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THURSDAY, 14 SEPTEMBER 2023

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PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT

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

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

The House met at 14:15.

The Speaker took the Chair and read the prayer.

**BUSINESS OF THE HOUSE**

The SPEAKER: Please be seated. [Connection lost up to 18 minutes]

...the WCPP ICT colleagues who will assist to resolve their connectivity challenges. The quorum requirements for the Sittings are provided for in the Constitution and the Standing Rules and unless there is an indication of unanimous concurrence, voting will be confined to members present in the House and on the hybrid system, who are entitled to cast their votes as per the ATC issued on 11 August 2020.

Members present in the Chamber and via Microsoft Teams have all the privileges and immunities imparted by law. Members who are considered out of order by the Presiding Officer will have their microphones muted and called to order. The Serjeant-at-Arms have recorded members' attendance.

In instances where these Directives do not cover a particular eventuality, the Standing Rules must apply, and in instances, hon members, where these Rules cannot be applied the Ruling by the Presiding Officer is final.

Members, all microphones have been muted. However, for those hon members participating in the Sitting of the House via Microsoft Teams, you are requested to use the raised-hand functionality of the system when you desire to raise a point of order, and I will recognise you. When an hon member in the House or in the Chamber wishes to raise a point of order, such an hon member may address the Presiding Officer, as expected, but must mute their microphones when they have completed speaking.

Hon members participating in the Sitting of the House via Microsoft Teams are requested not to sign into Microsoft Teams on more than one device.

Hon members, the Media have also been granted access to this Sitting via Microsoft Teams as guests of the WCPP. However, members of the media may not use the Chat Room or speak or activate their cameras while the Sitting is in progress. If an individual, who is not a member of this House, activates the microphone and camera such an individual will be exited from

this Sitting with immediate effect. I request both here in the gallery, or members' visitors in the gallery, to please observe the decorum of the House, and not to participate in the Sitting.

For this Sitting, hon members, Language Translation Services are available in the Chamber, as usual, and on Microsoft Teams via the respective channels.

Lastly, hon members, I wish to remind you and draw your attention that no interjections are permitted during these hybrid Sittings and to this end I wish to draw your attention to Rule 40 of our Standing Rules. With that being said – good afternoon, hon members, and to the guests in the gallery a warm welcome to the Western Cape Provincial Parliament.

I recognise the hon Chief Whip.

(Motion)

The CHIEF WHIP (DA): Thank you, hon Speaker, I move without notice:

That notwithstanding the provisions of Rule 18 that the hours of the Sitting on Thursday, 21 September 2023, will be 10 o'clock until adjournment. I so move, Speaker.

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

Hon members, we will now proceed in terms of Rule 107 to the Interpellation as printed on the Question Paper and I recognise the hon Premier.

## **INTERPELLATIONS**

### **1. Mr C M Dugmore asked Mr A R Winde, Premier:**

In respect of his reply to Questions 9 and 15 of 28 July 2023 about his recent visit to the United States to discuss the African Growth and Opportunities Act (AGOA):

- (1) Whether the visit served its purpose;
- (2) Why did the Western Cape delegation not meet any member of the US Senate or any member of the US Congress?

The PREMIER: Thank you very much, Speaker, and thank you very much to the hon Leader of the Opposition for putting this on the Order Paper.

I think, obviously, as it says in here, answers to the questions on the 9<sup>th</sup>, which is this document here; answers to the questions from the 15<sup>th</sup>, the same question in that document there; and first of all, whether it served its purpose, absolutely, yes! It made sure that not only South Africa but the USA understood the position of this Province and that we as a province are seriously concerned about the implications for jobs of our citizens, of those small businesses that gain access through AGOA. We are concerned about those businesses and their sustainability should AGOA be ended.

It was an interesting visit because of course we visited just after the

President had sent Sydney Mufamadi there to try and do probably exactly what we were trying to do as well. [Interjection.]

Mr P MARRAN (ANC): Well, the officials.

The PREMIER: And I am very certain that our trip definitely served its purpose. You know, we need to understand that South Africa trades with the world and our trade with the world is about R1,8 trillion worth of trade. 0,2% of that trade is with Russia and, of course, that is what this is all about. It is about Russia, and the concerns that the world has about our flip-flopping position on Russia, we say one thing to the United Nations and we do exactly the opposite. So of course it served its purpose. It positioned this Province specifically on the side of jobs, on the side of making sure that we grow our economy ... [Interjections.]

The SPEAKER: Order!

The PREMIER: ...that the position that we hold on the illegal war against the Ukraine and of course that we are open to trade with the world. [Interjection.]

Mr P MARRAN (ANC): What about the war... [[Inaudible.]

The SPEAKER: Order!

The PREMIER: So the answer to question 1 is absolutely yes.  
[Interjections.]

Two, in line with the stated objectives of the visit, meetings were arranged with the experts, policy advisers...

An HON MEMBER: What about the war?

Mr P MARRAN (ANC): Says who?

The PREMIER: Does the hon Marran want to know about... [Inaudible, speaking simultaneously.]

The SPEAKER: Premier, hon members, order members.

Ms R WINDVOGEL (ANC): And the Minister... [House 1\_05:54]

The SPEAKER: Order, members, both the members on my right and left-hand side. [Inaudible, House 1 00:06:00] ...to engage in a dialogue, but there is a member on the floor. Premier.

The PREMIER: Thank you, Speaker. Again, I say, we engaged with the expert, policy advisers, representatives and staff members of the US Congress, Committees and organisations that are influential with regard to the AGOA process. Of course the meeting was not only about AGOA. I mean,

we had meetings with a range of various companies like MTN, Amazon and Netflix and NASA and Amazon Finance, Disney and there were a range of other meetings as well, but the ones or the primary meetings were in Washington around AGOA and making sure that South Africa can remain within AGOA. [Inaudible, House 1 00:06:52]

We also met with the Trade Department. We met with AmCham, the American Chamber of Business, so I think, and we spoke about the Foreign Relations Committee, the Ways and Means Committee, and of course we must remember that this is a piece of legislation. It is not a trade policy and it originates through a Finance Bill. [Inaudible\_House 1\_07:14] So we have to make sure that we remain within AGOA because of the opportunities that have specifically to deal with emerging companies in our region.

The SPEAKER: Thank you very much, hon Premier. Hon Dugmore, before I recognise you, can I get a direction from the Table staff. I see in the chat, the online chat, that there is a difficulty or technical difficulties with the sound. So I do not want to not allow the members that are online, as per the Rules, not to be able to partake in the Sitting. So hon members, please allow me a minute.

Hon members, I am advised that it will take two minutes to fix the technical glitch and in the interest of allowing members that are online to participate in the Sitting, I am going to just – I want to suspend for two minutes but I need you to work with me, so please do not exit the Chamber, but I am going to for

the sake of procedure suspend for two minutes.

Business of the House suspended at 14:25 and resumed at 14:30.

[Original House audio picks up here at 18:31]

The SPEAKER: Thank you, hon members. Please be seated. [Interjections.]  
Order, members, order! Thank you very much, hon members, and my  
apologies for the technical glitch. Can I just before we proceed, can I just  
ask, hon Cassiem, are you able to hear us?

An HON MEMBER: Can you hear?

An HON MEMBER: No data!

Ms A CASSIEM (EFF): Yes, I can, Speaker, thank you.

The SPEAKER: Thank you very much, hon Cassiem. Hon members, we will  
proceed and I recognise the hon Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you very much,  
Speaker. I think the Premier's reply explains exactly what the problem of the  
DA in the Western Cape is. [Interjection.] They would want to only focus  
on our relationship on trade and otherwise with the United States and  
Western countries. I want to remind the Speaker that our country is part of



BRICS. We have relationships with the West. We have relationships with the East, with Brazil, with Russia, with India and China, and the reality is that Western Cape farmers export to Russia and you say nothing about that. This is the double standard so our interest as the ANC is to make sure that we build those relationships across the globe... [Interjection.]

The PREMIER: In Russia.

The LEADER OF THE OFFICIAL OPPOSITION: And the reality is that the DA lied to the voters of the Western Cape... [Interjections.]

The SPEAKER: Order, members!

The LEADER OF THE OFFICIAL OPPOSITION: ...when they said they are going to the United States to meet lawmakers. Now I want to make it very clear that a lawmaker is someone like MEC Bredell or member Nkondlo, but none of the lawmakers... [Interjections.]

The SPEAKER: Order!

The LEADER OF THE OFFICIAL OPPOSITION: ...not one member of Congress; not one member of the Senate agreed to meet the Premier. They met with staff members and they told everyone that they were going there to actually meet with lawmakers, so they misled the people of the Western Cape. [Interjection.]

Ms R WINDVOGEL (ANC): They are wasting our taxpayer's money.

The LEADER OF THE OFFICIAL OPPOSITION: Our National Government is responsible for the AGOA agreement, not the Western Cape... [Interjections.]

The SPEAKER: Order! Order! Order, members!

The LEADER OF THE OFFICIAL OPPOSITION: And the reality is that R1,5 million... [Interjections.]

An HON MEMBER: On a point of order, Speaker.

The SPEAKER: Order, members!

The LEADER OF THE OFFICIAL OPPOSITION: R1,5 million was spent by going to the United States where they could have had all those meetings on Zoom. [Interjections.]

The SPEAKER: Hon Dugmore, hon Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Why did you not have the meetings on Zoom if you did not meet a single lawmaker?

The SPEAKER: Hon Dugmore, please take your seat.

Ms N D NKONDLO (ANC): They want to be a government. [Interjections.]

The SPEAKER: Hon members!

Ms N D NKONDLO (ANC): That is why you go up to... [Interjection.]

An HON MEMBER: We are. We are a government.

The SPEAKER: Hon members, hon members, hon members on my left-hand side. Members, hon members, both on my right and my left-hand side. [Interjections.] I know that you are very, very... [Interjection.]

Ms R WINDVOGEL (ANC): [Inaudible.] ...this Government money.

The SPEAKER: Hon Windvogel, I am on the floor. [Interjections.]

An HON MEMBER: I am talking about the National Government policy.

The SPEAKER: Hon members! [Interjections.] Hon members, you are wasting your time. There is time as per the Rules for Interpellations and if the time has expired we will move on with the Business of the Day. Can I please ask that you allow the member on the floor to make his or her submission and if you have any interjections then do so, but do not

compromise the decorum of the House, and this is all members.

Hon Dugmore, my apologies, you may continue.

†The LEADER OF THE OFFICIAL OPPOSITION: Thank you, Speaker. Dit is duidelik dat die waarheid maak seer. [It is clear that the truth hurts.]

*Inyaniso ibuhlungu, u DA, inyaniso ibuhlungu, bayakhwaza ngoku!*

†Hulle wil net skree nou. [Tussenwerpsels.] [They just want to shout now. [Interjections.]

So the issue is this, it was correct, Speaker, that the Premier did engage the International Relations Department and it was correct.

The PREMIER: I have always said... [Inaudible.]

The LEADER OF THE OFFICIAL OPPOSITION: But yet we have MEC Simmers over there who disrespects Cooperative Government by totally undermining the Minister of Human Settlements, who is trying to resolve the issue of the railway line, the Central Line. [Interjections.]

Then he starts fighting and then we have the situation of hon Murray. Hon Murray tried to influence people on the trip to California.

The SPEAKER: Hon Dugmore, my apologies. Please take your seat.

[Interjections.] Order, members! [Interjections.]

The LEADER OF THE OFFICIAL OPPOSITION: *Inyaniso ibuhlungu.*

[Interjections.]

The SPEAKER: Hon members!

†Die LEIER VAN DIE AMPTELIKE OPPOSISIE: Die waarheid maak seer.

[The LEADER OF THE OFFICIAL OPPOSITION: The truth hurts.]

The SPEAKER: Hon Deputy Chief Whip, is that a point of order?

The DEPUTY CHIEF WHIP (DA): Yes, Speaker, I rise on Rule 59(1) that the member is imputing improper motives and reflecting on the integrity and dignity... [Interjections.]

The SPEAKER: Hon Minister Maynier, there is a member on the floor. My apologies, Deputy Chief Whip.

The DEPUTY CHIEF WHIP (DA): I rise on Rule 59(1) regarding the member imputing improper motives and reflecting on the integrity and dignity of Minister Simmers.

The SPEAKER: Thank you very much, hon Deputy Chief Whip. I will revert

to Hansard and come back to the House and make a ruling on that.

[Interjections.]

Hon members, before I allow hon Dugmore to continue, interjections are allowed, but the minute you are drowning out the speaker or you are affecting the decorum of the House that will not be tolerated. It is the nature of the beast of Parliament to have robust debates, but you are bordering on infringing on the right of the speaker, which we will not tolerate.

Hon Dugmore, can I please also ask that you speak through me in order for me to protect you? You may continue.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you very much, Speaker.

†Dis duidelik dat die waarheid maak seer. [It's clear that the truth hurts.]

*Inyaniso ibuhlungu! Bayaxoka, DA.*

†Hulle lieg vir ons mense. [They are lying to our people.]

The DA is lying to our people because at the end of day, if you look at the disaster that the so-called Provincial Powers Bill is creating...

[Interjections.]

An HON MEMBER: Now you are jumping the gun.

The LEADER OF THE OFFICIAL OPPOSITION: ...where three lawyers have rejected... [Interjections.]

The SPEAKER: Order, order, order members! [Interjections.] Hon Kama, is that a point of order?

Mr M KAMA (ANC): Thank you very much, Speaker. Speaker, as you had just ruled, really this cannot be fair. It is for the third time.

Ms R WINDVOGEL (ANC): It is the Ministers!

Mr M KAMA (ANC): Every time member Dugmore says something... [Interjection.]

Ms R WINDVOGEL (ANC): Exactly!

Mr M KAMA (ANC): ...all the Ministers here except... [Interjection.]

Ms R WINDVOGEL (ANC): Except her.

Mr M KAMA (ANC): ...except the Provincial Minister of Health, they are making noise and we cannot hear the member. Can you please identify them so that they can leave this House, if they do not want to be part of this House

any more? [Interjections.]

An HON MEMBER: Why does hon Dugmore need your protection?  
[Interjections.]

The SPEAKER: Thank you very much, hon Kama. Hon Kama, that is not a point of order, but with that being said, members, this will be the last time that I am asking for your cooperation, and allow the member that is on the floor on either side of the House to make his or her submission and presentations to the House. With that being said, hon Dugmore, your first opportunity has expired and I now recognise the hon... [Interjection.]

The LEADER OF THE OFFICIAL OPPOSITION: Speaker, on a point of order.

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

The LEADER OF THE OFFICIAL OPPOSITION: Chairperson, my point of order is that I have been trying to respond in my first opportunity and with all these interjections the flow of my entire presentation has been interrupted.  
[Laughter.]

The SPEAKER: Order!

The LEADER OF THE OFFICIAL OPPOSITION: So I would request at least



another minute... [Interjection.]

The SPEAKER: Order, members!

The LEADER OF THE OFFICIAL OPPOSITION: ...because otherwise, this is a strategy of the DA... [Interjections.]

An HON MEMBER: The flow is discontinued. [Interjections.]

†Die LEIER VAN DIE AMPTELIKE OPPOSISIE: ...want die waarheid maak seer.

[The LEADER OF THE OFFICIAL OPPOSITION: ...because the truth hurts.]

An HON MEMBER: What is the point of order?

†The LEADER OF THE OFFICIAL OPPOSITION: *Inyaniso ibuhlungu* [The truth hurts.]

The SPEAKER: Hon Dugmore, what is your point of order? [Interjections.]

An HON MEMBER: That is not a point of order! [Interjections.]

The SPEAKER: Order! What is your point of order?

The LEADER OF THE OFFICIAL OPPOSITION: I am asking for a minute to

actually conclude my first response.

An HON MEMBER: No! No! Sit down.

The SPEAKER: Thank you very much, hon Dugmore. Hon members! Hon Dugmore, that is not a point of order. There is time allocated as per the Rules. You have had your first opportunity of three minutes. I am guided by the clock and by the Table staff and your three minutes have expired. I recognise the hon Fry.

Mr T FRY (DA): Thank you very much, hon Speaker. Hon Speaker, what is the truth?

†Wat is die waarheid? What is the truth? *Yintoni inyaniso? Quid est veritas?*

The truth is, if you ask the residents of this province what is the major one thing that concerns them the most, it is jobs. That is the one thing that concerns the people of this province the most and we as a Government will be failing in our duty, will be derelict in our direction if we do not try to save jobs.

Hon Speaker, it is clear that the National Government did not take the AGOA Act into serious consideration when the American Government decided, was wondering as to what our relationship with Russia was, particularly over the incident of the Lady R Ship docking in Simon's Town. So, the Government

had to take action and therefore the trip to America to discuss the AGOA Act and our inclusion post-2025 was valid, and, yes, the trip served its purpose, because this is what we are here to preserve. We are here to preserve and to create jobs. [Interjections.] Over 100 000 jobs are on the line if we were to be retracted from the AGOA agreement, so therefore this Government and the trip that went to the US served its purpose and it was valid. Thank you. [Interjections.]

The SPEAKER: Thank you, hon Fry. [Interjections.] Hon members, hon members, this continuous dialogue needs to stop. If you want to make a submission, make sure that you are on the Order Paper or on the Speakers' List. [Interjections.] Hon Christians, I recognise you.

Mr F C CHRISTIANS (ACDP): Thank you, Speaker. Speaker, if you now go to Google and you Google Lady R, it will say "known as #LadyRussiagate." Now Speaker, we must remember the one thing. The one thing here is about jobs and protecting the jobs of our people. I am sure the ANC would have said if the Premier did not go, "Premier, why did you not go as the Premier of the Western Cape?" [Interjections.]

HON MEMBERS: No, no.

Mr F C CHRISTIANS (ACDP): I am sure they would have done that so he was asked the question today, is the ANC against jobs! That is what it is all about... [Interjections.] [Applause.]

HON MEMBERS: Yes. [Applause.]

Mr F C CHRISTIANS (ACDP): The question is... [Interjection.]

The SPEAKER: Order, order!

Mr F C CHRISTIANS (ACDP): The question must be is Russia funding your political campaign. That is the question.

HON MEMBERS: Yes, yes. [Applause.]

The SPEAKER: Order!

Mr F C CHRISTIANS (ACDP): So I want to say today to the ANC, stop this! [Interjections.] This was a decision of the House for the Premier to go and the Premier defended the people of the Western Cape. I want to know, I want to know... [Interjections.]

The SPEAKER: Order!

Mr F C CHRISTIANS (ACDP): Is Cameron Dugmore, member Cameron Dugmore still the leader of the ANC or is there another member the leader of the ANC? I thank you. [Interjections.] [Applause.]

†'n AGBARE LID: Die waarheid maak seer!

[An HON MEMBER: The truth hurts!]

The SPEAKER: Order! Order! Thank you, Hon Christians. [Interjections.]

Order members. [Interjections.]

An HON MEMBER: He is not the leader of the ANC.

The SPEAKER: Order, members! Hon Kama, I recognise you. Hon Kama.

[Interjections.] Order members! [Interjections.]

Me R WINDVOGEL (ANC): Hy lieg ...[onduidelik]. Hy lieg.

[Ms R WINDVOGEL (ANC): He lies ... [inaudible]. He lies.]

The SPEAKER: Can I please ask that the Whips of both political parties on my left and right please control your members. Hon Kama. [Interjections.]

Mr M KAMA (ANC): Thank you very much, hon Speaker.

An HON MEMBER: The National Leader of the National Assembly.

[Interjections.]

Mr M KAMA (ANC): I just wanted to check if the member is sitting on the correct seat... [Interjections.] ...because Government is clapping but there is Opposition on this side.

The SPEAKER: Thank you, hon Kama, that is not a point of order. Order members! [Interjections.] The next speaker is hon Cassiem on the virtual platform. Hon Cassiem, I recognise you.

Ms A CASSIEM (EFF): Thank you, Speaker. Speaker, it is important to say from the outset that AGOA is legislation by the United States of America which is aimed at enhancing market access to the US for qualifying Sub-Saharan African countries. So this is a piece of legislation which only deals with matters of trade amongst countries at the highest level, and nowhere does this legislation mention agreements between the US and provinces such as the Western Cape. This is further made clear by the requirements which countries must fulfil in order to remain as beneficiaries, which are the improvement of the rule of law, protection of human rights and respect for the core labour standards, just to mention a few. So these requirements must be fulfilled by a country or a nation state holistically and are not expected from a province on its own.

So the Premier's response on the second point on the Question Paper of 28 July, that trade and tourism promotion are areas of concurrent National and Provincial Legislature is neither here nor there and lacks merit in its totality and promoting, Speaker, the trade and tourism is one thing, but flying to another country under the pretext that you are going to negotiate with the US on matters connected to AGOA is not only misleading, but pitiful.

As I have demonstrated, Speaker, to be eligible to benefit under AGOA, a country as a whole need to meet certain requirements. So from where we stand, the Premier, the Provincial Minister of Finance and Economic Opportunities and other staff members flew all the way to the USA, to the US, wasting more than R2 million rands' worth of taxpayers money in the process just to meet with staff members from different Senate Committees to discuss matters which are way above their pay grade.

Speaker, the fact that the Western Cape agricultural sector will experience high risk and impact when the AGOA benefits are lost, does not on its own qualify members of the Provincial Executive to fly to another country to discuss matters which have nothing to do with them, and certainly those they cannot influence. Having said that, Speaker, my question to the Premier: is the Premier of the opinion that if South Africa is to be excluded from AGOA then, due to his visit and meeting with the Senate staff members, Western Cape will all of a sudden be recognised as a nation state so that it can benefit from AGOA... [Interjection.]

The SPEAKER: Hon Cassiem, please conclude. Your time has expired.

Ms A CASSIEM (EFF): If not, what was the rationale for his trip that wasted taxpayers' money. Thank you.

