
THURSDAY, 14 AUGUST 2014

The House met at 14:15.

The Speaker took the Chair and read the prayer.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS - see p

The SPEAKER: Before we start with our business today, I would like to briefly deal with some procedural issues that have cropped up in debates during the past two months.

Members may recall that I gave guidance as to the conduct of members during debates and some important rules of debate that must be adhered to at all times.

I suggest members take the time again to familiarise themselves with those guidelines. I wish to reiterate that the Deputy Speaker and I do not intend stifling robust debate and unduly interfere from the Chair in any way, but we expect members to conduct themselves within the parameters of the rules.

During the debate on the State of the Province Address and the Premier's reply thereto on the 24th of June utterances were made from both sides of the

House, which I do not regard as being in the spirit of guidance given by me at the start of that debate. Without curtailing debate in any way I wish to once again appeal to all members to use the freedom of speech afforded them by the Constitution responsibly, and refrain from attacks that could be perceived as personal and/or attacks on the character of other members.

I would also like to appeal to the Whips to assist the Chair in this regard and draw its attention to perceived breaches of the Rules in order for the Presiding Officer to make a ruling on the matter in the House.

We now proceed to Interpellations as printed on the Question Paper. The honourable Minister of Agriculture, Economic Development and Tourism, Mr Alan Winde.

INTERPELLATIONS:

Impact of new immigration regulations on job creation and growth

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

What is the impact of new immigration regulations on job creation and growth in the Western Cape?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much Madam Speaker and I thank the Hon member Ms Schäfer for this question.

It has been just over a month since our President Zuma signed Malusi Gigaba's anti-tourism job-killing immigration regulations into law. [Interjections.]

Mr Q R DYANTYI: It is not anti-tourism; let us not go there.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Since then there has been a unanimous outcry against it from all stakeholders in the travel industry. [Interjections.]

Mr Q R DYANTYI: Talk about immigration. That is [Inaudible.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Yesterday 20 prominent airlines issued a joint call for its postponement naming the new law "a tourism, PR, economic and political disaster."

An HON MEMBERS: Yes.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Come 1 October 2014 airlines will no longer be allowed to board

children not carrying unabridged birth certificates.

An HON MEMBER: Yes.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Overseas tourists will also need to apply for visas in person, despite the lack of infrastructure in foreign countries in support of doing so. [Interjections.] Research from consultancy firm, Grant Thornton, estimates that these regulations will cost us around about R9.7 billion.

'n AGBARE LID: Ja, ja.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: It is projected that 21 000 jobs will be lost each year.

'n AGBARE LID: Ja, ja.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: These are job losses we simply cannot afford. [Interjections.] The latest quarterly labour survey from Stats SA shows that unemployment nationally is getting worse and worse.

An HON MEMBER: For the ANC.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: The regulations discourage investment. [Interjections.]

The PREMIER: They do.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: This is a [Interjections.] - This is in complete contrast to the objectives of the National Development Plan in attracting more investment into our country. In the usual manner of ANC Ministers who often make mistakes and who often refuse to own up, Gigaba continues to fiddle while the tourism industry burns. Considering the devastating impacts these laws are set to have on our country and its people, it is high time that Minister Gigaba begins to take the travel industry's concerns seriously. I have appealed to Minister Gigaba to put these laws on hold pending a thorough review of their impact.

The tourism industry bodies across the country have begged for a 12-month postponement of the implementation of these laws. Our pleas have often fallen on deaf ears. This is why we are lodging a petition to Parliament to intervene in this matter. We hope this will result in a reprieve that will be able to mitigate the harm already caused by these regulations... [Interjections.] ...and I think just in outlining some of those areas where devastating consequences of these laws are going to arise, first of all we see it not only just in the tourism space but in the BPO-space where we have had EU and UK major investment in our region; this is going to again detract. We

are moving slowly to 52 000 jobs in this space and straight away this is putting a damper on us being able to get these kind of investments. Then the tourism industry as a whole, R18 billion to the Western Cape economy alone, we cannot afford for these kind of regulations to turn this industry upside down.

The SPEAKER: Order!

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

The PREMIER: Hear, hear! [Interjections.]

An HON MEMBER: The ANC with organisational destruction [Interjections.]

An HON MEMBER: Yes. [Interjections.]

The SPEAKER: Hon member Ms Schäfer.

An HON MEMBER: Destruction!

Ms B A SCHÄFER: Madam Speaker, the Western Cape Government continues to prioritise growing our economy and unemployment. Over 25% of South Africans are currently unemployed - hardly a good story to tell, [Interjections.] ... which is the reason why these amendments to the

Immigration Act are so alarming. They add nothing to the fight of unemployment. Overregulation and red tape stymie investment and threaten economic growth. Government cannot simply conjure up jobs, but it can help create them through easing the business environment.

The National government as we know thinks otherwise, as is clearly evident by its strengthening grip on the economy. [Interjections.] But let us look at the impact that these regulations will have on the tourism industry, a labour intensive and growing sector... [Interjection.]

The SPEAKER: Order!

Ms B A SCHÄFER: ... identified as a priority industry at both national and provincial level. While these amendments may be new, the use of immigration controls is not. In 2012 Nils Flaatten, CEO of Wesgro said that the visa regulations were restricting trade ... [Interjection.]

The SPEAKER: Hon member Mr Fransman, order, order!

Ms B A SCHÄFER: ...and giving the perception that South Africa is not open for business. Now, contrast those remarks with what is being said today. The CEO of the Association of South African Travel Agents (ASATA), Otto de Vries, says that the regulations of the amendments... [Interjection.]

The SPEAKER: Hon member Ms Schäfer, hon member Mr Tyatyam, please

take your seat. Thank you.

Ms B A SCHÄFER: Otto de Vries says that “the regulations of the amendments, especially the requirement of an unabridged birth certificate for travelling children, will create confusion and negative outcomes for the South African travel industry.”

Similarly the Cape Chamber of Commerce, in submissions to the Department of Home Affairs on the amendments stated, “the new regulations will not be well received by international investors and will not contribute to the growth of the economy.”

In a report in the Cape Times yesterday as the Minister mentioned, 20 airlines have called on Minister Gigaba to delay the regulations. The airlines warned that according to the estimates some 21 000 jobs are on the line. More importantly, as Minister Winde commented in the report, these amendments, like so many other bills and laws recently introduced, completely disregard the National Development Plan.

In the scope of the short, medium and long term effects of these new regulations, the province can expect a measurable decline in tourists, especially those travelling with children and quarterly decreases of jobs in the tourism and related industries. We will see a discouragement of foreign workers, their families and multinationals working and operating in South Africa and the province.

It does not bode well for our finances either, less business means less tax revenue for the fiscus. This is just a snapshot of the amendment's potential impact on the economy, but it will be much larger, as we cannot begin to quantify the human impact that these regulations may have. Thank you.

The SPEAKER: Hon member Mr Lentit.

Mr R B LENTIT: Thank you very much, Madam Speaker. The new introduced immigration regulations could well be in the best interest of the security of our country. However, it remains an inefficient policy. The lack of definition and criteria could be subject to misappropriation and abuse by Home Affairs officials.

The ability by various institutions to fully implement the new regulations are also questionable and the cumbersome processes will most certainly have negative impact on foreign investment to our country and our province. Foreign investors have families and the new rules require children of these investors to present unabridged birth certificates before they enter or leave our country. This can seriously impact on the ability of families locating to South Africa to set up business in our country and especially here in our province.

Therefore the new regulations make it more difficult for families to travel to South Africa. These opportunities could be a risk for our youth job market.

[Interjections.] Our young people are dependent on the tourism industry for entry-level job opportunities. Youth employment is one of the biggest socio-economic problems in our country. Our young people at the beginning of their working careers are the most active in the hospitality industry.

Our parents are struggling on a daily basis to keep families financially afloat and it is important for our young people to make a start in working towards financial independence. More strict immigration regulations will adversely affect this vulnerable group working towards self-support. I thank you.

[Interjections.]

An HON MEMBER: No solution.

An HON MEMBER: Sit down!

Mr R B LENTIT: Do not mess up our country. [Interjection.]

The SPEAKER: Hon member Ms Davids. [Interjection.]

Ms S W DAVIDS: Thank you Madam Speaker [Interjection.]

The SPEAKER: Hon member Mr Dyantyi, order please.

Ms S W DAVIDS: This is another sweetheart question to allow a statement by the MEC. Immigration regulations are not a provincial competency. Why

did the DA not take this question to National Parliament with access to real Ministers, submit your comments directly to the Home Affairs Minister?
[Interjections.]

An HON MEMBER: They do not listen. They do not listen!

Ms S W DAVIDS: This question by the loud hailing DA is for cheap political mudslinging and grandstanding. Instead of postulating, like the DA who defends the rich, the ANC is confident that ... [Interjections.] ... solutions will soon be found to address all concerns as the ANC government
[Interjections.]

The SPEAKER: Order!

Ms S W DAVIDS: ... and committed to economic growth that is shared inclusively and benefiting SMMEs or new entrepreneurs [Interjection.]

The PREMIER: Ja, no more.

Ms S W DAVIDS: ...not just a trickling-down effect as the DA wants.
[Interjections.] There is no need to be alarmist, Chairperson of the Standing Committee. [Interjections.] These updated regulations are extending
[Interjections.]

Mr R B LENTIT: People are losing their jobs [Inaudible.]

Ms S W DAVIDS: ... the existing law, and aim to protect our youngsters and prevent human trafficking. The uncaring DA objects to this law that prevents the splitting up of families, which occurs too regularly. One of the parents jumped the country with children and the other one has to fight for access, many never to see their children again. Under-age kids who travel without their parents or with a guardian need an unabridged birth certificate anyway. This is not new. Thank you. [Interjections.]

An HON MEMBER: Tell them!

An HON MEMBER: Thank you! [Applause.]

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

Ms L M MASEKO: Thank you, Madam Speaker. The DA acknowledges the demand for more strict immigration regulations. 2.4 million foreign nationals visited SA in 2013. Those who need to should be allowed to use Home Affairs receipts indicating that their applications are pending. Decisions on visa renewals can take months and often result in the expiry of existing documentation. [Interjections.]

The immigration regulation will inhibit the country's economic growth. Ann Bernstein of the Centre for Development and Enterprise said and I quote: "This is vital if the country is to achieve the economic growth of 7% per

annum for a sustained period.”

The areas of concern are the introduction of the term “critical skills” in place of “exceptional skills”, which suggests higher qualifying standard. Critical skills permits are to be treated on case-to-case basis with no indication that people who possess these skills in question will in fact be granted permits. Restricted applications for corporate payments to business in certain economic sectors to be prescribed by the Director-General... [Interjection.]

The SPEAKER: Order!

Ms L M MASEKO: ...rather than making them available to business across the economy.

The SPEAKER: Your time is up member.

Ms L M MASEKO: Okay. The enforcement of these new immigration rules by the department... [Interjections.] [Time expired.]

The SPEAKER: Order! [Interjections.] Hon member Ms Schäfer.

Ms B A SCHÄFER: Thank you Madam Speaker. So while I welcome the Minister’s suggestion and proposal to take this forward as a petition to National government I really like to pose some of the questions to him. One is that the recently launched oil and gas portal yesterday in terms of creating

this link between job availability and bringing in the most important highly skilled people into this country, we are going to have a problem with. [Interjections.]

The Saldanha IDZ, the very, very centre in which we want to create jobs and bring in the necessary skills is going to be hampered by this new legislation. I ask you to consider what the forward-thinking relationship is going to be with the BRICS countries. How is South Africa going to continue to partner with BRICS when we actually have such legislation going forward [Interjections.] ...and once again both business tourism and business travel are very important parts. We have just put hundreds of millions of rands into the Cape Town Convention Centre. How are we going to make it easy for countries particularly like India that are suffering as a result of this legislation? [Interjections.]

I would like to question Brand South Africa, a very, very important part of attracting business and tourists into this country and the Western Cape's brand image. How do we put the message across that we are an investor friendly destination; a mandate that we stand for as a government? What about Silicon Cape, the very foreign company that actually is here to attract seed investment capital into the ICT industry? Our impact on our local talent and industries will be affected and then finally our SADC countries; we need to take into account the impact of this legislation and I would suggest to the Minister that we take it a step further and that we really open some public hearings; public hearings on this legislation and get the stakeholders to talk

about the impact of this legislation [Interjections.]

An HON MEMBER: Exactly!

Ms S W DAVIDS: All stakeholders; all.

The SPEAKER: Order!

Ms B A SCHÄFER: ...on their industries... [Interjections.]

The SPEAKER: Order!

Ms B A SCHÄFER: ...because I do not believe National government is listening to the people and the stakeholders. [Interjections.]

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

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

Mnr R B LENTIT: Vertel hulle ja. Hulle wil nie hoor nie.

The SPEAKER: Hon member Mr Tyatyam, you are to caucus before the sitting; would you please take your seat? Thank you. [Laughter.] [Interjections.]

An HON MEMBER: A point of order, yes. [Interjections.]

An HON MEMBER: A point of order.

Mr C M DUGMORE: Ja, on a point of order [Interjections.] Madam Speaker, could you please on a point of order clarify the ruling you have just made... [Interjection.]

An HON MEMBER: Yes please, yes.

Mr C M DUGMORE: ...because my sense is that any member is allowed to proceed to the desk of another to engage, provided they do not cross the line [Interjections.] So I would appreciate it if you clarified and explained the point of order.

The SPEAKER: Hon member Mr Dugmore, since the sitting began hon member Mr Tyatyam has availed himself to various seats, which is proving to be disruptive to the sitting. [Interjections.] If he came and sat next to you I could understand that, but he engaged hon member Mr Fransman, he engaged hon member Ms Beerwinkel, he is actually doing his rounds while we are proceeding with the sitting [Laughter.] So I understand the need to communicate with the member. However, this is about the dignity of the House. You cannot [Interjections.] ...we have guests here. We cannot bring the House into disrepute, so I expect that you will behave in a parliamentary manner and hence the reason for having a caucus before a sitting.

Mnr R B LENTIT: Vertel hulle!

The SPEAKER: I trust that we will proceed without any more interventions. I can understand the urgent need to address a member on a matter of urgency, but to actually engage in a little mini-caucus in the House is inappropriate. [Interjections.] It is unparliamentary. [Interjections.] May we proceed to the second interpellation please? [Interjections.]

Ms S W DAVIDS: Madam Speaker, I still do not have your rule on a point of order. Give us your rule, thank you. [Interjections.]

An HON MEMBER: You must respect the Chair. [Interjections.] Respect the Chair. [Interjections.]

The SPEAKER: Okay, could I? [Interjections.]

'n AGBARE LID: Die ANC wil nie luister nie. Hulle het nie ore nie.

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

Me S W DAVIDS: Ons is nou besig om teen te staan, asseblief.

Mr M G E WILEY: Madam Speaker, I rise on a point of order, but the hon members on the other side are now addressing each other / our members in a

most unparliamentary fashion and language.

An HON MEMBER: The ANC.

Ms S W DAVIDS: He is doing the same thing.

An HON MEMBER: The ANC.

Ms S W DAVIDS: He is doing the same thing. [Interjections.]

An HON MEMBER: We are waiting on the [Interjection.] We are waiting for the Speaker to rule.

The SPEAKER: Members [Interjections.] Members please, we need to maintain the dignity of the House. It is not a request. It is a constitutional requirement. It is a rule and I expect that you would abide by that. We have guests and we are here to get on with the business of running this country; not having little argy-bargies across the floor, so I would appeal to you please let us deal with the business at hand and on this matter I am now calling the second speaker, the hon Minister Plato.

'n AGBARE LID: Nee [Tussenwerpsels.]

The SPEAKER: Minister Winde, sorry. You have even got me in a twist now.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Can I carry on, Madam Speaker?

The SPEAKER: Hon Minister Winde.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you Madam Speaker, in conclusion of this first interpellation, we the department have really tried to find solutions. On the 9th of July we met with the Department of Home Affairs but reached no resolution. We agreed then to a follow-up meeting with our red tape reduction unit that we can really look in-depth trying to find solutions for these regulations, and guess what, that meeting was cancelled and any further attempt to have any discussion on this issue has been unsuccessful.

Mr M G E WILEY: He never had a visa.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: I wonder if the Minister knows that in the tourism industry Minister Gigaba's nickname is known as "Tourism Terminator" and quite frankly what is happening at the moment is an absolute disgrace. In their present form these regulations are an embarrassment to his office, to our government, to our country and if he continues with its implementation he must accept sole responsibility for the tourism and job losses, the revenue losses and the damage that he is going to cause.

An HON MEMBER: Hear, hear! [Interjections.]

The PREMIER: Hear, hear!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Because quite frankly we understand child trafficking is an issue. We understand illegal immigrants are an issue but when it comes to Home Affairs they really do not understand how to deal with these issues. We take it as far back as the cruise liner terminals, they checked cruise liners arriving in the Waterfront because of illegal immigrants in our country. I wonder how many illegal immigrants actually come in on a cruise liner, book a ticket, number one, and how many cruise liners would actually allow their passengers to remain behind. I do not think that happens, and so we get into this space, but at the end of the day it is about a competitive [Interjections.] ... arena and when our neighbouring countries are saying, “come and visit us, we will give you a visa on entry”. Do you know that I can take my finger, swipe it across this phone and it does a biometric reading and it reads my fingerprint. I could e-mail that fingerprint to anywhere in the world, but our Home Affairs department says, “you have to get on an aeroplane, you have to fly for four hours to one of our embassies so that you can go and swipe your finger to get a tourism visa.” [Interjections.]

An HON MEMBERS: Yes, yes.

The SPEAKER: Order!

An HON MEMBER: We do not want human trafficking.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: I mean this is crazy. We need to use technology. We need to use innovation. What is happening under the Tourism Terminator is we are going backwards and destroying jobs. [Interjections.]

The SPEAKER: Order! [Interjections.]

Mnr R B LENTIT: Skande, skande! [Interjections.]

An HON MEMBER: You are destroying jobs in the Western Cape. [Interjections.]

Mnr R B LENTIT: Skande! [Tussenwerpsels.]

An HON MEMBER: Check the numbers. [Interjections.]

Ms S W DAVIDS: You are ruling the Western Cape. [Interjections.]

Debate concluded.

The SPEAKER: Interpellation two, hon Minister Plato.

*School Safety Programme***2. Ms P Z Lekker asked the Minister of Community Safety:**

- (a) Whether the School Safety programme is effective, and (b) what is his department's financial contribution to the programme?

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you very much. Thank you also to the hon member Ms Lekker for the question. The School Safety programme is actually a programme for the Department of Education. Community Safety is only responsible for a small portion thereof. Our role is to look after the School Safety volunteers and I am going to concentrate on our portion.

The School Safety volunteers perform functions which are associated with safety such as access control, patrols, searches for weapons, drugs and so forth, but they also help to contribute to increasing safety at the schools in that manner. The efficiency of the School Safety programme is actually to some extent hampered by the serious nature of criminal activity at some of the schools in the province, specifically schools situated in violent-stricken areas and from time to time they come across organised crime, gangs, drugs and so forth.

The problem of the School Safety volunteers is that they are not trained security guards and that is hampering their work, and that is currently an

aspect the Department of Community Safety is looking into, to start with the process of retraining and to make sure we appoint the right people who can fulfil those functions. Thank you.

The SPEAKER: Hon member Ms Lekker.

Ms P Z LEKKER: Thank you, Madam Speaker. It seems to me that the safety of the schools is not being taken seriously. For how long must the schools in the townships suffer from getting inferior services by this Western Cape Government... [Interjection.]

Mnr K E MAGAXA: Hulle gee nie om nie.

Ms P Z LEKKER: ...whilst the schools in the suburbs have electric fencing and cameras; schools in the townships must also be funded like in the suburbs. It is not a mistake that in August last year a Grade 8 learner was killed at Mulungu Senior Secondary School. No debriefing was done for the teachers. The counselling of the learners was left to the responsibility of the local pastors. It is therefore critical that this DA Government take the safety of our learners very seriously and it is about time that we draw our issues from what is happening on a daily basis. Masiyile is also encountering the same problems and there is nothing that is being done. At Zisukhanyo Secondary School a learner was killed on the school premises and there was nothing done about it. It is proper that these issues are taken into consideration and that proper services are rendered to schools, particularly

with the issues of school safety.

Mnr Q R DYANTYI: Mooi, mooi, mooi, laat ons hoor!

The SPEAKER: Hon member Mr Kivedo.

Mr B D KIVEDO: Thank you Madam Speaker. I first want to thank hon member Ms Lekker for the question and she enhances our oversight role. I am heartened that the programme is definitely effective even in spite of certain impediments, but I think these can be addressed, especially with the acumen of Minister Dan Plato. [Interjections.]

I want to commend his department for their financial contribution to the programme, but we should all be aware that throwing money at a problem does not automatically solve the problem, but could lead to a well-resourced problem.

An HON MEMBER: Why do you not stop [Inaudible.]

Mr B D KIVEDO: To fully redress unsafe schools a holistic approach needs to be adopted. Communities need to be aware of their role. They have to play a role in creating and maintaining safety in their areas. Communities also need to take ownership and responsibility of their own [Interjections.]

Mnr Q R DYANTYI: Ek kan dit nie verstaan nie.

Mr B D KIVEDO: It takes a village to raise a child, but it starts at home. The lack of parental responsibility influences children's behaviour. [Interjections.] Children learn through imitation and if raised in a house where substance abuse and violence are prevalent the child will often mirror these behaviours. [Interjections.]

Our parents have to become positive role models for our children and I salute those who are not only to their own children but those in other communities as well.

It is important to remind parents of the role they have to play in the care, wellbeing and safety of their children, and finally, the Western Cape is Better Together. The Western Cape is Better Together. [Interjections.] In its efforts to redress youth offenders and the lack of parental responsibility the Western Cape Department of Social Development offers a Children and Families Programme, which is aimed at promoting the wellbeing of children and building resilient families and communities. I thank you. [Interjections.]

An HON MEMBER: Better Together! [Interjections.]

An HON MEMBER: We are not together.

The SPEAKER: Hon member Ms Lekker.

Ms P Z LEKKER: How convenient that we will be saying that we are Better Together when actually when there is a problem communities are to be blamed.

'n AGBARE LID: Ja.

Ms P Z LEKKER: In fact, we must start by saying that the communities in Khayelitsha are taking the issues very seriously. The fact that the local pastors have gone out to counsel the learners was one way of showing that they do care.

The PREMIER: It is a pastor's job!

Ms P Z LEKKER: The fact that the teachers at Mulungu High School came out and chased the criminals on the school premises was one way of showing that they care about the education of their learners. Somehow I want to say that this DA Government is undermining the communities. [Interjections.]

An HON MEMBER: Black communities.

An HON MEMBER: Black ja.

Ms P Z LEKKER: It is definitely undermining the black communities when in actual fact you will get cameras in the affluent white areas and you do not get the same cameras in Khayelitsha and Philippi. [Interjections.] It is about time

that we start to take our own people very serious. After all they are your voters. [Interjections.]

The SPEAKER: Hon member Ms Du Toit Marais.

Ms A J DU TOIT MARAIS: Thank you Madam Speaker. Safe schools add to the quality of education and I commend the Minister and his department for this initiative. Teaching and learning are hindered when in a constant state of fear as a result of unsafe schools. The fact that a school safety programme is effective in ensuring schools are safer in the whole of the Western Cape, the Western Cape Education Department's mission to increase the quality of education is then realised. Different forms of bullying and violence are occurring in and out of our schools every day. The impact it has on a child's education, self-esteem and future is life-changing. This programme has innovative solutions to protect our children. I thank you.

An HON MEMBER: Blue together, that is the new slogan; Blue together. [Laughter.] [Interjections.] "Blue Together."

Ms P Z LEKKER: School safety has definitely failed in the Western Cape. The fact that you get schools in Khayelitsha that are riddled by gangsterism and that in those schools you do not have anybody like what you call in your safe schools programme the SRO, that is deployed at schools to see to it that inside the schools and the surrounding area people are safe. It is one way of showing that it is not operating well. In fact you need to throw it into the bin

because it is not helping. If it helps, I am sure it is helping in Simon's Town. You need to revisit it.

