
THURSDAY, 16 MAY 2013

The House met at 14:15

The Speaker took the Chair and read the prayer.

ANNOUNCEMENTS, TABLING AND COMMITTEE REPORTS - see

p

The SPEAKER: You may be seated. Order! I see the Chief Whip.

MOTION:

Me A ROSSOUW: Mnr die Speaker, ek stel voor:

Dat ingevolgte Reël 24, die volgende lede as Tydelike
Voorsitters aangestel word:

H P Geyer

A J D Marais

J L Hartnick

NP Magwaza

J Witbooi

The SPEAKER: Any objection? No objection.

Agreed to.

INTERPELLATIONS:

The SPEAKER: Order! We will now deal with questions as printed on the Question Paper. The first question is to the Premier. I have been informed that the Premier is not available. Does the hon Chief Whip want to say something?

Me A ROSSOUW: Mr Speaker, that is correct. She is unable to be here and sends apologies to Members that are affected by this.

The SPEAKER: Order. So, the oral question to the Premier will then stand over, and the questions without notice to the Premier will not be dealt with today.

QUESTIONS FOR ORAL REPLY:

(New questions to the Premier standing over)

Questions standing over from Thursday, 9 May 2013, as agreed to by the House:

The SPEAKER: Can we then proceed to the next question?
Mr Carlisle, over to you.

Shortage of bitumen

***3. Mr E J von Brandis asked the Minister of Transport and Public Works:**

What is the impact of the ongoing shortage of bitumen in South Africa on the operation and business of his department?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank you Mr Speaker and also thank you to the hon member Mr von Brandis. It is a question about bitumen which we use to surface our roads. He asked what the impact of the ongoing shortage of bitumen is, and the answer is as follows: Due to the routine maintenance shutdowns of the four major bitumen refineries in South Africa, whose chief executives are often doing things they should not be doing, which often occur during the summer months when road authorities are performing most of their bitumen work, shortages do occur from time to time, which causes the delay of departmental road infrastructure projects. Direct importation of bitumen from overseas

refineries by some of the main bitumen product suppliers - the companies normally buy the bitumen from the refineries and then supply it to us - has to some extent alleviated the situation. The potential negative impact of bitumen shortages is now more manageable. So, in other words, hon member von Brandis, the situation is better than it was, but it is not good.

The SPEAKER: Any follow-up?

Mr M G E WILEY: Mr Speaker ...

The SPEAKER: Is it a follow-up?

Mr M G E WILEY: Yes.

The SPEAKER: Oh, sorry. Over to you, hon member Mr Wiley.

Mr M G E WILEY: Thank you, Mr Speaker. Is the hon Minister aware that the second biggest export to Shandong Province in China comes from the Milnerton Oil Refinery, and is a bituminous product?

The SPEAKER: Minister?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank

you, Mr Speaker. I am aware that the refineries that, inter alia, produce bitumen are not in any way committed to the future of South Africa and look for the best deal they can possibly get. This includes a refinery that is built by taxpayers money in Mossel Bay, which is probably the worst of the lot. It is also true that the Government of South Africa, for reasons that I do not understand, fails to put the necessary pressure on these refineries and one wonders who benefits from not applying that kind of pressure. Thank you.

An HON MEMBER: Are you not talking about ... [Interjections.]

The SPEAKER: Order!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Am I not talking about what?

The SPEAKER: Order! Hon member take your seat.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I cannot hear because the volume of the speaker is too low [Inaudible.]

The SPEAKER: Order! Hon member Mr Skwatsha. Is it a follow-up question, hon member Mr Wiley?

Mr M G E WILEY: Thank you. Yes. [Interjections.]

The SPEAKER: Order, hon members. Order!

The MINISTER OF TRANSPORT AND PUBLIC WORKS:

[Interjections.] ... people you should be donnering.

The SPEAKER: Minister order! Hon Skwatsha.

Mr M G E WILEY : Mr Speaker. Is it true ... Thank you to the Minister for that answer. Is it also therefore true that we have to import our shortages from countries after having exported the majority of our bituminous products?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: It is true that we do export to alleviate the shortage at times, not always, but at times. What is ... [Interjections.]

An HON MEMBER: Import.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Sorry? Import? I beg your pardon. Did I say export? Import. What is worse, hon Speaker, is that the planning of roads is a highly detailed

and complex business and when a key component is not available, the cost to the taxpayer is extremely high. Not to speak of the inconvenience to the taxpayer because of stop/go procedures that should have lasted three weeks, but now last three months etc. etc. Even worse than that, if a component like bitumen is not available, sometimes the work invested in the road is lost and has to be redone.

An HON MEMBER: I wonder if the ... [Inaudible.]

The SPEAKER: Order! Order! Hon members. Hon Minister Madikizela over to you. Question number 8.

Mr M SKWATSHA: Sir, is it Parliamentary for a member to speak about ‘donnering’ people in the House? [Interjections.]

Mr SPEAKER: Order! Who is that member, hon member Mr Skwatsha?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Speaker, if I can just address you on this. I did not wish to ‘donner’ anyone. I suggested that the hon member Mr Wiley would ‘donner’ someone. [Interjections.]

An HON MEMBER : It is unparliamentary.

The SPEAKER: Order. The hon member Mr Skwatsha.

Mr M SKWATSHA: Is the use of the word ‘donnering’ Parliamentary?

The SPEAKER: Thank you. I think before I can make any ruling on that, I need to understand the word ‘donnering’, [Interjections.] Order! Order! Please take your seats. Before I make any ruling, I will go and check up what ‘donnering’ means, and then I will come back. Take your seat hon member Mr Skwatsha. No ruling now. I will come with a ruling later. That is what I am going to check, hon members. Not now. Thank you very much. Hon member Mr Madikizela. Order! Question number 8.

Provision of housing: Breede Valley Municipality

***8. Mr P Uys asked the Minister of Human Settlements:**

What are the full details of the situation with regard to the provision of housing in the Breede Valley Municipality to certain persons, whose names have been furnished to the Minister’s department for the purpose of his reply?

The MINISTER OF HUMAN SETTLEMENTS: Thank you very much, Mr Speaker and to hon member Mr Uys. The allocation of

housing is a municipal competency. The matter was taken up with the Breede Valley Municipality and the following response was provided:

“Zwelatema Project was approved to accommodate 242 beneficiaries, and these beneficiaries were in the following categories:

Those who reside in two-roomed units, the back [Inaudible.], the aged, disabled and those who are longest on the waiting list, namely applicants who applied between 1990 and 1995. It should be noted that G Inzima applied on the 19th May 2004 and D Ntsetwa on the 9th April 2003. The criterion was widely communicated in meetings and the community was satisfied. It was subsequently established that a group of about 19 people who did not fall within the aforementioned criterion, were erroneously identified in this project. The said families fell within this group. It is for this reason that they were withdrawn from the project. It should also be noted that the Municipality developed the criteria as a result of a huge outcry from communities that they allocated houses to younger people whilst older people were still waiting to be accommodated”.

Thank you.

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Thank you, Mr Speaker. Hon Minister, thanks for the answer. However, these two people and their families were allocated houses and they received a letter from the Municipality congratulating them, saying it has been allocated. Why do they suddenly hear that these houses are not allocated anymore and the subsidy has been withdrawn, after having received a formal letter from the Municipality?

Mr SPEAKER: Hon Minister?

The MINISTER OF HUMAN SETTLEMENTS: Thank you, Mr Speaker. Well, I think it is within the right of the Municipality to correct the mistake if a mistake was made. As I explained earlier, there were very clear criteria that were developed by the Municipality as to which categories of people must be prioritised or benefit from these projects, and if indeed a mistake was made and it was identified in time, then the Municipality has every right to withdraw those names from the list of people who were about to receive these houses in error.

Mr SPEAKER: Hon member Mr Uys?

Mr P UYS: Thank you, Mr Speaker. Mr Speaker, can I then ask the

MEC, what is the role of his department? People coming to Wale Street and getting a printout confirming that it has been allocated to them by his department on an official letterhead. What is the role of his department then?

The SPEAKER: Minister?

The MINISTER OF HUMAN SETTLEMENTS: The role of this department is to ensure that the policies and the procedures are followed to the T by municipalities and in this instance, the criteria that was widely communicated by the municipality to the people and the department agree with that criteria fully. As I said, we fully support any municipality which, in the course of allocating these houses, identifies a mistake and corrects that mistake. It is the responsibility and the role of the municipality to allocate houses and not us. Our role is to make sure that the policies and the procedures are followed to the T by municipalities and that they stick to the guidelines that are provided in terms of housing provision.

An HON MEMBER: And have the guts to do the right thing.

Mr SPEAKER: Order! Hon member Mr Uys.

Mr P UYS: Thank you, Mr Speaker. So, what is his department now

doing to prevent a situation like this? It is not you giving one Rand to a person and then asking for that one Rand back. You say there is a house and the next year they must hear there is no house anymore?

The MINISTER OF HUMAN SETTLEMENTS: Correct.

Mr P UYS: Correct.

The MINISTER OF HUMAN SETTLEMENTS: Correct.

Mr P UYS: Of course, for you. For you it is correct, yes.

[Interjections.]

Mr SPEAKER: Order! Order!

Mr P UYS: Marina da Gama, correct. [Interjections.]

The SPEAKER: Hon Minister Carlisle, order!

Mr P UYS: [Inaudible.] That is your problem. You do wrong and then you want ... [Inaudible.]

The SPEAKER: Hon Minister. Order! Hon Minister. Order! Hon Minister, that is a last warning to you.

An HON MEMBER: He will never stop.

The SPEAKER: Hon Minister.

The MINISTER OF HUMAN SETTLEMENTS: Thank you, Mr Speaker. I think hon member Mr Uys would agree with me that in an event where a mistake is made, whether it is made by any municipality or by any organ of State, that particular organ of State must have the guts to correct that particular mistake. I did explain here, and I think he would also agree with me, that in the past we had a situation where a number of houses were given to people who really did not deserve to be given those houses. We had a situation where elderly people, physically challenged people, people who have been on the waiting list for a very long time, were still waiting for houses, while other people who registered recently, for some reason, got houses shortly afterwards. We are in the process of correcting that, and in this instance, that is exactly what happened. I think the municipality must be commended for taking the decision to correct a mistake that was made. So, I think hon member Mr Uys, you would agree with me that in the event when a mistake is made, corrective measures must be taken.

Mr P UYS: [Inaudible.]

The SPEAKER: Order! That is your last chance hon member Mr Uys.

Mr UYS: Thank you, Mr Speaker. Can the MEC just tell us what is the extent of the mistakes made by him and his department and the municipalities?

The SPEAKER: Hon Minister.

The MINISTER OF HUMAN SETTLEMENTS: Well, the biggest mistake that we made in the past, hon member Mr Uys, is that we did not take into consideration the criteria that I have just mentioned, when allocating houses. It is one of the biggest mistakes that we have made. We are now in the process of making sure that we correct that mistake by developing very clear guidelines in terms of the criteria, as to who should be prioritised when allocating houses. So, it is one of the many mistakes that we made. One of the mistakes that we made in the past, is the fact that the so-called waiting lists, or housing demand databases in a number of municipalities, were not credible. We have allowed these mistakes to go on for some time. I mean, there were a number of mistakes, but these are just examples of the mistakes that we made in the past that we are correcting. We must take bold decisions and correct the mistakes that have been made and I think, as

I said, I commend the municipality for doing that.

Mr P UYS: Thank you.

The SPEAKER: Next question is to Minister Madikizela. Question number 10.

Housing data/housing waiting list: Heidelberg area

***10. Mr P Uys asked the Minister of Human Settlements:**

(a) (i) Why and (ii) by whom was the housing data/housing waiting list of the Heidelberg area in the Western Cape changed/integrated and (b) what criteria were used to do this?

The MINISTER OF HUMAN SETTLEMENTS: Thank you, Mr Speaker. Thank you, once again hon member Mr Uys. In 2010 the Department of Human Settlements launched its housing demand database improvement programme aimed at improving the quality and management of housing demand, and waiting list information, in the 24 non-metro municipalities. The department appointed a service provider, PricewaterhouseCoopers, to assist with technical support for the implementation of the Housing Database Improvement Programme. As part of this programme, the integration of all town-based waiting lists into a single database per municipality, was concluded. The single database system provides the municipality with a robust database, with a standardised set of information, which is

regularly backed up to ensure no data loss and only officials, authorised by their municipality, have access to it. Heidelberg falls under the Hessequa Municipality and previously had its own town-based waiting list. As part of the Housing Demand Database Improvement Programme, Heidelberg's waiting list information was integrated into a single municipal housing demand database for Hessequa. The integration of Heidelberg's housing data was a joint venture between the Western Cape Department of Human Settlements and Hessequa Municipality, with technical support from PricewaterhouseCoopers. In terms of the process followed, Hessequa was approached to identify all the housing waiting lists in their possession and to supply copies of these to the Department for uploading on the Western Cape Housing Demand database, the workplace database where the municipality accesses its housing demand data. The Department received the data sets from each municipality and loaded them into an uploaded MS Excel template, which was sent back to the municipality for review, together with written confirmation that the data contained in the template was a true reflection of their data as originally submitted to PricewaterhouseCoopers. On receipt of the written confirmation, we would then upload the data set into the Western Cape Housing Demand database and provide training to relevant municipal staff in the use and functionality of the database system. Thank you, Mr Speaker.