The SPEAKER: Thank you very much, hon Cassiem. [Interjections.]

Ms R WINDVOGEL (ANC): Clearly wasting taxpayers' money.

The SPEAKER: I recognise the hon Dugmore. Hon Dugmore, this is your second opportunity.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you, Speaker. Speaker, it seems to me that the more answers we get from the Premier, the more questions are raised. The Premier wrote a letter to DIRCO, and I have a copy of that letter and I want to quote from it:

"...that the reason for going to United States is to explore possible collaboration with philanthropic organisations, foundations as far as key catalytic projects of the Province are concerned."

So in his letter he did not once mention that he was going there for AGOA to meet lawmakers. Is that not dishonest?

†Ndiyafuna ukubuza. Uyaxoka lo nkulumbuso? Andazi nokuba niyavuma.

[I want to ask: Is the Premier not lying here? I don't know whether you'll agree.]

†Hy lieg. [He's lying.]

Because in this letter he says nothing about AGOA, absolutely nothing.

[Interjection.]



†Hulle wil aanhou ...[Onduidelik.] [They want to continue... [Inaudible.]

The SPEAKER: Hon Dugmore, please take your seat. Hon Deputy Chief Whip?

The DEPUTY CHIEF WHIP (DA): Chair, in terms of Rule 59, member Dugmore, on referring to the Premier said, "Hy lieg." This is unparliamentary in terms of Rule 59, please could you rule on it.

The SPEAKER: Thank you very much. Hon Dugmore, did you refer to the Premier or did you say to the Premier, "Hy lieg"?

The LEADER OF THE OFFICIAL OPPOSITION: Speaker, I said his letter lied, but I am prepared to withdraw that. I will provide a copy... [Interjections.]

The SPEAKER: Order, members! [Interjections.] Order, members! Hon members, I do not need assistance to chair the Sitting. Hon Dugmore, did you refer to the hon Premier when you made that statement?

†Mnr A P VAN DER WESTHUIZEN (DA): Hy sê mos nou, "Hy lieg."

Mr A P VAN DER WESTHUIZEN (DA): But he's saying now, "Hy lieg."

The LEADER OF THE OFFICIAL OPPOSITION: I said that the letter written by the Premier was a lie.

An HON MEMBER: Uh-uh, no, you said... [Interjections.]

The SPEAKER: Did you refer... [Interjection.]

The LEADER OF THE OFFICIAL OPPOSITION: In terms of comparing ...  
in terms of his... [Interjections.]

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

The LEADER OF THE OFFICIAL OPPOSITION: In terms of, Speaker, can I  
just explain this? In the public domain the Premier said that he was going to  
see AGOA... [Interjection.]

The SPEAKER: No, hon Dugmore!

The LEADER OF THE OFFICIAL OPPOSITION: In his letter he mentions  
nothing about that.

The SPEAKER: Order members! Hon Dugmore, hon members! There is a  
member on the floor. You are continuing and that is both sides of this  
House. This is the last warning before I move over to naming you.

Mr P MARRAN (ANC): Name them.

The SPEAKER: Hon Dugmore, I have asked you a question. You do not need to justify your statement. I am asking you, there was a point of order; did you refer to the Premier when you made that statement, "yes" or "no"?

The LEADER OF THE OFFICIAL OPPOSITION: I did.

The SPEAKER: Can you please withdraw it? That is unparliamentary.

The LEADER OF THE OFFICIAL OPPOSITION: I withdraw it, and I will provide a copy of the letter. Thank you.

The SPEAKER: Can you please withdraw?

The LEADER OF THE OFFICIAL OPPOSITION: I withdraw.

The SPEAKER: Okay, thank you.

The LEADER OF THE OFFICIAL OPPOSITION: I will provide a copy of the letter but I withdraw the statement.

Mr P MARRAN (ANC): Is the letter lying.

The LEADER OF THE OFFICIAL OPPOSITION: If I can continue, Speaker, is that fine?

The SPEAKER: Yes, certainly, continue.

The LEADER OF THE OFFICIAL OPPOSITION: So before the Premier and his delegation went, they knew they were going on a fishing expedition at a cost of R1,6 million. Let me repeat, the ANC at this level and a national level, will do everything and are doing everything in our power to keep AGOA intact, as we are with other relationships. That is why this very Premier and his Department had to consult with National Government. We want a breakdown of the R1,6 million. We are not satisfied that nearly R1 million was spent on travelling alone. This amounts to a whopping R150 000 per member of the delegation and half a million rand for accommodation.

In a time of economic hardship suffered by the majority of our people this is not acceptable. The people of our province have nothing tangible to take from this R1,6 million. In fact, we have every reason to believe that what this trip was actually about was in fact to try and go and raise funds for the DA because...

†Bane-worry ukuba bazokuluza kulo nyaka uzayo ngalo nyulo. [They are worried that they are going to lose in the following year's elections.]

†Hulle gaan verloor. Nou moet hulle gaan geld soek. Hulle moet gaan geld soek daar buite van die Amerikaners. [Tussenwerpsels.] [They are going to

lose. Now they have to go and look for money. They have to go and look for money out there from the Americans. [Interjections.]

That is the reason. I want to conclude by saying that Western Cape farmers import fertiliser from Russia.

†Moenie skynheilig wees nie. Moenie skynheilig wees nie. [Don't be hypocritical. Don't be hypocritical.]

They get fertiliser. Is it in our interest to keep our relationships with everyone or to be ideological to the extent that the DA is? I thank you, Speaker. [Applause.]

The SPEAKER: Thank you very much, hon Dugmore. Hon Premier, I recognise you.

The PREMIER: Thank you very much; quite a lot of questions to get through. Let me start with the first point on this lecture that the hon Dugmore is talking about and the lies that go along with it. Here you can see it is called International Relations and Cooperation. This is the reply letter. This says:

"Proposed institutions, organisations or counterparts, and the delegation would like to have meetings with. Kindly request permission to assist the set up of the following:

(a) Courtesy call with the Ambassador and Consul General;

- (b) Influential key decision-making pertaining to AGOA, i.e. USA business associations, buyers, lobbyists, lobby groups relating to AGOA, World Bank, NASA, US/SA Business Chamber and US Council, Bill and Melinda Gates Foundation, SA Tourism, New York."

That is on the letterhead of your National Minister so do not come here with your nonsense. [Interjections.]

The SPEAKER: Order, order!

The PREMIER: Do not come here with your absolute nonsense. [Interjections.]

The SPEAKER: Order!

The PREMIER: Let us also just talk about one outcome. Let us talk about one outcome, Speaker. A R40 billion investment from Amazon!

The LEADER OF THE OFFICIAL OPPOSITION: That is already there.

The PREMIER: A R40 billion investment from Amazon... [Interjection.]

The SPEAKER: Order!

The PREMIER: ...who we went back to go and meet with because of issues landing the investment. Second, straight off to getting that going, Amazon Web Services comes here and initiates their first training institute outside of the USA. Where do they do it? In Cape Town for one million free graduates that they will fund in tech and innovation and cloud computing. One million degrees will come out of that one investment. [Interjections.]

But let us also just talk about the whole trip and reasoning for the trip. So if you look at the letter from the Congress of the United States signed by Senator Coons, Senator Meeks, Member Risch and Member McCaul and you go and have a look at that letter and you read here:

"The South African Government has formally taken the neutral stance on Russia's unlawful invasion of the Ukraine, but has deepened its military relationships with Russia over the past year. Late last year, the Russian cargo vessel, despite US sanctions docked in the South Africa's largest naval port."

It goes on to ask whether we are friend or foe, whether South Africa is friend or foe, and then they start talking about AGOA forming, South Africa would serve, implicit endorsement of South Africa's damaging support for Russian invasion of Ukraine and possible violation of US sanctions and the US Sanction Law.

We have to take these kinds of things very seriously and you know that we met with Senator Coons' office to say "Please do not take..." [Interjections.]

The SPEAKER: Order!

The PREMIER: "Please do not take the AGOA Summit away from South Africa. Please keep it in South Africa. If you need to bring it to the Western Cape, we are more than happy to host this in the Western Cape."

The SPEAKER: Order!

The PREMIER: Then coming out of our visit we get invited by the Committee on Trade to make a presentation to the Committee on Trade. I personally gave the Committee on Trade, the Standing Committee on Trade at Congress our presentation. It is 29 pages long. Here is the presentation that I gave and you know what is quite interesting? There was not one other province there and no National Government official from South Africa there at all on AGOA. There were other countries there from Sub-Saharan Africa and there were of course business interests represented there from Sub-Saharan Africa. That shows how much disdain the ANC treats this kind of relationship, which is all about jobs. It is about jobs and the economy and they do not give a damn about jobs... [Interjections.]

The LEADER OF THE OFFICIAL OPPOSITION: It is about DA fundraising.

The PREMIER: Because that is exactly what happened... [Interjections.]



The SPEAKER: Order! Order! Order! Premier, please take your seat. Hon members.

Ms N D NKONDLO (ANC): [Inaudible.] Why are you shaking your head?

The SPEAKER: Hon Nkondlo, I am on the floor.

An HON MEMBER: Name her.

The SPEAKER: Hon members, you had an opportunity, hon Dugmore, and this constant dialogue while the Premier is responding is not allowed. Colleagues, I do not know what is happening today, but, I mean, this is... the interjections, I do not want to stifle debate and interjections and allow you to partake in Parliament but you are drowning out the speaker and you are affecting the decorum. We have guests in the gallery. [Interjections.]

Can I please ask that you work with me so that we can get through the Business of the Day? Premier, your time has expired, so I am going to allow you to conclude.

The PREMIER: Can I say that the hon Dugmore's spurious accusations of fundraising in the US, I think the hon Christians is exactly correct. It is exactly the opposite. How do you balance 0.2% of R1,8 trillion with the kind of force, it is the Russians that are funding the ANC.

The SPEAKER: Thank you very much, hon Premier.

Ms R WINDVOGEL (ANC): Not raising funding.

The SPEAKER: Hon members, that concludes Interpellation 1 as printed on the Question Paper.

[Debate concluded.]

The SPEAKER: We move on to Interpellation 2 and I recognise the hon Minister, Minister Bredell.

**2. Mr P Marran asked the Minister of Local Government, Environmental Affairs and Development Planning:**

- (a) What has led to the ongoing water crisis in the Matzikama Municipality and
- (b) what interventions has his Department put in place?

The PREMIER: Hear-hear!

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Baie dankie, agbare Speaker. Agbare Speaker, die voortslepende waterkrisis in Matzikama Munisipaliteit is die gevolg van 'n kombinasie van verskeie faktore wat grootliks verband hou met die volgende drie aspekte. Die eerste een: 'n waterverspreidingsuitdaging as

gevolg van 'n netwerk- en pompstasieuitdaging is 'n geskeduleerde instandhouding van die waterinfrastruktuurnetwerk; en dan opsetlike skade aan eiendom.

Die Departement het tot die gevolgtrekking gekom dat daar voldoende watervoorsiening van die bron af beskikbaar is en dit gaan alles oor die verspreiding van daardie water en die infrastruktuur om die water in die huishoudings te kry, met ander woorde die pompstasie, die pypleidings wat verouderd is, pype wat bars weens hulle ouderdom wat nooit in stand gehou is nie en dan om vorendag te dag te kom met 'n langtermyn-oplossing.

Eerstens, die oplossings, die eerste een is die noodfase so wanneer daar 'n probleem is het ons gekyk na die noodfase en dit was die herstel van die pompstasies en om die pompstasies terug aanlyn te kry. Dan tweedens die kapitaalprojek, om die ou asbes-pypleiding te vervang en die bou van 'n nuwe pompstasie. Hierdie twee projekte sal die huidige uitdagings verlig en daar is ook toekomstige projekte in die beplanning om die waterbronne aan te vul en te diversifiseer wat waterveerkragtigheid gaan verseker.

Nou net om u meer in te lig, ons het ook die studie van die groeipotensiaal van dorpe, ekonomiese groei en dan ook populasiegroei gedoen, en om water te voorsien vir langtermyn is 'n langtermynplan.

Verskeie belanghebbendes was betrokke by die verskillende inisiatiewe en die vermoëns om hierdie uitdagings op te los. My Departement het betaal vir

die sekondering van 'n ervare professionele ingenieur wat die Munisipaliteit in die hoedanigheid as waarnemende tegniese direkteur bystaan om die lewering van die tegniese dienste te stabiliseer terwyl die Munisipaliteit tans besig is om hierdie posisie permanent te vul. Met bewusmaking van hierdie water-uitdagings het my Departement 'n tweede ingenieur gesekeer wat vir 'n week op die grond was en hand-aan-hand met die Munisipaliteit gewerk het. Hierdie ingenieur het in samewerking met 'n diensverskaffer, kontrakteurs en ander ingenieurs gewerk om die bestaande uitdagings op te los.

Nadat ek besef het dat die pogings op die grond nie so vinnig resultate lewer soos beplan nie, het ons nog drie ingenieurs, insluitend my Direkteur van Infrastruktuur gestuur om oplossings te vind vir die waterkrisis in Vredendal en om die burgers se las te verlig. My ontplooië span het met verskeie instansies en vrywilligers gewerk en belanghebbendes in die Munisipaliteit, onder andere die Distrikmunisipaliteit, 'n plaaslike mynmaatskappy, die Departement van Water en Sanitasie het aan boord gekom, so dit was totaal 'n spanpoging. 'n Tydelike tegnikus en pyleiding wat deur die maatskappy verskaf is om te verseker dat daar 'n meer robuuste alternatiewe opsie in plek was, is daargestel. Met hierdie veelsydige poging is die uitdagings versag en kon ons verseker dat mense water het in die huis, nie onder die ideale druk of onder ideale omstandighede nie, maar individue het water tot hulle beskikking gehad.

Die tweede deel van die interpellasie, agbare Speaker, my Departement se

Direktoraat vir munisipale infrastruktuur en spesiale ondersteuningseenhede het die afgelope paar maande nou saamgewerk met Matzikama Munisipaliteit as deel van 'n nuwe munisipale ondersteuningsplan wat verband hou met die tegniese bystand en grootmaatwatervoorsiening en in[frastruktuurbeplanning. Die Departement het verder ook sakeplanne vir infrastruktuurontwikkeling in samewerking met munisipale tegniese personeel opgestel, munisipale ingryping... [Tussenwerpsel.]

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, hon Speaker. Hon Speaker, the continuing water crisis in Matzikama Municipality is the combination of several factors that are mainly related to the following three aspects. The first: a water distribution challenge as a result of a network and pump station challenge is a scheduled maintenance of the water infrastructure network; and then deliberate damage to property.

The Department came to the conclusion that there is sufficient water supply from the source and it's all about the distribution of that water and the infrastructure to get the water into the households, in other words, the pump station, the pipelines that are outdated, pipes bursting because of its age that were never maintained and then to come up with a long term solution.

Firstly, the solutions, the first one is the emergency phase so that when there is a problem, we looked at the emergency phase and that was the repair of the pump stations and to get the pump stations back online. Then secondly, the capital project, to replace the old asbestos piping and the building of a new

pump station. These two projects will mitigate the present challenges and there are also future projects in the planning to supplement the water resources and to diversify that will ensure water resilience.

Now just to inform you more, we have also undertaken the study of the growth potential of towns, economic growth and then also population growth, and to provide water in the long term, is a long term plan.

Various interested parties have been involved in the different initiatives and the ability to solve these challenges. My Department paid for the secondment of a professional engineer that is assisting the Municipality in the capacity of acting technical director to stabilise the delivery of technical services while the Municipality is busy filling this position permanently. Becoming aware of these water challenges my Department seconded a second engineer that has been on the ground and worked hand in hand with the Municipality. This engineer worked along with a service provider, contractors and other engineers to solve the existing challenges.

After I had realised that the efforts on the ground do not deliver results as fast as was planned, we sent another three engineers, including my Director of Infrastructure, to find solutions for the water crisis in Vredendal and to relieve the plight of the citizens. My deployed team worked with various bodies and volunteers and interested parties in the Municipality, amongst others the District Municipality, a local mining company, the Department of Water and Sanitation had come on board, so its has been a total team effort.

A temporary technician and pipeline provided by the company to ensure that there was a more robust alternative option in place, were established. With this versatile effort the challenges were mitigated and we could ensure that people had water in the house, not under the ideal pressure or other ideal circumstances, but individuals had water to their disposal.

The second part of the interpellation, hon Speaker, my Department's Directorate for municipal infrastructure and special support services has closely worked with the Matzikama Municipality as part of the new municipal support plan that relates to the technical support and large volume water supply and infrastructure planning. The Department has further also drawn up business plans for infrastructure development in cooperation with municipal technical staff, municipal intervention ... [Interjection.]

The SPEAKER: Hon Minister, please conclude, your first opportunity has expired. Your time has expired.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, Speaker.

The SPEAKER: Thank you very much, hon Minister. I recognise the hon Marran.

Mr M KAMA (ANC): Hear-hear!

Mr P MARRAN (ANC): Thanks very much, Speaker, and good afternoon to everyone present. MEC, LORWUA, the Lower Olifants River Water User Association, gave notice to the Municipality in March about maintenance work. So you can never blame LORWUA for the water crisis that happened in that particular area and basically what we are saying is that the officials of Matzikama do not know what they are doing. That is exactly what you are saying.

Speaker, today's interpellation on the water crisis in Matzikama is not about Matzikama and water alone. It is about the utter failure in the Department of Local Government to invest in municipal infrastructure by the DA-led Matzikama Municipality to invest in infrastructure, because the MEC have said they are now going to replace the asbestos pipes, now after so many years. When the City of Cape Town nearly reached the so-called day zero two to three years ago, the DA-run City in the province were quick to blame the National Government. "We are not responsible for bulk water supply," they shouted.

Well, the crisis in Matzikama was not about bulk water. It was about the inability of the DA-run Municipality and province to simply maintain water infrastructure. Last year in the 2022 Budget, the ANC complained about a cut in the Municipal Infrastructure Budget. We complained because increases in budget were made to other programmes in the Department, such as Administration, while vital services such as Municipal Infrastructure was being cut. The MEC is quick to complain that there are cuts to budget for



National, but the reality is the shift of critical funds away from critical areas such as Municipal Infrastructure to fund Corporate Affairs. There is a reason why we complain about this cutting Municipal Infrastructure Budget, is because we know that it will be poor areas where Coloured and African people live. It will suffer from the lack of proper municipal infrastructure. Who suffered the most in Matzikama? Who suffered the most in Matzikama? The poor marginalised Black and Coloured people. White people have water all the time. Their taps never went dry during that particular process.

The SPEAKER: Thank you very much, hon Marran, please take your seat.

Mr P MARRAN (ANC): That is the truth. You cannot deny it.

The SPEAKER: Hon Marran, please take your seat. Hon Chief Whip, is that a point of order?

The CHIEF WHIP (DA): Hon Speaker, can I please ask that the hon member on the floor address you and not the Minister directly. Thank you, Speaker.

The SPEAKER: Thank you very much, hon Chief Whip. Hon member, please speak to me or speak through me.

†Mnr P MARRAN (ANC): Die waarheid maak seer, Speaker.

[Mr P MARRAN (ANC): The truth hurts, Speaker.]

Speaker, whatever came, what eventually came for some, those in the drop and who are better off; those who are poor and working-class, Coloured and African had to suffer extra days without water. Almost 14 days to be exact, but this is the result of apartheid DA planning. This is the result of apartheid DA investment in infrastructure. This is the result of apartheid DA giving resources to improve infrastructure in towns in White areas but poor Coloured and African people can continue to suffer. This is the DA apartheid government at its best. Thanks. [Interjections.]

The SPEAKER: Thank you very much, hon Marran. I now recognise the hon Sileku.

†Mnr I M SILEKU (DA): Agbare Speaker, baie dankie vir die geleentheid. Speaker, ek dink wat seermaak is die feit dat die *whole-of-society approach* het nou plaasgevind by Matzikama toe die gemeenskap deur die vloede die uitdaging kon aanvat en aanpak en hulle het met 'n oplossing gekom in plaas van om te *complain*, en dit is wat seermaak.

[Mr I M SILEKU (DA): Hon Speaker, thank you for the opportunity. Speaker, I think what hurts is the fact that the whole-of-society approach has now happened at Matzikama when the community could take on and deal with the challenge through thee floods, and they came with a solution instead of complaining, and that is what hurts.]

Infrastructure failure, reservoir overflows and leakages from water distribution systems results in an national annual wastage of 1,3 billion

kilolitres. This equates to a distressing daily loss of 3,6 million kilolitres. This is very concerning. These national figures from 2021 likely underestimates the current extent of water loss, considering the severe battering endured by water infrastructure due to the persistent high levels of loadshedding over the past few years.

National water infrastructure countrywide has been neglected for years and it now requires an estimated investment of almost R90 billion over the next 10 years to upgrade water infrastructure in the whole of the country. Shockingly, approximately 20% of all water losses countrywide can be attributed to illegal connections, metre inaccuracies and data transfer errors. The cost associated with unauthorised connection alone amounts to a staggering R250 million annually, while the National Department of Water and Sanitation is responsible for these leaking distribution systems, which includes pipes and taps, the Western Cape Government is currently working on a plan to improve water infrastructure in the province. The plan includes a number of initiatives, such as investing in new dams and pipelines, upgrading existing infrastructure, promoting water conservation and raising awareness on the importance of water resources.

My question to the hon Minister, is he aware of any work being done in the province by the National Department of Water and Sanitation to repair and upgrade water distribution systems that leak millions of kilolitres daily?  
Thank you, Speaker.

The SPEAKER: Thank you very much, hon Sileku. That is also the end of your time allocation.

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Mooi!

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Good!]

The SPEAKER: I recognise the hon Christians.