Two, the fact that the installation of alarms is inadequate; the alarms are only installed in your laboratories and your libraries; it opens a chance for vandalism to the entire school. Bulumko is one example of that as we speak. Yesterday and two weeks ago the windows were broken by someone who is unknown and it is because the safety schools programme is not working. I want you to consider the fact that you definitely need to throw the safety school in the bin and implement something that will bring people's dignity back, because you do not have the sense of dignity of the black communities.

An HON MEMBER: Yes.

Mnr Q R DYANTYI: Mooi, mooi!

'n AGBARE LID: Mooi!

The SPEAKER: Hon Minister Plato. [Interjections.]

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, let me say we find violence ... [Interjections.]

The SPEAKER: Order! Order! May I remind the gallery we need silence please. Thank you. Minister Plato.

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you very much. You find violence across the Cape Flats, across the Western Cape Province. You find violence in the affluent areas. You find it in the lesser affluent areas [Interjection.]

Mr R B LENTIT: Madam Speaker, on a point of order. The hon member Ms Davids across the road called me a racist. Can you just rule on that please? [Interjections.]

Ms M N GILLION: On a point of order, Madam Speaker, hon member Mr Lentit shout back at hon member Ms Davids “you are also a racist.”

Ms S W DAVIDS: Yes. [Interjections.]

Mr R B LENTIT: You must be careful. You must apologise [Inaudible.]

The SPEAKER: Okay hon member Mr Lentit and hon member Ms Davids, you will refrain from using unparliamentary language across the floor.

An HON MEMBER: And hon member Mr Lentit.

The SPEAKER: Hon member Mr Lentit and hon member Ms Davids. Thank you. You may proceed, Minister.

Mr M N PAULSEN: Madam Speaker, a point of order, could we please stop the black-on-black violence in the House please. [Laughter.] [Interjections.]

Mr M L FRANSMAN: A point of order, Madam Speaker, just that black-on-black violence is normally engineered by white instruction.

An HON MEMBER: Oh come on! [Interjections.]

The SPEAKER: MEC Plato, you may proceed.

The MINISTER OF COMMUNITY SAFETY: Yes, Madam Speaker, I struggle to answer the issues. [Laughter.] No, no, I am serious, it seems to me we are beginning to make a mockery of this House.

An HON MEMBER: Yes.

'n AGBARE LID: Ja, and I think that is [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: I have to say this. We become childish in our approach and that is not parliamentary as far as I am concerned.

An HON MEMBER: Hear, hear.

The MINISTER OF COMMUNITY SAFETY: The matter for discussion is a

terribly serious matter and the question from my hon member Ms Lekker is a very important question. It is a very important issue and I'm looking at the manner we are dealing with an important matter. So I am just going to make one or two, three points. Our oversight role is a major limitation for the Department of Community Safety. We have no operational control over SAPS. Hence we support SAPS as far as we can. If they are doing something good we applaud them. If they do something wrong we also talk about that.

The Department's contribution to the School Safety Volunteer Programme is in the region of R9.9 million per annum and we talk about what we call the "whole of society approach", and what hon member Ms Lekker has mentioned is also correct. She was actually identifying the role of communities, who should not just wait for the police to take action. There is a lot communities can do to safeguard their schools. Control over our kids - my problem is, how can parents allow kids at primary schools to run around with guns and also to sell drugs at school premises? We cannot allow that and I am waiting for that action to be taken by community members, but they are sitting back, it must not only be government that acts. Adults, community leaders, NGOs ... [Interjection.]

The SPEAKER: Order!

The MINISTER OF COMMUNITY SAFETY: ...all have a major role to play to safeguard our kids at each and every school. Thank you. [Applause.]

'n AGBARE LID: Ons het nou die waardigheid teruggebring.

Debate concluded.

The SPEAKER: That brings us to the end of the interpellations. We will now deal with questions as printed on the Question Paper. The hon Premier.

QUESTIONS FOR ORAL REPLY

New questions to the Premier:

Land restitution claims

1. Mr D Joseph asked the Premier:

- (1) Whether the Western Cape Government monitors the land restitution claims processes in the Western Cape; if not, why not; if so, what are the relevant details;
- (2) (a) how many land claims were received prior to the December 1998 cut-off date, (b) how many has been completed and (c) what are the main reasons for the outstanding claims?

The PREMIER: Thank you very much, Madam Speaker. The answer to the first question is because land restitution is the mandate of the National

government, the Western Cape Government is constrained in its ability to monitor all land restitution claims in the province, and we are in fact not required to do so. However, we do do so with all of the resources at our disposal and we also make sure that, where the land claimed belongs to the Western Cape Government, or where we have been requested to make alternative land available for restitution, that we become directly involved in that process and we monitor the claims.

Now we also follow reports such as this one, the annual report of the Commission on the Restitution of Land Rights, a very important document. This document is an overview of the report-back, and I can tell the hon member Mr Joseph that it tells us that in the past 20 years of democracy 16 001 land claims were settled in the Western Cape Province. That is a very good number, but the number that pleases me most was in the last year of reporting. That is April 2013 to 2014, that is this year and this is the most recent reporting year, and we see that 78% of all land claims that were settled in the whole of South Africa, were in the Western Cape.

An HON MEMBER: Hear, hear!

The PREMIER: So I am very, very pleased with that kind of outcome and it demonstrates the cooperation that we have, the intergovernmental cooperation, and the extent to which the Western Cape seeks to help land restitution and land claims, and in fact out of an entire total of 270 land claims that were settled in this period, 210 were in the Western Cape. So that

is quite an extraordinary outcome and for members who say that we are not in support of the poor and that we only care about the elite, this fact, that has been tabled by the National government, shows what a hollow lie that is, that in fact 78% of all settled land claims [Interjections.]

An HON MEMBER: But that is National government.

An HON MEMBER: That is National government. [Interjections.]

The PREMIER: We have everything to do with it. We have everything to do with it.

Ms S W DAVIDS: It has nothing to do with you.

The PREMIER: If it was national, why are they not making progress in any other province? [Interjections.] Why are they not making progress in any other province? [Interjections.]

The SPEAKER: Order!

The PREMIER: 22% were in the other eight provinces put together. We have a very good relationship with National Land Claims in this province. We work very, very well together. Now in fact on that very point, the chief director of Land Restitution Support of the National Department of Rural Development and Land Reform, who works in this province, and with whom

we have a very good relationship, tells me that 9 873 claims have been finalised of the 11 858 that have been claimed and submitted, which is also a good statistic. I queried the difference between the 16 001 and the 11 858 and I was informed that in fact in the past they used to count community claims individually, so when they say in this report that 16 001 have been settled, they are counting community claims - some of them - as individual claims and that accounts for that particular discrepancy. But for the claims that remain unsettled these are due to the fact that there are often untraceable claimants, that there have been family disputes and the family cannot determine who should be the legal beneficiary. They are very complex claims often to do with large families and disputes. Then claimants change their options. They do not want for example a piece of land now, they would rather take the money or vice versa. Then there are also some protracted land release negotiations and then of course some matters end up in court where there is a challenge. But what I am very pleased about is that 49 properties belonging to the Western Cape Government will be used to help settle land restitution claims, and that is very important. 49 properties belonging to the Western Cape Government will be used to settle land restitution claims and some of these properties have already been transferred to the Department of Rural Development and Land Reform with whom, as I said earlier, we have a very good relationship. In the case of one single claim three properties linked to one single claim is still being validated and so has not yet been settled. So in the Western Cape we have settled all the 49 properties required of us, only one is still being validated. Thank you very much.

An HON MEMBER: Hear, hear!

'n AGBARE LID: Mooi!

An HON MEMBER: Better Together.

The PREMIER: This pro-poor government. [Interjections.]

Mr D JOSEPH: Madam Speaker, I just want to thank the Premier for the answer. I have no further questions to ask. Thank you very much. [Laughter.]

The SPEAKER: Hon member Ms Beerwinkel.

Mnr Q R DYANTYI: Asseblief, gooi kole, gooi kole!

Ms C F BEERWINKEL: A follow-up question to the Premier. Premier, do you by implication admit that the fact that so many of these land claims that have been dealt with in the Western Cape actually says that in the Western Cape more people were displaced from their land, hence you have so many claims made and completely resolved? [Interjections.]

The SPEAKER: Order, hon member Mr Dyantyi.

The PREMIER: What these figures do tell me is that the Western Cape really moves with land restitution and we move to recompense people for the evils

of apartheid. [Interjection.]

An HON MEMBER: The extent of the problem.

An HON MEMBER: Yes.

The SPEAKER: Hon member Mr Fransman, I do not see you, hon member Mr Paulsen.

Mr M L FRANSMAN: Can the Premier confirm that what she has read out is actually national delivery in the Western Cape. What the Premier has done now is to try and claim the national responsibility that happened here ... [Interjection.]

Mnr Q R DYANTYI: Skaam julle! Skaam julle!

Mr M L FRANSMAN: ...because that - my understanding is the department is actually a national department based in Cape Town. Is this what we can define as the politics of deception? [Interjections.]

The PREMIER: The answer to that is no and no [Interjection.] ...because the bottom line is that unless there is cooperative governance none of this can happen. How can 49 properties owned by the Western Cape Provincial Government be released to the national land restitution process if this province is not contributing as much as it is to the restitution of land claims?

Previously there was a complete stasis. Since we got a new representative of the national department in this province we have had a complete change and now we are cooperating very well with them and that is why we are making this progress.

The SPEAKER: Thank you. [Interjections.]

'n AGBARE LID: Nee, julle moet vir ons [Onhoorbaar.] [Tussenwerpsels.]

The SPEAKER: The next question, hon Premier, to respond to question two.

The Premier's Advancement of Youth Programme

2. Ms L J Botha asked the Premier:

- (a) How many successful applicants benefited from the Premier's Advancement of Youth programme and (b) from which regions in the province do they come from?

The PREMIER: Thank you very much. Thank you very much, Madam Speaker. Ek was net bekommerd die agbare Leier van die Opposisie gaan bedank en dit sal baie moeilik wees vir die DA.

'n AGBARE LID: Ja, hoor, hoor! [Gelag.]

The PREMIER: So the answer... [Interjections.]

An HON MEMBER: Some deception again.

The PREMIER: Everyone knows it is true, including you. [Interjections.]

The SPEAKER: Order! [Interjections.]

The PREMIER: The reply to question two is that altogether 2 243 interns benefited from the Premier's Advancement of Youth Programme in the three years under consideration and they were recruited from the Cape Metropole, the Cape Winelands, the Central Karoo and Eden, Overberg and the West Coast District, and I am also delighted to say that the rest of the country has been instructed to implement the same policy along the example of the Western Cape, so national delivery will again follow the Western Cape's delivery. Thank you. [Interjections.]

The SPEAKER: The hon Minister Madikizela. Is he not here? [Interjections.]

Mr M N PAULSEN: Madam Speaker, on a point of order, this is the third time this question is standing over and there is no explanation, and the Minister has also not contacted me on either of the occasions when he was not available.

The SPEAKER: Noted. We will deal with it. [Interjections.]

Mnr Q R DYANTYI: Dis onderstebo. Die ding het onderstebo gedraai.

The SPEAKER: I recognise the Chief Whip hon member Mr Wiley.

Me S W DAVIDS: Hy het nie eers opgekom [Onhoorbaar.]

Mr M G E WILEY: Madam Speaker, I am not aware that the hon member Mr Paulsen has not been notified by the hon Minister, but I am aware that he is at a Minmec meeting and I will take the matter up with him.

The SPEAKER: Thank you. [Interjections.]

An HON MEMBER: Yes, that is now “Better Together.”

[Question by the hon member Mr Paulsen to the Minister of Human Settlements to stand over.]

The SPEAKER: The hon Minister Bredell.

New questions:

Electricity supply infrastructure: capacity to maintain

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

Whether municipalities in the Western Cape have the capacity to maintain the province's electricity supply infrastructure; if not, why not; if so, what are the relevant details?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Baie dankie, me die Speaker. Daar is uitdagings ten opsigte van die onderhoud aan elektrisiteitsvoorsieningsinfrastruktuur. Alhoewel elektrisiteit een van die grootste inkomstebronne van die munisipaliteite is, ontvang die elektrisiteitsdepartemente by die munisipaliteite nie hul regmatige deel uit die begrotingstoekennings nie. Die Nasionale Elektrisiteitsreguleerder van Suid-Afrika (NERSA) stipuleer in sy lisensie ooreenkoms dat munisipaliteite 6% van hul elektriese inkomste aan onderhoud, opgradering en die hernuwing van netwerke moet bestee.

Baie van die munisipaliteite se elektrisiteitsdepartemente ontvang wel hierdie voorgeskrewe 6% maar daar is ook baie munisipaliteite wat nie gehoor gee aan hierdie voorskrifte nie. As gevolg van hierdie finansiële tekorte is die tekortkominge by menslike hulpbronne en tegniese tekortkominge sigbaar.

Die Wet op Beroepsgesondheid en Veiligheid skryf voor dat waar die kragverbruik meer as 10 MVA is, elektrisiteitsdepartemente se netwerk deur 'n bevoegde persoon beheer moet word.

Ander kritieke poste in die struktuur byvoorbeeld elektriese tegnisi, superintendente, senior en gewone elektrisiëns ensovoorts, word as gevolg van verskeie faktore soos onvoldoende gekwalifiseerde persone, onvoldoende fondse ensovoorts, nie gevul nie. Die Departement van Plaaslike Regering het oor die jare 'n kapasiteitsbouprogram of 'n opleidingsprogram in die provinsie aangebied en vele elektrisiëns is opgelei om van hierdie vakante poste te vul. Nieteenstaande al die uitdagings word elektrisiteit nog steeds baie betroubaar in die Wes-Kaap aan sy provinsiale inwoners voorsien. Dankie.

The SPEAKER: Hon member Mr Dyantyi.

Mr Q R DYANTYI: Thank you Madam Speaker. The hon MEC, given your response, by when did you pick up this problem of the lack of capacity in these municipalities, especially given the fact that electricity, water, refuse and sanitation are municipal roles and what are your actions to counter that?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, exactly when I am not aware of but it has been a couple of years that we are aware of this problem [Interjections.] ... within municipalities, you can say five years ago, and we have started with artisans training within our municipalities every year but

you only have got so much budget. You can train so many artisans and a lot of them will not go back to municipalities but will take jobs outside in the private sector. It is an ongoing programme. Currently I am quite satisfied that the electricity distribution and management within our municipalities are in good standing. Thank you.

Mr Q R DYANTYI: Thank you. I want to hear from the MEC if he really understands the implications of the lack of capacity in electricity in the Municipality, given the fact that even last week we were speaking about this and if he does understand, can he tell us what he is doing to solve the problem? [Interjection.]

An HON MEMBER: Do you understand? [Interjections.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: What I do understand and what everybody must understand is the mess that we have inherited in infrastructure from the ANC and the hon member Mr Dyantyi was then the MEC, so... [Interjections.]

The SPEAKER: Order!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: ...and it is much more than just electricity.

'n AGBARE LID: Nonsens aangejaag.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: It is water, it is sanitation, it is refuse removal [Interjection.]

Mr Q R DYANTYI: What are you doing? Dis die vraag!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: It is all of those basic services that we need to address. If we have billions of rands we can do it overnight, but we need to build the system. We are busy every year training artisans; not only on electricity, on water as well. We are busy with our refuse sites now. So it is a whole spectrum that we are aware of that it is serious. We also work with our municipalities to fill their positions, because that is also a crisis if municipalities do not manage their HR Departments and they do not fill the positions, especially with the right qualified people. You can even ask our national Minister; he will always at the Minmec say that at least the Western Cape signed off on these things. They send it to him, so that between the two of us we need to monitor positions especially on a director level upwards within our municipalities, and we are making inroads. That is why I am quite satisfied that our electricity networks and our distribution networks are up to standard. Thank you.

'n AGBARE LID: Mooi! Sê hom.

Mr Q R DYANTYI: Has the MEC consulted with organised local government in this province, SALGA, Western Cape, and what are their inputs?

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: We meet with them and consult with them on a quarterly basis. We have very successful forums on this issue of electricity distribution. They are part of the training programme. They are part of the HR support that we hand to municipalities. As the Premier has said previously, if we want to make this country work, its intergovernmental relations throughout all the systems - national, provincial and local - need to take hands and that is why we in the Western Cape are making those inroads because we understand it and we have our systems in place. Thank you.

'n AGBARE LID: Mooi!

Mr Q R DYANTYI: Watch this space! Watch this space! [Interjections.]

The SPEAKER: I see Minister Winde.

Tourism in informal settlements: promotion of

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

What is his department doing to promote tourism in the province's informal settlements?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much, Madam Speaker. Thank you to the Hon member Ms Schäfer for the question. Township tourism is a key part of the Western Cape's tourism offering, conducted by residents. This form of cultural tourism provides visitors with an authentic experience and an insight into our history. According to the University of Cape Town's survey conducted in 2013, 83% of tourists said they would recommend a township tour to others.

In support of small businesses including entrepreneurs offering township tours, the Department of Economic Development and Tourism has a suite of services. These include programmes aimed at assisting small emerging businesses to run and grow their businesses. Specific programmes aimed at building tourism businesses include tourism business skills, guest house management programmes and tour operator training. We also provide social media training to assist emerging tourism businesses with marketing so that they can attract more visitors.

Wesgro also provides access to markets for SMMEs through various marketing platforms and opportunities. Access is provided through the following channels: financial assistance to SMMEs to attend Tourism Indaba

in Durban. At this event they are given the opportunity to promote their services and their service offering to international buyers and role-players. At CPUT service learning we offer tour operator education through which learners assist companies in their townships with business plans; and there are also opportunities to market in the Wesgro booklets that are distributed to international trade shows exposing township based tourism businesses to an international audience.

Opportunities to market on the Wesgro website are also included. International companies in trade investment and film sector use this listing to find operators and SMMEs for their services and informal settlements are also featured in Wesgro's destination video. Township tours are also promoted on all Wesgro's educational workshops and a number of operators are portrayed in their latest cycling booklet. The gain here is that tourists are given more options. One example is Wow Tours that was showcased in the booklet and had a presence at Indaba following campaigns, and operators of Wow have now contracted many international groups.

Ms S W DAVIDS: Thank you Madam Speaker. I just want to ask the MEC how many tour operators who are working within the informal settlements are being funded by the department.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: I must say that that is a new question and if you want a technical exact answer you will need to put that on the Order Paper. But I can tell you

that it depends which sector it is from the Tour Guides Associations; it depends on what they are applying for, and there are generally a few hundred in the room, but to be exact you need to put that question to me so I can give you exactly which operators by name and how many.

The SPEAKER: Hon member Ms Davids.

Ms S W DAVIDS: Madam Speaker, I am only speaking about the tour operators within the informal settlements, because the question was around the informal settlements. Thank you.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: The same answer, Madam Speaker. [Interjections.]

Mnr Q R DYANTYI: Ek hoor maar die Minister sê nou, ‘the same answer’. [Interjections.]

The SPEAKER: Hon Minister Winde, I see you, the next question.

Citrus exporters: export bans

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

What is his department doing to assist Western Cape citrus exporters

with potential export bans to Europe because of black spots?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much, Madam Speaker. Since the announcement of the potential ban of South African citrus into the European market due to citrus black spot, the Ministry has had numerous engagements with the Citrus Producers Association to ascertain the problem and offer support to the industry. These engagements were followed up by mission visits abroad in an effort to lobby key strategic role-players. These include European policy makers, importers, retailers and South African ambassadors as suggested by the industry themselves.

One of my initial engagements with the Citrus Producers Association just after I took office was about this looming ban. Our discussions were primarily based on the detrimental economic threat posed by the ban to our citrus exports. In addition the Western Cape Department of Agriculture was involved in a study that was commissioned by the industry to determine the economic impact of the ban on citrus.

This information was critical for the discussion with the European Union and for planning and decision-making by both government and industry players, and then to date the department has funded the citrus industry in collaboration with industry role-players to exhibit in various countries including China. This is aimed at finding new markets for export diversification.

The department has also funded a sustainability initiative of South Africa with R1 million since the 2013/2014 financial year. This is an ethical trade programme and one of our image improvement strategies that aims to improve working conditions and communication across the full fruit value chain. This is regarded as a marketing tool to enable us to compete in other markets apart from Europe.

An HON MEMBER: Hon member Ms Schäfer.

Ms B A SCHÄFER: As a follow-up, thank you, Madam Speaker. If the European Union continues with the possible ban how does the Minister see the potential of citrus fruit into Africa?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Obviously that is also a market that we really are pursuing quite aggressively now, part of our Africa-strategy, but it links to all the diversification of markets because that is a risk. I must say that the risk is to us as a country because our citrus producers in the Western Cape are not affected by black spot, but obviously the black spot gets picked up and it affects the brand, so we really have looked at how to diversify that market and it is quite interesting to see the numbers growing into Africa specifically. I am actually seeing now that this year wine exports into Africa are now starting to even become greater than what we were seeing into China, so Africa is really playing a very prominent role, not only in citrus but in all of

our agricultural products. [Interjections.]

The SPEAKER: Hon member Mr Paulsen. I now see MEC Fritz, the hon Minister.

Rehabilitation centres in Nyanga, Gugulethu and Philippi

6. Mr N E Hinana asked the Minister of Social Development:

Whether he or his department has any plans to fund or build rehabilitation centres in (a) Nyanga, (b) Gugulethu or (c) Philippi; if not, (i) why not and (ii) what are the alternatives to restore morality and dignity to youth victims in these areas; if so, what are the timeframes?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you Madam Speaker, and thank you to hon member Mr Hinana for the question. The Department of Social Development has increased the spread of drug treatment centres in the province from seven in 2008 to 24 this year.

The sites where treatment services are provided are determined by the levels of need in those areas. Sometimes I get this kind of romantic notion that people want a treatment centre everywhere, so it is based on need and when you determine the need you establish a service and you provide the service in a particular area.

Now despite increasing the budget for substance abuse services in the province by over 100% in the past five years - and that is from 40 million in 2008 to over 80 million - all our funds at this point are committed and we have been told by Treasury that we will not get anything extra apart from the inflation related increases. Therefore if I was to answer the question about whether Nyanga and Gugulethu and Philippi are going to get a specific treatment centre, it is no, but I will also talk about what we plan to do in those areas.

However, treatment services are available to beneficiaries from all these areas at the various in-patient and out-patient treatment centres that the DSD funds in the province, including six funded NGO-run facilities; one state-run facility; two outsourced treatment centres and two child and youth care centres to ensure beneficiaries from Nyanga and Gugulethu and Philippi receive the help they need. The department provides screening and the first point is exactly *that* in our areas, and so in Gugulethu, in Nyanga and in Philippi; at every one of our DSD offices we have a screening and a trained person for the screening service that we provide, and we then refer the person to one of our other treatment centres.

The second part of the question was the question of the morality and dignity. The department has a youth development strategy addressing the issues of morality and dignity, and I want to be careful when I talk about morality, because it is such a relative concept, around youth and their development. We are also partners with other departments and civil society, specifically our

religious communities, our traditional communities, all of those communities. I think the hon Minister Plato said earlier in his interpellation that “the all of society and the whole of society” become involved in restoring the levels of morality and dignity that we have in our province. In this regard we will specifically look at the use of our MOD Centre Programmes which are run by the honourable Minister Mbombo, and we really want to look at how we can use it far more effectively in terms of the issues around dignity and morality.

The department also plans to increase its treatment services for youth in its residential child and youth care centres throughout the province over the medium term. I thank you.

Ms M N GILLION: Thank you, Madam Speaker. The hon MEC in his answer firstly said we look at where there is a need, so my question is, is there no need in those three areas?

The MINISTER OF SOCIAL DEVELOPMENT: I am sure the hon member Ms Gillion listened to my answer because I spoke specifically at the end about the screening services that are available in those three areas [Interjections.] ... and that where the need arises that we actually deal with it, but we will always provide the service where there is a need and I want to emphasise that [Interjection.]

