Mr P MARRAN: Sorry. Thank you, Speaker.

The CHIEF WHIP (DA): Thank you, Mr Speaker. Today we are called upon to debate a Draft Resolution proposed by the ANC. A Draft Resolution which calls on this House to decide first whether we should appoint an ad hoc committee consisting of a representative of each political party represented in the House, to investigate certain allegations against hon Beverly Schäfer.

And second, whether this House will agree that hon Schäfer be suspended for the duration of the investigation and until the Legislature has considered the reports and made a resolution on its findings.

So, Speaker, let us look at what the ANC is asking this House procedurally. On the first point the Resolution expressly seeks to establish an ad hoc committee in terms of Rule 119 of the WCPP Standing Rules, which governs the establishment of ad hoc committees. The Resolution in its current form fails to properly contemplate all the requirements of the establishment of an ad hoc committee. Clause 3(a) of the same Standing Rule stipulates that any such proposed ad hoc committee must carry out a “particular assignment”. By definition an assignment must carry the weight of particularity which is to say that it holds a distinctive nature in comparison to other assignments conducted in the usual business of Parliament, including its committees.

It is our contention that the allegations against hon Beverly Schäfer on the day in question relate to actions carried out in the course of her duties as an ordinary member and not as the Deputy Speaker. She was not conducting duties as a Presiding Officer nor representative of the Executive of Parliament, but rather as a member of this Legislature. As a member of the Legislature she received a distressed phone call and tried to help a resident of this province with a matter that had nothing to do with the functioning of the WCPP. That being so, there are already processes for this to be investigated. We have a committee established to deal with complaints against members in our Standing Rules, in the Code of Conduct Act and indeed in the Code of Conduct for members of the WCPP.

This House has adopted and is bound by the members of the Western Cape Provincial Parliament Code of Conduct, Act 3 of 2002. Provision is made in this Act for a complaints procedure. The proposal to establish an ad hoc committee therefore does not meet the requirements of particularity, because we already have a committee earmarked for such purposes. And therefore the establishment of an ad hoc committee is not necessary. So, let us follow the existing Rules and mechanisms already in place and not duplicate.

Now let me turn to the second point. The proposed suspension of the member until the matter has been investigated and findings made. It is our firm view that the basic principles of natural justice should apply. That of the presumption of innocence. The presumption of innocence, might I remind the Opposition, is a right contained in the Bill of Rights which is there to protect

individuals from unfair punishment or disproportionate sanction. Our own Code of Conduct has no provision for the suspension of a member unless they have been found guilty and a recommendation for their suspension was made. In this case the ANC's request to suspend the hon member is both unfair and disproportionate to the supposed offence. The allegations are frivolous and vexatious. Why would we suspend a member for a phone call and for events that have not even been tested? One can only come to the conclusion that this is some sort of political witch hunt. A suspension before any form of investigation should therefore not be contemplated.

With these arguments made, Speaker, I therefore move an amendment to the Draft Resolution proposed by the hon Dugmore as follows: to omit all the words after "that" and to substitute with:

"The House, mindful of its constitutional powers and obligations in general and mindful in particular of its powers in relation to investigating allegations of misconduct of its members, noting that the allegations levelled at the Deputy Speaker do not relate to her conduct as a Presiding Officer, resolves that the member's alleged misconduct falls within the scope and jurisdiction of the Conduct Committee of the WCPP which is the Committee earmarked and best suited to further pursue the matter in terms of provisions of its own Code of Conduct."

Thank you, Mr Speaker.

The SPEAKER: Thank you, hon Chief Whip. Hon members, I now recognise hon Windvogel.

Ms R WINDVOGEL: Thank you, Speaker. Speaker, five days ago South Africa celebrated Women's Day to mark the 64<sup>th</sup> anniversary of the march to the Union Buildings on 9 August 1956, by more than 20 000 South African women of all races to challenge a system of racism. During a period in which South Africa remembers the bravery of women like Lilly Ngoyi, Helen Joseph, Sophia Williams, Dihima Moosa, Adelaide Tambo, Winnie Mandela, Albertina Sisulu and many others, we are called to this House to deliberate on calls for the suspension of another woman, whose deed falls short of the moral standards and values set by the above generation.

Speaker, the Western Cape becomes the epicentre of COVID-19 following a number of cluster infections in supermarkets, farms, police stations, hospitals and manufacturing plants. It then spread to local transmissions in areas where essential workers lived. Many retail workers, teachers, farm workers and health workers contracted the Coronavirus while on duty, spread it in communities and consequently many people lost their lives.

Speaker, the work of labour inspectors is so vital in preventing cluster infections. In the Western Cape the retail sector, Health and Education Department are notoriously known for carelessness and negligence, which led to many workers contracting the Coronavirus in the line of duty. The many endless cries of health workers from Tygerberg and Groote Schuur Hospital

who said they were not granted permission by facility management to self-quarantine and for their wards to be disinfected after their colleagues contracted the Coronavirus, are some of the examples that needed labour inspectors' intervention.

Speaker, in one instance on 17 April 2020, labour inspectors issued the Pick 'n Pay store in the Liberty Mall in Mitchell's Plain with a prohibition notice after it was found that the store was unsafe and in contravention of the Occupational Health and Safety Act. For the notice to be lifted, the store had to provide evidence that all areas of the store were sufficiently disinfected, including staff refreshment areas, warehousing and goods receiving areas.

Speaker, I am convinced that if some amongst us had not colluded with employers to block labour inspectors from doing their jobs, many lives could have been saved. Such lives are that of Mr Fundile Matola, a father, a husband, a brother, an uncle, who sadly passed on two weeks ago while on duty at Tangelo Farm in Swellendam. What saddened me the most about this death, Speaker, is that in April 2020, after being told about unsafe working conditions on this farm, I personally took the labour inspector and police there, but we were denied entry. Speaker, the farmer working with the labour consultant was advised not to grant us access without an appointment. This is the excuse that Snowflake factory managers used to block the labour inspector from conducting his business. Speaker, I am convinced that Mr Matola's life would have been spared if it was not for the gross negligence by employers who hide their non-compliance behind labour consultants. I am

using this example to show the seriousness of the allegation before us today.

Speaker, it is incumbent upon us hon members of this House to set an example by suspending this Deputy Speaker and moving with speed to set up this ad hoc committee to investigate the allegations. I thank you, Speaker.

The SPEAKER: Thank you, hon Windvogel. Hon members, I now recognise hon Philander.

Ms W PHILANDER: Thank you, Speaker. It is clear, and it is evident that the so-called facts provided by the ANC in their motion against the hon member Beverly Schäfer are grossly incorrect and misrepresented. Speaker, the Draft Resolution has no basis whatsoever for the allegations it attempts to put forward in this debate today, but Speaker, the ANC cannot even get their facts straight. First of all, the factory where the incident took place was not in [Interjection.]