Mr F C CHRISTIANS (ACDP): Thank you, Speaker. Speaker, it has been revealed that the water shortage was a result of poor infrastructure and it says further in the media by Mr Billy Claassen that it is because of poor infrastructure. Now this happens over time. It does not happen immediately, so surely people must be responsible for that. It must be, but we cannot come to this House and drive race-based politics. We must bring communities together and say, how are we going to solve this problem?

Minister, what is your plan, because people must be held responsible for this water shortage, so lastly, I am going to ask the Minister; Minister, I know your Department is working hard in order to make sure that there is no shortages but there is an administration that would be held responsible for the shortage of water. I want to know, are those officials going to account and are they going to be brought to book? I thank you.

The SPEAKER: Thank you very much, hon Christians. I recognise the hon Klaas. [Interjections.] Order members, order members. Hon Klaas, can you put on – oh, it is on now. Your microphone was not on.

Mr T KLAAS (EFF): What the residents of Vredendal in Matzikama Municipality are subjected to by the DA-led Municipality, is not only ill treatment of the protected constitutional right, but their intentional punishment. The DA has placed an incompetent individual in the position of power who cannot even engage in proper infrastructure planning for purposes of making sure that residents receive adequate clean water as the Constitution requires. A municipality which cannot supply even most of basic services is nothing but a failed municipality. It does not make sense how and non-governmental organisations such as the Gift of Givers should step in the shoes of the municipality and supply... [Interjection.]

The SPEAKER: Hon Klaas, can you please take your seat? Please take your seat.

†Mr T KLAAS (EFF): Hayi bo! Ixesha! [Time!]

The SPEAKER: Hon Sileku, is that a point of order?

Mr I M SILEKU (DA): Yes, Speaker. I would just like to know if member Klaas is willing to take a question.

Mr T KLAAS (EFF): No. [Interjections.]

The SPEAKER: Please take your seat, hon Klaas? [Interjections.] Order, members! Hon Klaas, I need to ask you the question, are you prepared to take a question?

Mr T KLAAS (EFF): No!

The SPEAKER: You are not. Hon Sileku, hon Klaas is not prepared to take a question. Hon Klaas, please take your seat. Hon Klaas, please take your seat. Hon Chief Whip, is that a point of order?

The CHIEF WHIP (ANC): Yes, it is a point of order, Speaker. Hon Sileku answered your question when you asked him, is that a point of order, and he said "yes," and immediately he asked a question and you gave him that opportunity. He misled this House. I want you to rule on that.

The SPEAKER: Thank you, hon Chief Whip. I will revert to Hansard because the way I understand it, is hon Sileku asked me to ask the hon Klaas if he was prepared to take a question and he then said, and then he said no, but in the interest of moving forward I will revert to Hansard and I will come back to the House. Hon Klaas, please continue.

Mr T KLAAS (EFF): The situation in Matzikama evidenced that the DA does not care about the interest and needs of the poor as the party and its

Government structure only concern themselves with the protection of White people who reside in Cape Metro and Stellenbosch. Having said that, I would like the Minister to respond to the following question: what is Matzikama Municipality doing to improve its water infrastructure so that people can receive adequate water?

An HON MEMBER: Your time has not expired.

Mr T KLAAS (EFF): Not it has not expired. Chair, the other thing is that we work there in Matzikama. We know very well they were assisted by the community and that community also will need their benefit after that. If that community said that we cannot work there, because they did themselves, what will happen? That is why I said the Minister must check on that and make sure they return the money of the community because it will demand that you do. Thank you.

The SPEAKER: Thank you very much, hon Klaas. I recognise the hon Marran for your second opportunity.

Mr P MARRAN (ANC): Thanks very much, Speaker, and the hon Sileku was with us on that oversight visit. He was with us. We spoke about reservoirs that overflow. We were told that reservoirs are empty. Farmers told us that they got the infrastructure they are willing to assist the Municipality to pump water; to pump water out of the river and to fill up those reservoirs. It is empty. We have spoken about the pipeline. That pipeline was repaired by the

community. While the Municipality and the Province were fighting about whose road it is, whose pipes it is, the community repaired those roads and at the end of the day they were told or found out that the road belongs to the Municipality. We were told by farmers that they are willing to invest in some of the infrastructure but there is some resistance from the Municipality. They do not want that assistance and members of the DA were there. I am not sure why they come and speak different here, Sileku. [Interjections.]

Speaker, through you, the lives of our people were heavily affected. Ordinary tasks such as cooking, bathing, cleaning, including water for the use of ablution facilities were heavily affected. Elderly people at their homes and home patients were also severely affected by the situation, but not a word of apology from the DA. In fact what they told us, one of the councillors in the meetings is saying that it is because of people that stay in the squatter camps, Africans. It is because of them, the influx that is the cause of this water problem. There are too many people.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Who said that?

Mr P MARRAN (ANC): Your councillor, they know, they were there.

The PREMIER: Which councillor?

Mr P MARRAN (ANC): They were there. I will tell you afterward you can



send me a written question. [Interjections.]

The CHIEF WHIP (DA): Speaker...

The SPEAKER: Hon Marran, please take your seat. Hon Chief Whip, what is your point of order? Is that a point of order?

The CHIEF WHIP (DA): Speaker, may I address you?

The SPEAKER: Yes, you may.

The CHIEF WHIP (DA): The hon member is engaging in dialogue and he keeps on referring to the members on the other side.

The CHIEF WHIP (ANC): And providing a list.

The CHIEF WHIP (DA): May I please ask that the member addresses you, thank you, Speaker.

The SPEAKER: Thank you very much. Hon Marran, can I please remind you to speak to me and can I please remind the members on my right-hand side that you cannot go into dialogue with a member on the floor and that you cannot drown out the speaker. [Interjections.]

Mr P MARRAN (ANC): Thanks, Speaker, it is your MEC that provoked me,

but through you, †Speaker, die waarheid maak seer. [Speaker, the truth hurts.]

The PREMIER: Say the name.

Mr P MARRAN (ANC): Yes, Davine Cloete.

The SPEAKER: Order, members!

Mr P MARRAN (ANC): That is the name, Davine Cloete, that is the name.  
[Interjection.]

†'n AGBARE LID: Baie dankie.

[An HON MEMBER: Thank you.]

Mr P MARRAN (ANC): Yes, this, and they know. They know, so why they are not willing to tell you who their councillor is. This Provincial Government pushes for more powers for provinces, yet they cannot exercise the very basic powers that it already has. The Provincial Government speaks about, I had to call her into order in that meeting, Chairperson, you were chairing that particular meeting. [Interjections.]

The Provincial Government speaks about loadshedding having an effect on the provincial economy, but the case is very little about the devastating affect this water crisis in Matzikama had on the local economy of the

Municipality. Businesses suffered tremendously under the DA's water crisis. Yet, what this crisis confirms is that the DA was responsible for the water crisis in Cape Town, they still charge poor people a water levy as well as the two, three years ago. We know that already in 2007, a year after the DA took power in the City of Cape Town, Mayor Helen Zille's Administration was informed of the looming drought. Yet, in Matzikama the DA did nothing for more than 10 years, knowing full well that the... [Interjection.]

The SPEAKER: Hon Marran, please conclude, your time has expired.

Mr P MARRAN (ANC): The ANC wishes to thank the South African Municipal Workers Union for the role they played in the water crisis in Matzikama. The ANC wishes to acknowledge... [Interjection.]

The SPEAKER: Thank you very much, hon Marran.

Mr P MARRAN (ANC): That the people of Matzikama in the Western Cape they must know that this DA... [Interjections, speaking simultaneously.]

The SPEAKER: Hon Marran, please take your seat. [Interjections.]

HON MEMBERS: Sit down. Sit down!

The SPEAKER: Hon members! Hon members, I do not need your assistance to chair this session. If you have a point of order, please do so, but can you

please... [Interjections.]

An HON MEMBER: The Speaker is progressing [Inaudible.] [Interjection.]

Mr T FRY (DA): *Yintoni inyaniso.*

The SPEAKER: Hon members, it is no issue for me to remain here until we complete the Order of the Day or the Business of the Day. With that being said, hon Minister Bredell.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you, hon Speaker. Hon Speaker, I am always astonished how the ANC will stand up in this House and try to badmouth the DA and where their National Government is so corrupt and they steal everything from the poorest of the poor. The sabotage in Matzikama, it is maybe the biggest issue of all that we are busy dealing with.

Hon Christians is spot-on. There is a lot of sabotage. There is a MAS number in the SAPS Police. We have got the Hawks in now to investigate and we allow that investigation to go its course. I am not going to pull that into a political discussion, but I am very worried because there is definitely sabotage.

Our one engineer - and the question what we have done, we have sent five engineers to Matzikama, that is how serious we think this is and we wanted to

solve this as soon as possible. I have never mentioned LORWUA but we want the powers, if we as the DA Government had the powers to plan the water and networks of this province, I can tell you we will get it right going forward but we have a 15-year Integrated Water and Drought Plan that now needs implementation. I can tell you the DA councils will implement but I can tell you what in a couple of years is going to happen with the water quality in Knysna, in TWK, in Central Karoo, in Beaufort-West and the common factor is the ANC governs there. They do not care about the poor because they know if the poor suffer they will vote for them for their shameless R350 grant. That is why and they want to keep people captured so that they can suck out the votes out of them. The people are not stupid. They might be poor, but they are not stupid. This Government is doing everything possible. When we take over from the ANC to rectify the neglect of infrastructure, the ANC governed Matzikama. They have never spent a cent on infrastructure. That is why the people sit with asbestos pipes. [Interjections.] It will poison them if we do not solve them. That, the members do not tell this House. They do not tell it to the public. We do not play politics with this. We dare to serve the people.

The people's got the right to a dignified life. To have a dignified life you need water and we will provide that water. We put tankers out there, we pull in even the mine and the private sector to come and help us; at a stage, we said: "We cannot, we need you," and they stepped up and they helped us and we are grateful for that. We will keep on and 2024, coming 2024, the voters will vote us back because they know we are a caring government. I thank

you, Speaker. [Applause.]

The SPEAKER: Thank you very much, hon Minister Bredell.

An HON MEMBER: The people are not stupid.

The SPEAKER: Hon members, that is the end of Interpellation 2. We now move over... [Interjections, simultaneously shouting.]

Mr P MARRAN (ANC): He said nothing. Sileku said nothing. The Chairperson said nothing.

An HON MEMBER: Oh, just keep quiet.

Mr P MARRAN (ANC): Yes, as you kept quiet in that meeting.

An HON MEMBER: We lost the Speaker.

The SPEAKER: You in fact did lose me, because you are not adhering to my requests, so continue!

The LEADER OF THE OFFICIAL OPPOSITION: I am respecting you, Speaker.

The SPEAKER: That brings us to the end of Interpellation 2.

[Debate concluded.]

The SPEAKER: Hon members, we now move on to Rule 202 and Questions for Oral Reply as printed on the Question Paper. I wish to remind hon members that there are four opportunities for follow-up questions. The first opportunity will be provided to the person posing the initial question. For those members on the online platform please indicate online if you wish to ask a follow-up question and to the members present in the Chamber, please indicate so that the Table staff can note your request for a follow-up question. I recognise the hon Premier.

## **QUESTIONS FOR ORAL REPLY**

### *New questions to the Premier:*

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

- (a) What are the details of the persons who worked in the drafting of the Western Cape Provincial Powers Bill and
- (b) what role did his Department play in the drafting of the Western Cape Provincial Powers Bill?

The PREMIER: Thank you very much, Speaker, and thank you very much to the hon Leader of the Opposition for the question.

Point (a), sorry, you need to refer this question to the Provincial Standing Committee on the Premier and Constitutional Matters which initiated this Bill, and (b), none.

The SPEAKER: Thank you very much, hon Premier. I recognise the hon Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Thank you very much, Speaker. I would just, as a follow-up, like to ask the Premier that given when I asked him a question without notice sometime back in the Legislature, he mentioned an Advocate Bishop and he mentioned various other names and given that – you did mention Advocate Bishop.

The SPEAKER: Please pose your question.

The PREMIER: So, to you.

The LEADER OF THE OFFICIAL OPPOSITION: So, Speaker, through you, could you please explain why, after having told us that Advocate Bishop was one of the people involved, why in your response today are you now referring this to the hon Chairperson of the Standing Committee in this regard, and are you thus denying ... [Interjection.]

The SPEAKER: You are only allowed one follow-up question as per the Rules.



The LEADER OF THE OFFICIAL OPPOSITION: That is not, my question is, given that the Premier responded and said Advocate Bishop was involved, in his response today, why is he then referring to this matter to hon Fry when it is clear that hon Fry had nothing to with this Bill but had just given it?

The SPEAKER: Thank you, very much, hon Dugmore. Hon Premier.

The PREMIER: Thank you very much and thanks for the follow-up. I did mention that. It was in a question to the Premier because I have met that advocate once in my life and I know that he was involved in some way. This is not a Bill coming from the Executive. The hon member knows that.

The SPEAKER: Thank you very much, hon Premier. Hon members, are there any further follow-up questions? I see, I recognise the hon Fry.

Mr T FRY (DA): Thank you, hon Speaker. I would like to ask the Premier, given our discussion on AGOA, what would he and the fact that the Bill specifically outlines a devolution of trade, including international trade, what would he do differently given than what the National Government is doing now in referring to international trade and creating jobs because the National Government is clearly not doing that very well.

The SPEAKER: Thank you very much. That, the last part of that is not a question. That is a statement, so I am going to disregard that. Premier, the

question posed?

The PREMIER: Thank you, and thank you to the hon Fry. Obviously I mean, I follow the process of this Bill. I welcome the concept of this Bill, and this Bill is creating a framework in which a province is starting to set up how it should behave when the National Government fails to serve its citizens in whichever way, so whether it is trade or policing or the harbour. We know right now that the agricultural growth in our province has got 20% increase on last year's production, which has got to go through the very same harbour, which the very same National Government runs. I am so worried about that at the end of the year, because quite frankly, in the financial situation we find ourselves, we need to make sure that we are growing our economy, and how do we do that best? We bring in foreign direct investment or foreign trade. That is what we should be doing and so, you know, this is the kind of Bill that I really would welcome so I hope and we should speed through the committee process so that we could be enabled to take over more powers if they fail to deliver on those powers at a National Government level.

The CHIEF WHIP (ANC): I do not have that.

The SPEAKER: Thank you very much, hon Premier. Hon Dugmore.

The LEADER OF THE OFFICIAL OPPOSITION: Is this the last question, Speaker?

The SPEAKER: No-no, it is hon Dugmore and then hon Marran, and that is the end of that question.

The LEADER OF THE OFFICIAL OPPOSITION: Premier, arising from your replies and given the information that Advocate Maasdorp, Advocate Le Roux and also a legal intern have both described this Bill as being un-researched, not consistent with the Constitution. I would like to ask the Premier directly. Is he aware that the DA was actually behind the drafting of the Bill? Does he have any information at his disposal that the DA was involved in drafting this Bill?

The SPEAKER: Thank you very much, hon Dugmore. Hon Premier.  
[Interjections.]

The PREMIER: The legal advice to the Committee says once again, am I aware? Well, I want to say that, quite frankly, this Bill is residing in the Committee that I presume the hon member sits, so he should be able to answer that question without asking me.

I am looking forward to this Bill being dealt with because I believe it creates the correct environment for us to move forward as a country where the ANC is failing dismally.

The SPEAKER: Thank you very much, hon Dugmore. You had an opportunity. It is now the opportunity of hon Marran.

Mr P MARRAN (ANC): Thanks, Speaker. Advocate Le Roux, when he commented on the legal opinion, Advocate Maasdorp said the subject of this Powers Bill is not the legislative competence of the powers. He goes further to say the Province cannot make a law on the subject matter of the Powers Bill.

An HON MEMBER: The question?

The SPEAKER: What is your question?

Mr P MARRAN (ANC): That is your loss, not mine. Yours, there was.

The SPEAKER: Order, hon Marran, can you please ask your question?

Mr P MARRAN (ANC): There was a legal opinion by Advocate Maasdorp.

Ms R WINDVOGEL (ANC): Give your question.

Mr P MARRAN (ANC): There was a note where Advocate Le Roux, there was a note where... [Interjections.]

The SPEAKER: Hon members, hon Marran!

Mr P MARRAN (ANC): The question to the Premier.

Ms R WINDVOGEL (ANC): What is your question?

The SPEAKER: Please ask your question?

The LEADER OF THE OFFICIAL OPPOSITION: Let us get to the question.

An HON MEMBER: He does not have a question.

Mr P MARRAN (ANC): Given the fact that two advocates and an intern, Mr Sibeko...

An HON MEMBER: He gave the opinion. [Interjections.]

Mr P MARRAN (ANC): Yes, basically as we can put it, rejected, will you get another legal opinion from another legal adviser? Thanks.

The SPEAKER: Thank you very much. Hon Premier.

The PREMIER: So I do not know how long the hon member Marran has been a member of this House of the Standing Committee, but he obviously still does not understand that the lawyers are not our lawyers... [Interjections.]

The SPEAKER: Order!

The PREMIER: This is the Government's side and our lawyers are not involved in this whatsoever. [Interjections.] It is the Committee's lawyers. It is the Committee's lawyers so the hon member... [Interjections.]

An HON MEMBER: It is not the Government's side?

An HON MEMBER: Yes, we are shocked.

The PREMIER: So the hon member, Mr Speaker, does not have a clue as to what is going on. I wonder if he even attends the Standing Committee?

The SPEAKER: Hon Premier, please take your seat. Hon Marran, you posed the question to the Premier, the Premier is responding to your question but you are in dialogue with Minister Mackenzie. Can I please – Premier, hon Minister Mackenzie! [Interjections.]

Hon members, I have previously asked and I have previously warned and this will be the final warning because you are drowning out the speaker and you are affecting the decorum of the House. Hon Premier, you may continue.

The PREMIER: Thank you very much. So, as I was saying, the hon Marran obviously does not have a clue as to what goes on here. It is not a Government-initiated Bill that ends up in the Committee. This is a Committee-initiated Bill and an opinion is an opinion and of course the Committee must do their work. I hope that they finish that work and they get

it to me so that I can sign off on it because I think it is a great idea that we actually start to take powers away from failed ANC departments who cannot deliver to the citizens of this province. Just think – imagine if this province could get grants to citizens, how efficient it would be.

The MINISTER OF MOBILITY: Yes.

The PREMIER: Those citizens who are supposed to receive their SASSA grants and that is what they live on, and guess what the National Minister does? He goes, "Oh, sorry," and he moves on. That is totally unacceptable. We need to be able to take over those powers where the National Government – that member's party, fails the citizens of this province, whether it is SASSA, a port, the policing, there are a range of areas where this Province should be able to step in. [Interjections.] So, I really wish the Committee well in getting this legislation into [Inaudible.] ... [Interjections.]

The SPEAKER: Hon Premier, my apologies, please take your seat. Hon Chief Whip.

The CHIEF WHIP (DA): Speaker, I rise on Rule 39 and 40. It cannot be that members do not have any regard for the Rules of this House. The Premier is responding. You did give us a fair warning earlier on in this Sitting. Can you kindly respond, thank you, Speaker.

The SPEAKER: Thank you very much, hon Chief Whip, and now, as I have

indicated before I allowed the Premier to respond, that was the final warning. I will now move over to naming members and the next process of the Rules will be applied. Hon Premier, you may continue.

The PREMIER: I am done.

The SPEAKER: Thank you very much, the hon Premier has concluded. We will now move onto Question 2, that was stood over from 31 August 2023 as agreed to by the House and I recognise the hon Minister, Minister Mbombo.

*Question standing over from Thursday, 31 August 2023, as agreed to by the House:*

**2. Mr F C Christians asked the Minister of Health and Wellness:**

- (a) How many critical operations have been postponed and
- (b) what is the nature of these postponed operations?

The MINISTER OF HEALTH AND WELLNESS: Thank you for the question. The question is about critical operations. So, for our understanding the critical operations mean emergency operations, so there has never been any postponement on critical stroke emergency operations. However, elective surgeries, there have been some of those that have been postponed.

Just to illustrate, using the data the same time in August 2022 and August 2023; last year we had 1 346 elective surgeries. This year 1 131, meaning



there has been a decrease of those surgeries by 215 and most of the decrease happened during the taxi strike, which is about a 16% decrease. So these are the elective surgeries. You asked the question about what types of operations, it is a total hip and knee replacement arthroplasty, orthopaedics, spinal operations and other types of orthopaedic operations; cataract, ophthalmology and other ophthalmology operations; urology operations; ears, nose and throat; gynaecology; neurosurgery; paediatric; breast and endocrine operations; plastic surgery; abnormal surgery; cardio-thoracic surgery; transplant surgery; maxillofacial surgery and other operations of more than 30 min. Others are less than 30 minutes, so these are the elective surgeries, not critical or emergency operations. Thank you.

The SPEAKER: Thank you very much, hon Minister. I recognise the hon Christians.

Mr F C CHRISTIANS (ACDP): Thank you, Minister, for the reply. Just, you know, I think people were very concerned with the taxi strike and all hospitals were affected with surgeries. Just a question, so just as a normal question. So all the surgeries now, is it on time, are there no postponement of any surgeries? I know we spoke about the emergency ones, but I am just asking is everything now according to order because I know that the people were talking about the lives of our nurses; the lives of our doctors, and those type of things so it was impacted, but I just want to know according to your books, are all the surgeries done according to the appointments given by the doctors to the patients? Thank you.

The SPEAKER: Thank you very much, hon Christians. Hon Minister.