Ms M N GILLION: Is there no need there?

The MINISTER OF SOCIAL DEVELOPMENT: I want to really make this point, because it comes up a lot. Every community wants their own rehabilitation centre and treatment centre and I always remember the story which I quickly want to just tell, about building a prison in Kimberley and then they found there are not enough prisoners - people who offend in Kimberley - so it was an empty prison standing in Kimberley because there was no need for a prison in Kimberley. So we do not follow the same rule. [Interjections.]

An HON MEMBER: Because they do not need it ...

The MINISTER OF SOCIAL DEVELOPMENT: Yes, that is it, but you learn from national, you know, you learn. You learn from the ANC [Interjections.]

An HON MEMBER: Yes, but they do not want to listen.

The SPEAKER: I see the hon member Mr Hinana.

An HON MEMBER: That is a good story.

Mr N E HINANA: Thanks Madam Speaker. Hon Minister, thanks for your answer, but as we are sitting here now, in the areas that I have identified [Interjection.]

Mr Q R DYANTYI: What is the question? What is the question?

Mr N E HINANA: ...the area is plagued by ... [Interjections.]

Mr Q R DYANTYI: What is the question?

Mr N E HINANA: ...the crimes perpetrated by the youth... [Interjections.]

Mnr Q R DYANTYI: Wat is die vraag?

Mr N E HINANA: They are being imprisoned. They come back, committing the same thing... [Interjections.]

The SPEAKER: Hon member Mr Dyantyi.

Mr N E HINANA: ...and the problem is that this is a vicious circle. How can it be broken up because it is affecting any development that is happening there? Now my question is, are there plans to break this vicious circle so that whoever is imprisoned, because prison cannot rehabilitate him adequately while in prison, but when he is outside [Interjection.]

An HON MEMBER: The question? [Interjections.]

Mr N E HINANA: ...is there a centre that can assist ... [Interjection.]

The SPEAKER: The question?

Mr N E HINANA: ... so that those new [Interjection.]

The SPEAKER: Hon member Mr Hinana, your question.

Mr N E HINANA: That is the question. [Interjections.]

Mr M G E WILEY: That is a very good question. [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: I think that is a very good question. [Laughter.] A very long question and I really want to thank the honourable ... [Interjection.]

An HON MEMBER: It is a robust question.

The SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: I want to thank the hon member Mr Hinana for that part, because that is precisely the point we are making... [Interjection.]

An HON MEMBER: It is an historical question.

The MINISTER OF SOCIAL DEVELOPMENT: ...that we have found, hon member Mr Hinana, that to open the Youth Café, for instance, is a

preventative. We do not want to wait until people become drug addicts before we want to open the treatment centre. So for instance the Youth Café we have opened in Vangate Mall that accesses Langa; it accesses Bonteheuwel, it accesses Heideveld, Bridgetown. It accesses Gugulethu, it accesses Nyanga ... [Interjections.]

Mr M N PAULSEN: And Thornton and Pinelands [Interjection.]

The MINISTER OF SOCIAL DEVELOPMENT: It accesses all of those places, and Thornton and Pinelands... [Laughter.] ...which the hon member Mr Paulsen is obsessed with. So the point I want to make, and I think we are making, is that we will continue with our youth strategy in the province from all levels, be it from agriculture, starting the vegetable gardens, sports and culture, the soccer teams and rugby teams and netball teams, all departments will play an active role, specifically through the MOD Centre Programme and through our Youth Cafés and Chrysalis.

Regarding those guys coming from prison, the Chrysalis Programme also gets people from prison to step into those programmes and we will work with Correctional Services in this regard to continue to serve and provide some kind of service to young people.

'n AGBARE LID: Mooi!

The SPEAKER: Hon member Mr Tyatyam.

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

The SPEAKER: Hon member Mr Paulsen, order please.

Mr S G TYATYAM: It is important to appreciate the intention of the programmes by the Minister, but what I also want to understand, he indicated in his response that he is also working with supporting traditional leaders in building up some of the programmes in community building, so I want to know in which areas is the Minister saying he is conducting programmes with Contralesa? Is the Minister saying that there are different programmes for instance in the areas that are mentioned here, is he saying that he is working with community leaders or traditional leaders in these areas as part of dealing with issues of crime in those areas?

The MINISTER OF SOCIAL DEVELOPMENT: I think I said very clearly that we will work with everyone and I think my emphasis was working with everyone, including traditional leaders; where traditional leaders exist in particular communities we will work with them and if it is Contralesa, we will work with Contralesa. But I think the point I want to make hon member Mr Tyatyam [pronounced Tjatja] [Interjections.]

Mr S G TYATYAM: Tyatyam. [Laughter.]

The SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: Hon member Mr Tyatyam, the point I want to make [Laughter.] [Interjections.] I want to emphasise the point of the whole of society. That is the point I want to emphasise, so the Church leader, the youth guy, the soccer player, the man who plays guitar and teaches people to play guitar, everyone, we work with all of them. Thanks. [Interjections.]

The SPEAKER: Thank you Minister Fritz. It is hon member Mr Tyatyam. Thank you. [Interjections.] I see the Minister Bredell, hon Minister Bredell.

Riverbeds: rehabilitation programme

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

Whether his department has a rehabilitation programme in place to clean the riverbeds of the rivers in the Western Cape and to keep them free from alien vegetation; if not, why not; if so, what are the relevant details?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Baie dankie mev die Speaker, en dankie vir die vraag. Die implementering van die Bergrivier se verbeteringsplan as deel van die implementering van die Wes-Kaapse volhoubare

waterbestuursplan sluit in die vestiging van 'n rehabilitasieprogram vir die Bergrivier opvangsgebied terwyl rivier rehabilitasie ook in die Breërivier ontvangsgebied onderneem is. Die rehabilitasieprogram volg op die verwydering van indringerplante deur die Werk-vir-Water Program van die Nasionale Departement van Omgewingsake en die Land Care Program van die Wes-Kaapse Departement van Landbou.

Al drie Staatsdepartemente werk saam om rehabilitasiepogings langs die riviere in die Wes-Kaap strategies te koördineer. Die rehabilitasie fokus op die toevoeging van inheemse spesies in gebiede waar indringerspesies verwyder is om die vestiging van biodiversiteit te bevorder asook om die ekologiese toestand van die rivier te verbeter. Die uitkoms van die rehabilitasieprogram is verbeterde waterkwaliteit asook die bevordering van ekologiese weerstand in die Berg- en Breërivier.

Verder help die toevoeging van die inheemse spesies met die vermindering van die moontlikheid van sekondêre oorname deur indringerspesies. In die Berg- en Breërivier is die totale oppervlakte van onderskeidelik ongeveer 6,45 hektaar en 8,7 hektaar in die eerste jaar geplant. Instandhouding van hierdie areas is onderneem en in sekere gevalle help die plaaseienaar met die besproeiing van die areas om die kanse op lewensvatbaarheid van die plantspesies te bevorder.

Huidige werk fokus op die versameling van plantmateriaal soos sade en steggies vir vestiging van Kluitjieskraal Kwekery in Wolseley. Die

plantmateriaal sal gebruik word om verdere rehabilitasie van die areas beplant gedurende hierdie jaar te verseker, en wanneer suksesvol gevestig om indringers in die toekoms te verhoed. Dankie.

Mnr R B LENTIT: Agbare mev die Speaker, ek wil vir die Minister vra, is daar 'n afsnydatum vir hierdie program en as dit so is, is die skedule op tyd en so aan? Sal dit nagekom word?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING: Mev die Speaker, ja, baie dankie aan die agb lid mnr Lentit. Dit is 'n geweldige belangrike program, die waterkwaliteit in ons riviere. 'n Paar jaar gelede was ons in 'n krisis in veral die Bergrivier. Met die plan wat ons toe na vore gekom het, het ons eintlik R500 miljoen nodig gehad om die rivier te rehabiliteer. Ons doen dit tans met omtrent R16 miljoen en dit is omdat ons saamwerk met mekaar; die munisipaliteite, ons, nasionaal, ons werk saam aan die oplossings. Ons het hierdie program nou uitgebrei na die Breërivier en ons moet dit dan ook as 'n volgende visie uitbrei na die Olifantsrivier en so sal ons aanhou. Ons is glad nie in 'n ideale situasie nie, so ek voorsien solank as wat die fondse beskikbaar is en wat ons hierdie verhouding kan volhou, ons hierdie program oor 'n aantal jare nog sal moet volhou om werklik ons kwaliteit van water in ons riviere te verbeter. Dankie.

The SPEAKER: Hon member Ms Beerwinkel.

Me C F BEERWINKEL: Minister, ek gaan in Afrikaans probeer. Ek wil weet in watter spesifieke dele van die loop van hierdie twee riviere doen u rehabilitasieprogramme, want dit sal bepaal watter gemeenskappe ook daarby baat en hoeveel werkskepping daarby gegenereer word waar die arm gebiede ook geraak word deur die vloei en skoonheid van daardie riviere?

Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING: Mev die Speaker, ek het nie presies die besonderhede oor waar die spanne tans werk nie. Ek kan dit vir die agb lid me Beerwinkel nagaan en dit vir haar laat indien. [Tussenwerpsels.]

The SPEAKER: I see the hon Minister Grant.

C F Projects Cape (Pty) Ltd, trading as Filcon Projects

8. Mr C M Dugmore asked the Minister of Transport and Public Works:

Whether the relevant procurement committee within his department investigated all persons listed as directors of CF Projects Cape (Pty) Ltd, trading as Filcon Projects, before awarding tenders for various construction projects in the province; if not, why not; if so, what were the findings?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank you Madam

Speaker, and thank you to the hon member Mr Dugmore for the question. The answer to the question is yes, the supply chain management unit of the department investigated all persons listed as directors of CF Projects Cape (Pty) Limited trading as Filcon Projects for the tenders issued by the Department of Transport and Public Works.

In response to the findings no director had any finding or conviction against him or her by a South African court of law at the time of concluding the contract and no director appeared on the National Treasury Register for tender defaulters or the list of restricted suppliers.

Mr C M DUGMORE: Madam Speaker, just as a follow-up question.

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: Thank you Madam Speaker, I would like to ask whether the fact that the director named Mr Saul Loggenberg has been banned by the British Insolvency Service to serve as a director on a British company, was brought to the attention of the procurement committee, or if their investigation in fact revealed that Mr Loggenberg, although not de-listed from a South African company or appearing on Treasury, was banned and is banned by the British Insolvency Service?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Madam Speaker, the sequence of dates is that the contract in question, tender number S179/12

was awarded to Filcon on the 13th of February 2013 for the construction of three schools in the West Coast district. Mr Loggenberg gave an undertaking to the Secretary for State Business Innovation and Skills in the UK which prevents him from acting as a company director from the 9th of August 2013 until 2024 for his conduct in Mocor Limited, so therefore at the time of the awarding of the tender there was no finding against Mr Loggenberg.

Mr C M DUGMORE: Was that of huge concern to the procurement officials that he was banned from the date that you have mentioned until at least for a period of eleven years? Did that not raise alarm bells? [Interjections.]

An HON MEMBER: It should, it should.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: My response to the hon member Mr Dugmore goes to the sequence of events. Once you have scrambled your eggs in the pan and they are baked there is absolutely no compulsion on our officials to reverse that process. [Interjections.]

The SPEAKER: Thank you.

Mr C M DUGMORE: So I would just then like to establish... [Interjection.]

The SPEAKER: Order!

Mr C M DUGMORE: ... the procurement committee then were obviously

aware that Mr Loggenberg had been banned by the British Insolvency Service at the time that they awarded the tender? That is my question. [Interjection.]

An HON MEMBER: They were [Inaudible.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: No, the answer is no. They were not aware, because the tender [Interjections.] The tender was awarded on the 13th of February. [Interjections.] ...and the date where he admitted to the Secretary for State Business was on the 9th of August 2013.

An HON MEMBER: So eight months later. [Interjections.]

The SPEAKER: Thank you. [Interjections.] I see the hon Minister Schäfer.

Learner admissions: placements 2014

9. Mr C M Dugmore asked the Minister of Education:

Whether her department has been able to find place for all learners seeking admission to schools for the 2014 year; if not, why not; if so, by what date were all admissions finalised?

The MINISTER OF EDUCATION: Thank you Madam Speaker, and thank you to the hon member Mr Dugmore. The Western Cape Education Department has placed all learners who approached the department for assistance...

[Interjections.]

The SPEAKER: Order!

The MINISTER OF EDUCATION: ...by the end of 2013 for 2014 as well as new arrivals who approached the department during the first and second terms of 2014. The process will never be completely finalised because a small percentage of the population continues to relocate within the province and from other provinces and countries.

Reasons for population movement include urbanisation, the search for better education, housing and employment opportunities. The department will continue to assist new arrivals as required.

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: Thank you very much Madam Speaker. I would like to ask MEC Schäfer whether she was aware that by March of this year over 1 200 learners from the South District were not placed in schools.

An HON MEMBER: It happens every year with the DA.

The MINISTER OF EDUCATION: I am aware that there were a number of learners who were not placed at one stage but as far as I am aware that was all dealt with by the unit at the relevant district and I am not aware of any

learner that is now not placed.

Mr C M DUGMORE: Do you think it is acceptable that learners are not placed after two months of the school term having begun?

The MINISTER OF EDUCATION: I am not aware when the learners arrived in the Western Cape so I cannot really answer that question in a vacuum. You would have to give me more specific details.

Mr C M DUGMORE: And then would the Minister [Interjections.]

An HON MEMBER: Yes, it is aliens.

Mr C M DUGMORE: ...if provided with the names of learners who despite having applied for admission in this academic year, are currently still not in school, would the Minister not only assist those learners to be registered but also investigate why this has happened in her own department?

The MINISTER OF EDUCATION: We will always assist any learner who is not in school, who is supposed to be in school, so please will you send me the names of people, if you are aware of them - they have not come to our department - and we will certainly assist. Ja, as I say we are not aware of any, so they may not have approached the department, but yes, we will.
[Interjections.]

The SPEAKER: I see the hon Minister Plato.

Safety Kiosks

10. Ms P Z Lekker asked the Minister of Community Safety:

(a) What are the key objectives for the establishment of the Safety Kiosk, (b) how many Safety Kiosks have been introduced to date, (c) in which areas and (d) what criteria were used to select the areas?

The MINISTER OF COMMUNITY SAFETY: Thank you very much, Madam Speaker, and also to the member for the question. It is often the communities most at risk who are deprived from easy access to safety services. The Safety Kiosks were developed to address this reality with the core objective to serve as a link between the police station, the private security providers, neighbourhood watches, CPFs and the broader community.

It is envisaged that with the deployment of the Safety Kiosks communities will benefit by being provided with an access point to policing and supplementary services, such as the certification of documents and statement taking being offered at some of the Safety Kiosks in partnership with the South African Police Services; also providing a communication link between communities and the police through either a radio or telephone link between the Safety Kiosk and the local police station even with a radio at times as well; providing a safety area for victims of most probably domestic violence,

whilst awaiting a response from SAPS or emergency medical response units. The trailers also offer a visible safety presence in communities in which they are stationed and the kiosk can roam in a specific community as well. So far 30 Safety Kiosks have been donated.

The Safety Kiosks were provided in the following areas: Mowbray, Khayelitsha, Green Point, Claremont, Caledon, Villiersdorp, Malmesbury, Knysna, Stellenbosch, Epping, Sea Point, Wynberg, Airport Industria, Maitland, Voortrekker CID, Athlone, Muizenberg, Blackheath, Parow, Woodstock, Cape Town Central and also Stikland.

Initially the security trailers were deployed within a formal partnership between the City Improvement District and the department and were also in partnership with municipalities as well and other partners such as the Violence Prevention through Urban Upgrade Programme, specifically in this case here in Harare, and it is linked to the deployment of the Youth Work Programme beneficiaries, in this case the Chrysalis Academy.

Taking into consideration the budget available the criteria for deployment has to date focused on the concept of a capable partnership with the Safety Kiosk being donated by the department to an organisation who has the ability to manage the kiosk and also the ability to deploy personnel and maintain the asset as well. Thank you.

The DEPUTY SPEAKER: Thank you. Follow-up question, hon member Ms

Lekker.

Ms P Z LEKKER: Thank you Mr Deputy Speaker, I just want to know, is there any specific reason why there is no Safety Kiosk in Nyanga, taking into account that Nyanga Police Station is servicing all the areas surrounding Nyanga and, secondly, taking into account that by now there is supposed to have been a police station that will be servicing the area of Philippi alone. Is there any specific reason why there is no Safety Kiosk in Nyanga? Thank you.

The DEPUTY SPEAKER: Hon Minister Plato to respond.

The MINISTER OF COMMUNITY SAFETY: The rolling out of the initial kiosk was a pilot to see if it is going to work and currently I can say we were very, very overwhelmed by the response from the public, and yes, Nyanga is part of the list with other areas as well. All gangster-violence stricken communities want a kiosk and we currently do have a number of kiosks ready with the manufacturers and in due course we will roll them out to many other areas. I will consult with and inform the members as well, operating in their specific area to accompany me to launch the kiosk in those specific areas. Thank you.

The DEPUTY SPEAKER: Thank you. No further follow-up? Is there another one? Hon member Ms Wenger.

Ms M M WENGER: Thank you. Can the Minister tell us whether these kiosks can be customised to the specific needs of the CIDs and, if so, what are the details?

The DEPUTY SPEAKER: Minister Plato.

The MINISTER OF COMMUNITY SAFETY: We are taking that into account as well. We manufacture the kiosk for a specific area looking at the needs of that specific area. Let me give you one specific example. Looking specifically at the Nyanga issue, as a classic example, the kiosk for Nyanga will be a little bit different from a kiosk say in Voortrekker Road. Where bullets are flying we need to look at that safety aspect as well so that is exactly what we are focusing on. [Interjections.]

The DEPUTY SPEAKER: Thank you. Hon member Ms Lekker, do you want to have another one? Please continue.

Ms P Z LEKKER: No, it is just a word of caution that I [Interjection.]

The DEPUTY SPEAKER: In the form of a question?

Ms P Z LEKKER: I will make sure that I monitor that process, because Nyanga is at the centre of my heart. [Laughter.]

The DEPUTY SPEAKER: Order! Honourable, Order! We will then continue

with the next question, question number 11.

Ms C F BEERWINKEL: Mr Deputy Speaker, a point of order.

The DEPUTY SPEAKER: Is there a point of order, I am listening.

Ms C F BEERWINKEL: May I? I know that it was not your ruling but earlier on the Speaker ruled against our Deputy Chief Whip who was addressing some of us on issues of order for today, that he was not supposed to move out, because there are visitors who are watching the dignity and the procedure of this House. Do you think that the visitors now appreciate the dignity of this House with half of the DA members out of the House and not in their seats? [Interjections.]

The DEPUTY SPEAKER: Hon member Ms Beerwinkel I am not going to respond to that. It is not a point of order. It is an observation.

Ms C F BEERWINKEL: Mr Deputy Speaker, I am not expecting you to. I just wanted to make the point. [Interjections.] [Laughter.]

The DEPUTY SPEAKER: Let us continue with the next question. Hon Minister Plato, please continue.

Khayelitsha Commission on Police Effectiveness

11. Ms P Z Lekker asked the Minister of Community Safety:

(a) How much has his department contributed to the Khayelitsha Commission on Police Effectiveness and (b) into which specific areas was the funding channelled?

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, thank you very much and also to the member for the question. The contributions to the Commission of Inquiry into allegations of Police Inefficiency in Khayelitsha and the breakdown in relations between the community and the police in Khayelitsha are as follows:

2012/2013 financial year the budget was R3 927 859; for the 2013/2014 financial year, R6 495 183; for the 2014/2015 financial year the budget was R2 855 833. Total spend: R13 278 875.

An HON MEMBER: That is your department.

The DEPUTY SPEAKER: Thank you.

The MINISTER OF COMMUNITY SAFETY: I think just a follow-up on that, the funding was channelled towards the following key activities: payment of legal costs incurred due to the challenge of the National Minister of Police

into the constitutionality of the Commission of Inquiry, which cost will now be partially recovered from SAPS as per the ruling of the High Court; payment of costs incurred by the Commission for payment of the services of the Commissioners, the evidence leaders and the secretariat and also payment of costs for logistical arrangements during the public hearings and then administrative costs in general. Thank you.

The DEPUTY SPEAKER: Thank you. There is a follow-up, hon member Ms Lekker.

Ms P Z LEKKER: Thank you, Mr Deputy Speaker. I just want to know which other departments did this money come from, besides Community Safety?

The MINISTER OF COMMUNITY SAFETY: We had to consult Treasury and some portion came from Treasury, some portion from the Department of Community Safety.

The DEPUTY SPEAKER: Thank you. We will then continue with the next question, is there a follow-up?

Ms P Z LEKKER: Yes Mr Deputy Speaker.

The DEPUTY SPEAKER: I will allow you.

Ms P Z LEKKER: I want to know when are we getting the report.

The DEPUTY SPEAKER: Hon Minister Plato.

The MINISTER OF COMMUNITY SAFETY: I think there is a date set. We were supposed to have received the report already. The Commission did ask for some extension. I think the next date set for the handover of the report is the 25th of this month. Thank you.

The DEPUTY SPEAKER: Thank you. We will then continue to question number 12. I am looking at the Chief Whip. Will that question stand over, Chief Whip?

Mr M G E WILEY: Yes Mr Deputy Speaker, the same applied, and I apologise for that. Thank you.

The DEPUTY SPEAKER: Thank you. Question 12 will stand over.

[Question number 12 by hon member Mr Magaxa to the Minister of Human Settlements to stand over.]

The DEPUTY SPEAKER: Question 13, hon member Ms Gillion to Minister Fritz. Minister Fritz.

Department of Social Development: regulation of substance abuse by staff

12. Ms M N Gillion asked the Minister of Social Development:

Whether his department has a protocol to regulate how staff deal with substances such as addictive drugs; if so, what (a) are the relevant details and (b) disciplinary or corrective steps are taken if anyone are found to have drugs on them or using such illegal substances?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, Mr Deputy Speaker. Any staff member in the province is dealt with in accordance with the normal disciplinary processes as prescribed by the Public Service Disciplinary Code. Staff can also be referred to the Provincial Employee Assistance Programme managed by the Department of the Premier and I think that will always be our first stop to try and get a wellness programme in place for the staff member who is affected. Thanks very much for the question.

The DEPUTY SPEAKER: Hon member Ms Gillion.

Ms M N GILLION: Hon MEC Fritz, in the light of the too many officials from this department who regularly have contact with drug users and illegal substances, what is this department doing to prevent another McNamara-style incident where a senior manager is compromised?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you hon member Ms Gillion. It is so interesting when we stand up in this House and generalise without giving me specific cases, and the one case you mentioned you cannot generalise about. Let me say to the hon member Ms Gillion that we do have debriefing sessions, that people who work in those spaces - if they are affected by stress - there are debriefing processes and programmes for those members, but please, do not get up and generalise, and I am asking it respectfully. I do not fight with anyone. Do not generalise about very serious issues please.

The DEPUTY SPEAKER: A follow-up question.

Ms M N GILLION: Hon MEC Fritz for me this is very serious. It is serious and I want to ask you, are you aware that there are numerous state officials in other departments who are also regularly arrested with banned substances in their possession, and the most recent sensational one is a doctor from George. I want to know whether there is a uniform policy in place to deal with these incidents?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you. I think you are now extending it to other departments, but let me answer you. Yes, as I have indicated we have a very comprehensive wellness programme that deals not only with any form of substance abuse but also other stress-related issues, because I think the issue of mental health - not only in our departments but in society and specifically youth mental health - is very important, but as you

asked me about other departments, yes, there are extensive programmes around specifically wellness of people and where people are found like in the case you mentioned about the chief director. Immediately the disciplinary process kicked in and honourable or dishonourable official resigned. I am aware that he resigned. We did not tell him to resign. He was not fired; he resigned. [Interjections.]