An HON MEMBER: Hon Speaker.

Ms W PHILANDER: ...Maitland. Second, the reason they got the place wrong is because the ANC was not present at the factory that day [Interjection.]

An HON MEMBER: Point of order, Speaker.

The SPEAKER: Hon members, may I request the hon Philander to take a seat? What is the point of order, hon member?

An HON MEMBER: Yes. We have noted that your mics are on, and whenever they are on then there is a very bad echo that comes, then we do not hear the speaker that is on the platform. So, the statement that was made by hon Philander, we did not hear it properly from [Interjection.]

The SPEAKER: Thank you. Thank you very much, hon member. We will attend to that for the future. May I request hon Philander to start again?

Ms W PHILANDER: Speaker it is clear, and it is evident that the so-called facts provided by the ANC in their motion against the hon member Beverly Schäfer are grossly incorrect and misrepresented. Speaker, the Draft Resolution has no basis whatsoever for the allegations it attempts to put forward in this debate today. But Speaker, the ANC cannot even get their facts straight.

First of all, the factory where the incident took place is not in Maitland. Second, the reason they got the place wrong is because the ANC was not at all present at the factory that day, and Speaker, neither was the hon member Schäfer. This therefore raises the question of how it is at all possible for hon Schäfer to have prevented the labour inspector from entering the premises if she was not even there. The reality is that they had a phone conversation and we are debating a phone call.

Speaker, the truth is far from what the ANC would want us to believe. This incident took place less than two weeks into the hard lockdown. People were scared. They were terrified of this unknown disease. Only the most essential of services could operate and even then under the strictest of conditions. In this context, an unknown man arrived at the factory that produces food. He was aggressive and insisted that he be let in. He refused to wear PPE and to follow Health and Safety protocols. The factory management did not know what to do, so they called their local councillor. The local councillor then called the member of this Legislature to help. They were scared and confused. Member Schäfer was approached for guidance and assistance.

So, she had a phone conversation with the man, asking him to identify himself and beg him to adhere to safety protocols, but he was aggressive with her as well. She ended the call. She did not speak to him again and she did not go to the factory. It is impossible to allege she prevented the labour inspector from entering the premises. She was not even there. What the labour inspector did thereafter is anyone's guess, aside from running to the ANC and that is the extent of the incident that we are left debating here today.

Hon Speaker, it would be unreasonable to expect member Schäfer or any other member of this House to decline a call of any community resident in need, least of all at a time where a labour inspector refused to adhere to Health and Safety protocols by declining to wear PPE and sanitise. Speaker, adherence to safety protocols allows a business to remain open and anyone



reasonable would expect such commitment to health and safety at a time of a pandemic. These are the facts and the real concerns on this issue.

Hon Speaker, we see the Western Cape Department prepared and every other public department collaborating with businesses and individuals to ensure that protocols are in place in order to continue operations and secure the lives of those employees on the frontline, but also to ensure that essential items reach the tables of households, especially the poorest of the poor.

Hon Speaker, instead of focusing on the issue at hand and how we can work together with Government and entities to limit the impact of COVID-19 on all residents in the Western Cape, the ANC has time to waste on diverting the attention of the real problems we face. Speaker, one would expect the responsible member of this House, that instead of tabling senseless arguments to rather focus on doing everything possible to be of service to the people of this province. We do know that the ANC has got no relevance left in the Western Cape, but to use a cry of help and assistance as a stick and a political ploy is absurd in this, to say the least, and waste of resources at most. The DA-led Western Cape Government has bolstered their efforts in every department to the benefit of every resident in this province.

Nationally you see a picture of an ANC National Government imposing a second pandemic of starvation. A National Government which cannot even do the basics in terms of a stable health system, where we see a social care system on the brink of collapse at a time when aid is needed most. We see

the pockets of cadres and comrades lined at a time when the ANC members in this House are dead quiet about the ANC that is going to investigate the ANC regarding ANC corruption, done by the ANC. Hence the hashtag that came about, Speaker, and this ANC chooses a senseless witch hunt above the needs of our people.

Hon Speaker, this senseless debate should be disregarded with the contempt it deserves. Instead of debating untrue allegations, ask President Ramaphosa “Where is the money?” And why he does not deal with the corruption in his midst. There is no other justification on this senseless debate, and I repeat, this is a political witch hunt to deter us from the reality that we are facing. Speaker, in this day and age where people are rebuilding their lives by returning to work, where we want to see our economy rehabilitated and livelihoods restored, we do not have the time to debate such frivolous attacks. We all need to roll up our sleeves and play our part in assisting our communities. I thank you, Speaker.

The SPEAKER: Thank you, hon Philander. Hon members, I now recognise hon Xego.

Mr M XEGO: Thank you, Speaker. As the EFF we would like to point out from the onset that the allegations that are levelled against the Deputy Speaker are of grave concern and raise serious issues which cannot be left unattended. The allegations are so serious to the point that if proven to be true, then not only will such conduct violate the provisions of the

Parliament's Code of Conduct, but they will throw the entire institution into disrepute. Such conduct undermines every effort by the Province and our nation in the fight against the spread of COVID-19, as a successful fight would require everyone to uphold and abide by the COVID-19 rules and regulations which are quantified and distributed from time to time.

This is also a matter which draws public interest as all eyes will be looking at the institution to see how we address and deal with issues at hand. If we, as elected members of this House, deal with this issue in the correct manner, then the public will continue to have confidence in us and continue to trust this institution. If this matter is not handled in the correct manner, then the public will not have confidence in the institution, and it remains a hollow institution of members who serve their own interests without the backing of public trust and confidence.

The EFF calls for proper action to be taken against the Deputy Speaker of this House and that the relevant Rules be followed in doing so, whilst having in mind that it is the duty of this House and that of the Provincial Government to make sure that we guide society and everyone else to abide by the rules and regulations aimed at curbing the spread of COVID-19. If one of our own is alleged to have acted in a manner that contradicts these efforts, then harsh actions should be taken against them. Thank you very much, Speaker.

The SPEAKER: Thank you, hon Xego. Hon members, I now recognise hon

Herron.

Mr B N HERRON: Thank you, Speaker. Speaker, to start off with I think that the DA's approach to this Resolution so far is wrong and it is not credible for members of the DA as hon Philander has just done, to come and give evidence here, disputing the allegations as if she has first-hand knowledge of those allegations or that evidence are the facts. It is just simply not credible and the right thing to do would be to enable or to allow an investigation to take place.