The SPEAKER: Hon member Mr Uys, follow up?

Mr P UYS: Thank you, Mr Speaker. Thank you for the answer. Hon Minister, what is the role of a mayor or a councillor in integrating lists like this in a specific municipality?

The MINISTER OF HUMAN SETTLEMENTS: The mayor or the councillor has no role at all in the operational aspect of the plan, but their responsibility is to pick up the problem or identify the problems and make a decision on how the problems should be fixed or should be dealt with. Then the officials play a role in making sure that they implement that decision. In terms of the whole process this was done by the officials from my Department and the officials from Hessequa, assisted by the appointed service provider, PricewaterhouseCoopers, in order to deal with this particular problem.

The SPEAKER: Hon member Mr Uys.

Mr P UYS: Thank you, Mr Speaker. Hon Minister, would you then act against Mayor Nel in Hessequa who admitted, on an oversight visit, that she personally went to Heidelberg to integrate the three waiting lists there?

The MINISTER OF HUMAN SETTLEMENTS: I would very much like to know how she did that because I cannot think how it is possible for any mayor to be able to integrate that, because it is a process, as I said, that needs people with the relevant expertise. That is why we sought the assistance of PricewaterhouseCoopers to deal with the technical aspects of integrating the list. I would be very interested to get more information as to how the mayor did that and if indeed, the mayor got involved in the parts of the work that she was not supposed to get involved in. I will certainly take that up, Mr Speaker.

The SPEAKER: Thank you. We now proceed to new questions.

New questions:

Requisitions for school furniture and equipment: Western Cape

2. Ms C Labuschagne asked the Minister of Education:

Whether all schools in the Western Cape submitted their requisitions for school furniture and equipment to the district office on time; if not, (a) why not and (b) what are the further relevant details in this regard; if so, what are the relevant details?

The MINISTER OF EDUCATION: Thank you, Mr Speaker and thank

you to the hon Ms C Labuschagne for the question. All schools in the Western Cape adhered to the timelines prescribed in the Institutional Resource Minute, Support Minute 8 of 2012, for the submission of requisitions for school furniture and equipment. On the 15th February 2013, existing schools submitted their 2013/2014 requests to the Institutional Management and Governance Manager at the relevant education districts. The district directors evaluated furniture and equipment needs in all circuits and compiled priority lists which were sent to the Chief Directorate Districts on the 15th March 2013. On the 16th April the Directorate Institutional Resource Support Unit, placed orders with contracted service providers for 118 518 extra furniture items. The equipment, including ICT equipment items, are being procured via the Source Link Electronic Purchasing System under the auspices of Supply Chain Management.

The SPEAKER: Any follow-up? Then, question number three. Minister Grant, your question.

Snap surveys: Western Cap schools

3. Ms C Labuschagne asked the Minister of Education:

Whether all schools in the Western Cape (ordinary and special schools) submitted their snap surveys on time; if not, (a) why not and (b) what are the further relevant details in this regard; if so, what are the relevant details?

The MINISTER OF EDUCATION: Thank you, Mr Speaker. The answer to the question is, yes. The WCD uses the online snap survey process for all public, ordinary and special schools as well as some independent schools. All public, ordinary and special schools completed the 2013 online survey on time. Eighty two Independent ordinary schools submitted their snap surveys in hardcopy format and these were also captured and submitted to the Department of Basic Education on time, as per the Education Information Policy requirements.

The SPEAKER: If there is no follow-up, question number 4. Minister Grant, over to you.

Luzuko Primary School

4. Mr M Skwatsha asked the Minister of Education:

Whether the Luzuko Primary School in Gugulethu spent the whole or a large part of the 2012 academic year without a teacher in a certain lower grade; if so (a) why and (b) what are the further relevant details in this regards?

The MINISTER OF EDUCATION: Thank you, Mr Speaker and thank you to the hon member M M Skwatsha for the question. In terms of question (a) the answer is, no the school did not spend the whole or, a

large part of the 2012 academic year without an educator in a grade. The only time in which learners were without an educator, was between the 1st and the 11th March 2012. This affected Grade One learners.

In terms of (b), at the end of February last year, a Grade One educator left Luzuko Primary School without serving notice. This left the school with little time to make the necessary arrangements for a replacement. The school had an educator in excess so they could not appoint a replacement. Once the department had been informed of the educator's departure and the absence of an educator in one of the Grade One classes, they immediately sent an official to the school to assess the situation. The principal was advised to combine the two Grade One class groups. The two groups were placed in one classroom and were taught by a Grade One educator. The district office was able to provide an educator for the second term. The district advised the principal to re-shuffle the staff for the two weeks in July whilst an intermediate phase educator was serving notice. She retired at the end of July and was replaced by a foundation phase educator.

The SPEAKER: Any follow-up hon member Mr M Skwatsha?

Mr M SKWATSHA: Thank you, Mr Speaker. So, exactly hon

Minister, the grade did not have an educator for only 10 days?

The MINISTER OF EDUCATION: Correction, Mr Speaker, not for 11 days from the 1st to the 11th March 2011.

Mr M SKWATSHA: Thank you.

The SPEAKER: Hon member Mr M Skwatsha.

Mr M SKWATSHA: Thank you. You are clutching at straws. Through you, Mr Speaker, what would your response be hon Minister, if I provide you with facts that are contrary to your answer here?

The MINISTER OF EDUCATION: I look forward to taking the matter up with the officials concerned and giving you a further response.

The SPEAKER: Hon member Mr M Skwatsha.

Mr M SKWATSHA: Thank you, Mr Speaker. Does that mean that you are not sure about what you are saying to us today?

The MINISTER OF EDUCATION: Thank you. Mr Speaker, I am responding to a follow-up question and my response to you was based

on information provided to me by my officials. It is impossible for me, hon member Mr M Skwatsha, with the greatest will in the world, to be able to track the 1 500 schools and all the grades at every school in the system. So, I will endeavour, if you give me that information, to check this response and if it is wrong, I will provide you and the House with the necessary information.

The SPEAKER: Last chance on this question hon member Mr M Skwatsha.

Mr M SKWATSHA: Thank you, Mr Speaker. I thank you for that response hon Minister. I would request that you would also provide me with the action that you will take against people ...

The SPEAKER: Order.

Mr M SKWATSHA: ... if they have provided you with incorrect information.

The SPEAKER: Order! Order! This is time for questions, not statements. Thank you. Take your seat hon member Mr Skwatsha. Take your seat. It was the last chance. Take your seat hon member Mr Skwatsha. We now proceed to the next question. That is question number five. Minister Grant over to you.

*Dr Nelson R Mandela High School and Qingqa Mntwana Primary
School*

5. Mr M Skwatsha asked the Minister of Education:

What plans does his department have in place to bring stability to Dr Nelson R Mandela High School and Qingqa Mntwana Primary School in Crossroads, where tuition is currently being disrupted?

The MINISTER OF EDUCATION: Thank you, Mr Speaker. The hon member Mr M Skwatsha will get another bite at the cherry now, I guess. In terms of the first school, Dr Nelson Mandela High School, the principal returned to the school in January this year after a nine month absence. Several actions, including negotiations and meetings, eventually succeeded and led to his return. He is gaining control of all facets of the school with the support of the circuit officials. The SGB requested that an independent investigation be undertaken into some of the complaints against the principal. The forensic investigation unit is conducting a formal forensic investigation into the financial affairs of the school at the same time.

However, an investigation by the district last year found that the allegations made at that time against the principal were without foundation. Training for the SGB is planned and will take place soon.

The curriculum component of the district is providing special support to grade 11 and 12 learners in identified subjects over week-ends and school holidays. The school is being monitored regularly to ensure that the teaching and learning is taking place according to the timetable. These interventions should ease the tensions at the school and contribute to a stable school environment.

In respect of the second school in your question, the principal, Mrs Mahlati, is not back at school after several months. Attempts by the district to take her back in January were unsuccessful. At a meeting with the SGB in February it was found that irregular procedures had been followed to co-opt members onto the SGB. The district subsequently assisted the school to conduct a bye-election, which has been completed successfully. The new SGB was scheduled for training yesterday, on Wednesday the 15th May, and their roles and responsibilities would have been re-emphasised to them during the course of that training. It is expected that these steps will lead to a return of the principal and the normalisation of management at the school. Both schools continue to be supported by district officials in line with their visitation programme.

The SPEAKER: Hon member Mr Skwatsha.

Mr M SKWATSHA: Yes. Thank you. Mr Speaker, in respect of the

first school, Nelson Mandela, does that imply that the principal is not in the clear yet, if you say that there is an investigation still continuing? I am asking because I got the impression that he was in the clear and that is why he was back. Thank you.

The SPEAKER: Minister Grant.

The MINISTER OF EDUCATION: Mr Speaker, let me reiterate and clarify for the hon member Mr Skwatsha. We said that the district conducted its own investigations last year and found that there was no substance to the allegations. However, after further allegations, the matter has been given to the forensic investigation unit, and that independent investigation is ongoing.

The SPEAKER: Hon. Tingwe, over to you.

Unks TINGWE: Enkosi somlomo ndicela ukuqonda mna iforensic investigators xa zi investigator akumelanga ukuba umntu lo uchaphazelekayo ungaphandle kwamasango esikolo?

The SPEAKER: Hon Minister . Do you follow the question?

The MINISTER OF EDUCATION: Mr Speaker, thank you for the question. It would depend on the nature of the circumstances.

The SPEAKER: Hon member Ms Tingwe.

Unks TINGWE:

Ndicela umphathiswa andicacisele i circumstances ezinjani apho umntu athi xa e investigatwa, i worse xa kukho iforensic investigation abe engaphandle, so ndibe on the clear.

The SPEAKER: Hon Minister.

The MINISTER OF EDUCATION: Mr Speaker, if there are no legal grounds to suspend that principal from his or her normal duties then the principal will remain in school.

The SPEAKER: Last question, hon member Mr Skwatsha.

Mr M SKWATSHA: Thank you. Mr Speaker, in the light of the hon Minister's answer that stability has been brought to Nelson Mandela, what action is the Department taking against educators who are not administering education to the learners, if any?

The MINISTER OF EDUCATION: Mr Speaker, with the greatest respect to the hon member Mr Skwatsha, that is an additional separate

question. If he can give me the circumstances of the particular teachers involved I will gladly follow it up for him.

The SPEAKER: Thank you. Unfortunately not now. It was your last chance, hon member Mr Skwatsha.

Mr M SKWATSHA: Just on a point of order. That is not an additional question. That is definitely not an additional question.

The SPEAKER: Order.

Mr M SKWATSHA: Read the question.

The SPEAKER: Order. Order. You may make your point and make your follow-up, hon member Skwatsha, but not now. That was the last chance.

Mr M SKWATSHA: On a point of order.

The SPEAKER: No. Take your seat.

Mr M SKWATSHA: On a point of order. On a point of order. I have asked a question and I am making a follow-up on this specific question.

The SPEAKER: Order.

Mr M SKWATSHA: You may even ...

The SPEAKER: Order.

Mr M SKWATSHA : ... take your advice

The SPEAKER: Order. Order hon member Mr Skwatsha.

Mr M SKWATSHA: Can I finish? I am on a point of order.

The SPEAKER: Yes.

Mr M SKWATSHA: The Minister says to us that it is a separate question and I am saying it is not.

The SPEAKER: Okay. I am not the Minister and I am not going to answer on behalf ... Order! [Interjections.] Hon member Mr Skwatsha take your seat. [Interjections.] Order! Members of the gallery are not allowed to take part in this discussion.

Mr M SKWATSHA: No. I am talking.

The SPEAKER: ... and if that happens again I will request that you leave this chamber. Hon member Mr Skwatsha I cannot answer on behalf of the Minister. That is what the Minister has said. I see the Minister. Do you want to say something?

The MINISTER OF EDUCATION: Mr Speaker, I am quite happy to look into the issue regarding the teachers but regrettably I do not have that information at my disposal here. Normally schools are run by principals and not by teachers so if there are allegations that there are teachers who have not been fulfilling their functions at that school then I will gladly look into it. However, the only information I have at my disposal here today is in respect of principals. There is no further information and therefore it would be disingenious to second guess what the answer is.

The SPEAKER: In short, you say that you are willing to come back with the correct answer at the next sitting?

The MINISTER OF EDUCATION: Yes, absolutely.

The SPEAKER: Thank you very much.

The MINISTER OF EDUCATION: [inaudible] grade and the teachers

The SPEAKER:. It was your last chance. No. Hon Minister. Can we get on? It was your last chance. Take your seat hon member Mr Skwatsha.

Mr M SKWATSHA: Hon Mr Speaker ...

The SPEAKER: No. I am not going to allow you.

Mr M SKWATSHA: Hon Mr Speaker, you are very impatient.