The DEPUTY SPEAKER: Is there a follow-up? [Interjections.]

Ms M N GILLION: Yes.

The DEPUTY SPEAKER: Hon member Ms Gillion your last one and then I will... [Interjection.]

Ms M N GILLION: This is my last one. MEC Fritz, are you confident that this government is doing enough to protect its employees and the State institutions from being tainted negatively by issues of the possession of contraband or banned substances?

The DEPUTY SPEAKER: Hon Minister Fritz.

The MINISTER OF SOCIAL DEVELOPMENT: Of course when we have to deal with one case, and there is one case like the one that you mentioned, we would really urge the member to provide us with the information where other members are found who are not in public, that the public do not know. But let

me just make the point, and I really thank you for taking the concerns of our staff very, very seriously because I think the wellness of our staff is a very important point; we regard in this government any person who is outside from the community coming to us as customers, not as minor people who are coming to beg for services; no, they have entitlement to services and we have... [Interjections.]

An HON MEMBER: Please tell them.

The MINISTER OF SOCIAL DEVELOPMENT: People who work for us must be well to be able to serve those customers, and so we will not compromise on the quality of services that we, our staff, must give to our customers, the people who vote us into power. Thank you.

The DEPUTY SPEAKER: Hon member Mr Mackenzie for the last one?

Mr R D MACKENZIE: Just based on that I just want to ask the MEC is he aware of any National Government Minister's wife being sentenced for dealing with drugs? [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER OF SOCIAL DEVELOPMENT: I am aware. I am aware of that and I think it is a good point, but I think we must not dilute the kind of issue ... [Interjections.]

An HON MEMBER: We are not saying that [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: ...but I think we must also be very careful to just watch the sphere, the [Inaudible.] Mr Deputy Chief Whip, I will not say the name, before we go on to the other side [Inaudible.]

The DEPUTY SPEAKER: Thank you Minister Plato. That brings us to the end of questions. We now proceed to questions to the Premier without notice. The first question is from the hon member Mr Magaxa. I see the hon member Mr Magaxa.

Questions to the Premier without notice:

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. Premier, what is your understanding of cadre deployment and [Interjection.]

An HON MEMBER: There is no deployment. [Interjections.]

The DEPUTY SPEAKER: Hon Premier.

The PREMIER: Well I am amazed that the hon member Mr Magaxa asked me that question because the ANC invented it and perfected it. I would like to refer the hon member to a copy of Umrabulo in about 1996, I would suggest, and there mister - he is not a doctor... [Interjections.]

An HON MEMBER: Listen.

The PREMIER: There mister, not doctor, Joel Netshitenzhe explains in great detail what cadre deployment is and he explains how the ANC undertakes cadre deployment, and what Mr Joel Netshitenzhe said there was the following.

He says that the ANC must deploy ANC loyalists to all the top positions in the State; the judiciary; the army; the courts; the police; the Electoral Commission; the Human Rights Commission. I am not quoting him verbatim, but that is the kind of example he gives, and he goes right through it in Umrabulo, so what he is basically saying is the ANC must capture the State. [Interjections.]

The ANC must seize the State and loyal ANC cadres must first be loyal to the ANC and do the ANC's bidding in the State before they look at the defence of the Constitution. That is my understanding from Umrabulo of what cadre deployment is and is meant to achieve. It is meant to achieve State capture for the ANC. [Interjections.]

An HON MEMBER: Not from the PAC. [Interjections.]

'n AGBARE LID: Dit is wraaksug.

The DEPUTY SPEAKER: Hon member Mr Magaxa, follow-up?

Mr K E MAGAXA: Thank you Premier. How do you then reconcile your understanding of these terms with the employment procedure you are following currently to employ a former Cope youth who is currently in the DA list to parliament?

An HON MEMBER: What?

Mr K E MAGAXA: Mr Malusi Booie and another former Cope member who came from Gauteng, both are coming from Gauteng actually ... [Interjection.]

An HON MEMBER: Cadre deployment.

Mr K E MAGAXA: ...and you fail to include in your list Mr Mbulelo Bara to your office to run public participation for the Western Cape Government?

An HON MEMBER: Jo!

Me S W DAVIDS: Wat sê jy?

The DEPUTY SPEAKER: Hon Premier. [Interjections.]

Me S W DAVIDS: Wat sê jy nou! [Tussenwerpsels.]

An HON MEMBER: Create jobs for pals. [Interjections.]

The PREMIER: You see there is a major problem, if you write the follow-up question before you have listened to the answer to the first question... [Interjections.] [Laughter.]

Me S W DAVIDS: Die is 'n laaste [Onhoorbaar.]

The PREMIER: ...because the hon member Mr Magaxa ... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

The PREMIER: The hon member Mr Magaxa clearly did not listen to or understand the answer to my question and he clearly has not read his own journal Umrabulo. [Interjections.]

An HON MEMBER: You must answer [Interjection.]

Ms S W DAVIDS: No [Inaudible.]

The PREMIER: Where they will understand what cadre deployment is. May I ask what institution of the State someone who does public participation captures?

The DEPUTY SPEAKER: Hon member Mr Magaxa, your last question.

Ms S W DAVIDS: Employing people [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Davids, I am trying to listen to the speaker next to you.

Mr K E MAGAXA: Mr Deputy Speaker, can I raise that I have not been answered. [Interjection.]

An HON MEMBER: You can only ask a question.

Me S W DAVIDS: Ja, yes.

Mr K E MAGAXA: Because the answer to my first question I asked I could predict. She is so predictable. I was asking her what was her understanding of cadre deployment, and she gave it according to the ANC Umrabulo and my [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Magaxa please.

Mr K E MAGAXA: And my follow-up question was, how does that negative information he knows about the Umrabulo, how does she relate that with what is happening... [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Magaxa, I am giving you time. I

wanted to hear you out; Mr Wiley, can I just get clarity.

Mr M G E WILEY: Certainly.

The DEPUTY SPEAKER: The Premier has already replied and she has the freedom to reply in the way she interprets your question, and she has replied. You have your last chance to ask a supplementary question and you can do that now, and then the Premier can respond to the last question.

The PREMIER: Can I just repeat my answer because clearly the hon member Mr Magaxa did not understand my answer, just like he did not understand what stands in Umrabulo.

The DEPUTY SPEAKER: Premier, I think he will ask his second question, then you can respond the last time. Ask your second question. [Interjections.]

Mr K E MAGAXA: Another question, despite the fact that I am not answered; Premier, are you funding these fellows that I have mentioned, Malusi Booi and Mbulelo Bara to live in an expensive apartment in the upmarket area and organising expensive parties with under-aged girls while they left their wives and children in Gauteng, or does the DA pay them to corrupt our poor children from our poor township... [Interjections.]

The SPEAKER: Order! [Interjections.] Hon member Mr Wiley, hon Chief Whip.

Mr M G E WILEY: Mr Deputy Speaker, we do not want to suppress free speech and questions, but for heaven's sake there needs to be just a mere whiff of sticking to the rules of parliament.

The DEPUTY SPEAKER: Yes, hon member Mr Magaxa, I have given you lots of latitude here. The question must relate to your original question or to the Premier's reply. You now went a little bit further, but if the Premier is prepared to respond to that I will hand the ball over to the Premier.
[Interjections.]

An HON MEMBER: [Inaudible.] by a senior member [Interjection.]

The DEPUTY SPEAKER: Order!

The PREMIER: The answer is that I am not funding anybody.

An HON MEMBER: Okay.

The PREMIER: But the bottom line here is that if the hon member understands what cadre deployment is... [Interjection.]

An HON MEMBER: Ja.

The PREMIER: The appointment of those two gentlemen on contract

positions to do public participation has got nothing to do with cadre deployment. [Interjections.] It is a complete non sequitur... [Interjection.] ...and they clearly do not understand what the concept entails. It entails state capture.

The DEPUTY SPEAKER: Premier just a second. Is that a point of order?

An HON MEMBER: Yes.

The DEPUTY SPEAKER: I will listen to you.

Mr K E MAGAXA: Those guys are currently on the list of... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Mr K E MAGAXA: They are in the DA's list to parliament.

The DEPUTY SPEAKER: Order! No-no, Order! Hon member Mr Magaxa, that is not a point of order. That is a debating point. You can take it up further if you are not satisfied with the response.

Mr M G E WILEY: This is your second [Inaudible.]

The DEPUTY SPEAKER: That disposes of the first question.

Mr M G E WILEY: There is too much going on [Interjections.]

The DEPUTY SPEAKER: The next question. Hon member Ms Botha, hon member Ms Lorraine Botha.

Ms L J BOTHA: Thank you, Mr Deputy Speaker. [Interjections.]

The DEPUTY SPEAKER: Order! [Interjections.] Order! Order! Order! Hon member Ms Davids, hon member Mr Magaxa, I have already given the floor to the hon member Ms Botha to respond, to ask a question.

Ms L J BOTHA: What progress has been made through cooperative governance to hold child maintenance defaulters accountable?

Ms S W DAVIDS: A point of order Mr Deputy Speaker, I am really upset now.

The DEPUTY SPEAKER: I am listening.

Ms S W DAVIDS: Otta Maree, who is the Premier of the Western Cape, must not say we are stupid, because she did not send us to school. We went to school. [Interjection.]

The DEPUTY SPEAKER: Order! I did not hear the Premier and if the Premier did say that, Premier that is unparliamentary if you referred to the specific

member. [Interjections.]

The PREMIER: I said it is stupid to ask a question like that. [Interjections.]

The DEPUTY SPEAKER: Okay that is fine. That is fine.

The PREMIER: But I will withdraw it anyway.

Ms S W DAVIDS: Thanks Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member Ms Botha, please [Interjections.]
Order! Order! Hon member Ms Botha, please ask your question again.
[Interjections.] Can we have silence please? [Interjections.] Order!

Ms L J BOTHA: What progress has been made through cooperative governance to hold child maintenance defaulters accountable?

The PREMIER: That is another very good news story of... [Interjections.]

An HON MEMBER: Sweetheart, a sweetheart [Interjections.]

The PREMIER: It is a wonderful good news story of cooperative governance because in fact in one of our cabinet meetings when we were talking about the crisis of default, maintenance defaulters in this province and the crisis that that puts children into, Minister Botha actually said why do we not get to

a point where we blacklist maintenance defaulters so they cannot get credit, so I said that is a fantastic idea. And about two days later I went to the Presidential Coordinating Council ... [Interjection.] ... and I raised the point there with the President and with the full cabinet, and then Minister Rob Davies and Deputy Minister Cronin came and discussed it with me afterwards. The hon member Geordin Hill-Lewis of the Democratic Alliance in the National Parliament went to see the Credit Regulator and within six weeks we had an amendment to the regulations and a pending amendment to the law that will indeed blacklist maintenance defaulters. [Interjection.] So we are making major progress, because maybe a few more men would not make as many babies who they do not want to look after if they have to maintain them [Interjections.] So thank you very much indeed. It was a wonderful example of cooperative governance and I must say the National Ministers really did help us and really did work with us, so that is a credit to them for taking up our idea.

The DEPUTY SPEAKER: Hon member Ms Botha, is there a follow-up?
[Interjections.]

Ms L J BOTHA: Yes Mr Deputy Speaker.

The DEPUTY SPEAKER: Please, order, order.

Ms L J BOTHA: I want to know from the Premier are these defaulters going to be named and shamed?

An HON MEMBER: So sweetheart, tell me now [Interjections.]

The PREMIER: Well you see, the big challenge now is the Maintenance Courts and we, our blue sashes, are going to be monitoring the Maintenance Courts. [Interjection.]

An HON MEMBER: Blue sash.

An HON MEMBER: Blue sash.

The PREMIER: We are going to have a Blue Sash Initiative in the Maintenance Courts and we are going to make sure that the watching briefs in the Maintenance Courts in fact report on the efficiency of the Maintenance Courts; indeed we hope that many more Magistrates will apply the precedent that has already been set in which Magistrates and Judges have made defaulting officials pay if they are not efficient in tracking down defaulting parents.

The DEPUTY SPEAKER: Thank you. Hon member Ms Botha, is there a second one? You are done. Then we are finished with this one. We continue to the third question, hon member Mr Kivedo.

An HON MEMBER: Wow!

Mr B D KIVEDO: Thank you, Mr Deputy Speaker. I would like to pose this question to hon Premier. Premier, what are the relevant details and the emphasis is on “relevant details”, pertaining to the recent evictions in Marikana Philippi? [Interjections.]

An HON MEMBER: Marikana?

Ms P Z LEKKER: Philippi.

The DEPUTY SPEAKER: Hon Premier.

An HON MEMBER: Marikana.

Mr B D KIVEDO: Thank you.

The PREMIER: Well, I understand that currently land invasions are happening in a very, very wide array of places, normally targeting private land... [Interjections.] ...and the private landowners are getting interdicts on their land and the invasions are happening on a very, very wide swathe. Now the invasions are clearly orchestrated. People arrive in trucks with building material and are clearly orchestrated for times and for places when the police are thinly stretched, but the relevant details are that while some people are desperate many people come from rental accommodation and they do not want to pay rent anymore, and so they want to move onto land. [Interjection.]

An HON MEMBER: Thank you. Hon member Mr Kivedo, is there a follow-up?

Mr B D KIVEDO: Thank you. Hon Premier, is there any evidence to suggest that the recent series of land invasions in this specific area are part of an orchestrated campaign to break the law and make the Western Cape ungovernable? [Interjections.]

The DEPUTY SPEAKER: Hon Premier.

Mr B D KIVEDO: Thank you.

The PREMIER: Well I have no doubt that the ungovernability campaign is continuing, that Ses'khona is at the forefront of it, that this organisation is planning to ... [Interjection.]

Mnr Q R DYANTYI: Dis 'n goeie vraag.

The PREMIER: ... challenge the Local Government elections autonomously when those elections come up. They are trying to make a name for themselves. They are causing deep divisions in the ANC and they are deliberately orchestrating the ungovernability campaign.

The DEPUTY SPEAKER: Thank you. Are you done hon member Mr Kivedo? We continue then, the last one, hon member Ms Davids. [Interjections.]

An HON MEMBER: Ask your question.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. Hon Premier, could you say why you and your government support the growing number of evictions of labourers who are thrown off farms in cold and rain? [Interjections.]

The DEPUTY SPEAKER: Hon Premier.

The PREMIER: We do not. [Interjections.]

An HON MEMBER: Oh! [Laughter.]

The DEPUTY SPEAKER: Is there a follow-up?

Ms S W DAVIDS: Okay, actions are different because actions speak louder than words. The follow-up is why did the Premier and her government not support the families who are now staying in the open road next to the main roads, like the Joostenberg family with small children from the Koo Valley near Montagu who did not even get a visit from the DA Ward Councillor, a food parcel, warm clothes or blankets during the past four weeks?

The PREMIER: Now that the hon member Ms Davids has drawn my attention to it I will look into it, and the worry that I have is that she has known about this for four weeks and not drawn my attention to it.

Mnr R B LENTIT: Dis 'n skande, skande!

The DEPUTY SPEAKER: Hon member Ms Davids, do you have
[Interjection.]

Ms S W DAVIDS: I will wait for my turn to become the Premier. You must do your work.

The DEPUTY SPEAKER: Order! Order!

Ms S W DAVIDS: Could the Premier please tell this House and the people of this province [Interjection.]

The DEPUTY SPEAKER: Order! Order! I could not hear what the hon member Ms Davids was saying. Hon Chief Whip?

Mr M G E WILEY: The remark that the hon member made in introducing her next question was [Interjection.]

The DEPUTY SPEAKER: I could not hear that. Was it unparliamentary? [Interjections.] I will check in Hansard. If it is unparliamentary, unless the hon member Ms Davids wants to assist me [Interjection.]

Ms S W DAVIDS: No thank you, Mr Deputy Speaker, he is just in love with

me. Just leave him. [Inaudible.] [Laughter.]

The DEPUTY SPEAKER: Order! Order! Order! Hon Chief Whip.

Mr M G E WILEY: I want to thank the hon member Ms Davids for giving an excellent example as to what I stood up about the first time and that is there is an address mechanism in this House and she does not know what it is.

'n AGBARE LID: Ja.

The DEPUTY SPEAKER: Thank you. I will look at the Hansard, unless the hon member Davids [Interjection.]

Ms S W DAVIDS: I am just going to ask my question [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Davids, before you carry on.

Ms S W DAVIDS: Could the Premier please... [Interjection.]

The DEPUTY SPEAKER: Order! Order! Order! I am saying, hon member Ms Davids, I will look at Hansard. If there was something wrong I will come back to the House, unless you want to assist me now and withdraw if you said something unparliamentary. I did not hear it properly.

An HON MEMBER: No [Interjection.]

Ms S W DAVIDS: I did not say anything... [Interjection.]

The DEPUTY SPEAKER: Was there nothing unparliamentary?

Ms S W DAVIDS: No.

The DEPUTY SPEAKER: Okay then you can continue; hon member Mr Wiley.

An HON MEMBER: Leave the [Inaudible.] [Interjection.]

Mr M G E WILEY: The hon member must phrase to say “the hon member is making love to me” or words to that effect, which is what she was trying to say. [Interjections.] [Laughter.]

The DEPUTY SPEAKER: Okay. Order! Order! I sense that they have kissed and made up there, so carry on please, hon member. [Interjections.]

An HON MEMBER: I think it is terrible this one.

The DEPUTY SPEAKER: Your last one.

Ms S W DAVIDS: Could the Premier please tell this House and the people of this province why her government is against poor farm dwellers and act so

heartless towards these labourers by not supporting them.

The PREMIER: We are not against farm labourers at all. We support them better than any other province and we do not ignore them when we know the problem.

An HON MEMBER: Hear, hear! [Interjections.]

The DEPUTY SPEAKER: Thank you. That disposes of questions to the Premier. We will now continue with statements. The first statement from the DA.

STATEMENTS BY MEMBERS

Ms A J DU TOIT MARAIS: Thank you, Mr Deputy Speaker. Tuesday, 12th of August, commemorated International Youth Day. The theme for International Youth Day 2014 was “Youth and Mental Health.”

Youth with mental health conditions can often experience stigma and discrimination, which in turn can lead to exclusion and/or discourage them and their families from seeking help for the fear of being negatively labelled.

In the Western Cape far too often we are confronted with violence inflicted on young individuals with mental health conditions. Often these acts of violence are due to the lack of awareness about these conditions from both

the perpetrators as well as the victims.

Today I encourage all present in the House to join hands in creating awareness amongst youths living with mental health conditions. The DA's vision is to create an open opportunity society for all so that people can live lives they value. This includes our vulnerable groups. We acknowledge and commend the brave young individuals who experience discrimination due to their perceived social differences.

In a bid to ensure that young people with mental health conditions lead full and healthy lives, free from isolation and unnecessary shame, we encourage them and their families to seek the services and support offered by the Western Cape Government especially through the Department of Social Development and Health. These departments do have excellent caring staff who do have the necessary skills to redress the stigma and discrimination they often bear the brunt of. I thank you.

'n AGBARE LID: Mooi, mooi!

The SPEAKER: Thank you. Hon member Ms Beerwinkel.

Ms C F BEERWINKEL: Thank you Madam Speaker. The lengths to which the DA will go to discredit and undermine constitutional and Chapter Nine institutions have no limit. [Interjections.] We saw how the Auditor-General was attacked and even the Public Protector was not spared when adverse

findings were going to be made like in the case of Midvaal and even the four findings of maladministration, which included improper deployment of DA cadres in the department of this Premier.

The latest unwarranted attack is launched against the Independent Electoral Commission of South Africa. It is done just over a year ahead of the local government election. Is this done for some ulterior motive or just to be obstinate?

By politicising the IEC and bringing its international lauded reputation under a cloud of suspicion is not in the best interest of our democracy or our nation. It is not just unfair, it is downright preposterous!

What is even more outrageous is the fact that this attack is led by none other than the DA's national leader herself. It is high time that this DA starts to act like a party in government and show the responsibility of a mature institution. The stooping to mudslinging and casting undue aspersions does not do anybody any favours.

South Africa needs to build cohesion and our nation; not backstabbing and dragging our Constitutional institutions through the mud.

'n AGBARE LID: Mooi! [Tussenwerpsels.]

The SPEAKER: Hon member Mr Hinana.

Mr N E HINANA: Thank you Madam Speaker. Each day media reports on increasing gang violence in the Western Cape. More often than not youth are both the perpetrators and victims of these crimes. More worrying is that the gang violence is happening on the school grounds.

Madam Speaker, the Western Cape Department of Education has deployed additional security measures at schools and proactive plans from the Department of Community Safety have been implemented. These interventions only will not fully redress the issue of gang violence at schools unless communities take ownership and responsibility for their own.

A study on the cause of juvenile crime found that delinquency could be attributed to bad parenting. Criminological literature typically represents bad parenting as ineffective, inept or dysfunctional parenting and is commonly depicted as a risk factor for unhealthy social development, and consequently such families become incubators of juvenile criminality. The majority of parents who are ineffective fail because they lack parental skills that are difficult to learn.

Over 2 000 years ago Socrates wrote:

“Children now love luxury. They have bad manners, contempt for authority, they show disrespect for elders and love chatter in place of exercise. Children no longer rise when elders enter the room. They

contradict their parents, chatter before company, gobble up dainties at the table, cross their legs and tyrannise their teachers.”

Sadly not much has changed. The reason for this include that of parental authority, improper conduct, disproportionate severity, undue indulgence, permitting absence from school, weakness, laxity of morals [Interjection.] [Time expired.]

The SPEAKER: Order! Your time is up hon member Mr Hinana.

'n AGBARE LID: Mooi.

The SPEAKER: Hon member Mr Paulsen.

Mr M N PAULSEN: One of Africa's foremost anti-colonial leaders, Amilcar Cabral said: “Hide nothing from the masses of our people. Tell no lies. Expose lies whenever they are told. Mask no difficulties, mistakes or failures. Claim no easy victories”. He said this 50 years ago, but it is relevant to us today especially to this government.

Two weeks ago we heard that according to Census over 90% of the population of this province has access to services. This statistic is misleading. For example, if we look at the situation in Dunoon, in one informal settlement there are 145 families making use of one toilet. Overall, on average, 33 families per toilet in Dunoon. They are here today. Access to

sanitation is the best indicator of equality in the province. 80 000 families do not have toilets in the Western Cape. It is not surprising that Cape Town has a diarrhoea season.

This is a government that celebrates mediocrity. The housing backlog is currently 500 000 and this government has set itself a target of 10 000 for the year. The irony is that this government is investing in construction training for the oil and gas industry. We need to train people to build homes as well. It all comes down to capacity. This government does not have the capacity to deliver services. But to be fair, they do have some capacity, the capacity to outsource.

This sentiment is echoed in the Auditor-General's report on the Western Cape government's use of consultants. I quote "Internal capacity constraints and high vacancy rates at the departments led to the use of consultants". It also states that "Strategic planning for the use of consultants was not always done. Needs assessments were not always performed before consultants were appointed. Robust supply chain management processes were not always followed."

Any good story you wish to tell is a celebration of this mediocrity. Thank you.

The SPEAKER: Thank you. Hon member Mr Mnqasela.

Mr M MNQASELA: The DA recognises the difficulties of municipal entities to meet their financial obligations timeously.

According to a recent question asked in Parliament, municipalities across South Africa owe Eskom R10.8 billion. The problem is mounting because municipalities fail to collect revenue from end users.

Late or non-payment seriously affects Eskom's ability to deliver services, maintain present infrastructure and finance the development of new power stations.

The DA applauds the Western Cape Municipalities who pay their bills timeously thereby making sure that the Province's lights are kept on.

When municipalities do not manage available funds efficiently and effectively, it results in the failure to appropriately and timeously process supply chain management.

The Auditor-General made a point of this. He indicated that the procurement rules are flawed and flouted and need serious attention. Proper and disciplined financial management is required to ensure that municipalities fulfil their financial obligations especially towards suppliers.