Speaker, we have been living through a prolonged period of desperation caused by the Coronavirus and its impact. Businesses are desperate to survive and workers are desperate to keep their jobs and this desperation has created an environment where exploitation can flourish and where corners can be cut. Throughout this lockdown period we have received reports of pressure and intimidation of workers by bosses and we reported those incidents to the Labour Department expecting them to investigate. We expected the Labour Department inspectors to make unannounced visits to places of employment to defend the health and labour rights of employees wherever they were being compromised.

If the allegations against the Deputy Speaker are true, then this would be a grotesque abuse of her office and a failure of public service. And if the allegations are true then the Deputy Speaker would have failed those she was elected to serve, and she would have failed those vulnerable to abuse and

exploitation. If the allegations are true, she would have used a power she did not have. In the interest of maintaining the integrity of this Parliament, the office of the Speaker and the Deputy Speaker and hon Schäfer herself, the allegations must be tested and dealt with swiftly. So there must be an investigation. Speaker, suspension is only required when an accused is likely to use their position to interfere in an investigation. There is no evidence that this is the case and we see no reason for the Deputy Speaker to be suspended while an investigation is underway. Thank you.

The SPEAKER: Thank you, hon Herron. Hon members, I now recognise hon Bosman.

Mr G BOSMAN: Thank you, hon Speaker. The COVID-19 pandemic provides the nation with an X-ray of the standing of our communities, our society and governance at all levels. It offers what are all too often shocking insights into the fractures within the very fibres of our nation, leaving the most vulnerable amongst us wanting. Speaker, instead of debating the debilitating effects of this lockdown and the real issues of the day, this esteemed House is currently caught up in a frivolous issue rooted in no level of facts at all. This debate proposed by the direct Opposition must be [Inaudible.] out for what it really is.

It is a last-ditch attempt by the ANC in the Western Cape to distract from the widespread theft, corruption and the failure of an incompetent state run by their comrades in National Government. And it is there to detract from the

landmark strides by this Provincial Government in its battle to beat COVID-19. Essentially Speaker, what we have on our hands here today is nothing more than a red herring, a sheer and utter fallacy. Nevertheless, the ANC's selected topic does indicate the priorities of their public representatives in this House. We are now on record quite clear that the ANC is more concerned about the impossible task of saving face for its own party, than addressing the realities of millions of residents. It is a party more concerned with the next election and that is how it seems to look. Instead of considering the severe plight of the poor in these difficult economic circumstances that are second only to that of the Great Depression, we are called to debate skewed rumours.

So out of touch is the ANC, Speaker, that it will not face the reality that its own Cabinet cannot get social relief of distress funds to those in desperate need. We have witnessed an incapable state that where they are asking the poorest of the poor to apply for R350 grant through electronic means during a hard lockdown, knowing full well that most applicants do not have access or the know-how to do this. Yet, instead of reflecting on this, and the fact that approximately 60% of social relief of distressed applicants in the province have been denied due to a broken SASSA, and an unfit for purpose Minister at a national level, we are being asked to contemplate nothing more than hearsay.

Speaker, so desperate is the ANC that it has to grasp at a proverbial straw so as not to face the facts of their own Government's failure to support the

disabled. Persons with disabilities have been denied access to their personal disability grant, on the basis that SASSA and national DSD is not willing to expose doctors to the applicants for the assessments, but Speaker, like today's debate that is nothing more than a smoke screen to hide the national Department's complete absence to plan.

The truth is not that a member of this House interfered in the work of an official but that the ANC would have us hide the true state of the nation. They would have us turn a blind eye to the severe under-resourcing of provinces, to tender kickbacks for connected cadres and the disgrace of the President who arrived here for fanfare and in return left the Western Cape with an empty pocket based on empty promises.

Speaker, what we have here today in this debate is the ANC crying wolf, because quite frankly neither do they not know what meaningful oversight is, nor are they willing to open the Pandora's box of a failed and captured state. Whilst they would have us sit here and listen to the tales of a political witch hunt, we ought to be talking about the care for our children, but it seems that the investment in the next generation is not quite as important to the majority in opposition as the next election is to them. Nonetheless, our children have been done a great disservice through the insistence of a comrade Minister Lindiwe Zulu, whose ethical compass is apparently so skewed that she had to be directed by a court of law to reopen Early Childhood Development centres. From March to July the ANC saw fit to keep these doors closed whilst children went hungry and businesses went bankrupt.

The ANC wants to distract us while their councillors and cadres hoard food parcels for themselves, steal desperately needed public funds and enrich their own families. Shocking tender irregularities and contracts are awarded to politicians' family members in the ANC-run provinces of the Free State and Gauteng, and this tells us everything. It tells us that not even in a pandemic that bleeds into the multi-faceted crisis, is it enough to get all national hands on deck. And Speaker, what is the response? Nothing but deflection. Here the ANC asks us to debate a topic void of fact and in Pretoria the President sets up a so-called task team of misfits devised to play both referee and player.

Speaker, the ANC would have us disregard the fact that the Western Cape is the only provincial government to have adequately prepared for the surge in COVID-19 cases. We have used our resources optimally and we have refrained from playing politics. Our Provincial Government has stepped in to fill the gaps left by National Government, and yet as we have seen in this debate, the ANC uses an incident not based in reality, to attack the character of a member of this House who seeks only to fulfil her role as a public representative. This is how low the majority in the Opposition would have us stoop today. They do not do this out of a sense of duty to their constituents, and to the constituents we are supposed to serve, but to further the interests of hopeless, helpless Luthuli House. The ANC does not want the facts to be faced.

The facts are that the Western Cape is ready to end the alcohol ban to create



jobs. It is ready to continue to open up more of the economy and ultimately to end the lockdown, so our people can get back to work and be fed. Not at all. They see the success of this Province as something to hide at the expense of the lives and livelihoods of those who live here. Speaker, the ANC came here today with an agenda of a political witch hunt built on desperation and misconstruction of events. We will however stand for the truth and oversee the work of this Government so that its resources are used in the best interest of every resident of this province. I thank you, Mr Speaker.

The SPEAKER: Thank you hon Bosman. Hon members, I now recognise hon Christians.

Mr F C CHRISTIANS: Thank you Speaker. Speaker, today I am sitting in the position where I do not have any documents from hon Dugmore or hon Schäfer. All that I have is what I saw in the newspapers and what I heard today, but hon Speaker, the point that I will make today is that if we pursue this what the ANC is pushing for, what stops a member tomorrow to accuse another member of doing the same? Today it is hon Schäfer, tomorrow it can be somebody else. So, as members we are subject to a Code of Conduct and if there are serious allegations, those allegations must then be referred to the Conduct Committee.