The MINISTER OF HEALTH AND WELLNESS: For the elective surgeries, we still continue with the list, but there are other times, through you, Speaker, where you will find that sometimes you have to delay, especially now we are on Stage 6 loadshedding and in as much as that we have got generators and the backup system, but even if it is less even a second or two, when we have to transfer from the energy to the backup, it does impact on some of the other devices, for example with the radiotherapy nuclear and all of those. So you may be able to continue at the time that there is loadshedding but it will impact for the list, so the list gets delayed, but we are not postponing elective surgeries, but with a critical emergency you cannot, because you are saving lives with the emergencies.

The SPEAKER: Thank you very much, hon Minister. I recognise the hon Marais on the hybrid Sitting.

Mr P J MARAIS (FF PLUS): Thank you so much, Chair. Minister, are you sure that – I do not know where the taxi strike crept into this question because it does not form part of the question.

An HON MEMBER: Yes, it does.

Mr P J MARAIS (FF PLUS): You just say how many critical operations have

been postponed. Are you sure the taxi strike is the real reason and not unavailability of funds and availability of suitably qualified staff. This to me is vital. You cannot have an operation if you do not have the surgeons and you cannot have surgery if there are not relevantly trained nurses for the aftercare of these patients. So are you sure that all these postponements for critical operations were due to strikes and not funds or staff availability?

The SPEAKER: Thank you very much, hon Marais. Hon Minister?

The MINISTER OF HEALTH AND WELLNESS Thank you, member Marais. I repeat, there has been no postponement of critical and emergency operations even during the taxi strike but when we use the proxy of how many elective operations we did in August 2022 versus August 2023, there has been a decrease of 215. That is what we are trying to imply. These are elective surgeries but not the emergency or the critical operations.

Having said that, in August we did have transplants, actually even during the time that we had a staff shortage during the strike. Despite that we had a 215 less in August, where I think five people benefited from one person who donated the body, I am saying it is for one person. I do not want to say "he" or "she", as I think what had to be done, conducting about 30 other operations in order to be able to harvest the organs that had benefited the people. So member Marais, I am saying that we are using a proxy of August 2022 and August 2023 where we had the 215 cases short. Thank you.

The SPEAKER: Thank you very much, hon Minister. Just, hon Klaas, the last two opportunities are member Pretorius and member Christians so unfortunately there is not another opportunity. Hon Pretorius.

Mr G PRETORIUS (DA): Thank you, Speaker. Speaker, through you to the Minister. Minister, going forward, the budget cuts experienced this year and the anticipated budget cuts that lie ahead of us, would that have any impact and effect on elective surgery and critical surgery? Thank you. Thank you, Speaker.

The SPEAKER: Thank you very much, hon Pretorius. Hon Minister.

The MINISTER OF HEALTH AND WELLNESS: Post-COVID we made a commitment to try to get more of going back in terms of the surgical backlogs that we had during COVID. We even added 20 million more rands plus also we bought robotics, Da Vinci Robotics in order to do surgeries using the IT. I think both of them cost R80 million for both for each...

... for Tygerberg and also for the Groote Schuur, which actually made it possible for the patients not to stay longer in hospital, they get discharged, meaning that at least they could be able to take more other patients since the others have to not to stay long post operatively.

However, in the new year, this year, beginning of the year, R1,5 billion short from the Provincial Equitable Share coming from the National Treasury and

also some of the conditional grants, and without even considering the baseline, especially, even specifically [Inaudible.] in the inflation.

It meant that we have to again revamp, coming up with other ways of making sure that we still have to deliver. Of course, hon member Pretorius, it will have a huge impact because, remember, as I indicated that we are on Stage 6 loadshedding, of which the three of the main ones, which is the Red Cross Children's Hospital, the Tygerberg and the Groote Schuur. They have been exempted up to Stage 6.

So we do not know when there is something about there might be Stage 7. It means it does have a huge impact, but also what is important is about the generators. The diesel, ah, it is so expensive the diesel. The diesel that comes with it, plus also the inverters, the batteries that you install at Primary Health Clinics, there is no new money, meaning we take the money that is already supposed to be paying for the services, also for employing the staff, in order to do what we do.

So we are trying all means to rob Paul and pay Pauline, but it is difficult. Thank you.

The SPEAKER: Thank you very much, hon Minister, and the last opportunity, hon member Christians.

Mr C F CHRISTIANS (ACDP): Thank you, hon Speaker. Hon Speaker, just

for member Marais's information, I took this because I saw the article:

"Taxi strike takes heavy toll on hospital and EMS services."

That is why I am the author of the question. I do not know why is he asking a question on that, but ...[Interjections.]

The SPEAKER: Hon member Christians, please pose your question.

Mr C F CHRISTIANS (ACDP): The question is the Minister just mentioned about the loadshedding. I want to know - solar panels, when will that be installed at hospitals? Because you have just mentioned the impact on diesel, because I know, I think the Premier said something about solar panels, that we are not dependent on Eskom.

So now you say we as hospitals will be affected when it is Stage 6 loadshedding. Can you give us an indication for the solar panels for hospitals so – it is needed.

So what is your thinking and timelines around that? Thank you.

The SPEAKER: Thank you very much, hon Christians. Hon Minister.

The MINISTER OF HEALTH AND WELLNESS: Okay, it is not necessarily part of the question. Therefore I might not have the correct answer, but what

I know, the commitment we made, I think it is about 16 solar panels. It is about 121 battery inverters mostly in the rural Primary Healthcare Clinics, which we have done I think, part of those for the rural clinics.

I have been in the Garden Route, like now I am coming from Retreat, they do not have a solar panel, they have got a generator, which actually now gets affected because there is a whole mixture of diesel and so forth.

So in regards to solar panels. The last time that I did oversight was at the Red Cross where they were busy with that part of it, but in some other areas they are doing that, and also in parallel, for example, Khayelitsha, which is also the biggest District Hospital, where the whole of Khayelitsha agreed it also forms part, we have negotiated with Eskom so that they could be able to do the diversion so that they could be exempted, because it is not exempted.

So, they are busy with that, they are going to invoice us because we have to pay that part when they have to divert from one power station to the other so that we can be able to be off the grid from the community to be part of this.

So we are doing as much as we can. We still continue, but as I mentioned irrespective even if you have got the backup system, a few seconds in-between when we move, it impacts. A whole computer system will reboot. When it gets rebooted it means that there will be some of the disturbance in some of the interventions, like in the Nuclear or Radiology and all of those.

So we just – but what we are hoping for that at least we could be assisted, at least the National Government should be able to help us with the diesel, with all of these, because we are taking the same money, as I indicated, that R1,5 billion short, and have you seen in the news that the country might not have money and the first people who are going to be affected, the sector, is going to be Health, because we are the only ones who mostly operate 24 hours to save the lives of the people. Thank you, hon Speaker.

The SPEAKER: Thank you very much, hon Minister. Hon members, that concludes Question 2 that stood over from Thursday, 31 August.

We will now move on to Question 2 under New Questions, that is just for the record, and I recognise the hon Minister, Minister Simmers.

## **NEW QUESTIONS**

### **2. Ms L M Maseko to ask Mr T A Simmers, Minister of Infrastructure:**

(a) How much has been spent by his Department to (i) repair and (ii) upgrade education facilities since 1 April 2023, (b) what are the details of (i) these projects and (ii) their allocations and (c) how much will be allocated over the next three financial years for upgrading and repair work at education facilities?

The MINISTER OF INFRASTRUCTURE: Thank you, hon Speaker, and through you, thank you to the hon member for the question.



Hon member, the (a) part of our response is as follows: the Department of Infrastructure has certified payments totalling R301 500 847.65 up to and including 31 August 2023, on Education infrastructure on behalf of the Western Cape Education Department in the following expenditure categories – which leads me to the (b) part of your question.

A full list of the projects that are assigned against existing WCG schools, as per the four sub-programmes, and the details will be made available to the hon member, but here is a complete list, hon Speaker. It consists of upgrades and additions. There is 25 projects:

- Preventative scheduled maintenance, which is 118 projects across the province;
- Hostel maintenance, it is 11 projects; and
- Corrective maintenance, which is 77 projects.

These amount to, in terms of the maintenance component, R287 million, and then upgrades and additions, R23 million, which gives you the total allocation of R301 500 847.65.

The second component of your (b) part, hon member. The projects are allocated in terms of sub-programmes which are funded by the WCED in terms of the Infrastructure Programme Management Plan, or the IPMP, for which the budgets are as follows:

- Sub-programme upgrades and additions, it is R99 million;
- Sub-programme preventative or scheduled maintenance is R686 million;
- Hostel maintenance is R5 million; and
- Corrective maintenance is R10 million.

Which gives you a total allocation in terms of the sub-programmes of just over R800 million.

The (c) part of your question, hon member, is that my Department is not the budget holder for Education infrastructure allocations. The Western Cape Education Department is the budget holder and allocates funds over the MTEF to my Department and the other implementing agents. I thank you.

The SPEAKER: Thank you very much, hon Minister. I recognise the hon member Maseko.

Ms L M MASEKO (DA): Thank you very much, hon Minister, and that really is good news about all the money that is being spent for Education, but I just want to find out, to what an extent has construction mafia or the extortion impacted on any of this projects? And if that is the case, that it is happening, what are the relevant details to that?

The SPEAKER: Thank you very much, hon member Maseko. Hon Minister.

The MINISTER OF INFRASTRUCTURE: Thanks to you, hon Speaker, and to the hon member, well, I did list a number of projects we have and it is quite a number of projects across the province.

I can say that all of our projects are actually on schedule, which does mean there has been no massive impact in terms of the construction mafia in these projects, because we do have a preventative programme of action as a department of action, in collaboration with the relevant local municipalities, together with the local host communities and all other relevant stakeholders where we do have these projects. Thank you.

The SPEAKER: Thank you very much, hon Minister. Hon member Kama.

Mr M KAMA (ANC): Thank you very much, hon Speaker.

I think the first request will be that we all receive the list, but my follow-up, hon Speaker, I am reminded of a memorandum from the Rocklands Secondary School, where the parents were complaining about asbestos roofing.

Now I want to check – and broken windows throughout this winter; now I want to check if this specific school, which is Rocklands Secondary School, is it part of the departmental upgrades? If not, what could the SGB and parents do in order to be prioritised in terms of these infrastructure upgrades? Thank you.

The SPEAKER: Thank you very much, hon member Kama. Hon Minister.

The MINISTER OF INFRASTRUCTURE: Thank you, hon Speaker, and I can confirm, through you to the hon member, the Rocklands School, which the hon member alludes to, is not part of our work schedule that we do have and have received from the Department of Education.

So I think that is relevant to the Department of Education's own assigned contractor. Thank you.

The SPEAKER: Thank you very much, hon Minister. Hon members, are there any further follow-up questions? It does not seem so. That concludes Question 2.

We now move on to Question 3 and I recognise the hon Minister, Minister Fernandez.

**3. Mr P T de Villiers to ask Ms S G Fernandez, Minister of Social Development:**

Whether her Department has any programmes to support people living with mental health challenges; if so, what are the relevant details?

The MINISTER OF SOCIAL DEVELOPMENT: Hon Speaker, I would like to thank the hon member De Villiers for the question.

The reply to the question is the programme Services to People with Disabilities, provide subsidies to 109 non-profit organisations (NPOs) providing services to persons with mental and intellectual disability.

Supported services include the following:

- We have 21 residential care facilities providing 24 hour residential care to persons with intellectual disabilities and the funded total amount is R31 922 280.
- We have 8 NPOs providing social work and other therapeutic interventions, funded for the amount of R13 840 692.
- There are 19 protective workshops providing rehabilitation services and exposure to World of Work, with a total funded amount of just over R11 million.
- We have 61 daycare centres providing daytime supervised care, stimulation, structured programmes and activities, with a total funded amount of R24 742 105.

Over and above the mentioned support services, most funded old age homes from the Older Persons Programme admit persons diagnosed with dementia.

Furthermore, the Department has its own residential care centre called Sivuyile, for persons with profound physical and intellectual disabilities. It accommodates 110 children and adults, and the services at Sivuyile include healthcare, occupational therapy, education, inclusion in protective

workshops and various developmental programmes. Residents also receive psychiatric support. Thank you.

The SPEAKER: Thank you very much, hon Minister. I recognise the hon member De Villiers.

Mr P T DE VILLIERS (GOOD): Thank you, hon Speaker. Thank you for the reply, MEC.

The province desperately needs an overhaul of its mental health policy to prevent this issue from becoming a major crisis.

A 2021 report by South African Human Rights Commission on mental health listed the following:

"We are incapable of offering quality services; the policy is not implemented; under-investment in mental healthcare, and limited reliable and dignified access to mental healthcare."

My follow-up question is what are our plans to speak to this challenges that we do face?

The SPEAKER: Thank you, hon member D Villiers. Hon Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Speaker, in terms of

legislation I think that question should be directed to the Department of Health and Wellness, but I can say that the Department of Health and Wellness convenes a mental health transversal work group that coordinates DSD, DCAS, WCED and other departments, to develop an area-based response to mental health needs.

DSD also works closely with the Health and Wellness Department on the mental health projects and co-funds various intellectually disabled residential facilities and daycare centres.

However, the one big constraint in terms of mental health, and I think, hon Speaker, it is very important for this House to note, is the implication of budget cuts and the fact that we cannot expand our services at this stage within DSD, and I am pretty certain it applies to all Government departments.

So we wait and see what happens, and once we get that news we will then have to realign and revisit what are considered priorities, what is statutory requirements and where it is we need to focus our efforts. Thank you, hon Speaker.

The SPEAKER: Thank you very much, hon Minister. Hon members, are there any further follow-up questions? It does not seem so. I recognise the hon member Marais. Saved by the bell. Hon member Marais.

Ms N G BAKUBAKU-VOS: There is, hon Speaker.

Mr P J MARAIS (FFP): Thank you ...[Incomplete.]

The SPEAKER: Okay, hon member Bakubaku-Vos, you did not give an indication or I was not informed. I have now – there we go, now I recognise you.

So in that order, hon member Marais and then hon member Bakubaku-Vos.

Mr P J MARAIS (FFP): Thank you, hon Speaker.

Hon Minister, what – these people who you say that your Department cares for, are you still considering continuing with having these people, shall I say cared for outside institutions, or are they still being institutionalised? Because I know during my term we tried, as Minister in your position, we moved the people outside of being hooked up, couped up in facilities, State facilities, but cared for as outpatients. Are you still doing that or are they still internally, into the system looked after?

The SPEAKER: Thank you, hon member Marais. Hon Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, hon member Marais.

I think, to answer the question, the level of disability determines whether the



person, the client, is institutionalised or not, because if someone is not severely disabled or intellectually impaired, that would free up a bed for someone who requires it. However, that requires a medical assessment.

So at this point in time the question was, my responses were in terms of the hon member De Villiers's question and I was referring to all our funded institutions at this point.

So there are facilities that offer daycare, but that is done through the Department of Health and Wellness. Thank you.

The SPEAKER: Thank you very much, hon Minister. I recognise the hon member Bakubaku-Vos.

Ms N G BAKUBAKU-VOS (ANC): Thank you very much, hon Speaker.

Hon Minister, I would like to ask this following question. I would like to get an understanding from the MEC if her Department is playing any role to support victims of crime such as rape, who are in need of psycho-social support service? If the Department supports SAPS in any way to provide psychologists and social workers to assist victim of crime? If not, why not? And if so, what are the relevant details? Thank you, hon Speaker.

The SPEAKER: Thank you very much, hon member Bakubaku-Vos. Hon Minister.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you, hon member Bakubaku-Vos.

DSD social workers are trained to provide psycho-social support, whether in shelters or at local offices. This includes counselling services. However, clients who need psychological and psychiatric services are referred accordingly.

Funding remains a challenge in both the public and NPO sectors in general. In the GBV space DSD has changed the funding model to service providers that allows for more flexibility in the utilisation of the funds they receive.

A multi-disciplined approach along with public private partnerships is vital to providing a continuum of care needed by victims of GBV. Therefore we work hard at establishing and maintaining relationships with other Government departments such as Health, SAPS, Justice and the NPO sector, along with community structures.

Through the Thuthuzela Care Centres we also provide one-stop shop services in healthcare facilities for victims of gender-based violence. Thuthuzela Care Centres are open 24 hours a day so that women who have suffered physical violence, can access a safe and dignified space to receive healthcare and the necessary treatment.

Apart from treating any health needs, TCCs also link with DSD for social support and SAPS for further investigation of abuse cases. There are currently eight of these centres in the Western Cape. Thank you.

The SPEAKER: Thank you very much, hon Minister. Hon members, are there any further follow-up questions? If not, we then move on to – that brings us to the end of that question, Question 3.

We move on to Question 4 as printed on the Question Paper and I recognise the hon Minister, Minister Mbombo.

**4. Mr P T de Villiers to ask Dr N Mbombo, Minister of Health and Wellness:**

- (1) Whether her Department has any plans to address the under-resourced hospital in Atlantis; if not, why not; if so, what are the relevant details;
- (2) whether there are any plans to build a new hospital for the Atlantis area; if so, what are the time frames?

The MINISTER OF HEALTH AND WELLNESS: Thank you for the question.

In regard to the Wesfleur Hospital, it is part of the 2030 Bed Plan to have 150 bed hospitals. Part of that. However, that is a long-term and also even if you will be in this hospital tomorrow, the service pressures there require immediate intervention. If they are having a new hospital now it would not

solve the pressure.

So that is why we already did some of the work in terms of the short-term and medium-term. The service pressures, we know that the pressures surrounding the Wesfleur Hospital will have the feeder areas of primary healthcare clinics, which is the Protea Park Section C, the Witsands, that does it on a weekly basis, the Pella, those three are City clinics, and then you have the Mamre CTC which is a provincial one.

So what we have done now is about – by the way, the issue of the three City clinics, they do not offer adult curative service. It means that the adults have to go to the hospital for some of the conditions that were supposed to have been managed at the clinic, but their clinic only offers for child and minor ailments for the adults.

So it is one of the reasons that it causes more pressures and then it ended up the hospital doing both. I normally make an example when I speak to the Aunty Saras, that a hospital is supposed to be like a high school and then we have got the foundation primary school, or school that feeds to it, but currently with the Wesfleur it also has to work like a primary school as I indicated earlier.

So what we have done so far, which is together with the City of Cape Town, Protea Park now will be upgraded from being a clinic to a community day centre, which we have already started. Already for adult curative now there

is a full-time doctor who cares for the adults. Already some of the patients who used to go to the Wesfleur Hospital for their chronics, now we have taken the folders, now they are being seen at the Protea, and also we will keep on gradually extending the whole package of a CDC that includes psycho-social, because you need the social with the physiotherapy, the occupational and also the eye and everything, what the CDC has to be.

Also in addition to that, some of the patients in Section C were taking ARVs for example, going all the way to the hospital. Now all of those patients now are back to the Section C, but we have gradually also provided more additional staff.

However, noting Protea Park, because it is being upgraded to a CDC, it needs an approval by the Pharmacy Council in order to have a pharmacy. So the process is there in regard to that aspect of it.

Staffing. Whilst doing all this process which we need to be completed by February 2024, as per commitment we did with the City on their services, we have already appointed doctors, we have already appointed professionals like the family physician, the medical specialist, which at this stage there might not necessarily physically be stations at these clinics, but they are being accommodated at the Wesfleur Hospital.

So we must not only look at the hospital, we must look at the whole of the health system package that is happening in the whole Atlantis, starting from

the Mamre within our provincial facility, up to all others that are coming in throughout.

In addition to this we have made sure also we have got a wellness hub. We talk about now Hospital Without Walls, Health on Wheels, where they are in the Media24 space, others in the Resource Centre, especially during the time, for example, the time of pension grant payouts. People do not have to go all the way to these facilities.

So you can open up some of these places and then the staff can come in and the people can be able to get all their services. Taking note that Atlantis has got a Thuthuzela Centre for the whole of this area because I know Victoria is in the [Inaudible.] for the whole of the Western Cape, even Atlantis and also part of the other areas outside, like in the Durbanville, they use the Thuthuzela Centre in the Wesfleur Hospital.

So we are doing as much as we can so that we offer the whole package and we do understand that it is the services, previously they were not supposed to be where they were, where what was happening, but that is why we have to gradually do the pressures and when the City of Cape Town Council approves that now they are handing over those clinics to us, which was I think was the end May, that is when things started to happen, but by February 2024 the whole package will already have been completed.

We cannot wait for 2030 for a new hospital. Some other things that are

happening, like the linen room that is already, I think the contractor is already there on site and they are already extending part of the records, it is already happening. Because it is an old hospital you get sometimes in the toilets where they are faulty, there is always a full-time contract around that. Thank you.

The SPEAKER: Thank you very much, hon Minister. The first follow-up on, hon member De Villiers.

Mr P T DE VILLIERS (GOOD): Thank you, hon Speaker. Hon Minister, ja, we are aware and we appreciate the work that has been done there.

What I want to say, there are over 70 000 residents in Atlantis and we do have a 28-bed hospital over there. In a statement to the residents in February 2021, the DA councillor and then sub-council Chair, Nora Grose, when asked about the availability a particular parcel of land for housing said that the land was unavailable as it had been allocated for a hospital.

The SPEAKER: Hon member De Villiers, can I remind you that you are allowed ...[Interjections.]

Mr P T DE VILLIERS (GOOD): Yes, I am coming.

The SPEAKER: ... a follow-up question.

Mr P T DE VILLIERS (GOOD): I am getting there.

The SPEAKER: Can you get to the question?

Mr P T DE VILLIERS (GOOD): I am getting there, hon Speaker.

The SPEAKER: Okay.

Mr P T DE VILLIERS (GOOD): Alright. My follow-up question is that do you have any short-term intervention plans to appoint a hospital board to help with this, or committees, which, to my knowledge, have still not been advertised?

The SPEAKER: Thank you very much, hon member De Villiers. Hon Minister.