I need to make this point that if you fail to pay your suppliers on time those businesses close down. If you fail to provide electricity to your citizens, to

your residents and you fail to give electricity to suppliers, people lose jobs and children have no access to light, therefore they cannot study and they will not perform in school. This has happened in poor communities and it is happening mostly in the ANC areas where the ANC municipalities fail to deliver services [Interjections.] whereas when you look at the DA municipalities we give services ... [Interjections.]

The SPEAKER. Order. Order, hon ...

Mr M MNQASELA: ... to everyone on time. Thank you very much.

The SPEAKER: Hon member Mr Dyantyi.

Mr Q R DYANTYI: The DA has no shame when it comes to the deployment and redeployment of cadres. It also does not practise what it preaches. In the latest incident it is the errant Eden Mayor, Wessie van der Westhuizen, who was absolved by MEC Bredell for his serious transgressions that forced the DA controlled district municipality to remove him as a councillor.

It is the same Wessie who is implied as the caucus leader in Oudtshoorn who together with some MEC or MEC's plotted a takeover that the Western Cape High Court found to be illegal. He is said to also bear intimate knowledge of a plot to defraud the taxpayers of the Little Karoo with a vast sum to pay the private legal costs of another councillor.

Wessie breached the councillors' code of conduct. Various corruptive charges were brought against him and he was found guilty by a multiparty committee of irregular, fruitless and wasteful expenditure as well as that he attended a DA function, but the municipality paid the cost.

Now, Wessie is not only forgiven and cleared but rewarded for his wrongdoings and appointed to the Wesgro Board.

It sounds much the same like Cape Town councillor Pieter van Dalen who, with a team that practiced target shooting with rubber bullets on black children, was later promoted to the National Assembly. Shame on the DA.

The SPEAKER: The DA, the hon member Mr Max.

Mr L H MAX: Madam Speaker, it has become increasingly clear that SANRAL has ulterior motives with their intended tolling project in the Western Cape. Firstly, they recently applied that the court case be held in camera. Secondly, they stated that they will not erect e-tolling gantries, like they did in Gauteng, but rather conventional toll plazas.

The people of the Western Cape are more intelligent than what SANRAL thinks they are.

It is clear that SANRAL is determined to go ahead with tolling in the province. In whatever form, people will know that they will have to fork out

more cash each month to use the roads.

It is for this reason that the DA led provincial government supports the City of Cape Town's action to oppose the tolling plans by SANRAL.

Tolling will cause an extra financial burden on the poor and low income residents of the province. It will also affect businesses as they will have to budget for extra expenses of getting to market. These increased costs of doing business will drive up prices, affecting consumers, often the poorest.

Tolling will further include a large increase in commuting costs. This will strain access to job opportunities and social amenities and which, we believe, once again will reinforce apartheid-era spatial inequalities.

Did the ANC not learn from Gauteng? The opposition to tolling has translated in loss of support for them. As long as the ANC led national government supports tolling, they will have no chance of electoral gains in the Western Cape.

We therefore call on the people of the Western Cape to show their opposition to these toll plazas at the polling stations in the local elections in 2016, just as they did yesterday. I thank you. [Applause.]

The SPEAKER: The hon member Mr Christians.

Mr F C CHRISTIANS: The future of a nation, in fact of any nation, lies in how well we are able to safeguard our future generation. It is sad that the other day, and we see it happening over and over, schools were burgled and electricity cables were taken. Sadly, in Gugulethu last week on Friday, 8 August, Gugulethu Primary was robbed of 35 computers valued at approximately R60 000. This directly impacted on three subjects namely English, Maths and IT. It was also further reported that it negatively affected the lessons and assessments of the learners. The question is what will be left to defend our future generation? Harsh measures must be taken.

Over weekends, and especially school holidays, schools are continuously being vandalised and it seems that the culprits or perpetrators cannot be apprehended.

We know that communities have a role to play but the ACDP calls on the Minister, her counterparts and her department to take drastic measures to deal with this enormous problem. Children are our future. I want to close; our late former president, Nelson Mandela, said he realised the importance of building our youth by empowering them and giving them the necessary tools to advance. I thank you.

The SPEAKER: Hon member Mr Dugmore.

Mr C M DUGMORE: The despicable act of sabotage against Metrorail on 30 July 2014 has been described as the worst such act for at least 20 years by

the Metrorail Regional Manager, Mr Richard Walker. During this attack, 11 stations had to be closed, 16 track boxes were destroyed, cables were cut at 20 different spots, 48 signals were affected and 82 trains were stranded. Tens of thousands of commuters were left stranded as the provision of trains was affected for a period of 5 days.

It is clear that this attack was no ordinary act of vandalism or theft. In fact those responsible did not steal any property according to information provided by SAPS and Metrorail.

Safe, reliable and affordable public transport is vital to the life of our city and province. It is thus critical that those responsible are arrested, tried and prosecuted.

The granting of an interdict to Metrorail against 90 former security guards is to be welcomed. In dealing with this act of sabotage it is important that all spheres of government and relevant State agencies work together with Metrorail.

It is of great concern that four days after the attack on 30 July, Premier Helen Zille saw fit to play party politics and make unsubstantiated and false allegations regarding those responsible.

In an article dated 3 August 2014, the Premier said:

“It has all the hallmarks of the ‘ungovernability’ campaign ...

The PREMIER: It has all the hallmarks!

Mr C M DUGMORE: ... that has been waged against the provincial and municipal government for three years. We anticipate such attacks to escalate in the run-up to the 2016 municipal elections”.

The PREMIER: Yes!

Mr C M DUGMORE: Claiming that those responsible wanted to increase ...
[Interjections.]

The SPEAKER: Order.

Mr C M DUGMORE: ... unemployment in the Western Cape. Premier Zille further claimed:

“An act like this puts each of these businesses in jeopardy and could cost many people their jobs. This is, no doubt, what the saboteurs want. Cape Town has the lowest unemployment rate in South Africa and they clearly want to reverse this trend”.

The PREMIER: Yes!

Mr C M DUGMORE: These opportunistic and false claims were in fact contradicted by evidence provided to the Standing Committee of this House which met on Tuesday 5 August. The Premier's claims were not supported by [Interjection.] provincial Minister, Donald Grant.

When the first citizen of the province chooses the route ... [Interjections.]

The SPEAKER: Order.

Mr C M DUGMORE ... of knowingly making false claims to score political points ...

The PREMIER: I said all the hallmarks.

Mr C M DUGMORE: ... we are in deep trouble as a province. We expect the Premier to be guided by a search for the truth.

The SPEAKER: Thank you, hon member Mr Dugmore.

The PREMIER: All the hallmarks.

The SPEAKER: The DA, hon member Mr Lentit.

Mr R B LENTIT: The DA welcomes the implementation of the Department of Environmental Affairs' healthy river systems projects.

Healthy river systems will contribute to the Western Cape's economy through creation of permanent jobs, especially in agriculture and such as agri-tourism through the vast improvement in the quantity and quality of water.

The Western Cape is a winter rainfall region and catchment dams are vital to ensure that the province has sufficient water supply to sustain plant, animal and human life during the long and dry summer period.

The Berg River is one of the most important natural resources in the Western Cape, specifically the Cape Town Metro. It is a major source contributing towards water supply and food production.

The Berg River Improvement Project will see the removal of 1 500 hectares of alien plants that will save enough water to irrigate many hectares of food crops thereby securing food production in the Western Cape.

The biggest challenges affecting the quality of the Berg River are waste water, storm water and solid waste. The groundbreaking solutions that will be implemented here, will revolutionise waste water treatment facilities in the Western Cape. This will have a positive impact on the province's sustainable economic growth and improve the health of all the people affected by the Berg River.

In conclusion, we need to ensure that every one of us who lives in the

catchment areas of our rivers are proactively engaged in the efforts to rehabilitate our rivers. I thank you.

The SPEAKER: Thank you hon member Mr Lentit. That concludes members' statements. We will now deal with notices of motion. Are there any motions where notice is given?

MOTIONS WITH NOTICE

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

That the House debates the inhuman and undignified treatment of vulnerable people by this uncaring DA in the Western Cape Government.
[Interjections.]

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken.

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

That the House debates the success that we saw in these recent by-elections by the Democratic Alliance. [Interjections.] We need to debate this. [Interjections.]

[Notice of motion as moved by Member.]

The SPEAKER: Order. [Interjections.] Order.

The DEPUTY SPEAKER: Notice taken.

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

That the House debates the ongoing gang and drug related killings and the effect it has on our children in the metro.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. Hon member Ms Wenger.

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

That the House debates the serious under-resourcing of the South African Police Service in the Western Cape.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. Any other motions where notice is given? No.

That concludes that section. [Interjections.]

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

That the House discusses the lies spread by the deceitful DA government that it is running a good government. [Laughter.]

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken.

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

That the House discusses land redistribution and the plight of landless people in the Western Cape, whose land was taken from them.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. Hon member Mr Kivedo.

MOTIONS WITHOUT NOTICE

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

That the House congratulates Mr Kristoff Mark Isaacs a science and mathematics educator at the rural Chatsworth Primary School near Malmesbury for being awarded a bursary to pursue specialist studies in

maths and science at the University of Utrecht in the Netherlands. He is one of only four bursary recipients from the Western Cape and the only one in the employ of the Western Cape Education Department.

[Motion as moved by member.]

AGB LEDE: Mooi! [Applause.]

The SPEAKER: Congratulations. Agreed to. Members, we are busy with motions without notice. Are there any additional? Hon member Ms Schäfer?

Ms B A SCHÄFER: Madam Speaker, I move without notice:

That the House congratulates the Democratic Alliance on winning 17 out of the 19 by-elections yesterday. In particular, Helen Carstens from Ward 5 for achieving an unprecedented 99.65% win. [Interjections.]

[Motion as moved by Member.]

The SPEAKER: Are there any objections? Agreed to. Hon member Mr Olivier.

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

That the House condemns the torching of the Garden Route Primary

School and municipal offices by service delivery protestors of the Kwanonqaba township in the Southern Cape.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections? Agreed to. Hon member Mr Wiley.

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

That the House notes with sadness the passing of Mr Nic Isaacs, who was known as a respected member of his community and a fiery debater in this House. He served two terms as Deputy Speaker, from February 1998 to June 1999 and again from March 2001 to 2004 and our sympathies go to his family.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections? Agreed to. Hon member Ms Gillion.

Ms M N GILLION: Madam Speaker, I move without notice:

That the House notes the ongoing impact of gangsterism and drugs on the youth of our province and the ineffective strategies of this provincial

government to provide alternatives to young people.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? There is an objection. The objection will be printed on the Order Paper. I see the hon member Mr Mnqasela.

†UMnu M MNQASELA: †Ndiyabulela Somlomo, malibongwe. *Thank you, Speaker, let it be praised. I move without notice:

That the House deplores the unscrupulous rumours spread regarding the wellbeing of a well-known and loved businessman, Mr Mzoli Ngcawuzela yesterday, people announcing him as dead whilst eating pap and vleis. That the House is grateful that he remains in good health.
[Interjections.]

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections? Agreed to. Hon member Ms Williams I see you.

Ms S W DAVIDS: Davids.

The SPEAKER: Davids. Sorry.

Ms S W DAVIDS: Madam Speaker, I move without notice:

That the House commends the Minister of Land Affairs, Gugile Nkwinti, for his intervention to finalise and pay out within three months the restitution claims of the Rooikamp and Lulle Street areas of Witzenberg which have been waiting for eighteen years.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. I see the hon member Ms Wenger.

Ms M M WENGER: Madam Speaker, I move without notice:

That the House congratulates 8-year-old Leolin Petersen, from New Horizons Plettenberg Bay, for her outstanding achievement of winning 4 gold medals on 9 August at the Eden Gymnastics Trials in Mossel Bay.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. Hon member Ms Botha.

Ms L J BOTHA: Madam Speaker, I move without notice:

That the House expresses its deepest sympathy to the family and friends of Chelsea Goso, the ten-year-old girl who was continuously raped and found murdered in Gugulethu this week.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. Hon member Ms Schäfer.

Ms B A SCHÄFER: Madam Speaker, I move without notice:

That the House congratulates KWV's 12 year Barrel Select Brandy which was named Worldwide Best Brandy at the International Wind and Spirit Competition awards ceremony in London, England.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Mr Christians.

Mr F C CHRISTIANS: Madam Speaker, I move without notice:

That the House congratulates Cornel Fredericks that after winning gold in Glasgow, he did it again in Morocco by winning gold in the 400 metre

hurdles in the African Athletics meeting.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Mr Joseph.

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

That the House notes the violent protest action in the Kwanonqaba community in Mossel Bay prior to the by-election that took place yesterday. The illegal use of electricity whilst the rest of the community must pay is unacceptable. The burning down of the library and municipal office in Mossel Bay cannot be tolerated. However, the House must thank the police for bringing order to the area, ensuring that the by-election could take place.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Mr Olivier.

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

That the House congratulates the poorly resourced Manzomthombo Senior Secondary School in Mfuleni's under fifteen netball team for winning the National Top School Championship tournament in Gauteng and returning with gold medals after being victorious in the finals.

[Motion as moved by Member.]

An HON MEMBER: Hear-hear!

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Ms Lekker.

Ms P Z LEKKER: Madam Speaker, I move without notice:

That the House issues a statement to condemn in strong terms the ongoing killings of police officers and innocent people in the drug and gang vendettas in the Western Cape.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Mr MacKenzie.

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

Dat die Huis die tradisionele leierskap en verteenwoordigers van alle stamme en inheemse leiers hier teenwoordig verwelkom.

[Tussenwerpsels.]

[Voorstel soos deur Lid voorgestel.]

HON MEMBERS: The Speaker!

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The House is assisting each other in terms of enriching motions. Thank you. The hon member Mr Mnqasela.

Mr M MNQASELA: †Somlomo. *Madam Speaker, I move without notice:

That the House congratulates the Municipality of Malmesbury for receiving the Consulting Engineers of South Africa (CESA) Award for the design and building of the best sewerage works in the country. The Malmesbury Sewerage Work project won the category for projects costing between R50 million and R250 million. It was completed in 2013 and the total cost was R144 million. The plant can treat up to 10 million litres of sewerage per day and adheres to the prescribed requirements of the Department of Water and Sanitation. The recycled water is used for irrigation in the agricultural sector and various sports fields in Malmesbury.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Ms Dijana.

Ms T M DIJANA: Madam Speaker, I move without notice:

That the House investigates the time allocation for the committee that deals with the Department of Environmental Affairs and Development Planning with a view to extend it in order to deal more thoroughly with complex issues.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. I recognise the hon member Mr Magaxa.

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

That the House notes the Human Settlements Department has once again reduced its house building target.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? There is an objection. It will be printed on the Order Paper. The hon member Mr Fransman.

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

That the House condemns the alienation and the leasing of land and properties by the Swartland Municipality to the benefit of those who were previously advantaged under apartheid and to the detriment of those who were disadvantaged by apartheid.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? There is an objection. It will be printed on the Order Paper. The hon member Ms Lekker.

Ms P Z LEKKER: Madam Speaker, I move without notice:

That the House welcomes the steps taken by the SIU to investigate allegations of corruption and institute legal steps to recover taxpayers' money from those who have abused procurement processes.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Ms Beerwinkel.

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Ms C F BEERWINKEL: Madam Speaker, I move without notice:

That the House notes that the real owners of the Cape and Cango Caves signed for the ownership thereof on the walls of those and other caves around the province because there was no other way to entrench their right to ownership of land.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. [Interjections.] Order please members, order. The hon member Mr Magaxa.

Mr K E MAGAXA: Thank you, Speaker:

That the House sympathises with the Thabo Mbeki people – including women and children – who are still kept for more than two months in a Lower Crossroad Community Hall and with no plan to resolve the crisis of flooding that severely affects them on an annual basis due to the failure of the DA-led City of Cape Town.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? Hon member Mr Wiley.

Mr M G E WILEY: Madam Speaker, we object to the fact that that motion is done without notice.

The SPEAKER: The motion will be printed on the Order Paper. Thank you. Hon member Mr Olivier.

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

That the House congratulates Cravenby Secondary High pupils for their promotion to the semi-finals of the Cape Argus Food Lover's Market High Schools quiz.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. The hon member Mr MacKenzie.

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

That the House commends the Department of Cultural Affairs and Sport for opening the new sport court at Nobantu Primary School in Gugulethu.

The new facility caters to soccer, netball, basketball, tennis and volleyball enthusiasts and will undoubtedly be a base for future sport achievers and in Gugulethu and its surroundings.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. Any further motions? That concludes ...

Mr R D MACKENZIE: No, No, Madam Speaker ...

The SPEAKER: Oh, you are still busy.

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

That the House welcomes the announcement by SAFA that Bafana Bafana will play in Cape Town on 10 September and urge Capetonians to come out in their droves and fill up Cape Town Stadium.

[Motion as moved by Member.]

An HON MEMBER: Hear-hear!

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. Thank you, hon member Mr MacKenzie.

I see you.

Mnr R D MACKENZIE: Mev die Speaker, ek stel sonder kennisgewing voor:

Dat die Huis die die Springbokke die beste toewens met die opening van die Rugby Kampioenskap teen Argentinië, Saterdag op Loftus Versveld.

[Voorstel soos deur Lid voorgestel.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. I see you.

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

That the House wishes the Sedibeng netball team from the Vaal a speedy recovery after they were involved in a taxi accident en-route to the Senior Netball Championship in Cape Town.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to.

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

That the House expresses our deepest sympathy to the netball player involved in the taxi accident en-route to the Senior Netball Championship in Cape Town who is now consequently left paralysed and I just express the sympathy of this House.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Agreed to. Hon member Mr Dyantyi, do you have a motion? Can I safely say that concludes motions? Thank you.

The next item on the Order Paper is the draft resolution in the name of M L Fransman. However, before we proceed with the debate on the draft resolution as printed on the Order Paper in the name of the Leader of the Opposition, allow me to address members on the different types of motions the Standing Rules allow.

Rule 144 allows members to either propose a subject for discussion or a draft resolution. A subject for discussion is just that. It is a proposed topic which is debated and no decision is made thereon by the House.

A draft resolution, however, has its object that the House takes a decision on

the matter. The House can, in fact, agree to a different version of the original draft resolution, by way of an amendment, if it so wishes which is not possible with a subject for discussion. In other words the wording of a motion will in most cases dictate whether it will be dealt with as a subject for discussion or as a draft resolution.

I recognise the hon member Mr Fransman. Hon member Mr Tyatyam?

Mr S G TYAYAM: Madam Speaker, I just want to know from you; today you are saying we are dealing with a draft resolution. The item which the Leader of the Opposition is supposed to deal with was raised as part of a motion so where was it changed so we can understand the process?

The SPEAKER: If I may explain to the hon members; the Leader of Opposition gave notice of a motion and the wording of that motion requires a decision of the House. The House cannot take a decision on a subject for discussion. The motion therefore has to be in the form of a draft resolution for the House to adequately deal with it. That is basically what the rule says. I trust that is clear to all the members in the House.

I recognise the hon member Mr Fransman.

DRAFT RESOLUTION

1. Mr M L Fransman: That the House notes the non-recognition and undermining of the Khoi-Khoi and San communities as well as other traditional leaders by this DA Western Cape Government.

Mr M L FRANSMAN: Madam Speaker, we approach this motion of the undermining of the Khoi and San communities by the DA provincial government just days after the world celebrated the International Day of Indigenous Peoples coinciding with our National Women's Day on 9 August 2014. We also do so as we begin our preparations for celebrating National Heritage Day on 24 September 2014 that seeks to celebrate our diversity as a nation. Hiermee wil ek darem die leierskap van Contralesa Tradisionele Leierskap bedank wat hier is, so ook die leierskap van die Khoi- en Sangemeenskappe en ons wil vir u sê, baie welkom. Dit is 'n Huis wat die debattering moet doen rondom kwessies wat na aan u is.

Therefore I move that this House in fact discusses and calls on the Premier and the provincial government to declare concrete steps for taking all measures possible for the recognition, restoration and restitution of the rights of the indigenous people:

1. That they take concrete measures to ensure the preservation of national heritage sites specifically of relevance to the traditional and historic lifestyles, culture and language of the Khoisan;
2. Ensure proper funding regimes because as we have reflected, it is clear that the provincial government, unlike other provinces, is not funding the Khoi and San communities and it does not see it as a necessity and therefore there is no funding for these particular institutions.
3. The development of Oude Molen as a national and international heritage site in partnership with the original owners who were forced out from this particular site. Here I want to indicate that it is in fact amazingly clear that what the provincial government has decided to do is to alienate Oude Molen. Now what is the site? Oude Molen is the site where the first war of resistance took place. In fact it is where the genocide of the Khoi and the San community originated. That genocide was committed by those colonial masters whose descendents we today see also engaging in a new genocide within the Western Cape, and that is why we are saying we will have to make sure that we put our sword in the sand on this particular issue.
4. The full recognition of the Robberg burial site of paramount Chief Le Fleur I as a heritage site; the problem here is you have a Bitou municipality and in that particular municipality there is a place called Kranshoek. Many engagements took place between the Griqua

community as well as the provincial government in the form of MEC Meyer and others but they bluntly refused to give priority to this particular request that the Robberg burial site of paramount Chief Le Fleur be made a heritage site. That particular burial site is currently on the land of a white farmer and they caused them many difficulties at the end of the year in terms of accessing that site.

5. The development of a museum of Adam Kok I. It is no coincidence that we meet here today in this Chamber at the foot of Table Mountain on ground that the Khoisan people regarded as home. After more than 300 years of suffering, humiliation and alienation the South African Constitution addressed the question of self determination for traditional communities and leadership in Sections 211 and 212. We have come a long way. We have put in place legislation, the National House of Traditional Leaders Act 2009 and the Traditional Leadership and Governance Act of 2003.

What is indeed a shame is the fact that in September 2011 when there was the opening of a discussion to ensure that we introduce a Bill in National Parliament for the inclusion of the Khoisan community, that at that point we started to see the Democratic Alliance withdrawing on this particular matter. We have seen another withdrawal – meaning they in fact did not continue – and no submissions from those municipalities that it mattered and there was a denial.

We have seen a further point in the process at the ANC's National General Conference at Mangaung where we introduced the re-opening of the land claims prior to 1913 when the DA was flip-flopping around the matter. [Interjections.]

The SPEAKER: Order.

Mr M L FRANSMAN: In fact one of the national members of Parliament was axed after that because he supported ...

The PREMIER: Oh nonsense!

Mr M L FRANSMAN: ... he supported the re-opening of the pre-1913 land claim legislation. [Interjections.] The reason why we introduced that particular re-opening is in particular to make sure that the heritage sites as well as the Khoisan can be included because the land they have lost, in fact, is land that was stolen from them. [Interjections.]

The SPEAKER: Order!

Mr M L FRANSMAN: This House should further adopt a motion that recognises that places such as Oude Molen are heritage sites and here in this House today they must say what the plans are for Oude Molen, because we

know what the plans for Oude Molen are. They have completely created a new genocide along that particular Liesbeek River area.

We therefore are saying that the site is of national and international importance because the Battle of Gorinhaiqua ... [Interjections.]

The SPEAKER: Order! Hon member Mr Wiley, excuse me. Before we proceed may I ask the gallery if you could please maintain silence in order for the debate to continue because we cannot proceed if there are interjections and heckling. So, if you do not mind try and observe the protocol which requires that you be silent and observe the proceedings. Hon Member Mr Wiley, are you standing on a point of order?

Mr M G E WILEY: Madam Speaker, I would like to know whether the hon member Mr Fransman is referring to any members of this House when he loosely uses the word 'genocide'?

The SPEAKER: Hon member Mr Fransman?

Mr M L FRANSMAN: Madam Speaker, I am saying that a modern-day genocide is taking place in the context whereby there is a denial from the provincial government in the inclusion of the Khoi and the San on the redevelopment of Oude Molen. Now the first Battle ...

The SPEAKER: On a point of order, have you addressed the question?

Mr M L FRANSMAN: I do not need to address that question, Madam Speaker.