The SPEAKER : I am not going to allow you.

Mr M SKWATSHA: I just want you to understand me. [Interjections.]

The SPEAKER: Can we then proceed? Hon member, Mr Skwatsha, this was your last chance.

Mr M SKWATSHA: But hon ...

The SPEAKER: No. It was your last chance on this question and the next question is to Minister Madikizela.

Hessequa Municipality: people in need of houses

***6. Mr P Uys asked the Minister of Human Settlements:**

Why did he, during March and April 2011, give an instruction to a person in the Hessequa Municipality, who is not an official of the municipality, to place people who are in need in houses?

The MINISTER OF HUMAN SETTLEMENTS: Thank you Mr Speaker. Mr Speaker, I have to apologise to hon member Mr Uys, I think my age is catching up with me because I do not recall issuing such an instruction ...[Interjections.] ... unless the hon member Mr Uys can enlighten me.

Mr P UYS: I do not think it is age. I think you do not want to remember, hon Minister. [Interjections.] Are you aware of a member of the community called Wendy Davids who made an affidavit at the police station on 25 January 2012?

The MINISTER OF HUMAN SETTLEMENTS: No. Mr Speaker, I am not aware.

Mr SPEAKER: Hon Uys.

Mr P UYS: That is very strange, Mr Speaker. We will make this affidavit available to the hon Minister.

Mr M G E WILEY: That is not a question. [Interjections.]

The SPEAKER: Order.

Mr P UYS: Mr Speaker, is the hon Minister familiar with a person called Wendy Davids? Are you familiar with her?

The MINISTER OF HUMAN SETTLEMENTS: Let me just answer, Mr Speaker, that I am not familiar with her.

Mr P UYS: Mr Speaker, let me just remind the Hon Minister that she was one of the DA people that was on the pamphlet in Hessequa in the last election. [Interjections.]

The SPEAKER: Order.

Mr P UYS: Mr Speaker, if the hon Minister cannot remember I will make the information available to him.

Mr SPEAKER: Thank you. Order.

Mr P UYS: Because he clearly does not want to remember.

Mr SPEAKER: Take your seat hon member Mr Uys. It was your last

chance. Is there a follow-up? [Interjections]

The SPEAKER : Order hon members. Order. [Interjections.] Hon member, order. [Interjections.] Hon member Mr Skwatsha, I am starting to become very critical about your conduct in the House and I am going to deal with you if you don't want to listen. I will really send you out. [Interjections.] Over to you, hon member Mr Uys.

Mr M G E WILEY: Mr Speaker, on a point of order. The standing rules of Parliament are absolutely clear. During question times they ask questions and do not make statements. [Interjections]

The SPEAKER: Okay, thank you hon member Mr Wiley. It was the last question from hon mem Mr Uys. [Interjections.]

Mr M SKWATSHA: [Inaudible.] ... threatening me ...

The SPEAKER: We now move to the next question. Order. Hon member Mr Skwatsha, what is your point?

An HON MEMBER: A point of order.

Mr M SKWATSHA: Mr Speaker, I just wanted to take this opportunity to apologise to you. [Interjections.]

The SPEAKER: Thank you. Take your seat, hon member Mr Skwatsha. Thank you very much. I accept your apology. Take your seat. No. Take your seat, hon member Mr Skwatsha. Thank you very much. Take your seat. The next question is to Minister Meyer. Over to you. Question number 7.

Infrastructure grant funding: sports facilities

7. Mr M G E Wiley asked the Minister of Cultural Affairs and Sport:

(a) How much municipal infrastructure grant funding in respect of sports facilities has been made available to municipalities in the Western Cape for the 2013/14 financial year, (b) where have these grants been made available and (c) how will the Minister ensure that these funds are spent in accordance with the respective budgets?

The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you, Mr Speaker and thank you to hon member Mr Wiley for the question. In total R71.9 million was made available for municipal infrastructure in respect of sports facilities involving 14 municipalities. These funds will be utilised for 13 new facilities and the rehabilitation of 12 existing facilities. Mr Speaker, if it is in order I have a list of the sport infrastructures funding. If it is in order with the House I will table this list.

The SPEAKER: Any follow up questions? Question number 8. Over to you

hon Minister Meyer.

South African Football Association: media reports

8. Mr M G E Wiley asked the Minister of Cultural Affairs and Sport:

(1) With reference to media reports regarding serious problems within the South African Football Association and its members, what is he doing about this;

(2) whether he will make a statement on this matter?

Die MINISTER VIR KULTUURSAKE SPORT: Mnr die Speaker, dankie aan agb mnr Wiley vir hierdie vraag. Die antwoord is die saak word tans deur die Federasie Sport en Rekreasie Suid-Afrika asook SASKOK gehanteer. Die aangeleenthede staan in verband met wedstrydknoeiery van wedstryde voor die Sokker Wêreldbeker 2010 en die Sokker Nalatenskap Fonds wat na die 2010-sokkerwêreldbekertoernooi deur FIFA aan die SASV toegeken is. Aangesien die aangeleentheid probleme van 'n Federasie op nasionale vlak behels en dus buite my area van jurisdiksie val, sal ek nie nou 'n verklaring in dié verband uitreik nie. Die bewerings is nietemin van 'n ernstige aard en ek sal gebeurde noukeurig monitor om vas te stel of enige plaaslike sportbeampies aan wangedrag skuldig is. Mnr die Speaker, die Nasionale Minister in oorleg met die President oorweeg die aanstelling van 'n regterlike kommissie van ondersoek na Safa. Die voorlegging is tans by die President vir oorweging. Die Nasionale Minister het die saak ook met die Provinsiale LUR bespreek tydens

die Minmec-vergadering. Verder het die portefeulje komitee op nasionale vlak Safa op 30 April vanjaar ontbied. Daar was konsensus dat daar ernstige probleme en wanpraktyke by Safa bestaan en dat dit nou spoedig hanteer moet word.

The SPEAKER: Hon member Mr Wiley over to you.

Mnr M G E WILEY: Dankie, mnr die Minister vir die antwoord. Kan u sê of daar enige negatiewe uitwerking is met betrekking tot die ontwikkeling van jeugdiges in sokker as 'n gevolg van hierdie situasie?

Die MINISTER VIR KULTUURSAKE EN SPORT: Mnr die Speaker, wanneer daar enige vorm van beweerde of selfs werklike vorm van bedrog in enige sportfederasie is, het dit definitief 'n negatiewe impak op die geleentheid vir die jeug en daarom is ons baie ernstig om hierdie aangeleentheid reg te hanteer. Dit is op die onlangse Minmec-vergadering bespreek en dit is jammer dat verskeie sportfederasies nie voldoen aan praktyke van goeie regeerkunde en goeie finansiële bestuur nie. Dit impakteer beslis negatief op jeugontwikkelingsgeleentheid nasionaal, maar selfs ook in provinsies.

The SPEAKER: Thank you. The next question, Question number 9.

Western Cape farm workers:

9. Mr G C R Haskin asked the Minister of Agriculture:

Whether he or his Department intends replying to the announcement that the National Department of Agriculture, Forestry and Fisheries had funded one of the key players in the strike by the Western Cape farm workers; if not, why not; if so, what are the details specifically in relation to the impact of such funding on the strike itself?

Die MINISTER VAN LANDBOU: Baie dankie, mnr die Speaker. Ek het ongelukkig geen besonderhede van die projek waaroor die agb lid hier vra nie. Ek kan net noem dat my Departement nie by die keuring of aanbeveling van so 'n tipe projek betrokke was nie.

The SPEAKER: No follow up question? [Interjections.] The next question Minister Carlisle. Question number 10.

Three-wheeled taxis: Tuk-Tuks

10. Mr M C Walters asked the Minister of Transport and Public Works:

Whether his Department has a policy with regard to the recognition of three-wheeled taxis known as Tuk-Tuks as a viable sector of the public transport system that can be utilised (a) over short distances, (b) for off-route trips and (c) as cheap alternatives to other forms of transport; if so, what are the relevant details?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank you Mr Speaker and thank you also to hon member Mr Walters. The question concerns

a three-wheeled vehicle called a Tuk-Tuk, and the answer is that my Department does not currently have a policy on the use of Tuk-Tuks to provide public transport services in terms of the National Land Transport Act. The municipal sphere of Government is responsible for developing land transport policy and strategy, which includes its vision for the area and incorporates spatial development policies. The NLTA also requires municipalities to prepare an integrated transport plan which must be submitted to me for approval. All State Departments are bound by the provisions of the ITP. Section 70 of the NLTA stipulates that a Tuk-Tuk may only be used for public transport services where relevant transport plans allow this. Where a Tuk-Tuk is used to provide public transport services the operating licence must stipulate the urban route, the road network or area on or within which it must operate as shown in the relevant ITP, and the maximum speed of operation. Currently none of the ITP's produced by municipalities in the Western Cape makes provision for Tuk-Tuks to provide public transport services. The ITP is however a living document. Not that you would think so if you work with it, but it must be updated annually taking into account changes in the demand and supply of public transport services. Where an ITP has not been prepared, approved or updated the municipality must still proceed with a certain action provided that it is based on a sound transport planning principle. The City of Cape Town is in the process of formulating a policy in respect of Tuk-Tuk services and this work will be included in the next ITP review process. A Tuk-Tuk is defined in the NLTA as a three-wheeled motor vehicle designed or modified solely or principally for conveying not more than three seated

persons including the driver. Whilst my Department is not averse to the use of Tuk-Tuks to provide public transport services - unfortunately I do not see it as a practical venture. Let me say that I am not averse to the idea. The introduction of such services does not concern me directly. I am not averse to the use of such a service, but it must be properly planned, giving significant consideration to the minibus taxi and metered taxi industry. For that reason I see no possibility of Tuk-Tuks being introduced. The NLTA makes provision for regulated competition and the need for a service must at all times be demonstrated. The purport of the NLTA - it is a very long answer, I am afraid hon Walters - is to discourage destructive competition given the likelihood for conflict. That is very important. The municipality therefore has to indicate the need for such services; the most appropriate or optimal environment for such services; and the possible restrictions that should be imposed on operating licences. It is our considered view that Tuk-Tuk services should only be used to provide charter and tourism type services and fares should be pre-booked.

An HON MEMBER: Toek-Toek?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Tuk-Tuk.

An HON MEMBER: Toek-Toek?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: No. That is a separate question. [Interjections] [Laughing] Tuk-Tuks to provide daily

commuter services or for hire on certain routes or in certain areas could exacerbate the overtrading situation. These guidelines will be included in the next update of the Provincial Land Transport Framework Act and Sections (a), (b) and (c) accordingly fall away.

The SPEAKER: Any follow up question, hon member Mr Walters?

Mr M C WALTERS: Thank you very much hon Minister. Would your Department assume that the same restrictions would be applicable to three-wheeled vehicles which have been modified to carry products and so on? We saw that in China. This seems to be a general thing for small farmers and small businesses. [Interjections.]

The MINISTER OF TRANSPORT AND PUBLIC WORKS: It is a new question, but let me say this: the countries in which you saw this, the leading one of which is Vietnam followed by Cambodia, have the highest death rate in the world on the roads, almost exclusively due to these three-wheeled widgets. So, having said that much, we will consider it if the occasion arises.

The SPEAKER: Hon Skwatsha.

Mr M SKWATSHA: My experience is that in India the Tuk-Tuks (pronounced Toek-Toeks) whatever it is [Interjections.]

The SPEAKER: What is the question?

Mr M SKWATSHA: What is your opinion of that? In respect of the Tuk-Tuks, is the death rate in India not very low? What is your opinion on that one?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: The death rate in India, with respect to the hon member Mr Skwatsha, is 2000 a week. If you consider that very low that is fine. It is true though that the death rate per 100 000 of the population in India is lower than South Africa's, but that is because 650 000 villages are actually not on the road network, so that does make a little difference. However, the Toek-Toeks the hon member Mr Skwatsha refers to as opposed to the Tuk-Tuks, are actually two-wheeled carts pulled by buffaloes. [Interjections.]

The SPEAKER: Order! The next question, Minister Carlisle. Question number 11. [Interjections.]

Illegal tour guides:

11. Mr G C R Haskin asked the Minister of Finance, Economic Development and Tourism:

Whether his Department has responded to claims made by a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, that it did nothing in reaction to allegations lodged about illegal tour guides; if not, why not; if so, what are the

relevant details?

The MINISTER OF FINANCE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much, Mr Speaker. Mr Speaker, the response is yes, the Department of Economic Development and Tourism has responded to the company mentioned in the Parliamentary question when a guide in their employ was unable to produce the relevant documentation during an inspection in Cape Point that took place in August 2012. Herewith find the response, and I have actually included a copy of the letter for the hon mem Mr Haskin. Furthermore, the general response to the allegations and/or complaints relating to illegal guiding is addressed as follows: A registered letter is addressed to the alleged illegal guide and the company stating that they may be utilising the services of an unregistered tour guide formally participating in illegal guiding activity. The letter will further clarify the definition of a tourist guide. The registrar will further advise the company to refrain from using the services of illegal guides in order to avoid prosecution or a fine as stipulated in the Tourism Second Amendment Act, No 70 of 2000. A copy of the Second Amendment Act is also included as well as how to become a tourist guide.