The MINISTER OF HEALTH AND WELLNESS: When we started the process 16 August 2022, the process now that I have just mentioned now, there was an appointed hospital board. There were also clinic committees that were appointed as a cluster for all the clinics there, but because we wanted to zoom on this process and borrow on some of the approaches we did when we did Grabouw CHC, it is the same approach.

So we undertook that the community needs to provide us the names of the people who will be part of our Metro team, which is going to be chaired by



Dr Perez as the Chief Director for the whole of the Metro, although for the Southern and Western the director in charge is Dr Grammar.

So we ended up having those names and then we said now because we wanted to have these kind of conversations throughout for them also making us account, but also we wanted the process to run smoothly up to where things were. So we put the boards on hold so that we can be able to finish the process.

So last month when I was there, so we did with the report, it was indicated. Now the task has been completed. Now it is up to these at the local level where the community could be able to conduct oversight. Therefore we will open up now for the process of people to be appointed to clinic committees, to the hospital boards.

So it is us who took an initiative at the time in August that let us put them on hold, but if anyone already being part of the board, once we're part of the task team, but it is up to the community.

So that is where things are. Thanks.

The SPEAKER: Thank you very much, hon Minister. I recognise the hon member Marais, then hon member Bakubaku-Vos and then hon member Pretorius, and that will bring us to the end of that question.

Mr P J MARAIS (FFP): Thank you, hon Speaker. Hon Minister, you were talking about clinics as an offset point to help relieve the pressure on Wesfleur, but clinics cannot handle trauma cases.

You will agree with me trauma is something, a specialised medical function. You will have to transfer those people either to Groote Schuur or you will have to transfer them to Somerset Hospital, nearest. Is that part of your broad plan?

By the time they get there they would have died already. What is your plan intermediary to that for trauma cases? Because this is my question, I suppose, have you considered making an agreement with private hospitals along the way to stabilise patients before they are moved to Groote Schuur or Somerset, instead of them having to go through thick traffic from Atlantis with trauma cases that need urgent medical assistance, which clinics, as you pointed out you are making use of, cannot handle.

The SPEAKER: Hon member Marais?

Mr P J MARAIS: [No audible response.]

The SPEAKER: Hon member Marais?

Mr P J MARAIS: Sorry, yes, hon Speaker?

The SPEAKER: We have lost you there. So can you please just pose your question to the Minister?

Mr P J MARAIS: Oh, must I start from the start, sir?

The SPEAKER: No, no. You must just pose your question. I have allowed some latitude ...[Interjections.]

Mr P J MARAIS: Okay.

The SPEAKER: ... like I always do. I was going to call you to get to the question and then we have lost you. So can you just pose your question to the Minister.

Mr P J MARAIS: Thank you. Would you consider having a plan, a different plan, how to handle trauma cases, because clinics cannot handle trauma. You have either got to take them to Groote Schuur or to Somerset Hospital as State patients.

Is there another plan that you could perhaps ask private hospitals on the way to stabilise the patients so that otherwise it will be a loss. All the way from Atlantis to Groote Schuur, the patient will die along the way.

The SPEAKER: Thank you, hon member Marais. I think the Minister got the question. Thank you.

The MINISTER OF HEALTH AND WELLNESS: But Atlantis has got a Westfield Hospital. The District Hospital Level 1 that offers all the packages.

So it is not about that because it has fewer beds, it offers whole packages, but what we are trying to highlight was that in addition to being a hospital, it also has to offer other packages that are supposed to be offered at a lower level.

So the emergency, the service specialist, the forensic, radiology, every package that is there at a Level 1 hospital it is there. The emergency is there and then for the referral of course they refer to New Somerset Hospital, but it is a Wesfleur Hospital, the whole package. Emergency they are there, it is happening. Thank you.

The SPEAKER: Thank you very much, hon Minister. Hon member Bakubaku-Vos.

Ms N G BAKUBAKU-VOS: Thank you very much, hon Speaker. I would like to ask the hon Minister the following question, or this follow-up question.

In respect of infrastructure plans of the Department in Atlantis, the Department is undertaking infrastructure upgrade as Westfield Hospital and

over R1,6 million has been spent since 2019 and yet no construction work has commenced. I fear another situation of G F Jooste Hospital where the complaints of this Department are causing that people...

I want to ask from the Minister, what are the Department's plan to prevent any further delays from this project and ensure that it does not become another Jooste. Thank you very much, hon Speaker.

The SPEAKER: Thank you, hon member Bakubaku-Vos. Hon Minister.

The MINISTER OF HEALTH AND WELLNESS: Thank you. It is two things. Whilst in any hospital, just like even in Tygerberg, whilst you are still going to build a new hospital as part of the plan, but you cannot allow the infrastructure of existing ones to be dilapidated; so it means that you have to keep on maintaining it, otherwise you will end up falling or whatever.

So the new plan for the new hospital within the 2030 Health Plan, it might not necessarily be in the same site. I think hon member De Villiers did indicate in terms of some sites that were identified and all of those.

So it might not necessarily be the one point, whatever. It is about the new hospital, it is about what is happening and you will recall that I once opened extension of the new EC, new EC there and also the paediatric wards [Inaudible.] there, and I have even mentioned now that some of the

infrastructures happening there are an issue of the linen room, the hospital records room and all of the above.

So it is the same thing in Tygerberg. Whilst the existing Tygerberg is there and also we are building another Tygerberg Regional Hospital, you still have to maintain the existing ones because it is similar. Helderberg, we have got a plan for the Helderberg, we have got a plan for the Swartland Hospital that was burned, which the site is not going to be there, but you still have to fix the one where you are because it is being utilised by the people.

So we cannot make a comparison. With the Jooste it is completely different. It is about the hospital that was decommissioned because of the condition and now we have to build a new hospital, but in this case it is about where you have to maintain the building. You do not want the building to collapse whilst you are using it just because you will be building towards 2030 and so forth. Thank you, hon Speaker.

The SPEAKER: Thank you very much, hon Minister, and the last opportunity to hon member Pretorius.

Mr G PRETORIUS: Thank you, hon Speaker. Hon Speaker, to the hon Minister through you. Hon Minister, with the handover of the clinics in Atlantis, and being mindful of budget constraints, how will that strengthen, impact or improve healthcare in the area?

The SPEAKER: Thank you very much. Hon Minister, over to you.

The MINISTER OF HEALTH AND WELLNESS: Last month there was so much excitement coming from the community that at last this is happening, because that is what actually they also have been encouraging us to do, but as I indicated, inasmuch as you will want to take over immediately, because indeed it does not mean that if the City of Cape Town had resources, they will have upgraded or they will have upgraded like a Protea Park to CDC, but it takes a whole process, as I made an example that you need a pharmacy, a dispensary chemist within, because it's part of the CDC and it has to meet certain requirements, and there should be a pharmacist who has to manage it.

Whereas in a clinic we just dispense in our own rooms. If there is a dispensary there it is just for us to collect our medicine and then we put it in our consulting rooms, that is a clinic, and also we can only do it up to Schedule 4, which is like the amoxicillin, penicillin, kind of the antibiotics, but with the CDC, where it will need a pharmacist, it is because it has to also provide chronic medication for hypertension, for cancer and all of those, as it will be prescribed by the full-time doctors that are supposed to be there.

Therefore, hon member Pretorius, it means that the patients now that used to go all the way to Wesfleur and then wait longest because they will have been deemed as green patients, that they are not emergency, where they will be prioritising red patients, which is the emergency, no they do not have to go there. At least now they could be able to come to their nearest clinics and

also they could be able to have an appointment system because you do not have to come early if you are going to be seen by the doctor, you are going to pick up your medicine at 2 o'clock, and you do not even have to pick them up at your clinic. As I indicated that we have created some hubs around the community so that you could be able to pick it up.

So you will find that there has been a relief and they are so excited about it, but as I was saying that there is a phase approach because remember, these are clinics that are under the City, so we have opened it for the people to apply. Anyone can apply within or even outside. So there is a whole lot of excitement in Atlantis as having been shared by the communities themselves. Thanks.

The SPEAKER: Thank you very much, hon members and hon Minister. Hon members, that concludes Question 4 on the Question Paper.

I recognise the Chief Whip.

The CHIEF WHIP (DA): Thank you very much, hon Speaker. Hon Speaker, in respect to Questions 5, 6 and 7, the hon Minister has tendered an apology for the Sitting due to him attending the MINMEC in the North West Province. Both members posing the questions have been engaged.

I therefore move that Questions 5, 6 and 7 please stand over. Thank you, hon Speaker.



The SPEAKER: Thank you very much, hon Chief Whip. Hon members, just for noting , Question 5, 6 and 7 will be standing over.

I now recognise the hon Minister of Mobility, Minister Mackenzie, for Question 9 as printed on the Question Paper.

**8. Mr L L Mvimbi to ask Mr R D Mackenzie, Minister of Mobility:**

- (a) What is the relationship between the taxi industry and the Provincial and Local Governments in the province and (b) what role is his Department playing to improve it?

The MINISTER OF MOBILITY: Thank you very much, hon Speaker. Allow me to first point out that the regulation of the taxi industry is a concurrent responsibility of all spheres of Government.

To effectively regulate the minibus taxi industry, we need a sound to working relationship with appointed leadership and as Government, we coordinate our actions and our legislation.

My Department and the local sphere of Government recognises SANTACO as the only representative structure of the minibus taxi industry in the Western Cape. We have always practised an open door policy with SANTACO and its regional structures. Both the office of the Provincial Taxi Registrar and the provincial regulatory entity in partnership with the local sphere of

Government, have regular engagement with the Provincial Executive Committee, the regional structures and the primary taxi associations.

It is expedient to know that transport planning is an exclusive Local Government matter and the City of Cape Town plays an important role in our engagement with the minibus taxi industry. These ongoing engagements allow us to identify early warning signs in respect of taxi violence, to identify operational issues and to find workable solutions. We also provide financial and logistical support to the minibus taxi industry.

Through various initiatives driven by Provincial and municipalities, we have supported the formalisation and empowerment of the industry, we implemented special regulatory processes in partnership with SANTACO that resulted in the legalisation of many operators and a more equitable balance between supply and demand.

The (b) part to the question. My Department regularly facilitate discussions with municipalities in the Western Cape to identify operational challenges and to develop joint interceding measures. We have established a minibus taxi task team that meets on a regular basis to identify critical challenges facing the minibus taxi industry. All the regulatory planning and law enforcement stakeholders are present at the taxi task team meetings, as well as regional and provincial leadership of SANTACO.

We are cognisant of the fact that we as Government cannot proceed without

the planning and regulatory initiatives for this industry without giving them an opportunity to actively participate in these processes and influence the outcomes.

I have to commend the industry leadership for their willingness to engage Government on important matters. Although we may not all agree on all issues, we have committed ourselves to use the task team as a platform to unpack these issues and to find common ground in the interest of the commuting public.

We have also agreed on escalation and mediation processes. Besides these task team engagements, the Ministry and the Department practise an open door policy with SANTACO and other public transport operators. Thank you.

The SPEAKER: Thank you very much, hon Minister.

Hon members, that brings us to the end of time allocated for Questions for Oral Reply and with that – order members! This is what happens when we break and we interject, the time continues.

So that is the end of Questions as per the Rules. We will now move on to Questions to the Premier Without Notice in terms of Rule 204 and I recognise the hon member Christians.

Hon Christians, before you pose your question, hon members, just to remind

you that there will be two follow-ups by the member posing the initial question to the Premier, and it needs to relate to the initial question that you are posing.

Hon member Christians.

### **QUESTIONS TO THE PREMIER WITHOUT NOTICE**

Mr C F CHRISTIANS (ACDP): Thank you, hon Speaker. Hon Speaker, the question to the Premier is, hon Premier, is your Government, the Western Cape Government, serious about the safety of our children?

Let me give you one of the biggest concerns that we have. The Government is absolutely failing us when it comes to protecting our children in schools when it comes to bullying. If you watched the papers yesterday, the bullying is increasing every day at our schools.

There are systems put in place, but still parents must run to the police station because of the severe attacks and it is emotional, physical attacks and I want to know, are you aware, is it brought to your attention that bullying is spiralling out of control and is your Government doing something about that?

The SPEAKER: Thank you very much, hon member Christians. Hon Premier.

The PREMIER: Thank you very much to the hon member Christians for the question and absolutely, I mean obviously this is a complex question.

You know, school safety is part of the School Safety Plan. I mean crime and violence, safety of our citizens; I am sure the hon member knows by now that it is one of the areas that I have focused on. It is one of the areas that is not necessarily a constitutional mandate, but we take money primarily, I suppose, away from our biggest budget items to put towards safety because quite frankly the policing system or the criminal justice system is failing us, but it goes much further than that because especially I think bullying in schools, for example, is not necessarily a Government's sole responsibility. It is got to be the whole-of-society as to how we deal with this.

Now I would welcome - we have set up now a Violence Prevention Unit, specifically looking at violence and how do we get to causalities. It is all very well trying to deal with the murder rate or gangsterism, but what is the pathway that leads to that? And it starts at schools amongst kids, it starts as how we treat each other.

I mean I just look at how we treat each other on social media and I think my goodness, imagine, I mean that is just the psyche of citizens. [Interjections.]

So obviously I think it is a huge, huge problem. We need to look for successful stories, we need to say how, in which schools are ...[Interjections.]

The SPEAKER: My apologies, hon Premier.

The PREMIER: [Inaudible.] We do not know yet. Ah, it seems like we have solved it, thank you.

So obviously, I would also be totally open to suggestions. So we have got money allocated now to violence prevention, we have got Safe Schools Programmes, if we are just going back to just bullying, but what are some of the best practises?

Some of them that I have seen, I must say that I was at one school and I suppose you have got to be careful how you identify certain schools or not, but they had this programme where as learners would arrive at the school, they would decide – this is primary school now – they would decide are they going to be a prefect for the day, or are they going to be a bully monitor for the day, and I thought that was quite interesting. I had never seen that in other schools before.

So they put on this bib that says, "I am a bully monitor," and they would step in to say, "Guys, please try and let us calm down here." They would, because they are one of the learners, they would understand who is the class bully and how do we deal with it, but, you know, it is one of those things that we have got to learn all the time, we have got to evolve and it is got to be a whole-of-society approach.

So, you know, the parents have got a role to play, schools have got a role to play, Government has got a role to play. If we see it raising its head as it is, Violence Prevention Unit, what are they going to do about identifying the causalities and how do we get back in to try to change or get behaviour change amongst citizens too, because I think that is where a lot of our crime starts because it comes through a young person finding out that, "I have a lot of strength in my capacity in taking power over someone else," and so then it just gets worse and worse, until eventually they become a gangster with a gun or a knife.

But, ja, thank you for the question. I think it is a serious question and I mean if there was a one single answer, I promise you we would be using it. I believe it is whole-of-society that have got to come together to find solutions, and I would welcome any input on some ideas of what we think we could do to really start to change this where it is starting to get worse and worse.

The SPEAKER: Thank you very much, hon Premier. Hon member Christians, your first follow-up.

Mr C F CHRISTIANS (ACDP): Thank you, hon Premier, for that.

You see when a child is bullied, a child goes to the parent, the parent comes to school, goes to the principal and when the principal and teachers fail this

parent, that is the problem that they have, because it is not that the Western Cape Government does not have plans. There are plans, but what do you do when you come to a school and you are failed by the teachers and principal?

So I want you, hon Premier, just to tell the people of the Western Cape what must they do if – I mean here I have got it. They are at wits' end because the child must go back to school, being bullied, but the matter was reported, that is the sad part of it, and this child must go through this with teachers and principals not doing anything.

What will you tell the people of the Western Cape if their children are bullied and they are not adhered to when it comes to the teachers and principals? Thank you.

The SPEAKER: You thank you, hon member Christians. Hon Premier.

The PREMIER: Thank you very much and obviously now the hon member is mentioning specific cases.

Obviously there must be an escalation process and of course if that escalation process is not sufficient or it does not result in a satisfactory answer to the process, of course then those parents must have other recourse and I presume those recourses could be from a court on the one side, to making a choice around their child's process of education on the other side.



The SPEAKER: Thank you very much. Your second opportunity, hon member Christians.

Mr C F CHRISTIANS (ACDP): Thank you. I am just checking. 2021 it was 35 cases that were reported. 2022, 96 cases were reported.

Now you see, hon Premier, you cannot uproot almost 100 children because of bullying. The system is failing them and that is my question.

So I spoke to a mother in Hanover Park. It happens all over. I can give you all the figures, but I do not want to do that. I am just thinking, people come to us and say, "What must we do? The system is failing us."

So now I go back and say, "You know, you must ..." ...[Interjections.]

The SPEAKER: Hon member Christians, can I remind you, you must ask a follow-up question. You do not need to justify it. Please ask your follow-up.

Mr C F CHRISTIANS (ACDP): Ja. The question is we cannot uproot our learners, almost 100 of them. I could not get the statistics for this year, but last year, so you can see it is increasing. We cannot uproot our leaders. Our learners want to learn.

So the question again, hon Premier, is what do you – because why must people go to the police station? They go to the police station and the police

get involved. So surely there is a failure. Surely we must do something about it and surely when we tell our children to go to school, they must be protected when they are in school, and that is my biggest problem.

So again, hon Premier, what should the people of the Western Cape do? We cannot uproot 100 families because of bullying at our schools.

The SPEAKER: Thank you, hon member Christians. Hon Premier.

The PREMIER: Thank you. You know, obviously if the hon member is really serious about this, let us pull the statistics together. If we have a common school, let us go and analyse that common school. Let us ask Minister Maynier to have a look at what is happening there, let us follow it through and even let us utilise the services of our new Violence Prevention Centre and we bring in some university specialists to say how do we deal with this.

Obviously we have many, many learners in our education system amongst our 1 500 schools. We have got to go and analyse and of course we have got to make sure that we try to get to the bottom of this, especially if there are repeat offenders, commonalities, use the data and let us use the data to try and find solutions.

The SPEAKER: Thank you very much, hon Premier. Hon members, that concludes Question 1, or the first opportunity for Questions to the Premier.

I now recognise the hon member Bakubaku-Vos.

Ms N G BAKUBAKU-VOS (ANC): Thank you very much, hon Speaker. Am I audible?

The SPEAKER: You are indeed audible.

Ms N G BAKUBAKU-VOS (ANC): Thank you, thank you very much. Hon Speaker, I rise today with a heavy heart to address the pressing issue of gender-based violence and femicide, particularly in regions outside the Metro and more specifically the concerning situation in Drakenstein.

It is evident that we are facing an alarming crisis, one that requires immediate attention and action from our Government.

In September 2022 the entire nation was shaken by the horrific case of 5 year old ...[Interjections.]

The SPEAKER: Hon member Bakubaku-Vos, I do not want to interrupt because it is a very important topic that I would imagine you are wanting to pose a question to, and in terms of the Rules you need to pose the question to the Premier. You do not need to give a background to that.

So can I please ask that you pose the question.

Ms N G BAKUBAKU-VOS (ANC): Okay, thank you, hon Speaker.

My question to the Premier, it is evident that the Safety Plan, as exemplified by the heartbreaking incidents I have mentioned above, has fallen short of expectation. It has failed dismally in its mission to address GBV and femicide, and to ensure the protection of women and children in our province.

The people are not interested in excuses and playing games. We cannot continue in this way to fail our women and children in this...

The SPEAKER: Hon member Bakubaku-Vos, can I please again remind you to pose the question and you do not need to justify the reason why you are asking the question.

So can you just ask the question?

Ms N G BAKUBAKU-VOS (ANC): Okay. What I want to know is what action your Government is taking to address the crisis of GBV and femicide, in particular the critical shortage of clinical psychologists in our province, particularly in regions like Drakenstein, and what is your Government, through the Safety Plan, doing to deploy more psychologists to support SAPS?

To be specific, what is your Government doing to provide the necessary  
...[Interjections.]

The SPEAKER: Hon member Bakubaku-Vos, hon member Bakubaku-Vos  
...[Interjections.]

Ms N G BAKUBAKU-VOS (ANC): That is my question, hon Speaker. That  
is my question.

The SPEAKER: Hon member Bakubaku-Vos, the Rules are very clear.  
Questions to the Premier are questions that relate to his role as the Premier of  
the Province. You do not need to justify why you are asking it.

So can I just ask, in the interest of your time and your opportunity, that you  
pose the question. You will have two follow-ups after that to expand on that,  
so you do not need to do that right up front.

Ms N G BAKUBAKU-VOS (ANC): That was the question. That was the  
question, hon Speaker.

The SPEAKER: Hon member Bakubaku-Vos, I was listening very carefully,  
I am sure the Premier was too, and let me not project and hon Premier, did  
you get that question?

Ms N G BAKUBAKU-VOS (ANC): Let me repeat it. I want to know if there

are any steps the Government is taking to address the crisis of GBV and femicide, in particular the critical shortage of clinical psychologists in our province ...[Interjections.]

The SPEAKER: Thank you very much ...[Interjections.]

Ms N G BAKUBAKU-VOS (ANC): ... particular in Drakenstein, and what is the Government, through the Safety Plan, doing to deploy more psychologists to support SAPS?

The SPEAKER: Alright. Hon member Bakubaku-Vos ...[Interjections.]

Ms N G BAKUBAKU-VOS (ANC): I want the Premier ...[Interjections.]

The SPEAKER: Hon member Bakubaku-Vos ...[Interjections.]

Ms N G BAKUBAKU-VOS (ANC): ... to be specific when he answers.

The SPEAKER: Hon member Bakubaku-Vos, if you allow me, I will assist you with this.

So your first question was posed to the hon Premier. So, hon Premier, if you can answer the first part of the question. You will have two follow-ups and the rest of your questions we can unpack in your second, your two follow-

ups, if that is in order, hon member Bakubaku-Vos. Hon Premier.

The PREMIER: I presume it is. Thank you very much.