Mr M G E WILEY: I think the hon Speaker does need to. There is no such thing as a modern-day genocide. Genocide is genocide ... [Interjections.]

The SPEAKER: Order!

Mr M G E WILEY: Now, either the hon member Mr Fransman answers the question directly ... [Interjections.]

The SPEAKER: Order!

Mr M G E WILEY: Is he accusing any member of this House of committing genocide? [Interjections.]

The SPEAKER: Order, please members. Order. Hon member Mr Fransman?

Mr M L FRANSMAN: Madam Speaker, the Chief Whip of the DA is wasting my time in terms of the input ... [Interjections.] The Battle ...

The MINISTER OF FINANCE: On a point of order. This hon member is accusing the provincial government of modern-day genocide. Could you make a ruling in this regard and ask him to withdraw and apologise?

The SPEAKER: Hon member Mr Magaxa, is it another point of order?

Mr K E MAGAXA: Yes, Madam Speaker. I also want to get your response on this one because in the last sitting a similar ...

An HON MEMBER: What is your point of order?

The SPEAKER: Your point of order hon member Mr Magaxa?

Mr K E MAGAXA: Madam Speaker, I am saying in the sitting last week a similar utterance was made that we are killers ...

An HON MEMBER: Yes.

HON MEMBERS: As the ANC.

Mr K E MAGAXA: ... and I personally called a point of order in relation to that. It was said – they did not say ‘I’ killed.

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

The SPEAKER: Thank you. On the point of order, hon member Mr Fransman, the question was: are you saying any member in this House is guilty of genocide? I think that is what you need to answer.

Mr M L FRANSMAN: Madam Speaker, I never addressed it to any individual member of this particular House. [Interjections.]

The SPEAKER: Hon members, can we have order? You may proceed hon member Mr Fransman.

Mr M L FRANSMAN: I hope they did not steal my time now. The Battle of Gorinhaiqua of 1 March 1510 took place there, the first war of resistance and the first Khoi-Dutch war of 1659-1660 started on that site. Does Premier Zille actually know what it does to the very spine and the very essence of our people? Does she understand that she and the provincial government and those who were previously advantaged by apartheid are beneficiaries of that particular genocide that has taken place there?

The SPEAKER: Order, hon member Mr Fransman. Thank you.

The PREMIER: The hon member knows I know more about genocide than he will ever know.

The SPEAKER: Order. The hon member Mr Kivedo. [Interjections.] Hon members, can I urge you to practice restraint please. I am asking every single member in the House. Thank you. Hon member Mr Kivedo.

Mr B D KIVEDO: Madam Speaker, I hope I will get my chance. Hon Speaker, hon Premier, hon members of the House and distinguished guests:

The topic as posed by hon member Mr Fransman seems to be a deliberate attempt to draw the DA into a polemical political debate for the ANC's convenience.

An HON MEMBER: Ow!

Mr B D KIVEDO: The argument raised by hon member Mr Fransman is misleading and is intent on spreading seeds of division and discontent. It totally goes, hon member Mr Fransman, against the grain of nation building in this country. [Interjections.] In fact, hon member Mr Fransman had the opportunity for five years as a leader of the ANC, as a Member of Parliament, as a Deputy Minister, to put this issue fair and square on the national agenda.

An HON MEMBER: Hear-hear!

Mr B D KIVEDO: The issue ... [Interjections.]

The SPEAKER: Order.

Mr B D KIVEDO: I am responding to all the issues. My issue is my issue. Just listen carefully. Get your ears cleared out and listen.

The SPEAKER: Order.

Mr B D KIVEDO: The issue of traditional leaders in South Africa in terms of their status, role and political acumen has not actually changed for the better since Professor Tomlinson designed the homelands in 1956 – that was way before your time - with the subsequent appointment of paramount chiefs during the Verwoerd era.

An HON MEMBER: Who is Verwoerd?

Mr B D KIVEDO: Ja, I will give you a lesson in that history. You can come after the session. The ideological motive was clear; keep the Africans misinformed, depoliticised, rural bound, subjected, obedient and inferior and create traditional and conservative native reserves. [Interjections.]

That was then ...

An HON MEMBER: And it still is.

Mr B D KIVEDO: ... and now is now. [Interjections.]

The SPEAKER: Order.

Mr B D KIVEDO: The post democracy period did not alter this pattern. The more things change, the more things remain the same and believe you me it is the gospel truth. At both CODESA I and II, the status quo of traditional leaders was never on the agenda. Even the Constitution is vague about their role and status. They were supposed to be non-political and negated from local government affairs.

Mr K E MAGAXA: They are non-political.

Mr B D KIVEDO: The only attributes they could bring to the party were their African identities and histories, the same notion of the Verwoerdian model of African Reserves ...

An HON MEMBER: Yoh!

Mr B D KIVEDO: ... that rendered all traditional leaders with zero power.

An HON MEMBER: ANC.

Mr B D KIVEDO: Madam Speaker, President Zuma is using his chiefs to muster support for himself thereby keeping him in power. They serve as a buffer between President Zuma and the rising black middle class who can see right through his deceptions and promises. [Interjections.]

The SPEAKER: Order.

Mr B D KIVEDO: The EFF ... Julle ook. [Laughter.] The EFF and their rhetoric of nationalisation and land grabs and the angry worker unions AMCU and NUMSA etc. are all roped into this whole thing.

These rural Africans become the ANC's voting fodder. In this way President Zuma creates a highly undemocratic, selective, skewed and patriarchal system which opens the door for mismanagement, corruption and nepotism.

An HON MEMBER: Whoa!

Mr B D KIVEDO: The Khoi and San have been ignored and disregarded not by the DA but by the ANC government from day one. [Interjections.] What has happened over the past 20 years? Zero. What has COGTA done to further the aims of the Khoi and San? Zero. What has President Zuma done after September 2001 as guest speaker at the Khoi Consultative Assembly – the so called NAU – in Oudtshoorn? Zero minus. Ironically, at this event President Zuma proclaimed and exclaimed and I quote him ... [Interjections.]

The SPEAKER: Order.

Mr B D KIVEDO: "You are the first nation of this country and I will see to it that your rights and claims will be restored". What was the end result? Zero minus again.

Mnr R B LENTIT: Skande!

Mr B D KIVEDO: Even the Khoi and San delegations to the United Nations have been an exercise in futility. [Interjections.] I am proud of my Khoi descent tracing back to 1737 in Genadendal. My forebear was Solomon Kubido. K.U.B.I.D.O. [Interjections.]

The SPEAKER: Order.

Mr B D KIVEDO: Our family tree has been compiled and the Khoi blood and genes run deep in my veins. [Interjections.] It is not the DA in the Western Cape that disregards the rights of traditional leaders but rather the ANC. It is supposed to be a national project of nation building in which the ANC has failed miserably. [Interjections.] So, Verwoerd designed apartheid, but the ANC perfected it. [Interjections.]

The SPEAKER: Order, hon member!

Mr B D KIVEDO: Ek verbaas my vir die agb lid mnr Fransman se skielike liefkosing van die Khoi. Tot selfs die kwesbaarheid van oud SAKK soldate word deur die ANC uitbebuut ... [Tussenwerpsel.]

The SPEAKER: Order. Hon member Mr Kivedo ...

Mr B D KIVEDO: Die ANC en Patriotic Alliance ... [Interjections.]

The SPEAKER: Order.

Mr B D KIVEDO: ... het gekompeteer vir die stem van die SAKK.
[Tussenwerpsels.]

The SPEAKER: Your time has expired hon member Mr Kivedo.
[Interjections.]

An HON MEMBER: Sit down! Your time is over.

The SPEAKER: Your time has expired.

Mr B D KIVEDO: Can I carry on? Set you right. [Interjections.]

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

An HON MEMBER: Order! [Interjections.]

The SPEAKER: Your time has expired. No, no. Your time has expired.

Mr B D KIVEDO: I am not finished.

The SPEAKER: Order!

Mr B D KIVEDO: I am not finished.

The SPEAKER: You have got to sit. You have got to sit. Order members!
Order! The hon member Mr Fransman.

Mr M L FRANSMAN: Can we ask the Chief Whip of the governing party that they actually should have a caucus with the hon member Mr Kivedo on this matter.

The SPEAKER: Is that a point of order?

Mr B D KIVEDO: A caucus. What is that hon member Mr Fransman?

The SPEAKER: Excuse me. Hon member Mr Kivedo, if I can just deal with this. Hon member Mr Fransman, that was not a point of order. That was a statement you made. Will you withdraw your statement please.

Mr M L FRANSMAN: Indeed so.

The SPEAKER: I now see the hon member Ms Beerwinkel. Hon member Mr Kivedo, thank you.

Ms C F BEERWINKEL: Madam Speaker ... [Interjections.]

The SPEAKER: Order please people, let us settle down and afford the speakers an opportunity to speak.

Me C F BEERWINKEL: Ja, mev die Speaker. Gee vir my die geleentheid om 'n bietjie waardigheid na hierde Huis terug te bring. [Interjections.].
Children ...

The SPEAKER: Sorry, did I hear you say 'children' hon member Ms Beerwinkel?

Ms C F BEERWINKEL: Yes, it is part of what I am wanting to say Madam Speaker.

The SPEAKER: Oh. Okay – part of your piece.

Ms C F BEERWINKEL: Madam Speaker, I rise to acknowledge our esteemed guests from the indigenous community here today but I would first like to dedicate something to them. It is a poem that was written by Scott Balson, being an Australian, who criss-crossed the length and breadth of this country writing up the history of these people and it goes like this:

Children of the Mist I hear your footsteps in the sand
Across each corner of this wide and empty land.
I see your sorrow, I feel your plight
Of generations past now put to flight.

The curling mist, the gentle touch of rain on your face
could never remove your history from this place.

For Children of the Mist I see your footsteps in the sand
The broken promises were not what your people planned
And now your bones lie scattered across this barren land.
Lost in time, space, spirit, home and generation
But now the mist is clearing and the lost tribe of South Africa
embraces its roots in the new Rainbow nation.

Yes, Children of the Mist, I feel your footsteps in the sand
Hold your head up high come beside me and make a stand.
The dust has settled and your offspring will enjoy the celebration
For the blood that flows through your veins is our foundation
And look with pride as the sun now shines through
Embracing you into a new world where hope reigns anew.

I finish.

The national ANC government has for years realised that indigenous people, their culture and tradition and their right to land has not been given enough recognition in law and hence we thank our President who acknowledged that in an address to the National House of Traditional Leaders and in his other speeches and recently in the SONA; for ensuring that The Restitution of Land Rights Amendment Bill was signed into law. He has previously also acknowledged that the Khoisan were the most brutalised and that their

language and culture were undermined and committed that the National Traditional Bill had at its heart the purpose of correcting the past.

We also acknowledge the immeasurable support role that Minister Gugile Nkwinti, the Department for Traditional Affairs as well as Contralesa has played in bringing these issues to finality. The indigenous people of this province who have such a rich history have very few places where this is recognised, included in programmes, attached to budgets of municipalities or even advertised. Because of time constraints I will briefly refer to it and add to some of the input already made by our leader. I am going to change the order of my speech a little bit.

I am going to start with Ratelgat in Vanrhynsdorp or Knersvlakte. Die naam sê alles. It is on this farm that the prophet Andrew Abraham Stockenström II is buried. It is also a declared heritage site. It is here where the Griqua Annual Ratelgat Day celebrations take place and from across the country this community gathers to celebrate and honour the sacrifices made in the fight for the rights of the Griqua people.

MEC Meyer, in his term, when he unveiled that plaque, should have taken the whole DA caucus with him to experience the starkness of the Knersvlakte, sodat die gemaksugtige DA lede die omstandighede waaronder die mense hulle bestaan moes voer eerstehands kon hoor en ervaar. Miskien sou hulle vandag 'n ander benadering gehad het oor grondregte vir almal soos in die Vryheidsmanifes vervat.

But also to respectfully recognise the rights of the Khoisan people, the first people ... [Interjection.]

The SPEAKER: Order.

Ms C F BEERWINKEL: Me?

The SPEAKER: No, not you, hon member Ms Beerwinkel.

Ms C F BEERWINKEL: I also want to move to Kranshoek where there is a Griqua church but more importantly a monument to their great leader, Abraham le Fleur also known as “Die Kneg” as well as the grave of Adam Kok III’s daughter, Rachel Susanna who married Le Fleur. Unfortunately, a map of this area will leave you shocked especially as it is in one of the richest areas, the municipality of Bitou, where ironically MEC Winde hails from.

To add to our leader’s input on Oude Molen; since 1652 when the first land invasion started, the Khoi pastoralists used the land for cattle grazing but they too were pushed further back and eventually out of their own land to make place for wheat farms, later a mill, a psychiatric institution and today an eco-village which was ironically submitted as part of the World Design Capital 2014, but without the input of the original inhabitants and what they wanted.

MEC Grant, as the MEC for Public Works, I hope you correct those things and do the right thing.

An HON MEMBER: He won't.

Mr M G E WILEY: He will.

Ms C F BEERWINKEL: In Clanwilliam, the Living Landscape Project, a declared heritage site is to promote culture and heritage of the Khoi and the San people of the Western Cape.

The SPEAKER: Hon member Ms Beerwinkel, finish ...

Ms C F BEERWINKEL: I am on my last sentence. But also to create jobs in crafts and tours with accommodation. Children of the Mist in our gallery today ...

The SPEAKER: Hon member Ms Beerwinkel.

Ms C F BEERWINKEL: Do not lose heart. This caring ANC government ...

The SPEAKER: Order, hon member Ms Beerwinkel.

Ms C F BEERWINKEL: ... is right behind you in your quest for your rights to ownership of your stolen land. I thank you.

The SPEAKER: Thank you. I now see the hon member Mr Paulsen.

Mr M N PAULSEN: The Economic Freedom Fighters draw inspiration from the glorious resistance which started with the Khoi and the San people rising against colonial domination, marked by the arrival of the settler colonialists in 1652, lead by the first land thief, Jan van Riebeeck.

Over 350 years later the Khoi and the San communities are not only disregarded and undermined but deemed invisible, voiceless and without identity. Recently, the beneficiaries of colonial land theft, through the Democratic Alliance, have been busy with the infamous 'divide and rule' tactic, claiming blacks stole the land of the Khoi and the San. If the Khoi and the San are not black what are they?

One distinct characteristic in African culture is the similarity in our languages. You can listen to isiXhosa, isiZulu, Sesotho, Swahili, Lingala and Khoi and San and one would notice the shared genealogy ... [Interjection.]

The SPEAKER: Order.

Mr M N PAULSEN: The Khoi and the San have been classified as other races and isolated from the broader black family and the rest of society for

centuries and 20 years into so-called freedom this is still the case. The DA has not been alone in this, however. We have 11 official languages and a ruling party that prides itself on cultural diversity and equality of all who live in South Africa.

When do our people get legitimate recognition, tangible justice †sonke singama amakwerekwere *we are all foreigners in South Africa †by virtue of being landless... [Interjections.] ...but the San and the Khoi have carried the heaviest and thorniest yoke and still do under supposed “black rule”. When does this end?

On traditional leaders also not being recognised and undermined; traditional leaders have always been used by the regime to help maintain natives and eventually the sophisticated concentration camps we today call “rural areas” where black people are allowed to suffer peacefully. At one point like any object or commodity, which is how white supremacy views the black body, you outlive your usefulness, kicked back to the pits where all blacks are sandwiched and replaced with a better black figure. We are, therefore, not surprised traditional leaders are disregarded in this institution. If anything we commend the DA for being honest about their disregard for blacks in this one aspect. They now have the Anti-black National Congress to do all that needs to be done for them.

The SPEAKER: Hon member Mr Paulsen, complete your sentence please.
[Interjections.]

Mr M N PAULSEN: Let us not be tricked into this theatrical illusion of “I hate you, I hate you too” masquerade between the parties, which they always display [Interjection.]

The SPEAKER: Hon member Ms Schäfer, are you standing on a point of order?

Ms B A SCHÄFER: Madam Speaker, I really object to firstly the honourable member Mr Paulsen making an accusation “blacks living in concentration camps.” I think that is completely unacceptable.

An HON MEMBER: Yes.

Ms B A SCHÄFER: There are no concentration camps in the Western Cape. [Interjection.]

An HON MEMBER: Townships are concentration camps [Interjection.]

The SPEAKER: Hon member Mr Paulsen.

An HON MEMBER: That is your opinion.

Mr M N PAULSEN: It was not meant in that context Madam Speaker. [Interjections.]

Mr K E MAGAXA: You must live with your own opinion. [Interjections.]

The SPEAKER: Thank you. You may proceed. I now recognise Minister Mbombo.

'n AGBARE LID: Hoor, hoor!

The PREMIER: Hear, hear!

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Hon Madam Speaker, the hon Premier, the distinguished guests in the gallery. I acknowledge the presence of various traditional groups; the Khoikhoi and the San: Tsës Gauyob; and the Griquas, my hoofmanne, kapteins en stamhoofde and †abantwana bomthonyama ndiyacamagusha xa ndisenjenje *the people of the black nation, I greet you all.

Die PREMIER: Mooi. [Tussenwerpsels.]

The MINISTER OF CULTURAL AFFAIRS AND SPORT: South Africa is a diverse country with a rich heritage. We have a progressive Constitution that allows us to do more than paying lip service to recognise and promote heritage. Ours is a constitution that creates an obligation on the state and on the judiciary to safeguard our traditional groups and allow for them to carve out their space in society.

The Western Cape Provincial Constitution states clearly that provincial legislation must make provision for the establishment and reasonable funding within the province's reasonable resources of a cultural council or councils for a community or communities in the Western Cape, sharing a common cultural and language heritage. We respect, promote and protect individual and group cultures including those of the traditional leadership, for example the policy that we have in the Department on the Registration of Cultural Councils in the recognition of these cultural communities.

This government has recognised 24 cultural councils and 16 of those are from the Khoikhoi and the San communities. During the 2012/2013 and 2013/2014 financial years 14 of the Khoikhoi and the San Cultural Councils benefited. Two of the Xhosa Councils, Basuto and the Zulu Councils benefited financially. In all the three public communities we have, which is the Western Cape Cultural Committee, the Western Cape Language Committee, the Western Cape Heritage Committee, we have different groupings, for example we have the representation from the Khoikhoi and the San communities and other traditional leaders. Two sites were declared already as provincial heritage sites for example for the Khoikhoi and the San cultural group the Ratelgat and the Saron Mission Station.

The introductory training programme to basic Nama, which is the one in which I was greeting the Khoikhoi and the San, remains one of our flagship-projects to preserve the Khoikhoi language. So far we have 600 people who

have benefited from this structured course and we are aiming to expand it throughout the Western Cape so that we preserve this Khoikhoi language.

Thousands of course booklets and CDs for this programme were printed and distributed across the Western Cape and the manual is available and currently the funds have been allocated. The research project that will focus more on the Griqua descendants and the lowest rate of initiation death in the province is accredited to the good relationship and collaboration we have with traditional leaders and where our Chairs are here now in the House. [Interjections.] For example the Chairs of initiation schools are members of the cultural communities [Interjections.]

'n AGBARE LID: Alles. [Tussenwerpsels.]

The DEPUTY SPEAKER: Order!

The MINISTER OF CULTURAL AFFAIRS AND SPORT: ...for example amaXesibe in Khayelitsha. We have ongoing dialogue with the provincial traditional leadership representatives where all traditional and cultural groups are represented and this is between the three departments within the province.

For the benefit of our distinguished guests it is high time that we bust some myths. The Leader of the Opposition Mr Fransman must read a report by the national Commission on Traditional Leadership Disputes and Claims of 2012,

when the commission met 26 and interviewed 26 senior traditional leaders in the Western Cape that were commissioned by the Premier; and number two, the debate that the hon Leader of the Opposition is raising should have been tabled in National Parliament.

The PREMIER: That is right.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: The Opposition must answer to the Khoikhoi and San communities why the Traditional Affairs Bill has not been tabled in National Parliament. [Interjections.]

The PREMIER: Yes, yes.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: This is the piece of legislation that will allow for the legal status of these communities. They left out the Khoikhoi and the San out of the National House of Traditional Leaders Act 2009.

An HON MEMBER: That is right.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: And the Traditional Leadership and Governance Framework Act of 2003. Even when they had the opportunity to correct this infringement of identity of the Khoikhoi and San community in the amendment of these laws in 2010, the ANC government added five kingships to the existing six kingships. Unfortunately the

Khoikhoi and San were left out again.

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

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Hon Mr Deputy Speaker [Interjections.]

The SPEAKER: Order!

The MINISTER OF CULTURAL AFFAIRS AND SPORT: One wonders now why the poorly drafted Traditional Affairs Bill, which was meant to give recognition to the Khoikhoi and the San, was introduced in November 2013. Was it a ploy to get the Khoikhoi and San votes during the 2014 elections?

'n AGBARE LID: Ja.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Elections are over and where is the Bill? [Interjections.] It has vanished in thin air. [Laughter.]

An HON MEMBER: Ja.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: But probably ... [Interjection.]

Mr M G E WILEY: They are quiet now, they are quiet.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: ... it will be resuscitated [Interjections.] It will be resuscitated [Interjection.]

The SPEAKER: Order! Order!

An HON MEMBER: It is there, not yet.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Probably it will be resuscitated in November 2015 for the 2016 Local Government Elections. [Interjections.]

AGBARE LEDE: Ja.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: The Western Cape Government is just like Gauteng, also Gauteng [Inaudible.] It cannot without the requisite legislation establish a House of Traditional Leaders.

The PREMIER: That is right.

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Passing this legislation is a national competence falling squarely on National government. [Interjections.] It is therefore extremely surprising that we are here... [Interjections.]

The SPEAKER: Order!

The MINISTER OF CULTURAL AFFAIRS AND SPORT: ...that we are here defending the Western Cape Government's delivery or looking after our traditional and cultural groups, when the real issues emanate from the national government's inability to act with speed on this Bill, and we here in the Western Cape pride ourselves on the magic of our diversity and we will do everything to commit, to keep the spirit of the different cultures and traditions alive in this, our province. †Amade ngawetyala. *That is all. †Gan Gan.

An HON MEMBER: Yes. [Applause.]

The SPEAKER: Thank you. [Interjections.] I see the hon member Mr Dyantyi. [Interjections.] Order members, please. [Interjections.] Order! Will you allow the speaker the opportunity? Order, please. Hon member Mr Dyantyi. [Interjections.]

Mr Q R DYANTYI: Thank you hon Madam Speaker. I just want to speak in this debate about three things. This is a very emotional debate to get involved in.

The PREMIER: Of course it is. Where is the Bill?

An HON MEMBER: Where is the Bill?

Mr Q R DYANTYI: Three things, I want to talk about roughly the journey that we have travelled in this country.

The PREMIER: Where is the Bill?

Mr Q R DYANTYI: Secondly I want to ... [Interjections.]

An HON MEMBER: Where is the Bill? Belabour the Bill.

Mr Q R DYANTYI: Secondly I want to talk about... [Interjections.]

The SPEAKER: Order hon members!

Mr Q R DYANTYI: ...the purpose of democracy that we have had in 20 years and thirdly I want to share a few lessons going forward.

The PREMIER: We will teach you how to draft a Bill.

Mr Q R DYANTYI: Today's debate should remind us all about the journey we have travelled in this country. We have created a melting point in South Africa where diversity is embraced.

The PREMIER: "Melting point", the ANC is in meltdown.

Mr Q R DYANTYI: We come from the past of colonialisation...[Interjection.]

The SPEAKER: Order Premier.

Mr Q R DYANTYI: ...brutal dispossession [Interjections.]

An HON MEMBER: Thank you Madam Speaker.

Mr Q R DYANTYI: ...institutionalised discrimination, prejudice, the denial of people's identity even to the point of being not recognised that you exist.

An HON MEMBER: That is what the ANC is doing now. [Interjection.]

An HON MEMBER: Do not lie! Do not lie! [Interjections.]

Mr Q R DYANTYI: And be denied of having our own representatives.