Lastly, the Tourist Guide Inspection Programme run by the Department follows the same recourse in dealing with illegal tour guides. The Department's approach in encouraging tour guides to be registered is that they need to operate legally rather than have a punitive approach.

The SPEAKER: Any follow up questions? Thank you very much hon Minister. That is the end of the questions time. Outstanding replies will be printed in Hansard. We will now deal with statements by members. DA. Statement by members?

STATEMENTS BY MEMBERS

An HON MEMBER: They're sleeping.

Ms C LABUSCHAGNE: Mr Speaker, the Department of Performance Monitoring and Evaluation in the office of the President released its report on the Management Practices Assessment Tool and its impacts.

The reason why these assessments were done is primarily because improved management practices ultimately result in improved service delivery.

The MPAT assessment was measured against 31 management standards in 17 management areas developed collaboratively with the DPSA, National Treasury and the offices of the Premier. The standards are based on legislation and regulations and are developed collaboratively with National Treasury, the DPSA, the office of the Public Service Commission, the office of the Auditor-General and the office of the Premier.

The findings of this report reveal that on strategic management the Western

Cape Government scored 95%, the highest, against the lowest score of the ANC governed Eastern Cape 49%. On governance and accountability the Western Cape scored 70%, the highest score against the Eastern Cape's 16%, the lowest score. On human resource management the Western Cape scored 55%, again the highest score, against Gauteng with a 14% score, the lowest score, one four, 14. [Interjections.]

On financial management the Western Cape scored 81%, the highest score against the Northwest Province 10%, the lowest score.

The MPAT results revealed indeed that the Western Cape DA led Government is delivering on improved management practices. It further proves that the Western Cape DA led Government has the political will to not only execute our strategic objectives and policies, but in doing so ... [Interjections.]

The SPEAKER: Order!

Ms C LABUSCHAGNE: Also improving service delivery to all the people of the Western Cape. [Interjections.]

An HON MEMBER: All the time! [Interjections.]

The SPEAKER: Order hon members! Hon member Mr Skwatsha, hon members, order. ANC over to you.

Ms C F BEERWINKEL: Mr Speaker, the drug trade fuels gangs in their crimes. The gang scourge adds an enormous burden to public services and drains money from much needed projects.

The Police, the Court, social and even school resources and productive hours are swallowed by this dragon plaguing our communities. Service delivery is hampered in affected areas. In the latest instances we saw how schools have become a battleground for territorial tiffs. [Interjections.] So far the attempts by the DA have not assisted to curb the plague.

Ms M TINGWE: Service delivery ... [Interjections.]

Ms C F BEERWINKEL: The DA fails the people of this Province dismally by not properly addressing root causes such as poor living and socio-economic conditions and inadequate infrastructure where people live in abject poverty.

An HON MEMBER: We are the best in South Africa.

The SPEAKER: Order! [Interjections.] Order!

Ms C F BEERWINKEL: Instead of boasting about the Western Cape economy, the DA should be creating ... [Interjections.]

The SPEAKER: Order! Order! Please take your seat. [Interjections.]

Me A ROSSOUW: Die publiek op die galery moenie met handgebare na die lede aan hierdie kant van die Huis wys nie.

The SPEAKER: Come again, hon member Ms Rossouw?

Me A ROSSOUW: Ek wil net versoek dat die lede op die galery nie met handgebare sekere suggesties maak aan die lede in die Huis nie, asseblief.
[Tussenwerpsels.]

The SPEAKER: I have already warned you, especially you, Sir, with the red jacket. I think it would [Interjection.] Order! Order! Order! Hon member. This will be the last chance I am giving you because you are always taking part in the discussion. [Interjections.] I am sitting here. I can see everyone in the House. Thank you very much. [Interjections.]

Mr M SKWATSHA: Can I ask you a question?

The SPEAKER: Yes.

Mr M SKWATSHA What have the people in the gallery done?

The SPEAKER: No, hon member Mr Skwatsha. Do not make things difficult.

Can you please finish hon member, Ms Beerwinkel? Hon guest with the red jacket please. This is your last chance. If you repeat it again then I will request that you leave this Chamber. [Interjections.]

An HON MEMBER: [Inaudible.] He is just saying Viva.

Ms C F BEERWINKEL: Thank you. The DA fails the people of this Province dismally by not properly addressing root causes such as poor living socio-economic conditions or inadequate infrastructure where people live in abject poverty. Instead of boasting about the Western Cape economy the DA should be creating more opportunities for youth development. Our youth view gangsters as heroes, philanthropists and role models for the bling life. The ANC commends its leaders who visit these areas to practically address the scourge because the ANC continues to be a party striving to change people's lives for the better! [Interjections.]

The SPEAKER: Thank you hon member Ms Beerwinkel. Order! Take your seat please. [Interjections.] Take your seat hon member. Order! Hon members. Order! DA over to you.

Mr M C WALTERS: Speaker, I want to talk about deficiencies in the scrutiny of proposed bills during the appeal process. The attention given to proposed legislation by the National Assembly, the NCOP and certain Provincial Legislatures in the case of the NEM Laws First Amendment Bill appears to be

deficient. This Bill was passed by the National Assembly and referred to the NCOP who in turn referred it to the Provinces as a Section 76 Bill also affecting Provinces. The Standing Committee on Agriculture and Environmental Planning examined the Bill and it received the attention of our legal advisor, Mr Andre Le Roux. A number of amendments were proposed, which were accepted by the Department. More concerning, however, was the fact that the bill contemplated the changing of the clause establishing a trust fund, in which the portion of the proceeds of the utilisation of traditional knowledge of *inter alia* medicinal plants which would have gone to the traditional communities and would be deposited therein, would be changed to an ordinary fund. This cannot take place, in terms of the Public Finance Management Act, without the approval of the Minister of Finance prior to the submission of the Bill to the House of Assembly. Our submission was that approval of the Bill would be unlawful if that amendment was approved. The Department then agreed to remove the offending clause. What was concerning however was that this Bill passed through the entire process from approval by the National Assembly, referral to the NCOP and referral to the Provinces with only the Western Cape pointing out a serious fundamental flaw. This emphasizes the necessity for the very careful scrutiny of every Bill at each stage in order to ensure that it cannot be contested on obvious flaws at a later date than the promulgation. I thank you.

The SPEAKER: Thank you. Cope. Over to you.

Ms T N BEVU: Mr Speaker, about 80 000 households in the City of Cape Town still lack access to basic sanitation. The City has resolved to provide them with PFT (Portable Flush Toilets). Most residents in these informal areas are refusing to use these PFTs because they say it is almost the same system as the bucket system, as the waste product still needs to be collected.

The problem with all the chemicals; the faeces smell is terrible after two days. Also most people, especially males, feel a loss of dignity in sitting in those small plastic toilets without any privacy, so will rather risk going to the wild than be subjected to such indignity and loss of privacy in their own households. [Interjections.]

The SPEAKER: Order!

Ms T N BEVU: Most of those using PFTs say they leak and are sometimes not picked up for weeks, or their containers are not returned, meaning they have to do without them for weeks until the next pick-up day.

From the audit recently done by Social Justice Coalition we know that the City of Cape Town does not have a monitoring system. They found out that outsourced providers of chemical toilets are failing to deliver on their contracts with the City. The City's monitoring and maintenance plan is currently in tatters. Also SJC mentioned the fact that the City has a community engagement programme. As we know, this is looking down on people and imposing so-

called solutions on them. This the trend of the DA Government everywhere.

The City promises that it will improve its monitoring and maintenance standards through what they call Service Level Agreements, but this is not going to provide a lasting solution. The RR informal settlement, for instance, has about 4 000 households that need access to basic sanitation. Out of 4 000 only 400 of them agreed to take the PFTs.

The SPEAKER: Order!

Ms T N BEVU: In conclusion it does not help the Mayor Patricia de Lille to tell the media and patronise people that they prefer the bucket system to toilets.

The SPEAKER: Order! Your time has been expired hon member Ms Bevu. Thank you very much.

Ms T N BEVU: Thank you.

[Time expired]

The SPEAKER: ANC over to you.

Mr K E MAGAXA: The announcement over the weekend by the Cape Town Mayor Patricia de Lille and the Premier Helen Zille with regard to the eradication of the bucket toilet system is an admission of guilt by the DA

Leadership. [Interjections.]

The DA Leader Helen Zille has repeatedly denied that any Cape Town residents are using bucket toilets against our better knowledge. Now the DA was threatened with various actions and all of a sudden will now replace some toilets in various informal settlements across the City.

Unfortunately this announcement at the weekend for supplying more temporary toilets to informal settlements is not a solution to the City's sanitation disaster. Mayor De Lille even went so far as to insult the poor residents who are denied decent sanitation by saying that they prefer the bucket system!

We reject these temporary toilets because, like in Makhaza and even the temporary relocation areas, this becomes permanent. It will not clear the backlog, as over 80 000 households lack proper basic sanitation.

The DA has yet to deal with the toilet maintenance problem and to monitor sanitation contracts. The DA must still tell us about a corruption of the R 126 million contract in Khayelitsha for the temporary toilets.

The ANC therefore eagerly awaits the outcome of investigations into mismanagement, maladministration, human rights violations and unlawfulness relating to the City's sanitation disaster. [Interjections.]

The SPEAKER: Thank you. Hon. DA over to you. [Interjections.] Order!

Mnr J J VISSER: Mnr die Speaker, baie dankie. Op 13 Mei 2013 is daar geskiedenis gemaak deurdat die eerste Landbouer-ontwikkelingsvereniging geskep en gestig is. Die Simondium- ontwikkelingsvereniging en ook die Wellington-ontwikkelingsvereniging is formeel gestig deurdat die stigterslede die onderskeie grondwette geteken het en dit in beginsel aanvaar het. Elke lid het dan ook 'n lidmaatskapsertifikaat ontvang.

Lidmaatskap in hierdie sin word gedefinieer deurdat 'n boerdery as sulks 'n lid raak en nie die eienaar, werkgewer of werknemer nie. Die werkgewer en werknemer neem saam die besluite in die konsep, so indien die werkgewer of die werknemers nie instem tot so 'n alliansie nie dan kan hul boerdery nie 'n lid word nie.

Die boerdery se ontwikkelingskomitee besluit wie verteenwoordig die boerdery by die Ontwikkelingsvereniging se vergaderings. Die tyd is vir altyd verby waar mense vir ander mense besluit wat gedoen moet word.

Die doel van hierdie Ontwikkelingsverenigings is eenvoudig en dit is om die ontwikkeling en verbreding van die landbouer se vermoëns te fasiliteer en te koördineer. Op die oomblik word baie hulpbronne vermors of wanaangewend deurdat dit op 'n *ad hoc*-basis beskikbaar gestel word en aangewend word.

Hulpbronne kan nou saamgevoeg en gefokus word op relevante ontwikkelingsareas soos op 'n wetenskaplike wyse bepaal en soos die spesifieke behoeftes van die bevoordeeldes volgens hulself bepaal word. Die Provinsiale Regering deur sy Departemente sal die geleentheid hê om te beplan en te begroot vir spesifieke ondersteuningsprogramme om hierdie Ontwikkelingsverenigings by te staan. Die Ontwikkelingsvereniging sal as 'n groep groter druk kan uitoefen op beskikbare hulpbronne vir hulp en ondersteuning. My versugting is dat alle beskikbare hulpbronne beskikbaar gemaak moet word en gerig moet word op die landbouers met die Ontwikkelingsverenigings as voertuig.

Met hierdie poging sal ons beslis die waardesisteme van die landbouer verbeter en 'n gevoel van waardigheid en trots terugplaas in die beroep as landbouer. Mense moet trots wees daarop om 'n plaaswerker of 'n boer genoem te word. Dit word immers al eeue lank as 'n edel beroep beskou en ook so bekleed. Ek dank u.

The SPEAKER: ID over to you.

Mr R B LENTIT: Mr Speaker, the month of May marks Burns Awareness month. Mr Speaker, burns are common in the Western Cape, especially in our poorer communities and households where domestic violence is rife. Burns are first and foremost a high risk for children who are sometimes unsupervised,

and in most instances infants and toddlers are the victims. In 2011 the paediatric burns treatment programme was given a boost thanks to a R 13 million ward upgrade at the Red Cross War Memorial Children's Hospital. The ward is the only specialised paediatric burns unit in Africa. Every year the hospital reports it treats approximately 3 500 children for burns. 85% of burns patients are younger than six and 98% are from disadvantaged communities. It is important that the dangers of hot devices and kitchen safety be addressed at an early stage of development by parents and caregivers, as hot water and beverages and heating appliances are as dangerous as fire.

On Monday 20 May I will be handing out first aid kits to ten identified families in one of the wards in my constituency. It is crucial that every person, as far as possible, has appropriate first aid knowledge, or at least the basics in first aid kits to reduce serious risk caused by burns. I thank you.

The SPEAKER: Thank you. DA over to you.