So if we get to the nub of what I think that question was, was deployment or budget for more social worker type support, especially around gender-based violence and in our Government Minister Fernandez is responsible within the Safety Plan, but also primarily on gender-based violence work within the Government, as well as externally.

Primarily, and here you have to correct me on the numbers because I am just now, you are asking me a question in someone else's portfolio, but I think it is round about R74 million was the extra money that was given for specifically this, for specifically this question, and so R74 million extra in budget to employ more social workers to deal with this kind of issue.

The SPEAKER: Thank you very much, hon Premier. Hon member Bakubaku-Vos, so now you have your first opportunity to ask a follow-up question.

Ms N G BAKUBAKU-VOS (ANC): My second question, hon Speaker, it is clear that the Premier is not so serious about GBV; he managed to invest R1 billion in other departments, but when it comes to the Social Development he does not care that much.

It means he is not serious about that, but †umbuzo wokugqibela Msomlomo, njengokuba wonke umntu ewubona umcelomngeni esijongene nawo wokudlengulwa nokubulawa kwamanina kweliphondo ngakumbi eBrakenstein, sifuna ukuqonda...

[Here is the last question, Speaker. Since everyone can clearly see the challenges facing women, as they are being raped and killed in this province, especially in Brakenstein, I would like to find out... ]

The SPEAKER: Hon member Bakubaku-Vos, I have been trying to assist you because I do not want for you to lose this opportunity to pose questions to the Premier without notice.

The Rules are very clear. You have two opportunities to ask follow-up questions and again, like I said in the beginning, you do not need to justify or give context to your question. Can I please ask that you just do the follow-up question.

Ms N G BAKUBAKU-VOS (ANC): Do not worry, I will do that.

The SPEAKER: So you just need to pose the question.

Ms N G BAKUBAKU-VOS (ANC): I want to know the details of specific actions and programmes your Government intends to initiate to [Inaudible.] and strengthen the Safety Plan to ensure that it will keep its promise to reduce violence in our homes, schools and streets, and protect women and



children of our province from the scourge of GBV and femicide? Thank you, hon Speaker.

The SPEAKER: Thank you very much ...[Interjections.]

†An HON MEMBER: Athethe into ecacileyo uPremier ke Msomlomo, ndimve, nabantu bamve.

[The Premier must explain things properly, Speaker, so that I and the other people can understand his answer.]

The SPEAKER: Alright. Thank you very, very much, hon member Bakubaku-Vos. Hon Premier, over to you.

The PREMIER: Thank you very much and thank you very much to the hon member for the follow-up.

You know, obviously there is the internal programmes that I have spoken about where Minister Fernandez takes responsibility. There is obviously the main space in which this responsibility lies, which is actually with the South African Police Service and with the criminal justice system. Both of those managed by her political party, the hon member Bakubaku-Vos's political party, and because of their failure that is why we have to step in.

That is why we have to make extra money available and apportion different responsibilities to different ...[Interjections.]

An HON MEMBER: Again the blame game.

The PREMIER: ... people within this Government, and I would like to just refer her to the latest crime statistics and in those crime statistics just go and have a look at the percentage of reduction in gender-based violent crimes, like rape. Go and have a look at that.

Now of course have a look at that and then compare it to other provinces who do not have Safety Plans. Thank you.

The SPEAKER: Thank you very much, hon Premier. Hon member Bakubaku-Vos, your last opportunity to ask a follow-up question. Can you please just ask the question.

Ms N G BAKUBAKU-VOS (ANC): Thank you very much, hon Speaker. Hon Speaker, I am not happy even about the – I do not know, he did not even reply to my question. He started the tactics of the blame game.

I am asking about his province, I do not ask any province, but I am asking about the Western Cape.

The SPEAKER: Can you please ask the question, hon member Bakubaku-Vos.

Ms N G BAKUBAKU-VOS (ANC): So again I want to know what has he put in place to help the women and children that get raped every day? Is he really a Premier of the Western Cape or is he somewhere else? Is he in Ukraine? I do not understand our Premier.

Can he specifically answer my question?

The SPEAKER: Thank you very much, hon member Bakubaku-Vos. Hon Premier.

The PREMIER: Thank you very much and so again I am going to refer the hon member to the Safety Plan. I am sure I have given it to her a number of times and she actually mentioned the 1.1 [Inaudible.] ...[Interjections.]

The SPEAKER: Order, hon members!

The PREMIER: ...which is over and above a normal provincial mandate, because we step into those spaces where the ANC totally fail the citizens of this country, and perhaps in answering this and talking to the Safety Plan, it is very interesting how you listen to the hon members on the other side.

So then they always come up about why the Safety Plan does not work, or they do not like the Safety Plan, it is because it is tackling exactly probably the biggest failure of the ANC. Except, I say "biggest failure", I think of SASSA and we cannot make SASSA payments. We cannot keep the lights on.

We cannot get products out of our ports, our Transnet rail services failed us.

Ms N G BAKUBAKU-VOS (ANC): Can he answer my question...

The PREMIER: I mean you name the ANC policy position or the ANC delivery system and they are totally failing the citizens of South Africa in every single aspect, but probably the biggest failure is where we are not able to, through our policing system ...[Interjections.]

Ms N G BAKUBAKU-VOS (ANC): My hand is up.

The PREMIER: ... and through our criminal justice system ...[Interjections.]

Ms N G BAKUBAKU-VOS (ANC): It is a point of order.

The SPEAKER: Hon member Bakubaku-Vos, is that a point of order? Hon Premier, please take your seat.

Ms N G BAKUBAKU-VOS (ANC): Yes ... [Interjections.]

Mr P J MARAIS: This is ridiculous.

The SPEAKER: Hon member Bakubaku-Vos, what is your point of order?

Ms N G BAKUBAKU-VOS (ANC): My point of order is that the Premier

must just answer the question, not making [Inaudible.] like Sub-A child.  
Telling us the usual thing [Inaudible.] ...[Interjections.]

The SPEAKER: Thank you, thank you, hon member Bakubaku-Vos, that is not a point of order.

Ms N G BAKUBAKU-VOS (ANC): ... about the ANC this, ANC that. I want to know about the [Inaudible.]

The SPEAKER: You have posed a question to the Premier and how the Premier responds is not for me or the House to adjudicate.

Ms N G BAKUBAKU-VOS (ANC): Hon Premier, answer. What [Inaudible.]

The SPEAKER: Hon member Bakubaku-Vos, I am on the floor. You rose on a point of order, I am addressing you on the point of order. Can I please ask that hon member Bakubaku-Vos please be muted.

Hon member Bakubaku-Vos, you posed a question. The Premier is responding to the question. How the Premier responds is up to the Premier, not for us to adjudicate, so that is not a point of order.

Ms G N BAKUBAKU-VOS (ANC): Where does SASSA grant come ...

The SPEAKER: Hon Premier, you may continue.

Ms G N BAKUBAKU-VOS (ANC): Where does the SASSA grant ...

The SPEAKER: Hon Premier – okay, hon – can the Table staff please mute hon member Bakubaku-Vos, and, hon Premier, can you please continue.

The PREMIER: So I was saying about the total failure of the ANC to deliver services to the citizens of this province around policing. You know, I was internationally in Germany and I noticed three documents when I was at the Institute for Security Studies in Germany.

I picked up these three documents because they really interested me. The first one says:

"How to map violence without police data."

And I thought, "Oh, that looks quite interesting because that is exactly what we are trying to do in our Safety Plan." How do we use other data to map violence? Guess what the Institute of Security Studies is writing about?

The SPEAKER: Hon Premier, can you please conclude, the time has expired.

The PREMIER: They are writing about our Safety Plan.

"Hotspot policing for murder and robbery, Cape Town."

A case study, International Studies. They are writing about our Safety Plan.

The SPEAKER: Thank you, hon Premier.

The PREMIER: Very interesting, thank you.

The SPEAKER: Thank you very much, hon Premier. Hon members, that concludes Question to the Premier without Notice in terms of Rule 204.

We will now move over to Statements by Members in terms of Rule 145 and I recognise the DA.

#### **STATEMENTS BY MEMBERS**

Mr D AMERICA (DA): Thank you, hon Speaker. Hon Speaker, picture a young child dropped off at school, her eyes filled with anticipation as she puts a temporary goodbye to her mother, already daydreaming about the warm embrace awaiting her in the afternoon when she gets picked up from school. Yet, the unthinkable happens as her mother gets killed in a tragic car accident on her way to work.

Driving recklessly, disobeying road rules, speeding and driving under the influence of alcohol or drugs are among the many irresponsible behaviours

that put lives and safety of all road users at risk. There is no excuse for such behaviour because the stakes are too high. Therefore, it is important for every single person in this province to practice road safety on our roads. Your actions on the road not only endanger your own life, but the lives of innocent road users and pedestrians alike.

Good driver behaviour is essential, but proactive measures such as a vehicle fitness test and road safety plans are essential. We warmly welcome the measures taken by the Western Cape Mobility Department to date, sending a strong message that endangering the lives of commuters on our roads will not be tolerated. I thank you.

The SPEAKER: Thank you very much, hon America. I recognise the ANC.

Mr L L MVIMBI (ANC): Thank you very much, hon Speaker. We gather here today in addressing a pressing issue that affects us all: the future of the transport industry in our province. It is with great concern that we witnessed the current action of the Provincial DA Government, which seems to be driven by a relentless desire to wrestle control over the transport sector from the National Government. While decentralisation of power can be a noble endeavour, it should never come at the expense of our province's development or the wellbeing of its citizens.

The DA Provincial Government, which was elected to serve the interests of our province, has a vital role in shaping the transport industry within our



borders. They have been vested with the powers and responsibility to address the unique challenges and opportunities that our region presents. However, instead of utilising these powers to bring about meaningful change, we see a troubling trend of neglect and a misguided focus on centralised control.

Transport is the lifeblood of our economy connecting communities, enabling commerce, and enhancing the quality of life for our residents. It is a sector that requires comprehensive planning, investment, and innovation to keep pace with the demands of a growing population in a rapidly changing world. Yet, we find ourselves in a situation where the DA Provincial Government seems more interested in political battles, than in the pressing issues at hand.

We must remind our Provincial Government that true progress can only be achieved through collaboration and a shared vision for our province. Rather than pursuing power for power's sake, we implore the DA Government to refocus its efforts. The DA Government's relentless pursuit of centralised control over the transport sector rather than utilising their provincial powers to address pressing issues, raises serious concern about the neglect of our province's responsibilities and the wellbeing of its citizens. The transport industry is crucial for our province's wellbeing ...[Interjection.]

The SPEAKER: Hon Mvimbi, please conclude.

Mr L L MVIMBI (ANC): ...and the DA Government should refocus efforts, embrace provincial responsibility and collaborate also to ensure a brighter

future ...[Interjection.]

The SPEAKER: Thank you very much, hon Mvimbi.

Mr L L MVIMBI (ANC): ...promoting progress and prosperity.

The SPEAKER: Thank you very much. I recognise the EFF. EFF?  
[Interjections.] Hon Minister, in terms of the Rules, if you want to respond you have an opportunity. The EFF. I will move on. I am not seeing the EFF. I recognise the DA.

Mr G BOSMAN (DA): Hon Speaker, when we require urgent assistance in dangerous situations, we naturally turn to the police to come to our assistance and to safeguard us. However, hon Speaker, what should we do when the ones we look to safeguard us are the same people who rape, assault and murder and rob those in society? This is the dire situation people in the Western Cape face themselves with.

We, the Democratic Alliance, have recently uncovered that 257 criminal charges have been laid against members of the South African Police Service in the Western Cape from 2020 until today. The shocking list of charges includes corruption, assault, drunken driving, rape, and murder. The list also indicates that members of the police have been implicated in multiple counts of defeating/obstructing the course of justice, drug dealing and malicious damage to property. The serious nature of these offences has dire

consequences for the public good and for public trust in the South African Police Service as an organisation.

While I firmly believe that the majority of police officers in this province remain upstanding and honourable guardians of the law, these revelations are deeply troubling, and action needs to be taken. Therefore, I will be inviting senior management of the South African Police Service in the Western Cape to appear before the Standing Committee on Community Safety and Police Oversight as soon as possible because we must work together to build a police service that is worthy of the public's trust, even if the ANC does not want to participate in that noble quest.

The SPEAKER: Thank you very much, hon members. Hon members, please indulge me that I am going to go back and allow hon Klaas an opportunity. Hon Klaas, I am not setting a dangerous precedent in this House. Hon Klaas? Hon Klaas, I am going to allow you this opportunity, but please note that there is an order for Member Statements. Technically, you were not here when you were called, so this is the first and the last time that we will make this provision.

Mr T M KLAAS (EFF): Thank you, hon Speaker, for your grace. The EFF would like to take the opportunity in welcoming two legal opinion pieces, drafted by the Legal Support Department of the Western Cape Provincial Parliament regarding the unconstitutionality of the Western Cape Provincial Powers Bill. These legal opinion pieces go a long way in the reiteration of

the EFF's longstanding position that the Bill is nothing but a desperate electioneering stand by the DA which was manufactured in their recently held Federal Conference with the aim of pleasing those White people with unrealistic aspirations of an independent Western Cape.

The Bill flaunts all tenets of the law book on the Constitution of the Republic of South Africa, infringes on the rules of law and more particularly, of the possibility legally which requires the exercise of State power to be sourced from the legal provinces. The Bill flaunts – sorry, the Bill directly violates the very spirit of unity and nation building upon which our Constitution we enacted and for which many people sacrificed their lives.

This Bill is nothing but a piece of paper possessing the underlining aspiration of separating Whites who want to usurp the power of the National Government on policing, public transport, energy, harbours and every key instrument defined by the State through White minority votes. The time has come for the DA to be honest with itself and admit that the minority party that only wants to advance the interest of Whites at the expense of the Black electorate who they do ...[Interjection.]

The SPEAKER: Thank you very ...[Interjection.]

Mr T M KLAAS (EFF): ...not respect.

The SPEAKER: Thank you very, very much, hon Klaas. Your time has

expired.

Mr T M KLAAS (EFF): Are you not supposed to give me that time?

The SPEAKER: No, no, no. I do not have to give you a minute to tell you your time has expired. But on a more serious note, hon members, on that Member Statement I will revert back to the House because there are statements made in that Member Statement that could border on the rule of anticipation because that Bill is currently before a committee. So, Parliament is currently engaging on that Bill and the statement made, I will revert to Hansard and come back, and if need be, will make a ruling on that. ...[Interjection.]

Mr T M KLAAS (EFF): Yes, you can revert it. We are going to deal about that.

The SPEAKER: Thank you very much. Thank you, hon members. I now recognise GOOD.

*[The Deputy Speaker takes the Chair.]*

Mr P DE VILLIERS (GOOD): Hon Speaker, I asked the hon Premier a question pertaining to the appointment of Mr Schreuder at the last Sitting and whether he had followed through on the recommendations in the final report. The hon Premier read to me the answer he had read to this House in late

2020, and thus I have the unpleasant task of telling you that in the process of trying to prove the irregularity of what has remained a controversial appointment, the hon Premier made himself guilty of deceiving this House and manipulating the truth. I say this without reservation because ...[Interjection.]

The DEPUTY SPEAKER: Hon member ...[Interjection.]

Mr P DE VILLIERS (GOOD): ...he answers the question ...[Interjection.]

The DEPUTY SPEAKER: Hon member, if you can just take your seat, please. There is a point of order. What is your point of order? [Interjections.] One minute, hon members. I have a point of order. [Interjections.] Honourable ...[Interjection.] hon Kama, she can do that. That is part of her job. Yes, over to you.

The CHIEF WHIP (DA): Hon Deputy Speaker, in terms of Rule 59 subsection 1 and subsection 2, you cannot say that the hon Premier has deceived. If the hon member wants to say that, then they must come with a substantive motion to the House. We know the process of substantive motions, so the hon member must then bring a substantive motion.

The DEPUTY SPEAKER: Thank you very much. Just remember that this is a statement, but hon member, if I could just remind you that if there are accusations you are welcome to bring a substantive motion to this House.

You may proceed.

Mr P DE VILLIERS (GOOD): Thank you, hon Deputy Speaker. I say this without reservation because the answers to the question ...[Interjections.]

The DEPUTY SPEAKER: Order! Order, hon members. Hon Kama. You may proceed.

Mr P DE VILLIERS (GOOD): ...posted last week have no room for anyone hearing those answers to consider the fact that the Commission led by Mr Leon Goosen had, in fact, not agreed or accepted the legal opinion obtained on the matter and stood steadfastly behind the findings. The hon Premier chose not to share this information.

My office spoke with Mr Leon Goosen ...[Interjections.]

The DEPUTY SPEAKER: Order, order! Proceed. You may proceed.

Mr P DE VILLIERS (GOOD): My office spoke with Mr Leon Goosen who rejected the impression created by the answer to my question in this House at the last Sitting. The hon Premier states that at no point did he or the Commission accept the legal opinion, which was the right opinion, in this matter. Furthermore, I would like the House to note that Section 196(4)(d) of the Constitution of the Republic of South Africa, Section 5(8)(a) and (b) of the Public Service Act and:

“The Public Service Act provides in Section 5(8)(b) that the directions of the PSC are binding on the Executive Authority (the Minister or the Member of the Executive Council).

I thank you.

The DEPUTY SPEAKER: Thank you very much, hon member. I now recognise the ACDP.

Mr F C CHRISTIANS (ACDP): Thank you, hon Deputy Speaker. Hon Deputy Speaker, the South African Police Service has failed the family of the late Carly Isaacs three years after the 17-year-old Carly was raped and murdered inside her home while her father was asleep. She was raped and killed in March 2020. Only this week, hon Deputy Speaker, the DNA which was outstanding, has been received and will now form part of the investigation. That, I cannot believe.

No arrest, no arrest has been made and we will never forget that Carly was in the church service, went home to change herself and while at home, she was raped and killed. Shocking! Shocking! Her father got up and when he got up from his sleep, he saw his daughter murdered. The ACDP is calling for the devolution of police powers so that the failing National Government would stop failing the people of the Western Cape. I thank you.



The DEPUTY SPEAKER: Thank you very much, hon member. I now recognise the ANC.

Mr P MARRAN (ANC): Thanks, hon Deputy Speaker. The Stormers will never represent South Africa in a Rugby World Cup. Never! [Interjections.] We are dealing ...[Interjection.]

The DEPUTY SPEAKER: Order!

Mr P MARRAN (ANC): ...with a Provincial Government who are not happy being a provincial government, hon Deputy Speaker. Today, I address a critical political contention in Cape Town that exposes the City's failure and highlights the urgent need for responsible governance. We cautiously commend the National Minister of Human Settlements for its intervention in a City where the welfare of its most vulnerable citizens has long been neglected.

In Cape Town, over 1 500 individuals endure dire conditions along the Central Railway line, a situation that demands immediate attention. The National Government allocated R50-million to purchase the land for the relocation, offering hope in the face of adversity. However, the City of Cape Town's actions or rather, inaction, represent a grave political betrayal. The land intended for the marginalised has been prioritised for private interest, a departure from our political values.

What compounds this situation is the City of Cape Town's apparent sabotage of National Government's efforts to relocate these citizens. This non-committal stance led the National Government to declare a legal dispute under the Intergovernmental Relations Framework Act, IGR, against the City. The City decided to return the R50-million provided by the Housing Development Agency. They returned it, sent it back. They ask for more money, more money. When they get more money, they send it back.

This decision came with directives to utilise these funds for purchasing land earmarked for the relocating of 1 254 shacks near Langa Station. The City's actions are a direct affront to the dignity and wellbeing of our citizens. Living in deplorable conditions, such obstructionism is inexcusable and undermines the principle of cooperative governance, essential for our democracy. The ANC condemns the City of Cape Town ...[Interjection.]

The DEPUTY SPEAKER: Thank you.

Mr P MARRAN (ANC): ...obstructionism and demands – and demands ...[Interjection.]

The DEPUTY SPEAKER: Thank you very much. Your time is up.

Mr P MARRAN (ANC): ...essential cooperation with the National Government's efforts and the upliftment of marginalised communities ...[Interjection.]

The DEPUTY SPEAKER: Thanks, hon member.

Mr P MARRAN (ANC): I thank you.

The DEPUTY SPEAKER: Thank you so much. I now recognise the Democratic Alliance.

Mr C FRY (DA): Thank you, hon Deputy Speaker. Hon Deputy Speaker, this week saw the country suffer Stage 6 loadshedding once again and staring Stage 7 down the barrel. It is clear to everyone in the country, except maybe those hon members across the isle, that things at Eskom will never get better. In fact, they are getting worse under the ANC rule.

As the Chair of the Ad Hoc Committee on the Energy Crisis, I have invited the National Minister of Electricity and hon Kgosientsho Ramakgopa, to appear before the Committee and honestly report on the situation. While he has failed to appear before the Committee on more than one occasion, he does seem intent on coming and I have received confirmation that he will be in front of the Committee early in November. The date will be circulated amongst the members of the Committee first.

The time for transparency has come and I hope that our engaging with the Minister will help to illuminate the way forward on how to put an end to loadshedding in the Western Cape. South Africans are remarkably resilient

and witty, but our businesses cannot be expected to create urgently needed jobs when they cannot keep the lights on and run their processes effectively. Once the DA and our multiparty charter partners take the Union Buildings next year, South Africans can expect a permanent plan to end loadshedding. Until then, we will continue to hold the ANC to account for their failures and keep looking for innovative solutions to this energy crisis. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon member. I now recognise the Freedom Front Plus. [Interjections.] Order, hon members.

Mr P J MARAIS (FFP): Thank you so much, hon Deputy Speaker ...[Interjection.]

The DEPUTY SPEAKER: Order, hon members! [Interjections.] Order! You may proceed, hon Marais.