An HON MEMBER: It is not about the order [Interjections.] You must tell the truth. [Interjections.]

An HON MEMBER: You are out of order member.

Mr Q R DYANTYI: Yes we know that instead of recognising and co-existing with fellow human beings we had rulers in this country who insulted us by making us carry Dompas. They insulted us by creating homelands instead of

genuine representation, including your tri-cameral parliament. [Interjection.]

That is the past that we come from. [Interjections.]

An HON MEMBER: Why do you blame the Khoi and San?

The PREMIER: Why are you blaming the Khoi and San?

Mr Q R DYANTYI: It is important that you are reminded of that.

An HON MEMBER: Nobody is blaming the Khoi and San, listen, listen.

Mr Q R DYANTYI: Today we should not be speaking about issues of non-recognition 20 years into democracy. [Interjections.]

An HON MEMBER: Shame on the ANC [Interjection.]

Mr Q R DYANTYI: The DA rulers remind us today of being the mirror of the past. [Interjections.]

The SPEAKER: Order hon members!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: No man, he must look in the mirror.

An HON MEMBER: A lovely [Interjections.]

Mr Q R DYANTYI: They are using the same methods and the same system.

An HON MEMBER: Viva ANC. [Interjections.]

Mr Q R DYANTYI: Our struggle was a just struggle and we triumphed over that struggle because our enemy was not a person. [Interjections.]

An HON MEMBER: That is the question.

Mr Q R DYANTYI: Our enemy was not people. Our enemy was not even whites. The enemy that we fought against, that we triumphed over was the system that even used whites, good whites against people in this country, so whoever carries that system we will fight that to the end, even after apartheid is gone wherever we see that system. [Interjections.] It is the system that we see in the DA rulers today. [Interjections.]

Me S W DAVIDS: Heita! Amen!

An HON MEMBER: Where is the Bill?

Mr Q R DYANTYI: Let me share with you a very important [Interjections.] Wag 'n bietjie, ek kom daar. Let me share with you a very important lesson of democracy. A respected judge, Judge Albie Sachs had the following to say which I think is important for you to hear.

“I am not sure that everyone realises what it means to live in an open and free society. Perhaps the greatest achievement of an open society is taken for granted, character.”

He goes on to say:

“There is a difference between an empty society and an open society. The first might be full of goods and refer to herself as a winning nation yet be void of human concern. That is your empty society. That is the society that this government is projecting. The second might have been relatively few material but the rich is rich in expressive human interaction.” - Judge Albie Sachs

I want to make the point that the pursuance of an open society, if you are genuine about it, has the hallmarks of recognising indigenous people. All other provinces have an Advisory Committee that is advising the Minister and the President. The only province that does not have that, does not participate [Interjections.] Do you know which one that is?

An HON MEMBER: The DA.

Mr Q R DYANTYI: There is only one province that is not part of that so do not talk about the Bill here, not even participating in the Advisory Committee. Do not even talk about the Bill because you are not going to be

getting... [Interjections.]

An HON MEMBER: They do not accept them. [Interjections.]

An HON MEMBER: We wrote the Bill. [Interjections.]

Mr Q R DYANTYI: All what we are hearing from hon member Mr Kivedo is “we the DA will not do it.” [Interjections.]

An HON MEMBER: We implement, we do not [Inaudible.]

Mr Q R DYANTYI: “...because somebody else did not do it.” That is the message that you are sending to us. The ANC is not doing this as an election ploy. If it was an election ploy you would not be sitting there, Minister Mbombo. [Interjections.]

An HON MEMBER: Exactly. [Interjections.]

Mr Q R DYANTYI: Because it freed all of us, including yourself.

An HON MEMBER: Exactly.

Mr Q R DYANTYI: It would not be [Interjections.] South Africa’s celebrated Constitution embraces inclusivity and diversity. You sometimes think about the Constitution in a very empty manner on that side of the House. The DA

pays lip service to this Constitution whether it is the Western Cape or the country's constitution, when it is convenient to you.

An HON MEMBER: Your President does not answer our reports
[Interjections.]

Mr Q R DYANTYI: In the past we know that we were the government that was creating †oonomgogwana *fabricated Homelands. That is the same thing that this MEC is telling us today that they must participate in a side commission. [Interjections.]

An HON MEMBER: Exactly!

Mr Q R DYANTYI: They must even chair this commission.

Ms S W DAVIDS: And they challenge the old people.

Mr Q R DYANTYI: They did that in the past.

Me S W DAVIDS: Ja.

Mr Q R DYANTYI: They did it.

Ms S W DAVIDS: Yes.

Mr Q R DYANTYI: But it never took them anywhere. They created the homelands, Transkei and everything.

An HON MEMBER: Yes.

Mr Q R DYANTYI: You are doing the very same thing that is why I am saying you are the mirror of the past. [Interjections.]

An HON MEMBER: This is what the ANC [Interjections.]

Mr Q R DYANTYI: You are doing the same thing. [Interjections.] You cannot stand up as if it is something big that you are doing. They did it before. [Interjections.]

An HON MEMBER: Where is the Bill? [Interjections.]

Mr Q R DYANTYI: That is what we are witnessing in the Western Cape. Let me share with you what our icon has said which is relevant to this debate, Nelson Mandela, and he says:

“The key to the protection of any minority is to put core civil political and human rights beyond the reach of temporary majorities.”

The DEPUTY SPEAKER: Order! Just finish off. [Interjections.] Order!

Mr Q R DYANTYI: Because yours just as Mandela understands
[Interjections.]

The DEPUTY SPEAKER: Finish off, just finish off. Your time has expired
but just finish off.

An HON MEMBER: Thank you.

Mr Q R DYANTYI: Yours, just as Mandela understood, is a temporary
majority. You can at the end of this session vote on this matter but it would
be a temporary majority. It is artificial, whatever you will do.

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

Mr Q R DYANTYI: It is a pity I could not finish mine. [Time expired.]

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

An HON MEMBER: Well done.

An HON MEMBER: Yes, yes.

Mr F C CHRISTIANS: Mr Deputy Speaker, this sensational draft resolution
by the hon Leader of the Opposition Mr Fransman to attract cheap political

points at the expense of other people is unacceptable [Interjections.] After reading who is fooling who? [Interjections.]

The DEPUTY SPEAKER: Order!

Mr F C CHRISTIANS: After reading the desktop study that was undertaken to provide the information on the Khoi and the San communities in the Western Cape and reading the report of the Commission on Traditional Leaders Disputes and Claims in the Western Cape I came to the following conclusion. Just read. Immense work was done by this government... [Interjections.] ...concerning the Khoi and San and other traditional leaders. [Interjections.]

In fact the Premier initiated this study and a Ministerial task team was [Interjections.] ... tasked to deal with this matter. Maybe to bring the ANC up to speed why does the Leader of the Opposition, seeing that he was the former Minister, not get his former colleague [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order! There is too much noise from the ANC's side, please give the hon member Mr Christians a fair chance.

Mr F C CHRISTIANS: Why do the ANC not employ the former Minister of Arts and Culture [Interjections.]

An HON MEMBER: That is the DA. [Laughter.]

Mr F C CHRISTIANS: Dr Pallo Jordan, if you can find him, if you can locate him. [Interjections.] Why do you not employ him to bring you up to speed with what is happening with Cultural Affairs? [Interjections.] Sometimes the Leader and his green team must grow up and not cry. [Interjections.]

An HON MEMBER: You must not judge [Inaudible.]

Mr F C CHRISTIANS: The desktop study specifically spoke about how do we assist and assess the implications and possible implementation of the National Traditional Bill of 2011. [Interjections.]

An HON MEMBER: (indistinct) the DA. [Interjections.]

Mr F C CHRISTIANS: The study made valuable recommendations and the ANC may after employing you know Dr Who to assist you ...

The DEPUTY SPEAKER: Hon member Mr Christians your time has expired. Just finish off. [Interjections.] Order!

Mr F C CHRISTIANS: [Time expired.]

The DEPUTY SPEAKER: Order! The hon member Ms Lorraine Botha.

Ms L J BOTHA: Mr Deputy Speaker, it is quite ironic that hon Leader of the

Opposition Mr Fransman moved that this House knows the non-recognition and undermining of the Khoi and San communities as well as other traditional leaders by the DA Western Cape Government. It is ironic because in the Western Cape we have established a cultural commission that plays an active role in preserving, promoting and developing all cultures in this province especially those who were previously marginalised and treated with disrespect and contempt. The Western Cape Cultural Commission strive towards an appreciation and understanding of each other's cultures in order to bridge the dangerous divides that threaten our nationhood. [Interjections.]

Politicising cultural communities is indeed disrespectful to these communities... [Interjection.]

An HON MEMBER: Selective.

Ms L J BOTHA: ...and subsequently contributes to the dangerous divisions which threaten social cohesion in the Western Cape. I take this opportunity to point out to hon Leader of the Opposition Mr Fransman that constitutionally the Western Cape does in fact recognise, acknowledge and actively promote enriching cultural histories, practices and traditions through prioritising cultural councils more so than any other province nationwide.

An HON MEMBER: Selective.

Ms L J BOTHA: To clarify I direct your attention to the Western Cape

Constitution as well as the Constitution of the Republic of South Africa, Chapter 9, Section 70 of the Western Cape Constitution which states: “Provincial legislation must provide for the establishment and reasonable funding within the province’s available resources...”

An HON MEMBER: Why do you not go to Potch, you love to go to Potch?

Ms L J BOTHA: “...of a cultural council or councils for a community or communities in the Western Cape sharing a common cultural and language heritage.”

An HON MEMBER: Selective.

Ms L J BOTHA: In contrast the national Constitution simply states in Chapter 12, Section 212(1) that:

“National legislation may provide for the role for a traditional leadership as an institution at local level on matters affecting local communities.”

It goes further to state in Section 2(A) that:

“National or provincial legislation may provide for the establishment of houses of traditional leaders and national legislation may establish a Council of Traditional Leaders.”

I would like to make hon Leader of the Opposition aware that there exists an obligatory difference between “must” and “may”. In order to clarify, “may” suggests a notion which is truly optional whereas “must” connotes a notion as an absolute requirement of this specification.

The DEPUTY SPEAKER: Order, the hon member Ms Botha. Order. Mr Wiley.

Ms L J BOTHA: That said [Interjections.]

The DEPUTY SPEAKER: Order, order! Mr Wiley.

Mr M G E WILEY: Mr Deputy Speaker, with all respect to the other side there is just a running commentary and it is not even a contribution, so [Interjections.]

The DEPUTY SPEAKER: Yes. I will have a careful look at that. [Interjections.] Please continue.

An HON MEMBER: When we talk we say [Inaudible.]

The DEPUTY SPEAKER: You are almost finished.

Ms L J BOTHA: That said, I urge the hon member Fransman to consult the

cornerstones of our Constitution before misleading not only the House
[Interjection.]

An HON MEMBER: Who is the cornerstone?

Ms L J BOTHA: ...but the public at large. The DA in the Western Cape is serious about our constitutional mandate and we will continue to acknowledge and promote the place of the San, Khoi and other cultural communities. We believe we are better together and our Constitution certainly prescribes this. Therefore we will not destroy traditional cultural practices and affairs by politicising our cultural communities. I thank you.

The DEPUTY SPEAKER: Thank you. [Applause.] The hon Minister of Finance, Minister Meyer.

The MINISTER OF FINANCE: Hon Mr Deputy Speaker, I want to thank and acknowledge the Khoi and San leadership in the gallery today. Thank you for your presence in this House everywhere... [Interjections.] ...also those outside the House, but members of the ANC do not know where the Bill is and we are going to show them where the Bill is.

An HON MEMBER: Do you know where it is?

The MINISTER OF FINANCE: South Africa has a rich cultural diversity which is reflected in the beautiful cultural landscape of the Western Cape.

[Interjections.] The Western Cape accepts that South Africa belongs to all and that we are all united in our diversity. This includes the Khoi and San communities because they are an integral part of the diversity of the Western Cape. [Interjections.]

Ms S W DAVIDS: Actions speak louder than words.

The MINISTER OF FINANCE: This government also embraces the Constitution when it states that all citizens are entitled to the rights and privileges and benefits of citizenship. This includes the Khoi and San communities. [Interjections.] The government also acknowledges Chapter 12 of the Constitution which deals specifically with the recognition of traditional leaders. This government also accepts Section 18 of the Bill of Rights which grants everyone the right of freedom of association.

This includes the Khoi and San communities. This government embraces Section 30 and 31 of the Bill of Rights which guarantees language and cultural rights of citizens of South Africa. Again, this includes the Khoi and the San communities of the Western Cape.

An HON MEMBER: Oh practice what you preach.

The MINISTER OF FINANCE: Today's debate exposes not only the hypocrisy and blatant misleading of the Khoi and the San communities by the ANC but it also highlights the failure of the ANC to deal with the aspirations

of the Khoi and San communities. Let me explain, in 2003 the ANC National government promulgated the Traditional Leadership and Governance Framework Act of 2003. Through this Act the ANC deliberately excluded the Khoi and San people. [Interjections.]

An HON MEMBER: Yes.

The MINISTER OF FINANCE: The ANC only accommodated everyone except the Khoi and the San community. I have to date not heard anything of the hon Leader of the Opposition raising a single objection against the fact that the Khoi and the San, whom he claims to be fighting for, are treated in such a dismissive manner by his ANC government in this particular piece of legislation of 2013. [Interjections.]

Die ANC nasionale regering het hierdie regering in die Wes-Kaap per brief ingelig dat die Wes-Kaapse Regering geen wetgewende bevoegdheid het ten opsigte van die Khoi en San gemeenskappe nie. Hier is die brief wat die ANC regering aan Premier Zille se departement geskryf het en vir haar gesê het “jy het geen wetgewende bevoegdheid oor die Khoi en San aangeleenthede nie.” [Tussenwerpsels.]

So that is the first letter, and our leadership there is going to get a copy of this letter because you must know what the ANC is doing to you. [Applause.] That is the first letter.

An HON MEMBER: Thank you.

The PREMIER: What the ANC is doing to [Inaudible.] [Interjections.]

An HON MEMBER: Even here in the province.

The MINISTER OF FINANCE: And the date of this letter is the
[Interjections.]

The DEPUTY SPEAKER: Order! Order!

The MINISTER OF FINANCE: ...the date of this letter is 14th of November
2013 and I am happy to hand over a copy to our leadership.

An HON MEMBER: You see, you see [Interjection.]

An HON MEMBER: Yes. [Interjections.]

An HON MEMBER: Not selectively, not selectively.

The MINISTER OF FINANCE: Marius Fransman is dus pertinent oneerlik
[Tussenwerpsels.]

Die PREMIER: Pertinent oneerlik.

Ms B A SCHÄFER: Ja, we know that.

The DEPUTY SPEAKER: Order! Order!

Die PREMIER: Pertinent oneerlik.

Die MINISTER VAN FINANSIES: Met die onderwerp van die debat
[Tussenwerpsels.]

Die ADJUNKSPEAKER: Orde! Orde! Agb Minister Meyer.

An HON MEMBER: On a point of order. [Interjections.]

The DEPUTY SPEAKER: Hon member Mr Magaxa.

Mr K E MAGAXA: Is it parliamentary to say to a member, Marius Fransman.

An HON MEMBER: It is unparliamentary.

The DEPUTY SPEAKER: There are two points there I want to raise; the first one is you must call the member hon member and the second point is you cannot refer to a member as being 'oneerlik'. That must be withdrawn.

An HON MEMBER: Ja, withdraw.

Ms S W DAVIDS: Please [Inaudible.] apartheid.

Die MINISTER VAN FINANSIES: Mnr die Adjunkspeaker [Tussenwerpsels.]

Ms S W DAVIDS: The labour party.

Die MINISTER VAN FINANSIES: Ek sal nou die agb lid aanspreek as agb Fransman.

Die ADJUNKSPEAKER: Dis die eerste punt.

Die MINISTER VAN FINANSIES: En ek onttrek die tweede punt.

Die ADJUNKSPEAKER: Dankie. Gaan voort.

'n AGBARE LID: Ja, u moet onttrek.

Die MINISTER VAN FINANSIES: Die nasionale regering stel dit pertinent dat die aangeleentheid rondom Khoi- en San-gemeenskappe 'n nasionale bevoegdheid is.

'n AGBARE LID: Dit is.

The MINISTER OF FINANCE: The hon member Mr Fransman became a member of the Western Cape Cabinet in 2004. He now accuses this

government of not recognising our traditional Khoi and the San communities.

An HON MEMBER: You do not. [Interjections.]

The MINISTER OF FINANCE: He was a member of this cabinet. Why did he not acknowledge the Khoi and the San communities? [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order!

The MINISTER OF FINANCE: He is misleading the House.

The DEPUTY SPEAKER: Order! Minister Meyer, take your seat.

An HON MEMBER: Order!

Ms M N GILLION: Order! Mr Deputy Speaker.

The DEPUTY SPEAKER: Order!

Ms M N GILLION: Can we ask the hon [Interjection.]

The DEPUTY SPEAKER: Order! Order! I am talking now.

Ms M N GILLION: Can we ask the hon member to stop pointing fingers in this House at members.

The DEPUTY SPEAKER: Hon member Ms Gillion. Thank you.

The MINISTER OF FINANCE: I withdraw my finger, but not my arguments.

The DEPUTY SPEAKER: I will look at that. Please continue.

The MINISTER OF FINANCE: The hon member was a member of the Cabinet in the Western Cape. He did not use his position and power in the then ANC Cabinet to address the silence of the legislation on the issue of the Khoi and the San ... [Interjections.]

The DEPUTY SPEAKER: Order! Minister Meyer, just one second. In the absence of the Chief Whip I want to appeal to the Deputy Chief Whip Mr Tyatyam to please look at your backbenchers. They are talking too much. There is too much conversation going on.

An HON MEMBER: It is because of boredom.

The DEPUTY SPEAKER: No, whatever the reason is. [Interjections.] Order! Whatever the reason is there must be more order in the House, especially the backbenchers there.

An HON MEMBER: But he is making jokes, hon Mr Deputy Speaker.

The DEPUTY SPEAKER: Please continue Minister Meyer. [Interjections.]

The MINISTER OF FINANCE: The hon members of that side of the House failed the Khoi and the San communities.

Ms S W DAVIDS: You failed them, the DA party.

The MINISTER OF FINANCE: He did not use his position in the Cabinet to fight for the Khoi and the San which meant that he would be going against his own political bosses in Luthuli House and the National government. In 2009 Marius Fransman became a member of the National Assembly and the Deputy Minister in the National government. [Interjections.]

The MINISTER OF FINANCE: He did not use that position in the ANC national caucus to promote the Khoi and the San matters.

'n AGBARE LID: Ja.

The MINISTER OF FINANCE: He failed the Khoi and the San communities. [Interjections.]

'n AGBARE LID: Ek is so moeg van [Onhoorbaar.] [Tussenwerpsels.]

The MINISTER OF FINANCE: What the ANC under the leadership of hon member Fransman rather opportunistically attempted to do in the run-up to

the election was to revive the Traditional Affairs Bill. Why did they park the Bill before the election?

Ms S W DAVIDS: Why did the labour party park it?

The MINISTER OF FINANCE: Why did they park the Bill of the Khoi and the San communities before the elections? [Interjections.] They were scared, and they wanted to also abuse the Khoi and the San communities. [Interjections.] They parked the Bill. Why did they do this? They could not risk the impact that it would have had on the ANC election results as it would have exposed the ANC's half truths. [Interjections.]

The representatives of the Khoi and the San communities who are here present today in this House were also outside and that side and that side and in the whole of the Western Cape and in the Northern Cape [Interjections.]

The PREMIER: And in this House.

The MINISTER OF FINANCE: And in this House [Interjection.]

Ms S W DAVIDS: Who is the House; who? [Interjections.]

The MINISTER OF FINANCE: ...were asked to make some comments. All of these comments were ignored by the ANC government.

The PREMIER: All of them.

The MINISTER OF FINANCE: All of them. Die ANC het alle Khoi- en San-groepe versoek om kommentaar te lewer en nou word daardie kommentaar geïgnoreer. 'n Nasionale kommissie is ook aangestel om te kyk na wat bekend staan as “the Commission on Traditional Learnership Disputes and Claims”, en hierdie kommissie, 'n nasionale ANC kommissie het alle aansoeke vir tradisionele leierskap in die Wes-Kaap verwerp. Hier is 'n dokument. We can make it available to you... [Interjections.]

An HON MEMBER: How? How?

The MINISTER OF FINANCE: ...because the lies must stop in this House.

'n AGBARE LID: Al wat hulle verwerp, hulle...

Die MINISTER VAN FINANSIES: Die ANC is 20 jaar aan bewind, maar vir 20 jaar word hierdie mense verwerp deur die ANC. Hoekom neem dit 20 jaar vir die erkenning van die Khoi- en San-gemeenskappe, dis omdat die ANC niks erkenning gee aan die tradisionele groepe hier in die Wes-Kaap nie.

Die PREMIER: Ja, ja.

The DEPUTY SPEAKER: Order!

Die MINISTER VAN FINANSIES: Dit is hulle wat die dinge verwerp.
[Tussenwerpsels.]

An HON MEMBER: A point of order.

Die ADJUNKSPEAKER: Orde! Agb Minister Meyer, is dit 'n punt van orde?
[Interjections.] Order!

Mr M L FRANSMAN: Mr Deputy Speaker, I want to address you. The hon MEC Meyer has just said that the national structure to determine traditional leaders has rejected all traditional leaders in the Western Cape. He knows that it only refers to the Xhosa and the Zulu traditional leaders.
[Interjection.]

Die ADJUNKSPEAKER: Orde! Orde! Orde agb mnr Fransman.

Mr M L FRANSMAN: Not to the Khoi and San [Interjection.]

Die ADJUNKSPEAKER: Orde! Orde! Orde!

Mr M L FRANSMAN: So he actually is lying.

Die ADJUNKSPEAKER: Orde! Orde! That is not a point of order and you will have an opportunity to respond to the debate. That is a debating point which you can then use. Agb Davids.

'n AGBARE LID: Mooi trap.

Ms S W DAVIDS: Mr Deputy Speaker, I just want to know can hon Theuns Botha take pics of [Interjection.]

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

The DEPUTY SPEAKER: Order! Order! Order hon member Mr Wiley. I am listening to [Interjections.]

Ms S W DAVIDS: Take pics of me in the House. [Laughter.] I just want to know because people can do different things with your pics.

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

Ms S W DAVIDS: I am told [Interjection.]

The DEPUTY SPEAKER: Order, Order! No.

Ms S W DAVIDS: I want you to rule on that, Mr Deputy Speaker, please.

The DEPUTY SPEAKER: Yes, please take your seat.

Ms S W DAVIDS: That is harassment. That is also harassment.

The DEPUTY SPEAKER: Please take your seat.

Ms S W DAVIDS: It is Women's Month now. [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order! If that is so that the Minister took a picture I cannot ask him to withdraw the picture but I can say to the Minister it is not the thing to do, and I want to appeal to members not to do it in future. [Interjections.] Minister Meyer, please continue.

Die MINISTER VAN FINANSIES: Mnr die Adjunkspeaker [Tussenwerpsels.] Theuns, sit stil. [Tussenwerpsels.]

Ms S W DAVIDS: No you think you can come here [Inaudible.]

The DEPUTY SPEAKER: Please be quiet. Hon member Ms Davids [Interjection.]

Ms S W DAVIDS: I am not... [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Davids, I spoke to the backbenchers a minute ago and I am also including the front bench now and you in particular. Please refrain from making commentary all the time.

Die MINISTER VAN FINANSIES: Ons weet dat die ANC nasionale regering

die Eerste Nasie status van inheemse groepe verwerp en ek versoek lede in die galery om die ANC te monitor want vir julle vertel hulle hulle erken die inheemse groepe as 'n Eerste Nasie status, maar hier is 'n dokument [Tussenwerpsel.]

Die ADJUNKSPEAKER: Agb Minister Meyer ek verstaan u sentimente maar u moet die Stoel toespreek en nie die galery nie.