Mr E J VON BRANDIS: Mr Speaker, the number of road-related deaths continues to alarm, but this is not to say that the Department of Transport and Public Works has not made sound progress in reducing the number of motor-related deaths, especially through the Department's Safely Home Campaign.

The death this week of yet another cyclist on our roads in a hit-and-run once again highlights the risks that cyclists face on a daily basis. Our country has

one of the highest road fatality rates in the world. In the last five years, from 2008 to 2012, 191 cyclists died on the Western Cape roads. Cyclists remain a highly vulnerable class of road user. The Department's efforts to ensure that motorists and cyclists adhere to road rules and regulations through the Draft Safety of Cyclist Regulations are certainly a step in the right direction. The possible negative impact that these deaths can have on cycling in the Province is of serious concern. This Province is the proud host of the Cape Argus Pick n Pay Cycle Tour, which has been successfully held for over thirty years. Thousands partake in the tour every year drawing international and national riders. In 2012 the tour brought R 450 million into the local economy.

Mr Speaker, in the interest of all stakeholders the efforts made to reduce road deaths are welcomed. In the interest of encouraging the use of roads by all, road users must ensure that these deaths do not allow negative perceptions to impact on cycling in the Province. The enforcement of laws pertaining to our roads must be rigorous. Thank you.

The SPEAKER: Thank you. ANC over to you.

Me J WITBOOI: Dankie agb mnr die Speaker. Pogings deur die DA word verwerp om werkers in die landboubedryf deur vals beloftes oor te haal om die DA se agenda ten opsigte van plaaseienaars te volg. Hierdie verwerplike pogings en die sogenaamde twaalfpuntplan van die DA is ten koste van beter lewe, leef- en werksomstandighede. Die ANC eis 'n dringende ondersoek om

te bepaal watter finansiële ondersteuning aan DA strukture gegee word. Die DA se verraad teen plaaswerkers ten gunste van eienaars gedurende die opstand 'n paar maande gelede... [Tussenwerpsels]

The SPEAKER: Order! Order! Order, hon members.

Me J WITBOOI: ...wat landbou dramaties verander het, word voortgesit deur sy ontmaskerde fronte met DA-lede soos Rita Andreas van Drakenstein en Wilfred Frolick in De Doorns aan die voorpunt. In plaas van sy eie ondersteuners te vra om die minimumlone te betaal ... [Tussenwerpsels.]

The SPEAKER: Order! Order! Hon member Order!

Me J WITBOOI: ... waar werkers ingeloop word...

The SPEAKER: Order! Order members.

Me J WITBOOI: Kan ek maar voortgaan?

The SPEAKER: You may continue.

Me J WITBOOI: In plaas van om sy eie ondersteuners te vra om die minimumlone te betaal waar werkers ingeloop word, regverdig die DA die onregverdigde afsetting van mense, kinderarbeid en die dopstelsel asook boere

se verbreking van wette, en ontken probleme wat in talle ondersoeke aan die lig gebring is. Die ANC doen 'n beroep op die DA om ondubbelsinnig die nasionale regering te ondersteun, ook met die herverdeling van grond.

[Tussenwerpsels.]

Mnr H P GEYER: Ons doen dit!

Me J WITBOOI: Die ANC verwelkom Adjunkpresident Kgalema Motlanthe se inisiatiewe namens die ANC-geleide nasionale regering om die werkers...

[Tussenwerpsel]

Mnr H P GEYER: En ons, en ons!

Me J WITBOOI: ...en bedryf by te staan en om verdere markte vir produkte te ontwikkel.

The SPEAKER: Order Hon member Witbooi. Thank you. ACDP chance not taken. [Interjections.] Order! DA over to you.

Me A ROSSOUW: Mnr die Speaker, die Handves van Menseregte soos opgeneem in die Grondwet van Suid-Afrika is een van die sterkste basiese pilare waarop ons demokrasie staan. Daardie basiese menseregte word gewaarborg deur die beskerming van die Grondwet en die oorsig van verkose verteenwoordigers van die Parlement. Hierdie Handves verseker dat elke

burger, kind en bejaarde die reg tot toegang tot basiese dienste, ekonomiese geleenthede, gesondheidsorg, voedsel, water en onderwys het. Dit is die professionele etiek vir doeltreffendheid en toerekenbaarheid en deursigtigheid wat die verskil maak in die Demokratiese Alliansie beheerde Wes-Kaapse Regering. Die Wes-Kaapse Regering voldoen aan hierdie Grondwetlike vereistes met die strewe na goeie onderwys deur die instelling van Graad 3, 6 en 9 se lees-, skryf- en wiskunde-vaardigheidstoetse wat ekstern opgestel en evalueer word. Die Wes-Kaapse Onderwysdienste word gebied deur slegs 6.5% van die nasionale onderwysbegroting terwyl 9% van die land se leerders geakkommodeer moet word. Die Wes-Kaap is ook onlangs aangewys as die enigste Provinsie wat handboeke aan sy leerders gelewer het. Die Departement voorsien 91% van die Provinsie se miljoen skoolkinders van ontbyt.

Alle Departemente werk saam in die strewe om te verseker dat basiese dienste aan almal gelewer word. [Tussenwerpsels.] Nasionale statistieke het bewys dat 99.1% van Wes-Kaap se inwoners toegang het tot lopende water.

'n AGB LID: Hoor daar!

Me A ROSSOUW: Dieselfde persentasie het toegang tot vullisverwydering, 93.4% tot elektrisiteit ...

Ms M TINGWE: Is it?

Me A ROSSOUW: ... en 96.9% het toilet-fasiliteite.

Die Wes-Kaap het so pas R 7 miljoen bewillig [Tussenwerpsels] om Red Tape to Red Carpet te bevorder en sodoende 1.5 miljoen voornemende en bestaande besigheidsmense te bereik deur die ekonomiese bemagtigingsbasis te verbreed. Deur omvattende vaardigheidsontwikkelingsprogramme te implementeer, sal maatskaplike en sosiale probleme veral onder ons jeug aangespreek word.

In 1950 het Albert Luthuli die hoop uitgespreek dat alle Suid-Afrikaanse burgers vrede en vooruitgang sal ervaar.

The SPEAKER: Order!

Me A ROSSOUW: In die Wes-Kaap maak die Demokratiese Alliansie daardie hoop 'n werklikheid deur regering volgens Grondwetlike beginsels daar te stel. Ek dank u. [Tussenwerpsels.]

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

An HON MEMBER: I am happy you like Albert Luthuli today.

The SPEAKER: Order. That is end of the statements. We now move to Notices of Motion. Are there any Motions with Notice? [Interjections.] Hon member Mr Visser.

MOTIONS WITH NOTICE:

Mnr J J VISSER: Dankie Agb mnr die Speaker. Ek stel voor:

Dat die Huis die Gekonsolideerde Jaarlikse Munisipale Prestasieverslag wat ooreenkomstig Artikel 47 van die Munisipale Sisteme Wet, Wet 32 van 2000, wat jaarliks saamgestel en bekendgemaak moet word, bespreek.

[Voorstel soos der Lid voorgestel]

The SPEAKER: Notice taken. Hon member Mr Magaxa.

Mr K E MAGAXA: Mr Speaker I move:

That the House debate the City of Cape Town's allegation that the occupation of land in Philippi East by homeless people is politically motivated while not addressing the City's illegal destruction of their shacks and failure to provide housing.

[Motion as moved by Member]

The SPEAKER: Notice taken. Hon member Mr Labuschagne.

Me C LABUSCHAGNE: Mnr die Speaker, ek stel voor:

Dat die Huis die bevindinge van die verslag ten opsigte van die Bestuurs Prestasie Beoordelingsinstrument bespreek en dit aanvaar.

[Voorstel soos deur Lid voorgestel]

The SPEAKER: Notice taken. Hon member Ms Tingwe.

Ms M TINGWE: Enkosi somlomo, ukuba lendlu ithi ixoxe izinga ethe yanyuka ngalo uku vandelayzwa nobundlobongela apha eskolweni ne impact the ya ba nayo apha esikolweni, pha eNtsona Koloni.

The SPEAKER: Notice taken. Anything further? Is there any member who still wants to deal with Motions with Notice?

Mr K E MAGAXA: Yes, Mr Speaker. I move:

That the House debates undue political interference in the Committee Housing Project by MEC Madikizela, the DA politician.

[Motion as moved by Member]

The SPEAKER: Notice taken. [Interjections.] Order! Notice taken. Hon member Ms Beerwinkel.

Ms C F BEERWINKEL: Mr Speaker I move:

That this House discuss the funding constraints of the Cape Film Commission.

[Motion as moved by Member]

The SPEAKER: Notice taken. Do we have further? None?

MOTIONS WITHOUT NOTICE:

Mr H GEYER: Mr Speaker, I move without notice::

That the House acknowledges and pays tribute to the mothers of our Country as we did last Sunday on Mothers' Day. Let us not forget that mothers plant the seeds of love which bloom forever.

The SPEAKER: Are there any objections to the motion? [Interjections.] No objection. Are there any objections that the motion be moved without notice? No objection?

Agreed to.

Mr E J VON BRANDIS: Mr Speaker, I move without notice:

That this House congratulates Wesgro on winning a gold medal for its recycled material made display stand at the recent Tourism Indaba in Durban, and congratulates Ms Nisreen Bulbuleya for being the Western Cape finalist for the Emerging Tourism Entrepreneur of the Year Award. [Interjections.]

The SPEAKER: Order! Order! Hon. Keep the Order! Are there any objections

that the motion be moved without notice? Any objection to the Motion itself?

No.

Agreed to.

Me A ROSSOUW: Dankie mnr die Speaker. Ek stel sonder kennisgewing voor:

Dat die Huis erkenning gee aan die organisasie Fair Trade Toerisme in samewerking met die Suid-Afrikaanse Hotelle wat 'n gedragskode gaan onderteken om te help om kinders teen sekstoerisme te beskerm.

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

Agreed to.

Mr M SKWATSHA: Mr Speaker, I move without notice:

That the House notes that the recent Human Research Council study shows that 80% of South Africans are in support of the NHL.

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

Agreed to.

An HON MEMBER: Objection.

The SPEAKER: Objection?

An HON MEMBER: This is a lie.

The SPEAKER: If there is an objection it will be printed on the Order Paper.

Thank you very much. Hon member Mr Visser.

Mnr J J VISSER: Dankie, mnr die Speaker. Ek stel sonder kennisgewing voor:

Dat die Parlement die Wes-Kaapse Provinsiale Regering gelukwens met die beoordeling as die algehele beste Provinsie in Suid-Afrika ten opsigte van die MPAT Bestuursprestasië-beoordelingsinstrument soos deur die Presidentsdepartement van Prestasie, Monitering en Evaluasie bevind en bekendgemaak is. Dankie.

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

An HON MEMBER: Objection. [Interjections.]

The SPEAKER: Order! Order! If there is an objection - Order! The motion will be printed on the Order Paper. Hon member Mr Von Brandis.

Mr E J VON BRANDIS: Mr Speaker, I move without notice:

That this House notes with regret the suspended sentence and fine of R150 000 for Arthur Brown who, according to his own statement, admitted that he ran the country's biggest pyramid scheme and stole billions of Rands.
[Interjections.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objection? Objection to the motion itself?

An HON MEMBER: Yes.

The SPEAKER: Is it an objection?

An HON MEMBER: Yes.

The SPEAKER: Order! Order! Hon. Objection? [Interjections.] Order! Hon Minister, Order! Hon member Mr Skwatsha. There is an objection. The motion will be printed on the Order Paper. [Interjections.] Order! Hon Minister, order! [Interjections.] Order!

Ms L BROWN: Mr Speaker, the hon Minister is screaming at hon member Mr Skwatsha and you only see the hon member Mr Skwatsha.

The SPEAKER: Order! Order!

Ms L BROWN: And you only call the hon member Mr Skwatsha to order!

The SPEAKER: Thank you. Thank you hon member Ms Brown. Take your seat. I have called the Minister several times to order so I am not looking at hon member Mr Skwatsha only. [Interjections.] Order! Hon member Mr Uys. Order!

Mr P UYS: Thank you Mr Speaker. A point of order. I also would like you to rule in terms of reflection upon judges and others in terms of Rule 60, and would like that member to withdraw that motion.

The SPEAKER: There is an objection to the motion already. I can't remember now what the motion was about. [Interjections.] Okay, do we have an objection? The hon member Ms Witbooi.

Ms J WITBOOI: Thank you, Mr Speaker.

The SPEAKER: I am saying there is an objection to the motion and that I do not have the motion in front of me now, but there is an objection to the motion already.

Mr P UYS: Yes, but it is an objection to the motion. There is a serious matter

here even putting it in the House, and that is Section 60 of the Rules of Order and I want you to delete it and reject that motion in total. [Interjections.]

The SPEAKER: Where is the motion?

Mr R V CARLISLE: Mr Speaker, Mr Speaker [Interjections.]