There is no way that we can have an ad hoc committee. There is no way that we can suspend the Deputy Speaker, because what we heard today is a lot of

hearsay, but the important thing is that we are innocent until proven guilty. The Deputy Speaker, if the Speaker feels – and it is directed to the Speaker, the Speaker then will refer it to the Conduct Committee, but I cannot support this, because like I said, tomorrow there is a wild allegation against me, what do I do being a single member in a party? I think we should then toe the line and we should do as requested by Act 3 of 2002 of the Conduct of Members and I will leave it like that. All that I heard were allegations in the paper. All that I heard here today, and I am saying if justice will be done, send it to the Conduct Committee and I rest my case. Thank you, Speaker.

The SPEAKER: Thank you, hon Christians. Hon members, I now recognise hon Baartman.

Ms D M BAARTMAN: [Inaudible.] [Sound distorted.]

The SPEAKER: Hon Baartman. Hon Baartman.

Ms D M BAARTMAN: Yes?

The SPEAKER: May I request that you move to a favourable spot. Right now we are unable to hear you.

Ms D M BAARTMAN: Speaker, are you able to [Inaudible.]

The SPEAKER: It is still intermittently dropping. So, we will be patient with

you, hon Baartman. We will give you a few seconds to achieve that.

Ms D M BAARTMAN: Thank you [Inaudible.] Speaker, the great goddess Aletheia, was the daughter of Zeus and known [Inaudible.] The literal meaning of her name was “the state of not being hidden” or the “state of being evident” and could also be translated to factual [Inaudible.] or reality. These days society have different synonyms for the word “lie”. Falsify, fib, exaggerate, mislead, factual inaccuracies and my favourite, to be economical with the truth.

You see hon Speaker, this is what this motion [Inaudible.] attempt to achieve. To be economical with the truth. And in the legal fraternity, while we do not specifically study Aletheia in the law, we study what she represents, the truth or Veritas if you prefer [Inaudible.] phrase and *Veritas numquam perit*, the truth never dies, hon Speaker.

Hon Speaker we are here today because it is alleged that a labour inspector was refused entry to a bakery because during the global health pandemic the Government official apparently did not have PPE in terms of the COVID-19 Disaster Management Regulations of our country. [Inaudible.] we are debating an economical rendering of the truth that a member of this Legislature was somehow responsible for allegedly barring a Labour inspector from inspecting a bakery. And in terms of our [Inaudible.] laws the regulations [Inaudible.] Government official to have [Inaudible.] when entering business premises.

Hon Marran previously, hon Speaker, admitted that the labour inspector was there as a courtesy and did not mention an official visit. The member Marran further indicated that the member barred the labour inspector. It was alleged that this labour inspector did not show identity and did also not have PPE which is against regulations. Further I am happy to hear that apparently the Chief Labour Inspector is visiting farms. Perhaps he can also answer complaints via emails previously submitted by small businesses, since this particular labour inspector does not seem to be quite good with emails, hon Speaker. How wonderful it must be to be economical with the truth. To squander tax payers' monies on suits for body guards, stealing millions of rands from public entities, to morally bankrupt institutions and still have the courage, no, the audacity to come before this House [Inaudible.] wear masks when entering a bakery.

Member Windvogel indicated that we do not support the work of labour inspectors, but in fact this House supports the role and the work of labour inspectors [Inaudible.] all of us need to follow the law. Another economical version of the truth by the same member was that the Western Cape [Inaudible.] of COVID-19, which is [Inaudible.] and out of nearly 100 000 cases almost 90 000 have recovered. 90% of the infections. Hon Xego, the guardian of principles, said nothing specific regarding this matter and therefore there is nothing to respond to. Similar to hon Herron.

However, I disagree, hon Speaker that there should be an ad hoc committee separate. I believe that if hon Dugmore wishes it to be investigated it should

be brought before the correct platform and the correct platform is the Conduct Committee and this why [Inaudible.] colleagues actually care about the truth, they need to approach the correct platforms and thus I support the [Inaudible.] made by member Christians. I also thus support the amendment by member Wenger. On 13 May 2019, President Cyril Ramaphosa [Inaudible.] “we will end corruption and we will nail them.” To this day, Speaker, not one person been investigated by the Zondo Commission has been arrested. On 3 August 2020, President Ramaphosa issued a newsletter stating, “Corruption during a national disaster is a particularly heinous type of crime and perpetrators are going to be dealt with decisively and harshly”.

We now apparently have a special centre nationally that was established to investigate the COVID-19 corruption. Hon Speaker, in case our colleagues have forgotten, this is the same President who on 17 March 2014, six years ago said, “There was no corruption. Nothing to do with Nkandla was unlawful. The fire pool is not even as big as an Olympic swimming pool”. Hon Speaker, we are not debating whether title deed offices should be opened. We are not even debating the UIF crisis. Our colleagues have not brought the fact that the tour guides have still not been paid by the much-promised relief fund or the thousands of jobs being lost due to regulations of the alcohol ban. On top of it all, our colleagues in the Opposition benches deem this debate more important than a debate on the fact that Eskom has one job! One job, Speaker, to keep the lights on!

An HON MEMBER: [Interjections.]

Ms D M BAARTMAN: In Dalene Matthee's *Kringe in die Bos* book the main character Saul, had to kill a bloubokkie and his whole family kept telling him that the gallbladder of this buck is in its brain Saul [Inaudible.] opened the buck's head and checked for himself to determine the truth, but when he opened the buck's head the gallbladder was not there. Saul found it in the same place where it should have been, where it always has been and he confronted his family with the truth and they continued to deny it. When asked for reasons, the family indicated that it has always been so and will always be so. Hon Speaker, Δdie bloubokkie se galblaas sit nie in sy kop nie. †the bluebuck's gall bladder is not in its head. And it doesn't matter how many times the Opposition claims otherwise, the truth will never die. *Veritas numquam perit*, Speaker. I thank you.

†'n AGB LID: Daar bestaan nie eens iets soos 'n bloubokkie nie.

[An HON MEMBER: There is not even such a thing as a *bloubokkie*.]

The SPEAKER: Hon members, order. Thank you, hon Baartman. Hon members, in the Chamber I have got a point of order from hon Mackenzie. What is your point of order, hon Mackenzie?

Mr R D MACKENZIE: Hon Speaker, before the speaker concluded, I did not hear her last two sentences, please. I would like her to repeat that.

†'n AGB LID: Bloubokkie.

[An HON MEMBER: *Bloubokkie.*]

The SPEAKER: Hon members, order hon members. Hon members, I would like to grant the opportunity to the hon Baartman. The members could not hear what was said from the House. That is the request from hon Mackenzie. Hon Baartman will you please within your time, do so.

Ms D M BAARTMAN: Thank you Speaker. I will repeat. †Die bloubokkie se galblaas sit nie in sy kop nie, [the bloubokkie's gall bladder is not in its head,] and it does not matter how many times the Opposition claims otherwise, the truth will never die. *Veritas numquam perit.* Speaker, thank you.