Die MINISTER VAN FINANSIES: Ja, jammer. Die lede in die galery moet weet dat die ANC verwerp die Khoi en San gemeenskappe as 'n Eerste Nasie status. Hier het ek 'n dokument tot die effek.

Hierdie datum van hierdie dokument is 30 Januarie 2014 en hierdie dokument van die ANC sê baie duidelik - en ek wil hê ons agb leiers in die gehoor moet weet waarmee die ANC besig is - soos volg: "There are no indigenous peoples First Nations in South Africa."

That is what the ANC is saying about this community. [Interjections.]

Mnr R B LENTIT: Skande! Skande! [Tussenwerpsels.]

The MINISTER OF FINANCE: I rest my case. This is a latest document. The date of this document is 30 January. They are now misleading the Khoi and the San community.

Mnr R B LENTIT: Skande. [Tussenwerpsels.]

The MINISTER OF FINANCE: But I went to the website today of the national Minister of Traditional Affairs. We know how to deal with computers, unlike you. [Interjections.] What we have done [Interjections.]

Ms M N GILLION: Mr Deputy Speaker [Interjection.]

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

Ms M N GILLION: Mr Deputy Speaker [Interjections.]

An HON MEMBER: Unlike you lot! [Interjections.]

The DEPUTY SPEAKER: Order! Order! [Interjections.] I cannot... [Interjection.] Hon member Ms Davids, vir die laaste maal... [Tussenwerpsel.]

Ms M N GILLION: Mr Deputy Speaker [Interjections.]

Die ADJUNKSPEAKER: Ek luister na 'n punt van orde agter u.

Me M N GILLION: Mnr die Adjunkspeaker, die Minister van Finansies het so pas gesê 'unlike you', ek weet hoe om rekenaars te gebruik.

'n AGBARE LID: Ons almal.

Ms S W DAVIDS: We know how.

Me M N GILLION: Kan ons net vra dat daardie term wat hy nou gebruik het as 'n LUR teruggetrek word.

Die ADJUNKSPEAKER: Die Minister sal dit teruggetrek. Hy het 'n bietjie refleksie gewerp op die ander kant, op lede van die Huis.

Die MINISTER VAN FINANSIES: Ek druk die “delete button”. Ek trek terug.

Die ADJUNKSPEAKER: Teruggetrek, gaan voort.

Die MINISTER VAN FINANSIES: Maar ek was vandag op die webblad van die nasionale Departement van Tradisionele Sake en ons lede in die gehoor moet asseblief kennis neem dat die nasionale Minister gesê het - “that the ANC is going to visit the United Nations Conference on the rights of the indigenous people of the world on the 22nd and 23rd of September 2014 to contribute to the finality on the rights of indigenous people.”

In this document they say there is no such thing as an indigenous First Nation status of the Khoi and San and I want our leadership in the gallery to please watch what the ANC is saying at the United Nations in September, because here they say one thing and there in New York, in Washington, they say

another thing. [Interjections.] So we are exposing the lies of the ANC in this debate. [Interjections.]

Ons weet dat die ANC regering een ding hier sê en 'n ander ding in New York gaan sê.

Die PREMIER: Ja. [Tussenwerpsels.]

Die MINISTER OF FINANCE: We know that this debate clearly proves that the ANC in the Western Cape is misleading and abusing the Khoi and the San communities for party political reasons [Interjection.]

An HON MEMBER: Who are misleading?

The MINISTER OF FINANCE: And the evidence is there on the 30th of January and the fact that the Bill was not served before the National Assembly. [Interjections.] Up to today as we are seated, that Bill has not been tabled in the National Assembly. This is how they are misleading the people. [Interjections.]

The Khoi and the San communities must now know finally that the ANC is playing political football with the rich cultural heritage of the San and the Khoi communities.

An HON MEMBER: How?

The MINISTER OF FINANCE: This is a scandalous... [Interjection.]

Mnr R B LENTIT: Skande.

The MINISTER OF FINANCE: ...debate because the ANC is abusing the rich heritage of the Khoi and the San communities and hon member Ms Beerwinkel is correct when she says that it was this government under the leadership of Premier Zille that declared Ratelgat as a provincial heritage site. It happened during her term of office and so we do acknowledge some traditional practices and some indigenous communities in the Western Cape. So this debate is final, the ANC is abusing the Khoi and the San community for political purposes. [Interjections.]

The DEPUTY SPEAKER: Thank you Minister Meyer. Thank you. [Applause.]
I see the hon member Mr Max.

Mnr L H MAX: Baie dankie mnr die Adjunkspeaker. Ek wil net vir die Khoi- en San-gemeenskap sê baie welkom. Dis ons mense, ons is met julle en soos julle gehoor het die DA regering doen alles moontlik om julle behoeftes te akkommodeer [Tussenwerpsel.]

Die ADJUNKSPEAKER: Agb lid mnr Max, dieselfde geld vir u, spreek die Stoel toe, indirek dan die Minister en die lede.

Mnr L H MAX: Ek maak so. Normally I am a man for peace, but I adore a riot. There is an African proverb which states and I quote: “A chattering bird builds no nest...” And that is evident from what we have heard from the other side. What the Opposition has discussed in this debate today has not added anything to build a cohesive society in the Western Cape. [Interjections.] All they have done is to feed fires of division.

The MINISTER OF HEALTH: Yes.

An HON MEMBER: And you?

Mr L H MAX: Hon Leader of the Opposition Mr Fransman, is it not time that we as politicians say to the people of this province; say to the Khoi and the San and the people of our country that they deserve better than to be used as ammunition in party politics?

An HON MEMBER: Hear, hear.

Mr L H MAX: Should we not stop and say: “This is wrong to bring culture into a political dogfight?”

An HON MEMBER: Who is doing that?

Mr L H MAX: Hon Leader of the Opposition Mr Fransman, to use culture to achieve your own political goals is equal to you using religion in political

goals in dogfights. [Interjections.] So dis 'n baie ernstige saak, agb Leier van die Opposisie. Jy weet, daar is 'n beginsel, wat jy beweer moet jy bewys, en dit wat jy beweer het in hierdie mosie is nie vandag bewys in hierdie Huis nie. Wat bewys is in hierdie Huis hon Mr Fransman en hon member Mr Dyantyi, is dat julle as die ANC [Tussenwerpsels.]

An HON MEMBER: You are pointing again.

Mnr L H MAX: Die Khoi en San ignoreer, nie respekteer nie en vergeet het. [Tussenwerpsels.]

The MINISTER OF FINANCE: Yes.

Mnr L H MAX: Dis ons as die DA wat alles moontlik gedoen het binne wetgewende maatreëls [Tussenwerpsels.]

Ms M N GILLION: Now where is the House?

Mnr L H MAX: ...om mense te akkommodeer.

Ms S W DAVIDS: Where is the House?

Mnr L H MAX: Jy weet [Tussenwerpsels.]

The PREMIER: Where is the Bill, never mind the [Inaudible.] [Interjections.]

Mr L H MAX: †Umuntu ngumuntu ngabantu. It means “I am what I am because of other people.” This DA government is in power because of the people of the Western Cape, because this government includes people from Plettenberg Bay to Sea Point / Cape Point, from Khayelitsha to Constantia, because we care. You know what happened [Interjections.]

The DEPUTY SPEAKER: There is a point of order. Is it a question, a question?

Mr Q R DYANTYI: Yes, I would like to ask [Interjection.]

The DEPUTY SPEAKER: What is it, a question?

Mr Q R DYANTYI: Yes, yes.

The DEPUTY SPEAKER: Before you ask, is the member prepared to take a question?

Mr L H MAX: Yes.

An HON MEMBER: Yes.

Mr Q R DYANTYI: I want to ask the member if he believes what he is saying. That is the question. [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Mr Q R DYANTYI: Do you believe what you are saying? [Interjections.]

The DEPUTY SPEAKER: Order! Hon member Mr Max, you can continue.

Mr L H MAX: You know what, they accuse the hon Premier of genocide and she does not care. Let me tell you, there was a case hon Leader of the Opposition, the Employment Equity Act, Correctional Services. Do you know who was there? [Interjections.] You would not know who was there. The Khoi people were there supporting the case. This Premier called me in to brief her. She instructed me to attend and to give her a proper briefing.

An HON MEMBER: And you even did that.

Mr L H MAX: The DA was there. The Khoi people were there. Where were you? Where were you?

An HON MEMBER: Yes, hear, hear.

Mr L H MAX: You know, to come today, hon Leader of the Opposition to claim that you are the Messiahs of the Khoi [Interjections.] ...and of culture, while you deprive people of the right to a decent job, a right to promotion; a right to educate the children, a right for their children to become somebody

in life. [Interjections.] You cannot do that. You cannot do that. There is a proverb, an Irish proverb which states:

“You have the hindsight to know where you have been. You have the foresight to know where you are going and you have the insight to know that you are gone too far.”

And I think that you have gone too far and the best you can do is to apologise to the San and the Khoi, our people. [Interjections.] Having regard to the content of this debate today, I would like to move. I would like to move in an amendment to the draft resolution as follows:

“To omit all the words after that and to substitute that the House acknowledges the efforts of the Western Cape Government in bringing the diverse people of the Western Cape together.”

Thank you Mr Deputy Speaker. [Interjections.]

The DEPUTY SPEAKER: Thank you. [Applause.] Order! Order! The hon Leader of the Opposition to respond.

Mr M L FRANSMAN: Mr Deputy Speaker, this exactly what we have seen today was exactly the point, the politics of deception.

An HON MEMBER: Yes. [Interjections.]

Mr M L FRANSMAN: What has happened here they decided to [Interjection.]

Mnr R B LENTIT: Waar is die bewys? Where is the bewys?

Mr M L FRANSMAN: The DA has decided to only field people who were in fact people who are coming from the Khoi and the San community [Interjection.]

An HON MEMBER: Yes Mr Deputy Speaker.

Mr M L FRANSMAN: But they do not have any power in that particular House in that particular party. [Interjections.] Secondly, the issue of member Leonard Max of having gone too far, is that what they said when he sat here as the MEC? Hon member Max, a political dogfight [Interjections.] Can the issue of a chattering bird [Interjections.]

The DEPUTY SPEAKER: Order!

Mr M L FRANSMAN: “A chattering bird builds no nest”, is that what MEC Botha said when he dealt with you in making sure that you are not part of that leadership? The issue here is they have deflected [Interjections.]

An HON MEMBER: Wait for Skwatsha, wait for Skwatsha.

Mr M L FRANSMAN: The question around the Bill is simple.

An HON MEMBER: Wait for Skwatsha.

Mr M L FRANSMAN: The question around the Bill is simple. [Interjections.]

An HON MEMBER: Debate the issue.

The DEPUTY SPEAKER: Order!

Mr M L FRANSMAN: It was the ... [Interjection.]

An HON MEMBER: Where is the Bill?

The DEPUTY SPEAKER: Order! The DA side please calm down as well.

'n AGBARE LID: En wag nou, Skwatsha gaan nou-nou kom [Onhoorbaar.]

The DEPUTY SPEAKER: Please continue Minister.

Mr M L FRANSMAN: Secondly we have seen in fact... [Interjections.]

An HON MEMBER: There is too much noise on that side.

Mr M L FRANSMAN: ...documents spread here on behalf of the ANC by

MEC Meyer. In fact where I am standing he lies that the ANC has said that the Khoi and San are not part... [Interjections.]

The DEPUTY SPEAKER: Order!

Mr M L FRANSMAN: ... not part of the indigenous.

The DEPUTY SPEAKER: Order! Order! I will deal with that. Hon Leader of the Opposition Mr Fransman, you cannot accuse somebody of lying in the House.

Mr M L FRANSMAN: Okay yes.

The DEPUTY SPEAKER: Please withdraw.

Mr M L FRANSMAN: I withdraw that.

The DEPUTY SPEAKER: Thank you.

Mr M L FRANSMAN: In fact it is an untruth that was spread here because the strategy and tactics documents of the ANC [Interjections.]

The DEPUTY SPEAKER: Order! Is that a point of order?

An HON MEMBER: Yes it is the same thing, an untruth and a lie is the same

thing.

Mr M L FRANSMAN: Untruth, that is not.

The DEPUTY SPEAKER: Untruth is acceptable. Please continue.

Mr M L FRANSMAN: Let me tell the Khoi and the San community the ANC strategy in the tactics document is clear. African people refer to the following: Indigenous inhabitants of the country principally composed of the Zulu, the Xhosa, the Pedi, the Sotho, the Tswana, the Swazi vendor, Ndebele, Khoi and San. [Interjections.] It showed that the MEC has been found wanting right in this House... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Mr M L FRANSMAN: ...by quoting certain documents.

The DEPUTY SPEAKER: Order! Is that a point of order? Question, a point of order?

The MINISTER OF FINANCE: Would the hon member like to get a question?

The DEPUTY SPEAKER: Hon Leader of the Opposition Mr Fransman?

Mr M L FRANSMAN: Yes.

The DEPUTY SPEAKER: Are you prepared? Your time is very limited.

Mr M L FRANSMAN: No-no-no. [Interjections.]

The MINISTER OF FINANCE: You said yes.

Mr M L FRANSMAN: No, hon Mr Deputy Speaker... [Interjection.]

The MINISTER OF FINANCE: Well your word is your word.

Mr M L FRANSMAN: If there is additional time... [Interjection.]

The MINISTER OF FINANCE: Your word is your word.

The DEPUTY SPEAKER: Order! Order! Order!

The MINISTER OF FINANCE: You said yes. [Interjections.]

The DEPUTY SPEAKER: Order! [Interjections.]

Mr M L FRANSMAN: No he is taking my time. [Interjections.]

The MINISTER OF FINANCE: Well, he said yes hon Mr Deputy Speaker. I would like to ask him a question. [Interjections.] He said yes, but now the

community can see what he is up to.

The DEPUTY SPEAKER: Hon Minister Meyer.

The MINISTER OF FINANCE: His yes is not his yes.

The DEPUTY SPEAKER: Minister Meyer.

The MINISTER OF FINANCE: His yes is not his yes in the House.

[Interjection.]

The DEPUTY SPEAKER: Please! Order!

The MINISTER OF FINANCE: So what he is doing in this House he is doing to the community there. [Interjections.]

The DEPUTY SPEAKER: Order! Minister Meyer, if the Chair asks for order, the Chair means order. Please take your seat. Hon Leader of the Opposition Mr Fransman, please continue.

Mr M L FRANSMAN: Mr Deputy Speaker, so clearly he quoted a document and here is the ANC strategy document. The third issue... [Interjection.]

An HON MEMBER: On a point of order, Mr Deputy Speaker.

Mr M L FRANSMAN: The third issue, when we were dealing ...
[Interjection.]

The DEPUTY SPEAKER: Order! Order! Is that a point of order?

The MINISTER OF FINANCE: Can I ask a question to the hon Leader of the Opposition Mr Fransman?

The DEPUTY SPEAKER: Hon Leader of the Opposition Mr Fransman, are you prepared to take a question?

HON MEMBERS: No. No. [Interjections.]

Mr M L FRANSMAN: Let me continue Mr Deputy Speaker... [Interjection.]

The DEPUTY SPEAKER: The answer seems to be no.

Mr M L FRANSMAN: ...by saying that... [Interjections.]

The MINISTER OF FINANCE: No, but he did not answer. [Interjections.]

Mr M L FRANSMAN: ...there is a reason why... [Interjection.]

The DEPUTY SPEAKER: Order! Minister Meyer, he is not. He said he was not prepared to take a question.

Die PREMIER: Hy is bang man.

An HON MEMBER: Sit, sit, sit, sit, sit.

The MINISTER OF FINANCE: Hon Mr Deputy Speaker, can I distribute this government document from the ANC to the Khoi and San? [Interjections.]

'n AGBARE LID: Sit asseblief!

The DEPUTY SPEAKER: Minister Meyer, please take your seat.

An HON MEMBER: Order!

The DEPUTY SPEAKER: That can be done through other means. At the moment hon Leader of the Opposition Mr Fransman is replying and his time has almost expired.

The MINISTER OF FINANCE: No but... [Interjections.]

The DEPUTY SPEAKER: I will give you some extra time. Please continue.

Mr M L FRANSMAN: The MEC Meyer has spoken about how we, when we were the government, said Ratelgat must become a heritage site, already in 2009. [Interjections.]

An HON MEMBER: But you did not do it.

Mr M L FRANSMAN: Let us see what he has actually done. In the budget speech of the MEC 2013/2014 he says: “We are going to declare heritage sites for the Baboon Point...”

An HON MEMBER: Yes [Interjections.]

Mr M L FRANSMAN: The Fossil Park, the Pinnacle Point, but nothing on the Khoi / San community and what we are saying we believe that we must make sure that in the Western Cape the Khoi and the San community get land unapologetically [Interjections.]

The DEPUTY SPEAKER: Order.

Mr M L FRANSMAN: ...and Oude Molen will become part of the heritage site internationally and nationally.

The DEPUTY SPEAKER: Order! Hon member Mr Fransman, your time has now expired. The time for the debate has expired. [Interjections.]

An HON MEMBER: Baboons!

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

An HON MEMBER: Baboons!

The DEPUTY SPEAKER: Please listen. Order! Please listen carefully now. We are having an interesting procedure now. The question before the House is the motion printed in the name of the hon Leader of the Opposition Mr Fransman, upon which an amendment had been moved by the hon member Mr Max.

Mr L H MAX: Max.

The DEPUTY SPEAKER: Hon member Mr Max. I now put the amendment first, I put the amendment to the House. Those in favour of the amendment moved by hon member Mr Max will say “aye”.

HON MEMBERS: Aye.

The DEPUTY SPEAKER: Those against “no”.

HON MEMBERS: No.

The DEPUTY SPEAKER: I think the “ayes” have it and so they have.

Ms M N GILLION: [Inaudible.] Baboons! [Interjections.]

The DEPUTY SPEAKER: I then put the motion as amended, those in favour of the motion as amended will say “aye”.

HON MEMBERS: Aye.

The DEPUTY SPEAKER: Those against “no”.

HON MEMBERS: No.

The DEPUTY SPEAKER: I think the “ayes” have it and so they have.

Ms M N GILLION: And so the Khoisan are baboons! [Interjection.]

An HON MEMBER: No man! [Interjections.]

The DEPUTY SPEAKER: Order! Order! The question is therefore agreed to.

Mr M L FRANSMAN: On a point of order, Mr Deputy Speaker, a point of order.

The DEPUTY SPEAKER: Order!

The PREMIER: On a point of order. Mr Deputy Speaker, the hon member Ms Gillion said “and so, the Khoisan people are baboons”, referring to that we have just heard. [Interjections.]

An HON MEMBER: Yes, apologise.

The PREMIER: She must apologise and withdraw.

Mnr R B LENTIT: Skande! Skande!

The PREMIER: She is the one who said it.

The DEPUTY SPEAKER: Order! Order!

Ms M N GILLION: Mr Deputy Speaker [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Gillion.

Ms M N GILLION: Mr Deputy Speaker, I did not say “the Khoisan people are baboons.” I say “so they say...” [Interjections.]

An HON MEMBER: The DA. [Interjections.]

Ms M N GILLION: “...the Khoisan people are baboons.” [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order! I will look at Hansard and if necessary come back. If it is so what the Premier said then it is clearly unparliamentary.

Mnr R B LENTIT: Ja, skande! [Tussenwerpsels.]

The DEPUTY SPEAKER: Premier.

An HON MEMBER: You must apologise.

The PREMIER: Mr Deputy Speaker, this is a very serious matter, because the hon Leader of the Opposition Mr Fransman made a point about a place called “Baboon Point being made a heritage site.” It had nothing to do with Ratelgat and nothing to do with the Khoisan heritage sites that this government has declared heritage sites.

An HON MEMBER: Yes.

The PREMIER: So to conflate those two and to claim that this government or anybody here has in any way equated the Khoisan with baboons is unparliamentary and we will not tolerate it. [Interjections.]

The DEPUTY SPEAKER: Order! Order! Premier, thank you. [Interjections.] Order! Please sit down. I have given the Premier some latitude. I wanted to get to the background to what the hon member Ms Gillion said. If the hon member Ms Gillion had said what the Premier now indicated then clearly it is unparliamentary. I take her word for the moment that she did not say that.

The PREMIER: She did, no she did.

An HON MEMBER: She did say that. [Interjections.]

An HON MEMBER: Mr Deputy Speaker [Interjection.]

The DEPUTY SPEAKER: Hon member Ms Gillion, are you confirming that, that you did say that? [Interjections.]

An HON MEMBER: What did you say? [Interjections.]

The DEPUTY SPEAKER: Then you must withdraw.

An HON MEMBER: Apologise. [Interjections.]

The DEPUTY SPEAKER: Then you must withdraw it. [Interjections.]

An HON MEMBER: You must also apologise to the Khoisan people.

An HON MEMBER: Ja. [Interjections.]

The DEPUTY SPEAKER: Order! Order!

Ms M N GILLION: I am a Khoisan. [Interjections.]

An HON MEMBER: Apologise.

Ms M N GILLION: I am a Khoi. Hon Mr Deputy Speaker, what I said is “so they say the Khoisan people are baboons...” [Interjections.] ...but listen to the Hansard. Please go and listen.

The DEPUTY SPEAKER: Okay, I am hearing what you are saying. I will listen to the Hansard and I will come back and if you did not say what you say now, then certainly you will withdraw that. [Interjections.]

Let me continue with the last, Premier. Minister Botha.

The MINISTER OF HEALTH: Hon Mr Deputy Speaker, but even if that is not so or whatever she said, you will hear from the Hansard. It is not parliamentary to refer to animals.

An HON MEMBER: Yes.

The MINISTER OF HEALTH: And that in itself requires her to withdraw [Interjection.]

An HON MEMBER: Yes, apologise.

The MINISTER OF HEALTH: ...and to apologise. It does not matter in what sense it was said.

Ms M N GILLION: Uh-uh.

An HON MEMBER: [Inaudible.] apologise.

The DEPUTY SPEAKER: Premier.

'n AGBARE LID: Haai foeitog!

The PREMIER: With respect, Mr Deputy Speaker, the hon member Ms Gillion has just confirmed saying exactly what I said was unparliamentary and that you say is unparliamentary. The hon member Ms Gillion has just confirmed saying: “So they say the Khoisan are baboons.”

Ms M N GILLION: Yes, yes.

The PREMIER: That is totally unparliamentary. It is a complete untruth because no-one ever said that on this side of the House. It was said by the hon Leader of the Opposition Mr Fransman.

An HON MEMBER: Just apologise.

The PREMIER: It was not said here and [Interjections.]

An HON MEMBER: On a point of order.

The DEPUTY SPEAKER: Order! Order! I am not going to allow all these discussions now. I have made my ruling. Hon Leader of the Opposition Mr Fransman, I have made my ruling. If it is unparliamentary then so be it and I will give my ruling at a later stage and ask the member to withdraw. It may be unparliamentary and I accept the Premier's word for that. I did not hear what she said and I want to have the benefit of Hansard to make sure, and if the hon member Ms Gillion did say that it is a very serious transgression of our rules and you will have to withdraw it at that stage when we get to that point. [Interjection.]

Hon Leader of the Opposition Mr Fransman, do you still want to address me?

Mr M L FRANSMAN: Ja, ja. Mr Deputy Speaker, Premier Zille has essentially earlier given an explanation on the fact that the hon Leader of the Opposition raised the issue of Baboon Site. I referred to it in the input where I said MEC Meyer has declared Baboon Site a heritage site over the Khoisan sites. That is what I said. That is the problem. [Interjection.]

The DEPUTY SPEAKER: That is why I said I will look at it. [Interjection.] Order! I will look at the entire Hansard to get the picture. The question then [Interjections.] Order! Order!

Can we just finish off this; my last sentence before I was interrupted was to say that the question was then approved by the House as amended with the

amendment by the hon member Mr Max. [Applause.]

That then also brings us to the end of the business for the day and the House is adjourned.

The House adjourned at 18:07