The SPEAKER: Let me check the motion hon member Mr Carlisle. I will give you a chance now. [Interjections.] The motion says nothing about the judgement. It is just about the suspended sentence. [Interjections.] Order. The suspended sentence of R150 000. There is nothing about it. Over to you hon ... [Interjections.] No, take your seat. [Interjections.] There is a point from the hon member Mr Carlisle. [Interjections.] Order!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Speaker, correct. Your assessment is absolutely correct and this matter can be considered by the Chief Whip at his leisure after this session where he will see the error of his ways. I would even pay for a legal opinion for him to understand it better. [Interjections.]

The SPEAKER: Yes. I have the motion in front of me. My ruling is that it does not deal with the judgement. It deals with the suspended sentence of R150 000 [Interjections.]

Mr P UYS: May I address you please?

The SPEAKER: That is my judgement. There is an objection to the motion and that is when I [Interjections.] Order!

Mr P UYS: May I address you please, Mr Speaker?

The SPEAKER: For the last time, hon member Mr Uys.

Mr P UYS: That is addressing exactly the judgement because the judgement is R150 000 and the suspension, so it is reflecting directly on that.

An HON MEMBER: Yes, yes.

The SPEAKER: But it does not deal with the merits of the case and the judgement. [Interjections.] Thank you very much. [Interjections.] Thank you hon . [Interjections.] Order! Order! My ruling hon members, order! My ruling - Order! [Interjections.] I am not referring. I am not referring. I am saying that in regard to the motion there is an objection already and the motion is not dealing with the merits of the case.

An HON MEMBER: Exactly!

The SPEAKER: Exactly. It deals with the suspended sentence only of

R150 000. [Interjections.] Order! Thank you very much. [Interjections.]

Hon member Ms Witbooi over to you.

Ms J WITBOOI: Mr Speaker I move without notice:

That the House extends its condolences to the family and friends of 20 year old Annemarie Beukes of Swellendam who was raped and then died in hospital as a result of pneumonia complications.

The SPEAKER: Any objection that the motion be moved without notice?

Any objection to the motion itself? No.

Agreed to.

The SPEAKER: Hon member Ms Labuschagne?

Me C LABUSCHAGNE: Mnr Speaker ek stel sonder kennisgewing voor:

Dat die Huis sy gelukwense oordra aan die Wes-Kaapse Minister van Onderwys Minister Donald Grant en die Wes-Kaapse Onderwys Departement se Me Penny Vinjevold en haar personeel met die 100% lewering van handboeke in die Wes-Kaap. [Tussenwerpsels.]

'n AGB LID: Dis die waarheid.

An HON MEMBER: No.

The SPEAKER: Objection? Order! Order! Order! Objection to the motion being moved without? There is an objection. Order! [Interjections.] Order! Hon members, the motion will be printed on the Order Paper. Order!

An HON MEMBER: We lost all the cases.

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

That the House notes that Cape Town Mayor Patricia De Lille claimed that the residents of informal settlement prefer using bucket systems. [Interjections.]

The SPEAKER: Order! Are there any objections to the motion being moved without notice?

An HON MEMBER: Yes.

The SPEAKER: There is objection? [Interjections.] Hon members Order! [Interjections.] The motion will be printed on the Order Paper. Over to you, hon member Ms Brown.

Ms L BROWN: Mr Speaker I move without notice:

That the House notes the uproar against DA Mayor Committee Member P J Smith's plan to endanger the public by letting them accompany the Metro

Police into crime hotspot areas.

An HON MEMBER: J P Smith.

Ms L BROWN: J P Smith [Interjections.]

The SPEAKER: Order. [Interjections.] Are you finished hon member Ms Brown? Are there any objections to the motion - Order! Hon mem Ms Tingwe. Order! [Interjections.] Please take your seat. Are there any objections to the motion being moved without notice?

An HON MEMBER: No objection.

The SPEAKER: Is it an objection?

An HON MEMBER: No objection.

The SPEAKER: Hon members [Interjections.] Hon members order! Hon member Ms Brown please, order!

Ms L BROWN: There is no objection.

The SPEAKER: There is an objection from that side. [Interjections.] Order! Hon member Ms Brown order! [Interjections.] Hon member Mr Wiley, over

to you.

Mr M G E WILEY: Thank you Mr Speaker. Mr Speaker I move without notice:

That the House congratulates two Cape Town surfers, Tanika Hoffman and Michael February on their victory at the world ISA International Surfing Association's surfing games which was held in Panama; that the House further congratulates Mossel Bay Surfer Shaun Joubert on his victory in the ISA Men's World Championships at the same games. This is the first time in 50 years that a South African has won such a major championships, which qualifies him to compete in China later this year.

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

Agreed to.

The SPEAKER: Hon member Mr Figlan.

Mr A M FIGLAN: Thank you Mr Speaker. I move without notice:

That the House congratulate the City of Cape Town for providing more than 35 000 toilets [Interjection.] of which 11 300 are portable flush toilets to communities in the rural areas. [Interjections.]

The SPEAKER: Hon member Ms Tingwe Order!

Mr A M FIGLAN: ... and informal settlements in Cape Town. Thank you.

[Interjections.]

The SPEAKER: Are there any objections? Objection? The motion will be printed on the Order Paper. Order! Members, hon members Order!

[Interjections.] Hon member Mr Skwatsha, over to you.

Mr M SKWATSHA: Mr Speaker, I move without notice:

That the House notes that National Minister of Public Enterprises Malusi Gigaba is today handing over an IT Laboratory of 50 computers to Lwazi Public Primary School in Gugulethu. [Interjections.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objection? Any objection to the motion itself?

Agreed to.

Mnr E J VON BRANDIS: Mnr Speaker, ek stel sonder kennisgewing voor:

Dat die Huis sy medelye oordra aan die gesin en vriende van fietsryer Dr Koos Roux wat op Sondagoggend 12 Mei oorkant die Soneike-winkelsentrum op die Bottelarypad in 'n tref-en-trap ongeluk dood is. Dr Roux was sedert 2003 'n kurator van Kirstenbosch.

The SPEAKER: Any objections to the motion being moved without notice?

Any objection to the motion itself? No.

Agreed to.

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

That this House notes that by the end of its current term the ANC led National Government would have spent R1 trillion on infrastructure. Our economy has created 200 000 new jobs in the past 12 months [Interjections.]

The SPEAKER: Order! [Interjections.] Order!

Ms C BEERWINKEL: And the latest foreign direct investment intelligence report... [Interjection.]

The SPEAKER: Order Hon member Mr Geyer, Order! Hon members.

Ms C BEERWINKEL: ..has placed South Africa second in the Middle East and Africa for foreign direct investment destination.

The SPEAKER: Any objection to the motion being moved without notice?

Any objection to the motion itself?

Agreed to.

The SPEAKER: Hon Member Ms Witbooi.

Ms J WITBOOI: Mr Speaker, I move without notice:

That the House commends the National Minister of Arts and Culture Paul Mashitile for giving R13 million to the Ray Alexander Simons Memorial Memory Centre Project in Gugulethu for upgrading. That will include renovations to the Community Hall for a Theatre and Craft Market Centre that will attract learners and tourists.

The SPEAKER: Any objection to the motion being moved without notice?

Any objection to the motion itself? No.

An HON MEMBER: No, it is not agreed to.

The SPEAKER: Is there any objection?

An HON MEMBER: Yes.

The SPEAKER: Objection? [Interjections.] Order! Is there any objection?

[Interjections.] Yes. If there is an objection the motion will be printed.

[Interjections.] Order! Hon, Order. It will be printed on the Order Paper. Hon member Ms Hartnick.

Me J L HARTNICK: Mnr die Speaker, ek stel sonder kennisgewing voor:

Dat die Huis sy skok en medelye oordra aan die gesin en skoolmaats van die tienjarige Ester Nsenga-Banza wat op Vrydag 10 Mei 2013 voor die Laerskool Ysterplaat in Koebergweg deur 'n taxi getref is en in die Rooikruis Kinderhospitaal aan haar beserings beswyk het.

The SPEAKER: Any objection to the motion being moved without notice?

Any objection to the motion itself? No.

Agreed to.

Ms M TINGWE: Mr Speaker, I move without notice:

That the House notes the South Africa Human Rights Commission's dismissal of MEC Donald Grant's claim that the Commission found the Western Cape to have achieved a 100% delivery of textbooks.

[Interjections.]

The SPEAKER: Are there any objections to the motion being moved without notice? [Interjections.] Order! Order! Hon members Order! Objection?

An HON MEMBER: Yes. [Interjections.]

The SPEAKER: If there is objection. The motion will be printed on the Order

Paper. Hon member Ms Labuschagne. Hon member Mr Magwaza, Order.

Ms C LABUSCHAGNE: Mr Speaker, I move without notice:

That the House congratulates Marlin Parker, a social entrepreneur and information technology lecturer at the Cape Peninsula University of Technology and the founder of the R Labs. He was included in the City Press Newspapers 100 World Class South Africans Awards.

The SPEAKER: Any objection to the motion being moved without notice?

Any objection to the motion itself? No?

Agreed to.

The SPEAKER: Hon member Ms Gopie over to you.

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

That the House commends the National Minister of Police Nathi Mthethwa for speaking to Western Cape youth about the danger of drug abuse at the opening of the Lamberts Bay Police Station.

The SPEAKER: Any objection to the motion being moved without notice?

[Interjections.] Order! No objection? [Interjections.]

Agreed to.

Ms L BROWN: Mr Speaker, I move without notice:

That the House notes the 45th Anniversary of the passing of ANC leader in the Cape, Rivonia triallist, an academic and founder of Historic Congress of the People, Professor Z K Matthews.

An HON MEMBER: Amandla!

The SPEAKER: Any objection to the motion being moved without notice?

Any objection to the motion itself? No.

Agreed to.

The SPEAKER: Hon member Ms Labuschagne.

Me C LABUSCHAGNE: Mnr die Speaker, ek stel sonder kennisgewing voor:

Dat die Huis hul medelye oordra aan die familie, vriende en skool van Enrico Martin, 'n 17-jarige leerling aan die Spesbona Hoërskool in Athlone wat by sy skool aangeval en later aan 'n skietwond in die Grootte Schuur Hospitaal gesterf het.

The SPEAKER: Any objection to the motion being moved without notice?

Any objection to the motion itself? No.

Agreed to.

The SPEAKER: Any further? None. Thank you.

The DEPUTY SPEAKER: We now come to the subject for discussion. I see the hon member Ms Labuschagne.

SUBJECT FOR DISCUSSION

The results of the independent testing of learners in Grades 3, 6 and 9 and of the impact of that on the aims of education in the Western Cape.

Ms C LABUSCHAGNE: Hon Deputy Speaker, to properly address today's subject of systemic testing we should look to the past to where it all began. The Western Cape Government successes in education today are because we addressed the failures of yesterday.

An HON MEMBER: What?

The idea of systemic testing was proposed by the Late Kader Asmal during his tenure as the National Minister of Education but Asmal's ideas were never fully realised. The political will to see through the implementation of such testing was simply not there. Mr Deputy Speaker, it is a pleasure to remind this House that Helen Zille, now the Western Cape Premier, who was Minister

of Education from 1999 to 2001, was instrumental in conceptualising and laying the groundwork for systemic testing in this Province. Action was chosen over inaction. Whilst systemic testing began in 2002 it was only from 2009 onwards that testing was administered on a yearly basis. During that time these tests only included Grades 3 and 6, which alternated during a test year. In 2009, this Government made a commitment to address inadequacies in literacy and numeracy levels in the Province. Since then there has been a year-on-year improvement in these levels.

Mr Deputy Speaker, the first three of the goals outlined in the action plan of 2014 are to ensure that Grades 3, 6 and 9 have mastered the minimum language and mathematics competencies for their respective grades. Similarly the National Development Plan aims to increase the number of students achieving above 50% in literacy and mathematics. The Western Cape is putting these national initiatives into practice. Assessment forms part of any learning cycle. If you want to improve the learning cycle you must improve the cycle's components. The Department has adopted a holistic approach to improve this cycle by strengthening systemic testing. The progress that has been made in these tests is attributed to the sound application of the literacy and numeracy strategy. The LitNum strategy's goal is to produce fully literate and numerate learners who can effectively participate in the national and international political economy. The strategy makes provision for the testing of such competencies in Grades 3, 6 and 9, the analysis of these results and the provision of teacher training and support.

It was at this time in 2011, when the Department of Education consulted the Centre for Evaluation and Assessment, an Independent Research Unit in the education faculty at the University of Pretoria. The CEO was tasked with providing recommendations with the aim of establishing a new set of evaluations which the CEO affirmed to be more in line with international experience and best practices. As of 2011, the updated benchmarks have been used and remain as they are today. Mr Deputy Speaker, systemic testing is very versatile.

Firstly this Province's systemic testing is highly credible as the tests are administered and assessed by independent service providers. This ensures that results are impartial and accurate. Secondly, the tests do not only simply produce a set of results but highlight areas of improvement and those areas that still need improving. While they primarily measure learner performance, the tests also measure the performance of strategy. By analysing each school's results the Department is able to recommend amendments to a school's language and mathematics strategy. In addition, training programmes that are offered by the Cape Teaching and Leadership Institute aim to improve teacher abilities in the languages and mathematics. The Department is currently halfway through an eight-year programme to train all primary school teachers who teach language and mathematics. Quality teaching results in quality outcomes. Strategies in the foundational phase, such as the provision of the additional readers and introductory mathematic text have netted positive

outcomes.