The SPEAKER: Thank you, hon Baartman. Thank you, hon members. [Interjections.] That was audible now in the Chamber. Hon members, I now recognise the hon the Leader of the Opposition, hon Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you, Speaker. Speaker, it is clear that the allegations against the Deputy Speaker are very serious. Criminal charges have been laid in regard to her alleged conduct on that day. At a time when our country was in Level 5 of the lockdown there was a responsibility on all of us to do everything in our power to ensure that the spread of the virus was curtailed. Given that the agricultural sector and the value chain linked to this sector, had to remain open to ensure that the process of food production and distribution could continue, it was critical

that factories in this sector should comply with all the directives issued in terms of the National State of Disaster. Besides these directives, there is existing legislation which provides that labour inspectors may visit workplaces without an appointment.

It is understandable that workers in many factories were concerned at the failure of certain employers to put in place measures regarding social distancing, the wearing of masks and the use of sanitisers. Workers thus made calls to the Department of Labour and inspectors to come and visit workplaces. It is often difficult for workers to do this given the fear of victimisation.

The events of 4 April 2020 have brought the office of the Deputy Speaker and by extension this House into disrepute. It is unacceptable that a member of this House, according to the statement of the labour inspector, attempted to interfere with a lawful inspection he was busy with. In a statement from the labour inspector, he describes what happened on that day.

“As I parked my vehicle to go through the testing process, I was approached by an unknown person who informed me that the labour inspectors are not allowed on the premises as they received communication from the Deputy Speaker of the Western Cape Legislature, Beverly Schäfer. I then asked for the number of the Deputy Speaker but was refused. Instead they called her and handed the phone over to me. I indicated to her that I am the Provincial Chief Inspector



and the employer had seen my inspector card as well as my permit. She insisted that I do not have the necessary powers to visit the premises as there is a great possibility that I carry the Coronavirus and (they) are not prepared to take that chance.”

The Code of Conduct is very, very clear and it is now a matter of record that the Chief Labour Inspector has laid a charge against the Deputy Speaker. The case number, CAS148/05/2020. This is a criminal investigation. The oath of office calls on all of us who have centred or swore allegiance, it makes it clear that everyone of us has a responsibility to uphold the National and Provincial Constitution as well as the laws of this country. But we know Speaker, that it is the DA that has opposed the passing of legislation to protect workers, and that there are also ongoing attempts by the DA to demonise and undermine unions and we have seen in their own manifesto that the DA has opposed the national minimum wage. This is a party that is actually against the interests of workers and against the protection of the rights of workers and here we have a senior DA member and Deputy Speaker of this House attempting to block the work of a Chief Labour Inspector of the Province.

Such conduct, if proven to be true, is clearly nothing less than criminal and it is clear where this narrative has emanated from, from the office of the Deputy Speaker and leaders of the DA. The Code of Conduct, which was adopted by this House on 25 March 2014, is very clear that a member shall ensure at all times that the dignity, credibility and integrity of our Provincial

Parliament is maintained. While the DA may argue that the allegations against the Deputy Speaker be submitted to the Conduct Committee, we believe that this matter is so serious that it warrants the establishment of an ad hoc committee of this House made up of every single political party represented here.

Further Speaker, never in the history of the Legislature have we had a situation where such serious allegations have been made against a senior office bearer of this House. For this reason, we believe that the Deputy Speaker should be suspended, pending the investigation by the ad hoc committee. It is only this House that can take such a resolution, and this is what we are calling for today. Speakers of the DA have trivialised this, have actually undermined the seriousness of the actual transgression that happened here and how this impacted across the province in terms of inspections of farms, inspections of work places where lives have actually been lost. But life is trivialised by the DA. An investigation would allow the Deputy Speaker to respond to the serious allegations made and we would as this House be failing in our responsibility to the people that we represent should we not support this resolution today. We thus urge all members of this House to support this motion as tabled in this Legislature and to reject the amendment proposed by the DA Chief Whip. Thank you, Speaker.

The SPEAKER: Thank you, hon the Leader of the Opposition. Hon members, in light of the amendment made by the hon, the Chief Whip, I would like to bring to your attention that there will be a vote in order to deal with the

amendment, because it seeks to amend the motion that is on the Order Paper. And for that purpose, therefore, the first thing I would like to do is to check whether there are any objections to the approval of the amendment and the motion as amended to the Draft Resolution?

The CHIEF WHIP (ANC): Yes, there is an objection.

The SPEAKER: Thank you, hon Chief Whip of the Official Opposition. In light of the objection hon members, I have to announce that now we will proceed with the process of voting and for that purpose let me for the record, announce that there is a total of 36 members present in the House. There will be no additional members allowed in the House until the voting is done.

The breakdown is as follows: Democratic Alliance, 21; African National Congress, 10; Economic Freedom Fighters, 2; GOOD Party, 1; African Christian Democratic Party, 1; Freedom Front Plus, 1; Al Jama-ah, absent.

Now, hon members, I wish to request because the voting will be recorded in light of the current matter before us, as per the ATC'ed voting process, which was ATC'ed on Tuesday 11 August and that was two days ago. I now put an amendment and the motion as amended by hon Wenger and in order for the members to have their respective votes on the abovementioned amendment recorded correctly, I am going to request the Chief Whip of the Democratic Alliance to indicate how you wish to vote and the DA.

The CHIEF WHIP (DA): Thank you, Mr Speaker. The DA is in support of the amendment and the motion as amended.

The SPEAKER: Thank you, the hon Chief Whip of the DA. Are there any individual members of the DA who wish to record a vote different to the vote of the party? None.

An HON MEMBER: No, Speaker.

The SPEAKER: Okay. That has been recorded accordingly. Hon members, I now wish to put the question to the Chief Whip of the ANC to indicate whether the ANC is in support of the amendment and the motion is amended or not?

The CHIEF WHIP (ANC): The ANC is not in support of the amendment.

The SPEAKER: Thank you, the hon Chief Whip of the ANC. Are there any members of the ANC who wish to record a vote different from that of the party?

An HON MEMBER: No.

The SPEAKER: Okay. Thank you. No member of the ANC that wishes to vote differently. That has been recorded. Hon members, I now move to the Economic Freedom Fighters. With the fact that there are two members, I

wish to put the first question to the Parliamentary Leader of the EFF to display their vote.

Mr M XEGO: The EFF rejects the [Inaudible.] of the DA with contempt.

The SPEAKER: Thank you, hon Xego. Does the other member of the EFF wish to vote differently?

Ms N MAKAMBA-BOTYA: No, Speaker.

The SPEAKER: Thank you, hon Makamba-Botya. Hon members, I wish to put the question to the GOOD party. How do you wish to vote, hon Herron?