Mr P J MARAIS (FFP): The Freedom Front Plus, noting the economic and marketing challenges facing small emerging Coloured farmers in the Western Cape and the extraordinary efforts by the now deceased supermarket giant, Raymond Ackerman, to help small scale farmers in the Eastern Cape by establishing a collection and transport network to get these farmers' products to the markets. We want to express the hope that Raymond Ackerman's initiatives will continue in the Western Cape and that it will not be taken to his grave with him. We cannot allow foreign NGOs and commercial farmers to form a cabal that smothers and stifles indigenous emerging farmers in our

province. This, hon Deputy Speaker, is especially true in the case of marketing of indigenous Western Cape honeybush and tea products. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon member. I recognise Al Jama-ah.

Mr G BRINKHUIS (AL JAMA-AH): Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, the first Chapter of the holy Quran Surah ...[Interjection.]

The DEPUTY SPEAKER: Order, hon Marran.

Mr G BRINKHUIS (AL JAMA-AH): The chapter of the blood clot *Bismillah-ir-Rahman-ir-Rahim* Read in the name of your Sustainer who is the Creator. He has created the human being from a clot of blood. Read and your Sustainer is most compassionate. He who has taught by means of the pen. He taught the human being that which they do not know. I thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much. I now recognise the Democratic Alliance.

Mr G PRETORIUS (DA): Thank you, hon Deputy Speaker. Hon Deputy Speaker, in a stunning turn of events the National Minister of Finance, Enoch

Godongwana, has appeared to now join the growing list of individuals and organisations questioning the feasibility of the National Health Insurance Bill. The NHI Bill, as proposed by the ANC, has been shrouded by uncertainty and a lack of clear planning on its administration.

It is crucial to underscore, hon Deputy Speaker, that South Africa is financially not able to implement the NHI in its current model. Having identified this legitimate concern, the Finance Minister suggests prioritising the upgrading and improvement of hospitals over the implementation of the NHI, which is simply not feasible. The Minister states that the NHI requires an additional R300-billion which South Africa simply cannot afford. It has been theorised that the R300-billion be generated by a 40% surcharge on income tax, increasing VAT, a payroll tax or increasing corporate income tax.

Hon Deputy Speaker, the South African taxpayer simply cannot afford this. What should be stressed is that the DA strongly supports universal healthcare for all. We do not believe that the NHI is the vehicle to achieving this goal. We are pleased that the Minister of Finance has come to the same realisation that the DA has always held, that the NHI simply is too expensive.

Hon Deputy Speaker, it is evident that the ANC was desperately trying to use this Bill as a political tool to garner votes ahead of the 2024 elections. The DA is glad that sanity has finally prevailed, and we hope that the ANC will realise that their doomed NHI Bill is not the answer to South Africa's healthcare challenges. I thank you.

*[The Speaker takes the Chair.]*

The SPEAKER: Thank you very much, hon Pretorius. Hon members, in terms of Rule 145(6), I now give one or more hon members of the Executive present an opportunity to respond to Members Statements for not more than five minutes collectively, if they so wish. I recognise the hon Minister, Minister Mackenzie. Hon Premier?

The PREMIER: Thank you very much, hon Speaker. To the coach: some wise words. Perhaps he should not. I do not know if it is his researcher or it is the one-party leader, chairman, general-for-life, Herron, but he must please go back and read the answer that I gave him because what he said here today was absolutely incorrect, and I will read the first part of my answer again.

“The Western Cape Government has received advice from the Department of Public Service and Administration, which has reaffirmed that the extension of the Education HOD, Brian Schreuder’s contract was lawful and valid. Mr Schreuder’s contract was extended for two years in 2018, based on the original advice received from the DPSA in 2017.”

Okay, so then it goes on to say:

“Earlier this year, the Public Service Commission finalised a report

which indicated that the appointment was irregular without having considered the DPSA which is the custodian of the applicable legislation. In the wake of this report the request that the DPSA provide clarity, a legal opinion was provided by the DPSA, by the Office of the Chief State Law Advisor.”

A legal opinion by the Chief State Law Advisor and that basically said the HOD is not an employee of this Government. It was a contract and therefore, it was legal. Please, that is the answer that I have given you. You have just come and quoted something totally irrelevant. Please go and have a look at that answer.

The SPEAKER: Thank you very much. Are there any further hon members of the Executive? I recognise the hon Minister Simmers.

The MINISTER OF INFRASTRUCTURE: Hon Speaker, we have now listened continuously to the issue of the Central Line in the PRASA. †In Namakwaland sê hulle, ‘jy moenie jou eie beuel blaas en dan sit jou onderbroek op jou knieë nie.’ En die rede hoekom ek dit vir die agb Speaker sê, eerstens, die feite is as volg. Die grond vir fase 1 was eers op 7 Augustus 2023, agb Premier, deur die Nasionale Departement van Behuising gekoop. Weereens, hulle mislei al vir die afgelope paar maande die gemeenskap op die Sentrale Lyn. Tweedens, u verwys na Maandag se imbizo wat eintlik ’n ANC uitstappie was. Weet jy hoekom? Want nog minder ek of die Uitvoerende Burgemeester van die Stad Kaapstad was skoons genooi na hierdie



sogenaamde imbizo toe. So ja, jy blaas jou eie beuel, maar jou onderbroek sit op jou knieë. Baie dankie.

[In Namaqualand they say, *‘Jy moenie jou eie beuel blaas en dan sit jou onderbroek op jou knieë nie.’* ‘You should not blow your own trumpet and then your underpants are around your knees’. And the reason why I say it to you, hon Speaker, firstly, the facts are as follows. The land for Phase 1 was only bought on 7 August 2023, hon Premier, by the National Department of Housing. Again, they have been misleading the community on the Central Line for the past few months. Secondly, you refer to Monday’s imbizo which actually was an ANC little outing. Do you know why? Because neither I nor the Executive Mayor of the City of Cape Town had even been invited to this so-called imbizo. So yes, you’re blowing your own trumpet, but your underpants are around your knees. Thank you.]

The SPEAKER: Thank you very much, hon Minister. Are there any further hon members of the Executive? I recognise the hon Minister Mackenzie.  
[Interjections.]

The MINISTER OF MOBILITY: Thank you, hon Speaker.

The SPEAKER: Order, hon members!

The MINISTER OF MOBILITY: Hon Speaker, hon Mvimbi earlier talked about the decentralisation that we want to do. In fact, we want devolution. So, just to quickly remind hon Mvimbi: by the National Minister of Finance,

Enoch Godongwana said they spent nearly R308-billion on State-owned enterprises which are failing. A lot of them are transport enterprises: PRASA, Transnet, Shosholozza Meyl, Autopax, South African Airways, South African Express. Everything the ANC touched led to failure.

That is why we want devolution to more competent governments as enshrined in the Constitution and not centralised because the centralisation is why we are sitting here today, in Stage 6 loadshedding by the ANC. The reason hundreds of thousands of people today, pensioners cannot access pension funds because of centralisation by the ANC. The Postbank Board, 90% of them walked out yesterday ...[Interjection.]

The SPEAKER: Order!

The MINISTER OF MOBILITY: ...because of the ANC. The reason we want devolution to more competent governments like ourselves is because of the ANC. I thank you.

The SPEAKER: Thank you very much, hon members. [Interjections.] Order, hon members. Are there any further hon members of the Executive that wish to respond? If not, thank you very much. Hon members ...[Interjections.] that brings us to the end of Members Statements, so can the discussion on the Statements please stop as we move on to Notices of Motions in terms of Rule 151. In terms of Rule 151, all Notices of Motions by hon members are required to be delivered to the Secretary for placing on the Order Paper.

These motions have been duly submitted and published on the Order Paper below the line.

### **MOTIONS WITH NOTICE**

Mr P DE VILLIERS (GOOD): I give notice that I shall move:

The House debates the issue of ‘homelessness’ and how we as a Provincial Government are dealing with and ensuring that we reduce the numbers of those living on our streets.

*[Notice of Motion as printed on the Order Paper.]*

Mr F C CHRISTIANS (ACDP): I give notice that I shall move:

That the House debates the slow pace of restoration of the railway line network in the Western Cape.

*[Notice of Motion as printed on the Order Paper.]*

Ms R WINDVOGEL (ANC): I give notice that I shall move:

That the House debates the crisis of short staff in Health facilities in the Western Cape.

*[Notice of Motion as printed on the Order Paper.]*

Ms A P BANS (ANC): I give notice that I shall move:

That the House debates the over 200 criminal cases falling through the court cracks in the Western Cape.

*[Notice of Motion as printed on the Order Paper.]*

Ms A P BANS (ANC): I give notice that I shall move:

That the House debates that more than 70 gender-based violence cases have been struck off Western Cape court rolls in the last six months.

*[Notice of Motion as printed on the Order Paper.]*

The DEPUTY CHIEF WHIP (ANC): I give notice that I shall move:

That the House debates the suspension of almost 30 learners from Rhodes High School in Cape Town.

*[Notice of Motion as printed on the Order Paper.]*

The SPEAKER: We move on to Motions without Notice in terms of Rule 150.

I would like to inform the hon members that in terms of Rule 150 pertaining

to Motions without Notice, condolence and congratulatory were submitted to the Programming Authority prior to this plenary on 12 September 2023. Hon members are also reminded that the Motions without Notice pertaining to congratulatory and condolence, will not be allowed in this Sitting that have not been processed by the Programming Authority.

Hon members, I have been informed that in the Programming Authority meeting of 12 September, political parties did submit the names of the hon members in the desired order of speaking and who had wished to move a Motion without Notice in this Sitting of the House. I will therefore, just for noting and for the purposes of the Minutes, call out the hon members whose names have accordingly been submitted and approved.

The following hon members' motions have been approved by the Programming Authority as follows: hon G Bosman, hon G Bosman, hon F C Christians, hon A P Bans, hon C M Dugmore, hon N D Nkondlo.

## **MOTIONS WITHOUT NOTICE**

Mr G BOSMAN (DA): I move without notice:

That the House sends its condolences to the friends and family of Kyle Smith. He unfortunately died of natural causes in hospital last weekend. Kyle was the double bassist at the Cape Philharmonic Orchestra; notes that Smith was a soloist in last year's Classical Music Concert,

presented by the CPO and Artscape Theatre when he performed the Burlesque for Double Bass and Orchestra by Allan Stephenson. He was a student of CPO principal double bassist Roxane Steffen and was doing his post-graduate performance diploma at UCT, where he graduated with a Diploma in Music Performance and was also selected to play as a member of the German Youth Orchestra. Further notes that the much-loved musician began his musical journey when he was 6 years old at the New Apostolic Church, where he first played the recorder and then moved on to the violin, without formal lessons. In 2014, he started playing the double bass at Beau Soleil Music Centre, with Dorothy Holder. After Grade 12, he was accepted to do a certificate programme at Stellenbosch University under the tutelage of Steffen in 2017 and 2018. In 2019, he applied for his Diploma in Music Performance at UCT and graduated in 2022; also notes that he has played for many orchestral ensembles in which he held principal bass positions, including the Cape Philharmonic Youth Orchestra; and may he forever rest in peace.

*[Motion as printed in the Minutes.]*

Mr G BOSMAN (DA): I move without notice:

That the House sends its condolences to the friends and families of Spencer Mbadu. Notes that Spencer was born in 1955 in Kensington and his family was later forcefully removed to Gugulethu. From the age of four he tried his hand at a number of musical instruments, guitar, voice,

drums and piano before he chose the bass as an instrument of choice in 1972; further notes that Spencer Mbadu was a giant of a musician and bass guitar. He was a generous soul, always willing to pass on his knowledge to emerging bassists. He has influenced a generation of bass guitarists who followed in his footsteps; and may he forever rest in peace.

*[Motion as printed in the Minutes.]*

Mr F C CHRISTIANS (ACDP): I move without notice:

That the House takes this opportunity to share condolences and our heartfelt sympathies with the Ackerman family at the passing of Raymond Ackerman who died at the age of 92. His passing leaves a massive void in the retail industry. (*Georgina Crouth-Daily Maverick-07 September 2023*) Ackerman was the founder of the retail giant, Pick 'n Pay. He took the company that he founded in 1967 to a billion Rand business. Today Pick 'n Pay has more than 2 000 branches across South Africa and Southern Africa and we salute his entrepreneurial vision and humanitarian spirit. He was a man who inspired many to rise above their circumstances. Our prayers are with his wife Wendy, daughters Suzanne, Kathryn and sons Jonathan, Gareth, and extended family.

*[Motion as printed in the Minutes.]*

Ms A P BANS (ANC): I move without notice:

That the House notes and expresses dismay at the recent wave of attacks on law enforcement officers. In the last six weeks there has been an increase in attacks on law enforcement officers, including members of the South African Police Service (SAPS) in the Western Cape; that the House strongly condemns these attacks and urges all policing bodies, including the SAPS, to prioritise the collection of illegal firearms as part of their efforts to ensure officer safety.

*[Motion as printed in the Minutes.]*

The LEADER OF THE OFFICIAL OPPOSITION: I move without notice:

That the House notes with great grief the passing of veteran activist, comrade Amy Thornton at the age of 91, on the morning of 6 September 2023. Comrade Amy began her struggle against injustice at a young age, and in 2016 she received the National Order of Luthuli in recognition of her outstanding contributions, unwavering dedication to the cause of equality and liberation for all South Africans, and heroic bravery in the face of an oppressive regime. She was a guiding light and a pillar of strength in both the political battles and personal lives of those around her. Her legacy will be carved in the annals of our struggle for eternity, and her contributions will continue to lead us as we work ceaselessly for a better South Africa. That the House wishes to express its deepest



condolences to the family, friends, and comrades of the late activist.  
Hamba kahle Comrade Amy Thornton.

*[Motion as printed in the Minutes.]*

Ms N D NKONDLO (ANC): I move without notice:

That the House notes with sadness the passing of Pick 'n Pay Raymond Ackerman at the age of 92, on Wednesday evening. Ackerman made a significant impact on the industry and the South African economy and wishes to extend its condolences and message of strength to his family and friends.

*[Motion as printed in the Minutes.]*

The SPEAKER: I now put the motions duly submitted and approved by the Programming Authority to the House. Hon members, are there any objections? No objections, agreed to. The motions will appear in the Minutes of the proceedings and in Hansard, in each individual hon member's name as if that hon member had read them out aloud.

I will now afford the opportunity to the hon members to move Motions without Notice as per Standing Rule of 150(2)(d). This could also include Motions without Notice that were not approved in the Programming Authority meeting. Hon members, I wish to remind you that as per Standing Rule

150(2)(d), there are 30 minutes allocated for this section. The 30 minutes will start now. I recognise the hon Sileku.

Mr I SILEKU (DA): Thank you, I move without notice:

That this House notes that in about two months' time, the City of Cape Town will be sending a team of world-class firefighters to Spain to compete in the World Rescue Challenge. As the only team in Africa, they will be competing against some of the world's best teams from America and across Europe. DA-run governments have increasingly invested in their fire and rescue services over the years, and as a result, the Western Cape now boasts with a Fire and Rescue Department that has more firefighting appliances than all the other provinces combined. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much, hon Sileku. Hon members, are there any objections to the motion being moved without notice?

Hon MEMBERS: No!

An HON MEMBER: Yes!

The SPEAKER: There is an objection, and the motion will be printed on the

Order Paper. I recognise the hon Kaizer-Philander.

Ms W F KAIZER-PHILANDER (DA): Thank you very much, hon Speaker. I move without notice:

That the House notes that the Democratic Alliance in the Western Cape has reported the National Minister of Social Development ...[Interjections.]

The SPEAKER: Order, hon members!

Ms W F KAIZER-PHILANDER (DA):

...Lindiwe Zulu to the South African Human Rights Commission for negligently failing to ensure the socio-economic rights of Western Cape SASSA grant beneficiaries by failing to provide social security. Further notes that the DA has been inundated by complaints from desperate grant beneficiaries all across the province, who are struggling to withdraw their funds from ATMs and retailers due to technical glitches from Postbank. This House further notes that while the Western Cape Government is constantly trying to ...[Interjections.]

The SPEAKER: Order!

Ms W F KAIZER-PHILANDER (DA):

...alleviate social and economic pressures on our residents, efforts always remain hampered by the incompetence at the National Government level. The Democratic Alliance in the Western Cape will take this issue head-on until Minister Zulu is held accountable for failing the residents of the Western Cape. I so move, hon Speaker.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much, hon Kaizer-Philander. Hon members, are there any objections to the motion being moved without notice?

An HON MEMBER: No!

An HON MEMBER: Yes.

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. [Interjections.] I recognise the hon Maseko.

The CHIEF WHIP (DA): You should be ashamed of ...[Interjection.]

Ms L M MASEKO (DA): Thank you very much, hon Speaker.

The SPEAKER: Order, hon members. [Interjections.] Hon members! Order, hon members! [Interjections.] Hon Maseko, please take your seat. Order,

hon members. [Interjections.] Hon members, there was a motion. Hon Nkondlo and hon Chief Whip, ...[Interjections.] there was a motion. The motion was put to the House. There was an objection and that brings us to the end of that motion. [Interjections.] There is no need for further discussion. The motion was dealt with in terms of the Rules. We now move on to hon Maseko. [Interjections.]

Ms L M MASEKO (DA): Thank you very much, hon Speaker. Hon Speaker, I move without notice:

That this House sends its best wishes to Mr Carl Pophaim, who has been appointed as the new MMC for Human Settlements in the City of Cape Town. Mr Pophaim is a young and talented councillor who has distinguished himself in the Human Settlements portfolio and has been serving on the City's Portfolio Committee for Human Settlements for nearly five years, as well as the Planning Appeals Advisory Panel, amongst others. His youthful vigour and unwavering dedication are promising assets that will undoubtedly drive progress and innovation in his new position. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much ...[Interjection.]

An HON MEMBER: Object!

The SPEAKER: ...hon Maseko. Hon members, are there any objections to the motion being moved without notice?

An HON MEMBER: None.

An HON MEMBER: No.

An HON MEMBER: Object.

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. Thank you very much, hon members. We move on to hon Bosman.

Mr G BOSMAN (DA): Hon Speaker, I move without notice:

That this House notes that the City of Cape Town has so far hosted 81 local and international events, and they are looking at pushing through another 60 events before the end of this year. So far, a billion rand has been generated and the 20 major events recorded over one million participants and spectators. Over the next weeks and months, the City will be hosting an array of events catering to the diverse entertainment demographic and featuring renowned events covering sports, motoring, literature, music, and art. Some of the events set to take place in Cape Town include FAME Week Africa, the Extreme Festival National

Championships, DRIFT City, the Open Book Festival; World of Music, Arts and Dance; Operalia and Zakes Bantwini's Abantu Festival. These events all play a major role in building the local economy, building social cohesion, and promoting sports, arts, and culture. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much, hon Bosman. Hon members, are there any objections to the motion being moved without notice?

Hon MEMBERS: No!

An HON MEMBER: Object there.

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. We now move on to hon Cassiem. [Interjections.]

Ms A CASSIEM (EFF): Thank you hon Speaker. I move without notice:

That the House ...[Interjections.]

The SPEAKER: Order, hon members. I cannot hear the hon Cassiem. Hon Cassiem?

Ms A CASSIEM (EFF): I move without notice:

That the House calls on the National Department of Human Settlements, City of Cape Town, and the Housing Development Agency to work together in making sure that residents occupying the Central Line are relocated to suitable alternative land. This comes at the backdrop of the National Minister of Human Settlements accusing the DA-led City of Cape Town of sabotaging the Central Line relocation attempts by turning back the funds advanced to it to acquire land for the residents. The inter-governmental and inter-departmental disputes between National Government and Local Government are not in the best interests of the poor and are certainly not advancing both their interests and their protected constitutional rights. The sooner residents are relocated to a more dignified, suitable land the better, as that would afford PRASA and other departments to start working on fixing the infrastructure to make sure that trains are back on track and that thousands of commuters are able to utilise a cheaper transport system. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much, hon Cassiem. Hon members, are there any objections to the motion being moved without notice?

An HON MEMBER: Object!

An HON MEMBER: Objection.



The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. I recognise the hon Klaas. Hon Klaas?

Mr T M KLAAS (EFF): Mandifunde ke. Ndizokufunda ngesiXhosa. [I move without notice:]

Let me read. I will read in isiXhosa.

For the House to note that during the course of this week, Westbank residents took to the streets to demand a satellite police station in their community. † Ndiyayazi. Ndifuna bamemele [I know. I want them to listen] [Laugh.] Further notes that their calls for a police station in their area began in 2016 and to date these calls have fallen on deaf ears. Their concerns are that they have to report cases to the Blue Downs Police Station which is far, and the majority of residents cannot afford taxi fares during the day to go to the police station and open a case. The residents further complain that the police from Blue Downs Police Station hardly come when they are being called to attend to reported crimes scenes. All of this also affects the Provincial Crime Statistics as the majority of crimes go unreported as the majority of people continue to die in numbers, high armed robberies and growing crime perpetrated by the youth and gangsters in the area. As the EFF, we call on the National Government to do the right thing and assist these residents with a satellite police station as a temporary intervention mechanism. I so move.

*[Motion as moved by Member.]*

An HON MEMBER: We object!

The SPEAKER: Thank you very much, hon Klaas. [Interjections.] Thank you. [Interjections.] Thank you, hon Klaas. [Interjections.] Please take your seat. Hon members, are there any objections to the motion being moved without notice?

The DEPUTY CHIEF WHIP (DA): None. We support the EFF on this motion.

An HON MEMBER: No!

The SPEAKER: Is that an objection, hon Kama?

Mr M KAMA (ANC): I just want to check whether there is an opportunity to because there ...[Interjections.]

Hon MEMBERS: No! No!

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

Hon MEMBERS: No! No!

Mr M KAMA (ANC): There is just one word there of deaf ears that we need to, you know ...[Interjections.]