Mr Deputy Speaker, it is clear that the Western Cape Education Department strategy of quality education, of which the LitNum strategy is a part, has become a milestone. This Province can be proud that systemic testing and the LitNum strategy as they exist today can serve as a functioning model for other Provinces. The formative years of a child's education, the foundation phase, are the keystone to all later learning. The recently-released National Education Evaluation Unit, NEEDU, exposed many of the flaws that exist within the country's education system, especially the alarming number of learners who fail to grasp basic language and mathematics skills in early education. It is however worth noting that, despite this, the report cited many positive outcomes from the Western Cape Education Department's strategies to address some of these flaws. The NEEDU report contends that the role systemic testing can have on first evaluation and improving learner competencies is encouraging. Further, the report directly invokes the Western Cape Education strategy in early education by stating that the provision of resources for teaching language and mathematics in the foundation phase is a key component of the LitNum intervention. The report provides evidence that the two Western Cape districts studied in the NEEDU report performed far better than other Provinces' districts in a number of areas. In the areas of frequency of writing in exercise books in languages and mathematics, the Western Cape scored well or far above other districts and Provinces. The report cites that education stakeholders are unanimous in their view that LitNum is having a

positive impact on the understanding of teaching language and mathematics in the classroom.

Mr Deputy Speaker, through visionary leadership the Western Cape Government has pre-empted many of the findings and recommendations in the NEEDU report and delivered on them. The Western Cape Government has firmly invested in the conviction that the importance of independent systemic testing is not only benefiting individual learners, but the system as a whole. Uncoordinated efforts to reform underperforming systems meet with little success. The LitNum strategy and subsequent testing is a coordinated effort and this is evidenced by the many improvements it has brought to numeracy and literacy levels. To say that the Province is leading the country in independent systemic testing, hon Deputy Speaker, would be an understatement. I thank you.

The DEPUTY SPEAKER: Thank you. The hon member Ms Tingwe.

Me M TINGWE: Dankie, mnr die Adjunkspeaker.

This debate is intended to be a sweetheart praise singing occasion, but clearly the DA did not duly consider what is at stake here.

An HON MEMBER: You don't want to be a sweetheart?

Ms M TINGWE: No darling. The systemic testing in the Western Cape is a

duplication of the standard Annual National Assessment also known as ANA, which tests language and mathematics skills, and does not show any material change to the outcomes of the national test. Why do we redo the national tests? The ANC supports the national testing but the parallel systematic test run by the Western Cape since 2010 is a total waste of people's money. It merely creates jobs for consultants, marketers and contractors who have to so-called "independently test our learners at these phase levels." What is the cost to the taxpayer of this wasted money? Can the education MEC inform this House?

This is the fourth year that millions would be thrown in the water. This money could be better used to build and equip schools or other priorities such as libraries and laboratories that are white elephants in our schools these days. This Department seems to have a lot of money to waste but does not have the money to keep rural black schools open. Instead it closes them down. The replication wastes a lot of learning and valuable teaching time. Teachers and learners are submitted to too much testing. Above the usual assessment and the ANA, the Western Cape then subjects the same learners to another set of tests. This is an added burden on our schools, teachers and learners. What benefit does it hold for our schools and children? We always see a summary of these systematic tests in the next year, but there is no evidence that the information is unpacked in a way that will assist poor learners and poorly-resourced schools. Individuals are also not informed of the results in order to adjust their learning. Where are the reports? Do teachers get the results to

assist the learners? There is also no evidence of how the Province adjusted to meet the challenges indicated in the results. How are the various aims of the Western Cape Education Department adjusted to meet these challenges? If measured against the aims of the Department, it shows that education in this Province is leaderless and in a terrible mess. Even when I requested the Provincial detail systematic test I found uncooperative officials, who blocked giving it to me and the researcher. Many attempts rendered no documents. Does it really exist or is it worse than what the MEC announced? It showed in 2012 that 86% of the learners in Grade 9 could not pass the standard formats. In the Grade, less than a quarter of the learners passed the mark. Less than half of the children could make the grade for language on all levels. In fact, it seems matters are regressing. Too many children did not get the books they needed at the start of this year, not to mention important books like technology and maths at lower grades.

Learner transport is under suspicion and does not function optimally at all. The safety and security of our children are also not properly addressed as was seen yesterday when a learner was shot in the head in full view of others. Many resources are not concentrated to where the need is highest. What is suspicious is that schools in 2012 got monetary incentives instead of developing struggling schools. This once more proves that the DA does not care for the poor and it is not committed enough to properly address the inequality in education in this Province. It does not show, hon Member Mr Carlisle, how the dropout rate can be reduced especially in rural areas. Clearly poor learners

in this Province are disregarded and not taken seriously. It is because they are only regarded as refugees by the DA and its leaders, hon member Mr Carlisle. The Western Cape cannot afford that the Premier, in absentia madam Zille, and her MEC Grant, treat and run this Province like a spaza shop. The people of the Western Cape must take note that their needs are not adequately addressed by the DA and that no spin, lies, smoke and mirrors can cover the mess education has been turned into. I thank you.

The DEPUTY SPEAKER: Thank you. The agb lid me Van Zyl.

Me J L VAN ZYL: Dankie mnr die Adjunkspeaker.

During the presentation on 5 March 2013, by the Department to the Portfolio Committee on basic education it was stated, and I quote:

“The annual national assessments or ANAS is an essential initiative at the heart of the education sector plan. Whilst assessment by itself cannot improve learning, it provides important evidence to inform planning and development of appropriation interventions for improvement at all levels from national through Provinces and districts to individual schools. Furthermore the ANAS is expected to have four key effects on schools such as: to expose teachers to better assessment practices; make it easier for districts to identify schools in most need of assistance; encourage schools to celebrate outstanding performance; and to empower parents with important information about their children’s performances. Literacy is the ability to read for knowledge, write

logically, communicate verbally and think critically about printed material. Numeracy is the ability to reason with numbers and mathematical concepts such as addition and subtraction. Literacy and numeracy are the most important building blocks to lay a solid, sustainable foundation phase.”

Na die bekendmaking van die 2012-resultate het die *Mail & Guardian* ’n onderhoud gevoer met twee onafhanklike ontleders en die volgende gewaarwording is geboekstaaf: Ten opsigte van Graad 3 is getoon dat daar ’n verbetering was van 35% in 2011 tot 52% in 2012. Die ontleders was dus van mening dat so ’n verandering geensins moontlik was nie, nie plaaslik of internasionaal nie.

Op ’n vraag of die ANAS gestaak moet word, was die ontleders se antwoord onomwonde: “Nee, sekerlik nie. Dit moet meer verbeter word omdat dit baie belangrike en waardevolle pogings is om die verbetering van gehalte onderwys in Suid-Afrika te verhoog.”

Die gevaar bestaan egter dat die verbetering van die uitslae van 2012 van die ANAS as ’n medium gebruik kan word om die totale verval van skoolopvoeding in Suid-Afrika te probeer verbloem, eerder as om die tekortkominge uitgewys in die NEEDU-verslag te gebruik om die stelsel te verbeter. Krities belangrike faktore wat in ag geneem moet word, mnr die Adjunkspeaker, is die gebrek aan dissipline en respek van leerders en onderwysers. Eksterne faktore soos onveilige skole, protesoptogte, die

afwesigheid van skole deur leerders en onderwysers, misbruik van dwelms, onderwysers wat nie genoeg voorbereid om 'n les aan te bied nie of nie genoegsame deurlopende professionele opleiding ontvang om lesse aan te bied nie en dan die belangrikste, die afwesigheid van oerbetrokkenheid.

Agb mnr die Adjunkspeaker, Suid-Afrika het die afgelope dekades verskeie afwaartse internasionale graderings gekry, waaronder gehalte onderwys een is. Ons het reeds 'n generasie wat nie kan lees, spel of tel nie, dus is hulle feitlik onindiensneembaar en is hulle ook deel van die werkloosheidsyfer deurdat 'n skoolstelsel, mnr die Adjunkspeaker, hulle gefaal het onder die ANC-regering. In plaas van die ongelykhede van onderwys in die verlede aan te spreek verval die totale onderwysstelsel sedert 1994.

Therefore Cope welcomes and supports the primary objectives of the Department of Education to build solid foundations... [Interjections.]

An HON MEMBER: What do you want from me? [Inaudible.]

Ms J L VAN ZYL: ... in literacy and numeracy in primary schools, improve learner pass rates and to improve the number and quality of matric results. Thank you. [Interjections.]

The DEPUTY SPEAKER: Order! Order! Die agb lid Me van Zyl se tyd is verstreke. I see the hon member Mr Lentit.

[Tyd verstreke]

Mr R B LENTIT: I am pleased to see that the Late Professor Kader Asmal's vision for educating our children has been carried forward by the Western Cape Government. This Provincial Government's commitment to improving the language and mathematical levels of learners in the Province has seen a ripple effect of positive developments. [Interjections.] The intention was to better the outcomes of matric results [Interjections.] The Western Cape Department of Education has conducted both language and mathematic testing of learners in Grades 3 and 6 for a number of years and introduced Grade 9 testing in 2010 for the first time. Parents of learners from Eerste River, Elsiesrivier, Kuilsriver and Northpine that I have engaged with have reported positive changes in their children, as many of them need less additional aftercare classes and sessions for these key subjects. This is a clear indication of the Department's commitment to train educators to facilitate and prepare pupils to cope with these subjects.

At the start of the 2012 and 2013 school years I visited homes with primary school going children. The majority of parents informed me that their children were given homework on the first day of school. I found this to be a positive development since it assists in the preparation of the quality of learners coming through the system. The results of these tests for 2012, as released in January, clearly show an increase in pass rates for both language

and mathematics. Although the levels of literacy and numeracy are improving in the Western Cape, it is crucial that the actual pass rate in these two divisions be improved. Mr Deputy Speaker, the rate at which the Department encourages the use of textbooks and workbooks in the classroom, together with the millions of textbooks and classroom readers provided to schools, there is no doubt that the 2013 pass rate for these grades will improve from that of 2012. I thank you.

The DEPUTY SPEAKER: Thank you. Die agb lid Me Witbooi.

Me J WITBOOI: Mnr die Adjunkpeaker, baie dankie. Ek wil die agb lid Me Labuschagne bedank vir die onderwerp.

'n AGB LID: Ja, ja, ja.

Me J WITBOOI: Ek is oortuig dat dit as 'n 'sweetheart' onderwerp bedoel was. Wat dit ten doel om die LUR van Onderwys, mnr Grant, 'n platform te bied om te spog oor moontlike suksesse? [Tussenwerpsels.] Die agb lid wat ook die Voorsitter van die Staande Komitee is, het dan ook soos verwag hard probeer om die LUR en sy powere leierskap mooi te probeer skilder, maar, mnr die Adjunkspeaker, vandag gaan 'spinning' nie help nie, want die waarheid is dat nie eens die vernuftigste kunstenaarshand met 'n towerkwassie dit wat die LUR in die Provinsie so gruwelik verbrou het reg gedokter kan kry nie. [Tussenwerpsels.]

Die debat vandag gaan oor die onafhanklike toetsing van Grade 3, 6 en 9 en die impak daarop op die doelwitte van die Wes-Kaapse Onderwys Departement. Waarom 'n onafhanklike toetsing terwyl die nasionale toetsing plaasvind of is, of was die onafhanklike toetsing 'n Premiersopdrag waardeur sy en die agbare LUR van Onderwys met 'n spreekwoordelike dwarsklap [Injterjections.] aan die Nasionale Departement van Onderwys hulle minagting teenoor die nasionale proses te kenne wou gee? [Tussenwerpsels.] Dit sal interessant wees om te weet wat die finansiële implikasies van die onafhanklike toetsing was. Die LUR moet die Huis vandag daaroor inlig. [Tussenwerpsels.]

Maar, mnr die Adjunkspeaker, kom ons aanvaar vandag dat die agb lid Donald Grant die onafhanklike toetsing laat doen het in opdrag van die Premier omdat hy en vele ander DA-lede reken dat hulle nie deel wil uitmaak van die nuwe Suid-Afrika nie en dat hulle op elke denkbare wyse dit wil wys. Kom ons aanvaar ook vandag dat agb Donald Grant wens dat die ou orde nog aan bewind was en dat hy wil maak asof die res van Suid-Afrika nie bestaan nie. Ek het nuus vir die LUR. [Tussenwerpsels.] Ons woon ook in die Wes-Kaap en sal nie meedoen aan sy aksies om hier soos 'n klein kolonie te baklei en om van die res van Suid-Afrika af te stig nie.

'n AGB LID: Ag nee.