Mr B N HERRON: Thank you, Speaker. We do not support the amendment.

The SPEAKER: Thank you, hon Herron. Hon members, I wish to put the question to the ACDP. Hon Christians, how do you wish to vote?

Mr F C CHRISTIANS: The ACDP supports the amendment.

The SPEAKER: Thank you, hon Christians. In the absence of Al Jama-ah – oh, hon members we have the FF Plus. I wish to request hon Marais to indicate a vote in this subject. Hon Marais, I am told is absent. He is not present in the House. Thank you. Now, hon members, the Al Jama-ah Party is also not present. Now, I am going to announce the votes in due course.

With your indulgence, it will take me less than a minute to do so. Almost there, hon members. Still here.

Order, hon members. We are back with the results of the vote. The totals are as follows: The Democratic Alliance voted yes to the amendment as moved by the Chief Whip and also accepting the motion as amended and that is 21 votes, 2-1. The African National Congress voted against the amendment therefore moving the same amendment as moved by hon Dugmore, and that is 10 votes. FF Plus voted, I mean, Economic Freedom Fighters also voted to retain the original motion as moved by hon Dugmore. That is two votes. The GOOD Party also voted the same way and that is one vote. The ACDP voted in favour of the motion as moved by the Chief Whip of the DA, thereby seeking to amend the original motion as moved by hon Dugmore and that is one vote. Now, the totals, hon members. I have to announce that there are 22 hon members that are in support of the amendment and the motion as amended and there are 13 hon members who are opposed to the amendment and the motion as amended. Hon members, the amendment and the motion as amended is thereby approved, which is the motion by hon Wenger, and is carried.

Now, hon members the names of the individual members present and their support or otherwise for the motion before the House will be recorded in the Minutes of the Proceedings to ensure that we have got a full record of the voting and the process on the amendment of the motion and the motion as amended. That then concludes the vote on this matter in the debate before the

House. Thank you, hon members. Now we move to the Orders of the Day. I therefore request the Secretary to read the First Order.

[Debate concluded.]

## **ORDER OF THE DAY**

### **WESTERN CAPE LAWS REPEAL BILL [B5 – 2019]**

(Consideration and Finalisation)

The SECRETARY: Consideration and finalisation of the Western Cape Laws Repeal Bill [B5 - 2019]

The SPEAKER: Thank you, Mr Secretary. Hon members, I recognise the hon Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Speaker, hon Premier and members, I rise today to open the debate for the Consideration and Finalisation of the Western Cape Laws Repeat Repeal Bill. Hon Speaker, in the interest of time and formality I shall refer to the Western Cape Laws Repeat Repeal Bill as “the Bill”. The purpose of the Bill is to repeal the Aged Persons Act and the National Welfare Act insofar as they apply in or have been assigned to the Province. These laws are obsolete and of no application in the province. The two pieces of legislation identified for

repeal were the Aged Persons Act of 1967 and the National Welfare Act of 1978. A formal process was initiated that resulted in the Bill being introduced to the Provincial Parliament in November 2019. The Aged Persons Act makes provision for the protection and welfare of certain aged and rehabilitated persons. It established legislation for certain institutions for accommodation and care and for the payment of old age pensions and certain allowances. The administration of the Act with the exception of three sections, was assigned to the provinces by a presidential proclamation.

However, on 1 April 2010 the Older Persons Act of 2006 took effect and eased the current legislation that regulates the position of older persons in the country. This Act repealed sections which are both assigned and not assigned to the provinces in terms of the Aged Persons Act. The Act is considered to be redundant legislation which is still on the statute books of the Province and therefore needs to be repealed to the extent of its assignment to the Province. The National Welfare Act of 1978 defines the functions and powers of welfare boards and provides for welfare programs and the registration of welfare organisations.

This Act was also assigned to the provinces by Presidential Proclamation 7 of 1966, but some sections were excluded. The sections that were not assigned to the Province in terms of this Act were repealed by Section 13 of the Advisory Board on Social Development Act. This Act has, however, not yet been effected. Although it is not in effect it does not affect the competence of the Western Cape to repeal the National Welfare Act to the extent of its



assignment to the Province.

At this point hon Speaker, the National Welfare Act does not carry any practical utility since the regional boards contemplated do not exist and matters concerning the funding of welfare organisations are currently regulated by other pieces of legislation. Therefore, it is recommended that the National Welfare Act be repealed to the extent of its assignment to the Province.

Hon Speaker, the Bill that is currently under consideration contains two clauses. Clause 1 is the Schedule of the legislation that is to be repealed and Clause 2 states, "The laws that are specified in the second column of the Schedule being repealed to the extent that it is indicated in the third column." The Bill seeks to repeal the Aged Persons Act and the National Welfare Act to the extent of the assignment of the Western Cape Province. I thank you.

The SPEAKER: Thank you, hon Min Fernandez. Hon members, there is no speakers' list and therefore I will afford each political party an opportunity to speak for a maximum of three minutes each. I now recognise the African National Congress.

Ms N G BAKUBAKU-VOS: Thank you, hon Speaker. The ANC in the Western Cape Legislature is of the opinion that without consultation this hybrid Bill took place; even though it has been in the making for two years, there are still concerns over the legal standing of this Province to unilaterally

change parts of the laws of national application. Parts of articles will be kept, set aside for this argument, the provincial consultation that is almost impossible against the World Health lockdown controls of COVID-19, and that the Province in its own corner of the wood wants to partly change and keep legislation. Would it also affect the other eight provinces?

The question that now arises is, if this Province decides parts of this stated laws, namely the Aged Persons Act 81 of 1967, the Older Persons Act 13 of 2006 and the National Welfare Act 100 of 1978 are dead and should be removed, does this mean it is only obsolete for this Province or the whole country? It sounds like an overstretch. What is most disconcerting is that the Premier's Department drives the project, but states the Provincial MEC agrees it is a provincial competency. Why was the MEC consulted if the power to change lies with the Premier only? South Africa has mechanisms at cooperating governance level to consider and present clean-up amendments or scrapping to National Parliament. No other province or MEC is consulted and yet we have the National Council of Provinces that deals with matters of governance across divides. Why was this matter not referred to other mechanisms? The ANC says these laws should be first referred to at least the NCOP to consult with [Inaudible.] other provinces and to move in unison there. Should it be scrapped or changed? The ANC warns its opposition.

The SPEAKER: Thank you, hon Bakubaku-Vos. Hon members, I now recognise the EFF.

Ms N MAKAMBA-BOTYA: Thank you, Speaker. The EFF supports the enactment of the Western Cape Laws Repeal Bill. This is so, because the older pieces of legislation no longer serve the purpose as they are now replaced by the new legislation addressing the same matters. If these older pieces of legislation are left untouched in the statute book,s then they will create confusion in future as it will now be difficult to know which piece of legislation one has to comply with. Thank you, Speaker.