The SPEAKER: No! No, are you objecting ...[Interjections.]

Mr M KAMA (ANC): ...amend or ...[Interjections.]

The SPEAKER: Are you? Are you objecting to the motion being moved without notice?

Mr M KAMA (ANC): Ja, because of the deaf ears ...[Interjections.]

The SPEAKER: Thank you very much, hon Kama. [Interjections.] The motion ...[Interjections.] There is an objection. There is an objection. Hon members, there is an objection, and the motion will be printed on the Order Paper. I recognise the hon Nkondlo. [Interjections.]

Ms N D NKONDLO (ANC): Thank you. Thank you, hon Speaker. I move without notice:

That the House expresses concern and sympathy for the residents ...[Interjections.]

The SPEAKER: Order, hon members!

Ms N D NKONDLO (ANC):

...and farmers of Cederberg, Western Cape, who have been adversely affected by recent events causing significant damage to food and agriculture. The destruction of crops and farmlands in this region poses a severe threat to food security and livelihoods. We call upon the relevant authorities to promptly assess the extent of the damage and provide the necessary support and resources to affected farmers. We pledge our solidarity with the community of Cederberg and implore the Government to take immediate action to mitigate the impact on agriculture and ensure a swift recovery for this vital sector of our economy. I so move. Thank you, hon Speaker.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much, hon Nkondlo. Hon members, are there any objections to the motion being moved without notice? [Interjections.] Is there an objection? [Interjections.]

An HON MEMBER: Ja, we object.

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. Hon members, the next, and this is just for the Chief Whips. The next motion will be done in the name of hon Bans because hon Windvogel is unfortunately not part of this. She had to attend to an

emergency, and I have granted that in terms of Rule 152, acting for an absent member. So, there is absolutely, and it is in line with the Rules. So, hon Bans, over to you. Hon Bans? Okay, I am going to continue. Hon Lekker, hon Bans is not online. Hon Lekker.

The CHIEF WHIP (ANC): †Enkosi, somlomo. [ I move without notice:]

That the House notes and expresses unease regarding the Western Cape Provincial Parliament's deliberate silence on the recent cyber-attack findings within the Legislature. The withholding of crucial information compromises the security of our institution and undermines the trust of the citizens we serve. Transparency and accountability are fundamental pillars of our democracy, and the failure to disclose pertinent details regarding this cyber-attack erodes these principles. We urge the Western Cape Provincial Parliament to promptly share the findings and take appropriate measures to strengthen our cybersecurity defences. In doing so, we protect the integrity of our legislative processes and assure the public of their safety. I so move.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much, hon Lekker. Just for the Chief Whips, that was Motion number 10. So, we skipped Motion number 9, but I will get back to that. Let me put the motion to the House. Are there any objections to the motion ...[Interjections.]

An HON MEMBER: Object!

Ms L M MASEKO (DA): Objection.

The SPEAKER: ...being moved without notice?

Hon MEMBERS: Objection!

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. I now recognise the hon Lekker.

An HON MEMBER: Object!

The CHIEF WHIP (ANC): Speak so that I can hear you, please ...[Interjections.]

An HON MEMBER: Object!

An HON MEMBER: Object!

The CHIEF WHIP (ANC): Oh!

The SPEAKER: Hon members. Hon members!

†The CHIEF WHIP (ANC): Enkosi, Somlomo. [Thank you, Speaker. ]

I move without notice:

That the House expresses its deep concern over the deteriorating state of service delivery in the Western Cape and calls upon MEC Bredell to take immediate and concrete steps to address this pressing issue. While the DA touts clean audits, we emphasise that this should not be misconstrued as a definitive indicator of effective service delivery. Clean audits do not alleviate the hardships faced by our constituents daily. Furthermore, we find it paradoxical that the DA is pushing for the Provincial Powers Bill while failing to adequately deliver services within the sectors it currently controls in the province. We urge the DA to first demonstrate its commitment to efficient service delivery before advocating for additional powers. The House implores the DA to prioritise the needs of the people in the Western Cape by taking substantial action to enhance service delivery, leaving no room for ambiguity regarding the quality of services provided to our people. I am sure this resonates well to you, as well as the Chief Whip from the NCSL. Thank you.

*[Motion as moved by Member.]*

The SPEAKER: Thank you very much, hon Lekker. Hon members, are there any objections ...[Interjections.]

Ms L M MASEKO (DA): Object!

The SPEAKER: ...to the motion being moved without notice?

Hon MEMBERS: Object! Object!

An HON MEMBER: Object.

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. Hon Deputy Chief Whip, is that a point of order?

The DEPUTY CHIEF WHIP (DA): It is a point of order. In terms of precedence and procedure in this House, is an hon member allowed to add substantive matters to a Motion without Notice that is read before this House, as we do get the motions beforehand in order to be able to familiarise ourselves with the matter. [Interjections.]

The SPEAKER: Thank you very much. There is a Rule, and the motions get submitted to the Programming Authority in advance. So, there was not, according to what I have in front of me, substantive changes to that initial motion as submitted, hon Deputy Chief Whip, and the motion was put to the House and there is an objection to the House. [Interjections.] There was an objection. Hon Chief Whip and Deputy Chief Whip, I am on the floor. The motion has been duly put to the House. There was an objection, and the motion will be printed on the Order Paper. We will now move on to hon



Nkondlo. ...[Interjection.]

An HON MEMBER: Accept and move on.

†Ms N D NKONDLO (ANC): Enkosi, somlomo. [Thank you, Speaker.]

I move without notice:

That the House notes and extends gratitude to the Minister of Human Settlements, Mmamoloko Tryphosa Kubayi, for her invaluable efforts in Strand's eThembeni informal settlement working with the ANC's Legislature Strand Constituency Office. She selflessly dedicated her time and support in the noble endeavour of handing over essential building materials for 35 homes that tragically succumbed to fire. The ANC's unwavering commitment to the welfare and upliftment of our community is commendable and inspiring. The Minister's actions exemplify the spirit of unity and compassion that defines our collective mission. We express our heartfelt gratitude for her dedication in helping those in need during this challenging time. I so move.  
...[Interjections.]

Ms L M MASEKO (DA): My objection!

The SPEAKER: Thank you very much, hon Nkondlo. Hon members, are there any objections to the motion being moved without notice?

An HON MEMBER: Yes.

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. I recognise the hon Kama.

Mr M KAMA (ANC): Thank you, hon Speaker. On behalf of the people's movement, the African National Congress, I move without notice:

That the House acknowledges the good work done by members of the South African Police Service. While we do not cover up the misdeeds of some among them, most of our women and men in blue continue to put their lives on the line in service of our communities and country. We commend the top brass of the South African Police Service, as well as IPID, for being intolerant of the few bad apples among the members of the Service and notes their commitment to oppose those who tarnish the reputation of most of the members of SAPS. We call on our communities to work with members of the South African Police Service to combat crime. The House must unite behind every effort to make SAPS an institution of hope and guarantee the safety of all our people in the Western Cape, as opposed to irresponsibly promoting mistrust on the part of communities towards SAPS as the Chairperson of Community Safety and Police Oversight, hon Bosman, does every week in the public domain. I so move.

*[Motion as moved by Member.]*

An HON MEMBER: Objection!

The SPEAKER: Thank you very much, hon Kama. Hon Bosman, is that a point of order?

An HON MEMBER: Yes!

Mr G BOSMAN (DA): Yes, hon Speaker. I rise on Rule 59(1). I am not sure if you heard it, but hon member Kama with his limited understanding of the Rules, has imputed improper motives on me. I know that the ANC follows me on Twitter and subscribes to my media statements, but it is absolutely inappropriate to bring that to the House through a motion and not a substantive motion. If the hon member does know of any improper or unethical behaviour on my part, I would be happy to entertain a substantive motion.

The SPEAKER: Thank you very much, hon Bosman. Hon Chief Whip of the Opposition?

The CHIEF WHIP (ANC): Thank you, hon Speaker. Hon Speaker, I have noted in the input made by hon member Bosman, he is casting aspersions on hon member Kama by saying or with hon member Kama's limited ...[Interjection.]

The SPEAKER: Order, hon members!

The CHIEF WHIP (ANC): ...understanding of the Rules. I would like you to rule whether what is just said is in accordance with the Rule because I believe he is casting an aspersion. Thank you.

The SPEAKER: Thank you very much. Hon members, so I am sitting with a situation where both sides of the House are rising on exactly the same principle. For that reason, I am going to consult Hansard and revert back. But in the interest of this motion being tabled and having been read out aloud in the House, I am going to put the question and we will deal with the substance of that in my ruling. So, I am putting the question before the House: are there any objections to the motion being moved without notice?

Hon MEMBERS: Objection!

An HON MEMBER: No objection.

The SPEAKER: There is an objection, and the motion will be printed on the Order Paper. With regards to peoples' integrity and aspersions casted upon hon members in the House, I will come back and revert to the House with a ruling on that. But can I please just remind the hon members that we are all hon members here. If you have any issues or any information that you would like the House to take note of, there are Rules that provide for that. So,

please can I ask and caution all hon members that the Rules do provide for it so please, utilise those Rules.

Hon members, I am going to allow, if hon Bans is online, I am going to allow her a final opportunity. Hon Bans is not online and with that, hon members, I will then move on and that concludes Motions without Notice. I am now going to ask that the Secretary read the First Order of the Day.

### **ORDERS OF THE DAY**

The SECRETARY: Consideration of Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Performers' Protection Amendment Bill [B 24F–2016].

The SPEAKER: Thank you very much, Mr Stemele. Hon members, the House received the report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Performers' Protection Amendment Bill, conferring authority on the Western Cape delegation in the NCOP not to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish, for three minutes. I recognise the ANC.

†Ms N D NKONDLO (ANC): Enkosi, Somlomo, kwakhona. [Thank you again, Speaker.]

With an unwavering dedication to advancing the rights of performers and

safeguarding the realm of intellectual property, we, the esteemed members of the ANC ...[Audio distorted.] the report on the Performers' Protection Amendment Bill. The spirit of putting legislation in place as a measure to impose different political views becomes important. This Bill is important to reform an old system to assist the new dispensation and help the local artists. The absence of clarity around IP cannot be overemphasised and it continues to present a serious challenge. This is in relation to the legality and policy position of this Bill, which brings uncertainty for artists and those who produce knowledge who are not necessarily protected.

Recognising the profound cultural and economic significance of the performing arts to our society, we have diligently reviewed and considered those clauses of the Performers' Protection Amendment Bill. We acknowledge the imperative need for this legislation to evolve and adapt to the dynamic landscape of the entertainment industry. The input from the public must have been well received as it is through their lenses that we were able to deduce the concerns of the industry. The interest demonstrated by young people, particularly from indigenous groups, academics, and artists, is beyond reproach. A fair number of young people in the public participation process showed great interest.

The process should not be continually delayed because it poses a serious challenge. The spirit of the Committee should be to have the discussion in the absence of clarity, taking into consideration that the old pieces of legislation are still enabling further exploitation of those that need

protection. Let us host workshops that will equip young people with an informed view of copyright, especially those at the lowest ladder of society. Speaker, with those words we, the ANC, support the Performance Protection Amendment Bill. I thank you, hon Speaker.

The SPEAKER: Thank you very much, hon Nkondlo. I recognise the EFF.

Ms A CASSIEM (EFF): Thank you, hon Speaker. Hon Speaker, the EFF in the Western Cape views culture and the performing arts as an important cardinal pillar to our project of decolonisation, especially in this province and believes that those who pursue to protect and sustain livelihoods in this industry, should not be exploited and abused. As the EFF, we would like to place it on record that we do not support this Performance Protection Amendment Bill in its current form, and we reject it for the following reasons.

On 28 March 2018, the National Assembly and NCOP concluded their work on this Bill, where it was thereafter sent to the President for assent. On 15 June 2020, the President refused to sign the Bill in its previous format and returned it to the National Assembly and its committees in order for it to be reviewed, revised and reformatted. Part of the purposes and the objective of this Bill was to address the plight of performers in the arts industry by providing them with legal standing when it comes to receiving royalties when their fixed work later on becomes rebroadcasted, like during the retirement period, as an example.

However, the reality is that this Bill still falls short in achieving that objective and the Bill omits to establish a collecting agency for actors so that they can be paid their royalties every time their fixed work is later rebroadcasted or resold, instead of them being paid once off, even though their performances continue to generate profits for others who include big companies when they are rebroadcasted. The results of this continue to affect our actors and their families in a negative way financially, to such an extent that they die without a penny or leaving a legacy for their families.

Those in the industry continue to fight for better working conditions to ensure fair labour practices are implemented where they are fully protected under this country's labour laws. They continuously have to bear the brunt of abusive working conditions in this sector. When signing contracts, the majority of these movie stars, as well as make-up artists, drivers and photographers on set are not protected in cases of injuries on set, as well as maternity leave, sick leave, overtime and workman compensation for injury or death at the workspace, among others. This Bill in its current format is not advancing in the interest of actors by any means. Instead, it subjects them to poverty and hardship, and for these reasons, we reject this Bill. Thank you.

The SPEAKER: Thank you very much. I recognise GOOD.

Mr P DE VILLIERS (GOOD): No declaration, hon Speaker.



The SPEAKER: Thank you very much. The ACDP?

Mr F C CHRISTIANS (ACDP): No declaration, hon Speaker.

The SPEAKER: Thank you very much. The Freedom Front Plus?

Mr P J MARAIS (FFP): No declaration, hon Speaker.

The SPEAKER: Thank you very much, hon Marais. Al Jama-ah?

Mr G BRINKHUIS (AL JAMA-AH): Thank you very much, hon Speaker.

Hon Speaker, Al Jama-ah, we support this Bill. Thank you.

The SPEAKER: Thank you very much. The Democratic Alliance.

Ms C MURRAY (DA): Hon Speaker, the Performance Protection Amendment Bill is a poorly drafted piece of legislation replete with ambiguous key definitions. It further limits one of the core tenets of the performance industry, which is freedom to contract. To put it simply, this Bill would ensure our province and country's beloved performers die of hunger. The Bill remains in stark contrast with South Africa's international treaty implications, such as the Rome Treaty, despite the President having already raised this concern himself. It also has no firm grounding in the form of an adequate socio-economic impact assessment report focusing on the impact of

the Bill on our performers.

The Western Cape Standing Committee on Finance, Economic Opportunities and Tourism followed a rigorous public participation process and unlike other ANC provinces, we listened carefully to the concerned inputs we received from all stakeholders. Through our robust public participation, we became aware of the numerous substantive issues with the Bill, and it is impossible that the inputs we received from these stakeholders would differ completely from those in other provinces. And yet, hon Speaker, all other provinces, except for Kwa-Zulu Natal, voted to support this in the NCOP. The concerns of residents in the ANC-led provinces clearly fell on deaf ears under their charge, whereas in the Western Cape, the DA-led Western Cape prioritised residents' and our performers' needs. Hon Speaker, this Bill is not in our performers' best interests, which is why the DA cannot and will not support it.

The SPEAKER: Thank you very much, hon Murray. Thank you very much, hon Murray and hon members. I have to announce that there are currently 31 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House is that the report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Performers' Protection Amendment Bill conferring authority on the Western Cape delegation in the NCOP not to support this Bill be ratified and adopted. Are there any objections?

An HON MEMBER: None!

An HON MEMBER: Yes!

An HON MEMBER: No!

An HON MEMBER: Object.

The SPEAKER: There is an objection, and therefore I will therefore put the question that those in favour of the report being ratified and adopted, please say 'aye'.

Hon MEMBERS: Aye!

The SPEAKER: Those not in favour of the report being ratified and adopted, please say 'no'.

An HON MEMBER: No!

The SPEAKER: I think the 'ayes' have it, and the question is therefore approved. The Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Performers' Protection Amendment Bill has therefore been duly adopted. The Secretary will now read the Second Order of the Day.

The SECRETARY: Consideration of Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Copyright Amendment Bill [B 13F–2017].

The SPEAKER: Thank you very much, Mr Stemele. The House received the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Copyright Amendment Bill conferring authority on the Western Cape delegation in the NCOP not to support the Bill. This mandate has been sent to the NCOP. I will now afford an opportunity to parties to make a declaration, if they so wish, for three minutes. I recognise the ANC.

†Ms N D NKONDLO (ANC): Enkosi, Somlomo. [Thank you, Speaker.]

In a resounding commitment to transformation and the advancement of performers' rights and the protection of intellectual property, we proudly support the Copyright Amendment Bill. Hon Speaker, in our session on 11 May 2023, the ANC highlighted concerns with the Bill which was the notions of fair use and freedom of panorama clause that was drawn from the wisdom of the public participants' concerns of our people that this Bill seeks to uplift. The ANC's support of the Bill does not negate the deliberations that technical amendments should be made to improve certain clauses.

The absence of clarity around copyright, particularly the concerns raised on fair use will present a serious challenge where legal and policy certainty is a concern for artists and those who produce knowledge. Hon Speaker, this must be viewed in light of those who are not necessarily protected for their

own development in their works, as opposed to those who have the means to follow the legal route that enable them to identify areas from which they could be exploited in their interaction and trade with others. The practice of exploiting our people, hon Speaker, is and has been an apartheid tactic which the DA seeks to continue exercising.

This piece of legislation is critical for redress because the Copyright Act of 1998 is outdated, and this seeks to ensure that the socio-economic rights of our people are protected. Clause 12 should address fair use issues without disadvantaging knowledge producers, including scientific, technological, creative and literature sectors. Copyright should include IP and clauses should avoid vague exceptions and that could expose creatives to IP infringements. We support the Bill, taking into account the technical input and comments from some of the stakeholders that we have met. I thank you.

The SPEAKER: Thank you very much, hon Nkondlo. I recognise the EFF.

Mr T M KLAAS (EFF): The EFF does not support the Copyright Amendment Bill. This Bill followed the same path and fate as the Performers' Protection Amendment Bill. These Bills are now facing the final phase of the second parliamentary process. What is of concern with the Copyright Bill is that in recent predecessor it continues important parts that will have entitled the copyright holder with the lesser shares of the profits that was previously the case with multinational companies such as Sony and Gallo Music. We have been subjected to a process whereby we would have released some of the

rights to contact music creators, thereby sharing profits.

However, this position has now changed in this new revised Bill as a result of pressure from the White monopoly capital and from the profit purpose by those who hold their longer market share. The previous Bill appears to have interest of exploited [Inaudible.] at the heart with the introduction of the expropriation clause, only for the big change by the President after receiving pressure from the White controllers and handlers, both domestically and abroad. The sad reality we are facing now is that we are left with a revised and eroded Bill which had deviated from what was sought to achieve in order to reward the real content producers who today remain poor as their work continues to enrich the rich. It is therefore reserved that the EFF will not support this Bill. The reasoning we do not support, we do not care which, but the process, it means that there are individuals that are going to benefit. Thank you. [Interjections.]

The SPEAKER: Thank you very much, hon Klaas. I recognise GOOD.

Mr P DE VILLIERS (GOOD): No declaration, hon Speaker.

The SPEAKER: Thank you very much. ACDP?

Mr F C CHRISTIANS (ACDP): No declaration, hon Speaker.

The SPEAKER: Thank you very much. Freedom Front Plus?

Mr P J MARAIS (FFP): No declaration.

The SPEAKER: Thank you very much. Al Jama-ah?

Mr G BRINKHUIS (AL JAMA-AH): Thank you, hon Speaker. Hon Speaker, Al Jama-ah, we support the Copyright Amendment Bill. Thank you.

The SPEAKER: Thank you very much. The Democratic Alliance.  
[Interjections.] Order, hon members!

Ms C MURRAY (DA): The Copyright Amendment Bill has been duly considered and was rejected by the Standing Committee on Finance, Economic Opportunities and Tourism, on behalf of the residents of the Western Cape. The process followed to introduce this already outdated and out of touch Bill, once again highlights the legislative ineptitude of the ANC-led National Government. It will constitute a retrospective and arbitrary deprivation of property, constitutes an impermissible delegation of legislative powers to the Minister, and undermines our creatives and their rights through its provisions on fair use and resale royalties for visual artists.

Throughout our extensive public policy process, it became clear that this Bill is not in the interests of our creatives and their rights. This plethora of issues was brought to our attention by members of the public and industry experts. It is very clear that the effects that it will have on industry

stakeholders were not properly considered. In fact, during our consideration of the Bill, it was repeatedly raised that there was no socio-economic impact assessment report conducted and in particular, what was provided to us did not focus on the impact on our creatives and the industries in terms of their rights.

The report would have provided the Department with the opportunity to identify these issues and solutions, preventing it from going back and forth between spheres of Government for years on end. Instead, the flimsy document purported to be a socio-economic impact assessment report is wholly inadequate. During our interrogation of the Bill, it became clear that even this document, inadequate as it was, was not signed off by DTIC before the Bill was tabled to the Cabinet. This constitutes a gross violation of due process by the DTIC and disregards best practice in making legislation. Hon Speaker, for these reasons, the DA does not and cannot support the Copyright Amendment Bill.

The SPEAKER: Thank you very much. Hon members, I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House is that the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Copyright Amendment Bill conferring authority on the Western Cape delegation in the NCOP not to support this Bill be ratified and adopted. Are there any objections?



An HON MEMBER: Objection!

An HON MEMBER: Yes.

The SPEAKER: There is an objection and for that reason, I now put the question. And those in favour of the report being ratified and adopted, please say 'aye'.

Hon MEMBERS: Aye! Aye!

The SPEAKER: Those not in favour of the report being ratified and adopted, please say 'no'.

Hon MEMBERS: No! No!

The SPEAKER: I think the ayes have it. The question is therefore approved. The Report on the Standing Committee on Finance, Economic Opportunities and Tourism on the Copyright Amendment Bill has therefore been adopted.

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

The House adjourned at 17:55.