The SPEAKER: Thank you, hon Makamba-Botya. I now recognise hon Herron, hon members.

Mr B N HERRON: Thank you, Speaker. We support the Bill. Thank you.

The SPEAKER: Thank you, hon Herron. I now recognise hon Christians.

Mr F C CHRISTIANS: Speaker, the ACDP supports the Western Cape Laws Repeal Bill. I thank you.

The SPEAKER: Thank you, hon members. Thank you, hon Christians. Hon members, I recognise the FF Plus. Still absent. Okay. Al Jama-ah is also absent. Hon members, I now recognise the DA.

Mr G BOSMAN: Hon Speaker, the Department of Social Development has the legislative mandate to protect the wellbeing of senior citizens in this province and the Western Cape Laws Repeal Bill, the purpose of which was

to review provincial legislation for constitutionality, obsolescence and redundancy and thereby ensuring that the different laws are aligned, are coordinated with each other and in line with the Constitution of the Republic, we are therefore asking the House to repeal it.

The two pieces of legislation administered by DSD were identified for repeal because the purpose for which they were enacted either no longer existed or they were being met by alternative legislation. This report was unanimously supported by all political parties on the Standing Committee of Social Development during our many deliberations on it. Member Bakubaku-Vos from the African National Congress chose not to raise any of these new objections during this meeting. The Committee conducted widespread public participation through advertising the repeal of these pieces of legislation. There were no objections during this public participation process to this legislation being repealed.

During the public hearings members of organisations dealing with older persons were in attendance to observe and they also raised no objections to the legislation being repealed because they are fully aware that other pieces of legislation meet the requirements. The Committee published the public participation far and wide in most newspapers and we also had a dedicated WhatsApp line for comments. The Standing Committee on Social Development fully supports this report as outlined and on behalf of the Democratic Alliance I would also like to raise our support, Mr Speaker.

The SPEAKER: Thank you, hon Bosman. Hon members, I now recognise the hon Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Speaker, I wish to thank all members who participated in the mini debate today. I would like to also thank the members of the Standing Committee which is chaired by the hon Gillian Bosman. Thank you for allowing and following the correct procedures and formalities in carrying out the public participation process. Your achievement is duly noted especially under the challenging conditions posed by the current COVID-19 pandemic. I would also like to use this opportunity hon Speaker, to thank the officials from the Department of Social Development. Thank you for going above and beyond. Your efforts during these trying times have not gone unnoticed. In closing, I move that we adopt the Western Cape Laws Repeals Bills [B5 – 2019] being tabled in this House today. I thank you.

The SPEAKER: Thank you, hon Min Fernandez. Hon members, with the overwhelming support for the Bill I wish to bring to the attention of the House, that there are no objections to the Bill, and to the approval of the principle and finalisation of the Bill. However, the objection of the African National Congress will be recorded and at this stage the principle and finalisation of the Bill are therefore approved. The Secretary will read the Bill.

The SECRETARY: Western Cape Laws Repeal Bill.

The SPEAKER: Thank you very much, Mr Secretary. Hon members, the Bill will be sent to the Premier for assent. Now the Secretary will read the Second Order of the Day.

**REPORT OF THE STANDING COMMITTEE ON FINANCE, ECONOMIC  
OPPORTUNITIES AND TOURISM ON THE NATIONAL GAMBLING  
AMENDMENT BILL [B 27B – 2018] (NCOP)**

(Consideration and Finalisation)

The SPEAKER: Thank you, Mr Secretary. Hon members, in order for the House to proceed, I wish to bring it to the attention of the House that we received the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the National Gambling Amendment Bill, conferring authority on the Western Cape Delegation in the NCOP, not to support this Bill. This mandate has been sent to the NCOP, however, I will now afford the political parties present here an opportunity to make a declaration if they so wish and I will now recognise the ANC.

Mr L L MVIMBI: Hon Speaker.

The SPEAKER: Hon Mvimbi.

Mr L L MVIMBI: Hon Speaker.

The SPEAKER: Yes, you may address the Speaker, hon Mvimbi.

Mr L L MVIMBI: Yes. On behalf of the African National Congress I wish to put the ANC's position on this National Gambling Bill. According to Rule 130 after a question has been fully put, the Presiding Officer may permit one member of each political party to state on behalf of that member's party in a speech, not exceeding three minutes, the reason why the party is in favour or against the question.

We reiterate this Rule as a confirmation of our appreciation of the hard-earned democracy that allows robustness in our engagement and mitigate against numbers [Inaudible.] get used to stifle debate. It is for this reason that the ANC consistent with the position we made in the Fifth Administration in the deliberation of 19 March 2019 on this Bill, pledges our support.

Our reason for the support is that we fully support the notion behind the Bill to heighten regulation of the gambling industry in our country and thus establishing the National Gambling Regulator will go a long way in realising that goal, that the National Gambling Policy of 2016 can only be enforced and given effect if set into law through this Bill. Further, this Bill helps to extend monitoring the compliance of license, which is a currently a policy gap, and as such will strengthen the fight against illegal gambling activities.

We strongly believe that policy certainty is critical for industry stability and

considering that gambling in the Western Cape is the second major contributor after Gauteng, at 17.2% gross profit generated according to the 2018/2019 Report. This is even more critical in this current economic climate exacerbated by COVID-19 to not further place delays and driving some sense of clarity in the legislative and regulatory environment in the economy. It is for this reason that the ANC will support this Bill. Thank you, hon Speaker.

The SPEAKER: Thank you, hon Mvimbi. Hon members, I now recognise the EFF.

Ms N MAKAMBA-BOTYA: Thank you, Speaker. The EFF is of the view that it is important to have a National Gambling Regulator that will introduce uniformity within the gambling industry in South Africa. This Regulator must exercise oversight functions and monitor the gambling industry, because this one industry has gone for a very long time without proper checks against it. The result in the long term gave rise to deep rooted corruption and abuse of this industry by syndicates and those running it. The proper monitoring mechanisms that will come with the office of the National Regulator will ensure that there is compliance with the national rules, and that the industry stakeholders comply. The gambling industry, we know for a fact that it benefits mostly the white monopoly capital and impoverished the black poor people who have become enslaved by the industry. This is the reason why the EFF is in support of this Bill. I thank you, Speaker.



The SPEAKER: Thank you, hon Makamba-Botya. Hon members, I now recognise the GOOD party. Hon Herron.

Mr B N HERRON: Thank you, Speaker. Speaker, we support the Gambling Amendment Bill, do not support the Committee's Report. Thank you.

The SPEAKER: Thank you, hon Herron. Hon members, I recognise the ACDP, hon Christians.

Mr F C CHRISTIANS: Thank you, Speaker, as the ACDP we of course say that gambling is wrong and must be outlawed and cannot support it. Thank you.

The SPEAKER: Thank you, hon Christians. Hon members, I recognise the DA.

Ms D M BAARTMAN: Thank you hon Speaker. Deidre Baartman. The Western Cape Standing Committee on Finance [Inaudible.] went as a team to see from the NCOP and the Report contains the final mandate of the Committee on the Bill. The Bill was introduced during the Fifth Parliament and the previous Committee had processed the Bill and submitted a final mandate to the NCOP in March 2019. At that time three provinces supported the Bill. Three provinces voted against the Bill. One province abstained [Inaudible.] did not submit mandates.

The Bill was then referred back to the Committee at the end of the Fifth Parliament and [Inaudible.] The Standing Committee deliberated on [Inaudible.] and confirmed with the national [Inaudible.] Bill had not been [Inaudible.] re-introduction in the Sixth Parliament. A comprehensive analysis of the Bill has not [Inaudible.] system by the National Department of [Inaudible.] Industry to determine cost to provinces, the cost to establish the National Regulator, its CEO and staff. The Bill does not clearly distinguish between the duties of national and provincial Governments, going so far as potentially taking revenue streams away from provinces.

The Bill further proposes to empower the national policy council, to make decisions on any matter at [Inaudible.] meeting even if quorum is not present and previously the Western Cape also opposed that unlawful [Inaudible.] allocated to the respective provinces which have not been included in the Bill. The Committee resolved that since the Bill had not [Inaudible.] this mandate is not to support the Bill. Since the [Inaudible.] not to duplicate previous public participation processes as this would have been a waste of public money, given that the Bill had not changed. No minority view was requested in Committee. I thus ask the House today to accordingly support and thus ratify the decision of the Committee to not support the Bill. I thank you.

The SPEAKER: Thank you, hon members. Hon members, I have to at this stage announce that we will be going through a process depending on how the members wish to express themselves. But the first question I will put to the

House: Are there any objections to the adoption of the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the National Gambling Amendment Bill, conferring authority to the Western Cape Delegation in the NCOP not to support this Bill? Any objections?

An HON MEMBER: No.

An HON MEMBER: Yes, yes, we object.

An HON MEMBER: No objections.

The SPEAKER: Alright. Hon members, seeing that there are objections we will have to take this to a vote. I therefore request the Table staff to give me the numbers of present members.

I would like to request the hon members to be patient as we are about to announce the present members in the House. Hon members, order. I have the numbers before me. Democratic Alliance, 20; African National Congress, 10; EFF, 2; GOOD Party, 1; ACDP, abstention; FF Plus, 1 [Interjection.]

The CHIEF WHIP (ANC): [Interjections.]

The SPEAKER: Who is that now?

The CHIEF WHIP (ANC): [Inaudible.]

The SPEAKER: Order, the Chief Whip of the ANC. Your mic, please.

An HON MEMBER: It is not her voice.

An HON MEMBER: It is her voice.

The SPEAKER: Order, hon members. I do not want to know the voices. The Presiding Officer is clear where he is seated. Hon members, I am still providing the count. FF Plus, 0. He is absent. Al Jama-ah, 0. He is absent. And the total members present is 34. Now, in terms of the numbers here I am going to satisfy the voting process and it is going to go this way. I will request each of the Chief Whips of the respective parties and leaders of the political parties to give me their vote. Will the Chief Whip of the DA please indicate whether the DA is in support of the adoption of the support or not?

The CHIEF WHIP (DA): Mr Speaker, the DA is in support of the adoption of the Report to not support the Bill.

The SPEAKER: Thank you hon the Chief Whip of the DA. Is there any member of the DA that wish to vote differently from that of the party? Alright. Silence. Silence means what?

An HON MEMBER: Support.

The SPEAKER: Thank you, thank you. Hon members, I now move to the

ANC, the Chief Whip of the ANC, what is your vote?

The CHIEF WHIP (ANC): As the African National Congress we are in support of the Bill.

The SPEAKER: We are voting on the Report.

The CHIEF WHIP (ANC): Oh, on the Report. We are actually not in support of the manner in which the Report has been crafted, and as such we are electing to choose a minority view. Thank you.

The SPEAKER: Are you supporting or not supporting the Report before us?

The CHIEF WHIP (ANC): We are not supporting.

The SPEAKER: Thank you, hon Chief Whip. Hon members, I wish to put this to the members of the ANC, whether there are any members of the ANC that wish to record a different vote from that of the party? [Interjections.]

An HON MEMBER: No ways.

The SPEAKER: Thank you, hon members.

An HON MEMBER: No.

The SPEAKER: Thank you. Order. Will the Parliamentary Leader of the EFF please indicate the vote of the party?

Mr M XEGO: Thank you, Speaker. We object to that Report of the Committee. Thank you.

The SPEAKER: Thank you, hon Xego. Is there any other member of the EFF that wishes to vote differently? Hon Makamba-Botya?

Ms N MAKAMBA-BOTYA: No, Speaker.

The SPEAKER: Thank you. The “no” means?

Ms N MAKAMBA-BOTYA: It means I support the Bill.

An HON MEMBER: Not the Report.

The SPEAKER: We are dealing with the Report. Alright. Thank you. That is captured. Hon members, I wish to put to the GOOD Party. Hon Herron, how do you wish to vote?

Mr B N HERRON: Speaker, we do not support the Report. Thank you.

The SPEAKER: Thank you very much, hon Herron. I now wish to put a question to the ACDP. How do you wish to vote, hon Christians?

Mr F C CHRISTIANS: Speaker, I would like to abstain.

The SPEAKER: Thank you, hon Christians. Your vote has been recorded as such. FF Plus and Al Jama-ah are absent. Now I will announce the count in due course, with your indulgence. Will the hon members give me a minute or so?

Order, hon members, I am back. The totals are as follows. There were 33 now, with one abstention. 33 members voted and one abstention. Let me read the final tally. I have to announce that 20 hon members are in support of the adoption of the Report and 13 hon members are opposed to the adoption of the Report. Now, the Report of the Standing Committee on Finance, Economic Opportunities and Tourism, on the National Gambling Amendment Bill has therefore been adopted.

Hon members, the names of the individual members of this House present and their support or otherwise for the question before the House will be recorded in the Minutes of Proceedings to ensure a full record of the voting on the Consideration of the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the National Gambling Amendment Bill [B 27B – 2018] (NCOP).

And hon members, you have done yourself justice today. Guess what? We have just concluded the business of the House and that concludes the business and of course the House is now adjourned. Thank you very much.

You may now enjoy your dinner.

An HON MEMBER: Thank you very much, Speaker.

The SPEAKER: Thank you.

The House adjourned at 19:05.