Me J WITBOOI: Ons sal nooit handegewou kan staan as die agb LUR van Onderwys ons leerders deel van sy politieke speletjies wil maak nie. Ek sien hoedat die LUR moes terugkabel oor die handboekstorie. Dit lyk nie goed nie en ek is oortuig dat die LUR met ons sal saamstem siende dat hierdie Provinsie altyd wil uitstaan as die Provinsie wat niks verkeerd doen nie en dat hy nie met elkeen wat van hom verskil 'n geveg kan soek nie. Dit help ook nie veel om die media te blameer deur te sê dat dit hulle is wat hom verkeerd aangehaal het nie. Ons het wonderlike opvoeders in hierdie Provinsie van ons en wonderlike skolegemeenskappe. Een van die skole wat my baie na aan die hart lê, is die primêre skool in my geboortedorp, naamlik Ebenaeser. Dis altyd 'n trots om die skool te besoek. Dit is altyd skoon en netjies daar en miskien kan die agb lid Anroux Marais haar terugvat na die tye wat ons die skool besoek het. Pragtige skoon skool, maar ek wil u vandag sê dat as hierdie toetsing iets positiefs in daardie skool moet laat plaasvind, is dit om aandag te gee aan die oorvol Graad 3-klas. Sestig leerders in een klas. Tevergeefs vra hulle vir 'n ekstra opvoeder. Ek wil ook aan die LUR sê die rekenaarlokaal is sedert 2010 'n wit olifant. Die rekenaars is nie in werkende toestand nie en ook dit word tevergeefs onder u aandag gebring. Die opvoeders, en nou praat ek van gerespekteerde mense in die gemeenskap, is twintig by daai skool Ebenaeser Primêr. Met die nie-doserende personeel raak hulle maklik 27 of 28, en kan u raai hoeveel toiletgeriewe hulle tot hulle beskikking het? Net een! Mnr die Adjunkspeaker, as hierdie debat nie as 'n futiele oefening beskou moet word nie, pleit ek vandag dat die LUR aan die kritieke aspekte aandag moet gee.

Mnr die Adjunkspeaker, die skolevervoerstelsel is 'n ernstige bron van kommer. In byna al ons bedieningsgebiede word ons van tyd tot tyd deur besorgde ouers en buskontrakteurs genader met klagtes soos laat betalings aan kontrakteurs; onpadwaardige en oorvol busse; kinders wat langs die pad gelos word, en dis maar enkeles. [Tussenwerpsels.]

Die ADJUNKSPEAKER: Orde! Orde agb. Agb lid mnr Geyer.

Mnr H GEYER: Agb mnr die Adjunkspeaker, ek bevraagteken net die relevansie van die skoolbusse en padwaardigheid [Tussenwerpsels.]

'n AGB LID: Hoe moet die probleme opgelos word? [Tussenwerpsels.]

Die ADJUNKSPEAKER: Ek sal luister. Agb lid me Witbooi, gaan voort, gaan voort. [Tussenwerpsels.]

Me J WITBOOI: Hierdie kinders moet met busse by die skool kom

An HON MEMBER: Yes

Me J WITBOOI: ... om getoets te word en onderrig te word.

Die ADJUNKSPEAKER: Alles reg. U kan voortgaan. [Tussenwerpsels.]

Me J WITBOOI: Die vervoerstelsel het ons leerlinge gefaal. Ons het al langs geopende grafte van kinders gestaan as gevolg van leemtes in die stelsel. Net hierdie week het ons verneem van ouers in Kwanokuthula in Riversdal dat Mnr Gomes die roete van Mnr Sefoor in Riversdal al op 11 Februarie oorgeneem het. Hy is nog nie 'n sent deur hierdie Departement betaal nie.

Die ADJUNKSPEAKER: Agb lid me Witbooi se tyd is byna verstreke en u is op u laaste sin.

Me J WITBOOI: Ek wil vir die Minister sê, ag, vir die agb mnr Speaker sê, haar pryssange sal niks help nie.

Die ADJUNKSPEAKER: Dankie agb lid me Witbooi. Haar tyd is nou verstreke. Ek sien die agb. Lid me Hartnick.

[Tyd verstreke]

Ms J L HARTNICK: Mr Deputy Speaker, in 2009 the Western Cape Government made the commitment to improve the language and mathematics levels of our learners, because not much proactive effort was put into it before 2009. In the early 2000's the National Department of Basic Education realised that the language and mathematics skills of learners should be improved and initiated their annual national assessments, also known as ANAS. For this the DA commends the National Department of Basic Education because it is

important to have national benchmarks in place in order to measure learners' progress and to establish the level at which they are performing. Mr Deputy Speaker, what we find problematic is not the initiative with its noble objectives, but that it is administered by the Department of Basic Education. ANAS tests are set by supposedly competent subject experts and teachers who are selected and appointed by the DBE. This, Mr Deputy Speaker, makes us question the credibility of the ANAS. Considering the shocking grammar and spelling mistakes found in a Grade 7 English exam paper drafted by an official of the Mpumalanga Education Department as reported on 9 May 2013, in *The Star*, the question of credibility does not go unwarranted.

Mr Deputy Speaker, the Western Cape Education Department redressed the implementation of the ANAS, but shared the objective of improving literacy and numeracy performance in the Province, because we agree that literacy and numeracy are significant foundation blocks of education. What sets the Western Cape Government apart from other Provinces who blindly follow the National Government as a result of party affiliation [Interjections] is that our systemic tests are independently administered, tested and marked by outside service providers, once again proving that the Western Cape is the leader in all Departments, as the statistics obviously show. [Interjections.]

This Mr Deputy Speaker, enhances the credibility of the tests and delivers on the DA's transparency objective. The systemic testing makes the Western Cape Education Department aware of where assistance needs to be directed

and therefore the budget can be appropriated accordingly to where it is needed most. Mr Deputy Speaker, 81% of the WCED budget is allocated to improve the learning outcomes at poorer and non-fee paying schools in the Province, 81%. This while thousands of poor children are still awaiting textbooks in ANC Government Provinces and we are close to halfway through the year. Mr Deputy Speaker, considering the results of the independent testing of Grades 3, 6 and 9 of 2012, there was clear improvement in each grade tested for both language and mathematics. In October 2012 over 250 000 Grades 3, 6 and 9 learners from 1 421 public ordinary and independent schools took part in the tests. The tested learners comprised of 83 030 Grade 3 learners, 79 301 Grade 6 learners and 89 674 Grade 9 learners. For Grade 3 numeracy the percentage pass rate has increased over 50%. This result, together with the increases in the language result, is a visible improvement. This suggests that strategies in our foundation phase, such as the provision of additional readers and the introduction of mathematics textbooks in the foundation phase, have yielded positive results. We await the commencement of this year's standardised testing and anticipate positive outcomes from the results.

This being said, Mr Deputy Speaker, I congratulate Minister Grant and his Department for ensuring that improvements to the quality of education are being made and credible ways of monitoring its progress are in place. I thank you.

The DEPUTY SPEAKER: Thank you. The hon member Ms Beerwinkel.

Ms M TINGWE: Where is the Premier?

Ms C F BEERWINKEL: She is sick, hon mem Ms Tingwe. Behave yourself.

[Interjections.] Thank you Mr Deputy Speaker. Mr Deputy Speaker, even though today much reference has been made to the past it is clear that not much has been learnt from it. The late Comrade Kader Asmal put in place the tests nationally and so today we need to assess whether the most basic requirements for a situation conducive to learning and testing is in place even though the DA wants to duplicate a working national process. [Interjections.] But then why only here? That proves that they don't show any confidence in the national process as you've heard my colleague say earlier.

We will not wax lyrical about the percentage of learners that have passed, Mr Deputy Speaker. Our concern is about those who do not make those tests ...

Ms M TINGWE: Yes

Ms C F BEERWINKEL: ... and who do not pass those tests.

Ms M TINGWE: Yes

Ms C F BEERWINKEL: As you heard from previous speakers the situation with education in this Province is not what it is purported to be and I suppose I

will have to expound on some of the things, otherwise - I almost said Comrade Bokkie - otherwise the hon member Bokkie will jump up and ask what is the relevance. Crime, Mr Deputy Speaker, is at an all time high. [Interjections.]. It affects the child's morale and teachers. Social needs are increasing. It affects concentration.

'n AGB LID: Nou waar is die kommissie? Waar is die kommissie?

Ms C F BEERWINKEL: Schools are understaffed. Principals have to go through many hoops of bureaucracy and red tape before staff are allocated. A ratio of x amount of learners equals x amount of staff is applied, but where schools have two streams they are not treated differently because for a different stream you need an extra number of educators.

'n AGB LID: Maar hulle stel glad nie belang in hulle sake nie ...
[Tussenwerpsels.]

Ms C F BEERWINKEL: Schools are overcrowded and the MEC still wants to close some of them. Now, Mr Deputy Speaker, I want you to imagine the morale of those teachers in those schools who have had to sit through... [Interjections] court case upon court case not knowing what their future is going to be. [Interjections.] What is the morale of those teachers and those learners in those classrooms? [Interjections.] How do they pass their tests? [Interjections.] Textbooks are not delivered. Classrooms or workstations at

technical schools are not fully furnished. Technical schools have unfortunately become, Mr Deputy Speaker, the dumping ground for learners with behavioural problems, as opposed to those with a leaning towards a technical skill. So let's face it... the sooner this focus is shifted away from academics at all costs, learners will be motivated to learn. But then the necessary schools, staff and infrastructure should be there at the different schools. You cannot have new schools waiting for months to be fully furnished, staff complements to be corrected, the correct equipment and textbooks to be delivered and the necessary financial assistance to be given.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: This debate is about the Western Cape ... [Interjections.]

Ms C F BEERWINKEL: Exactly! Exactly! [Interjections.]

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

Ms C BEERWINKEL: Mr Deputy Speaker, as part of my input here, I would like to invite the hon member Mr Carlisle and maybe the hon Minister to a school in my constituency. I am speaking from experience.

Ms M TINGWE: Yes!

Ms C F BEERWINKEL: And I want to also just remind you - sometimes you

need reminding - that this is your document.

'n AGB LID: Jy is lekker slim nè.

Me C BEERWINKEL: Ja, soos 'n boiler.

The APP 2013 and 2014 of the Education Department which reads:

“Since 2010 the Education Department has focussed on supporting governing bodies to recruit and select caring and professional principals, which benefited over 200 schools between 20 and 2010. In 2013 the Department will focus on the timeous recruitment and selection of principals, deputy principals and Heads of Departments to manage our schools to success.”

That is not happening. It hasn't happened. There are still schools that are sitting without the necessary leadership at their schools; and now Mr Deputy Speaker, can I give you some other reasons why the results will not show what they should. These duplicated tests cannot be a true reflection of what learners are capable of. How does a child who needs to walk long distances across dangerous areas and to cross dangerous roads holding hands with little ones have full attention in class and for tests? I'd like MEC Grant to take one morning or afternoon out and just monitor what happens on one road, Modderdam Road and see what happens [Interjections.] where the new development has crossed the road and kids have to cross that busy road to get to a school that you wanted to close anyway. [Interjections.] Take an evening

out MEC Grant and come and see what learners do in parking lots in front of schools, and then tomorrow they have to write tests or concentrate on their school benches. Then we expect the results to be the same.

Investigate why teachers accept posts at certain schools, then a day or a week later hand in their resignation and leave because of behavioural problems encountered in classrooms. Investigate why there are so many transfers asked from [interjection.] such schools because parents send their children to school to be taught not to listen to abuse or to be subjected to violence. The best teachers and pupils leave and the problems remain. [Interjections.] Governing bodies that are supposed to support sometimes are more divisive. Principals and staff have been appointed to teach and run schools. Instead most of them have to spend time planning fundraising functions to pay contract post teachers who are actually the responsibility of the Department, who only pay the teachers months after they have been appointed. Now, Mr Deputy Speaker, imagine how those teachers have to go home month after month with no salary but come back day after day motivated to teach a class of children who then have to write tests. Principals find themselves between a rock and a hard place because they need the teachers but their meagre funds are then depleted because of non-payment of staff. How motivated would you be if you were in that situation? But work must go on and learners must be taught.

The other hampering factor is that learners in the foundation phase can only fail once and then they are pushed along to other grades and then when they do

poorly in the phases where they are tested this is never taken into account when the results come out. The same happens in the intermediate phase from Grades 3 to 6 and then again from Grades 6 to 9. What do we do in the in-between grades to improve the results of the testing phases? That is the question. The results at the end of matric will look the way they do because we do not do that intermediate work and when we do hand out accolades where do most of those receiving students come from?

LitNum tests, Mr Deputy Speaker, are very important. LitNum tests are very important because you cannot go through life without this ability. I am by no means taking away any of the importance of testing because it is necessary.

The DEPUTY SPEAKER: Order!

Ms C F BEERWINKEL: The issue of what is done with the results after the testing. What is done with the hampering factors that impede this process is important.

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

[Time expired]

Ms M TINGWE: He was not even listening to you.

The SPEAKER: I see the hon Minister Grant, a reply?

The MINISTER FOR EDUCATION: Thank you, Mr Deputy Speaker. I welcome the opportunity of participating in this debate on the outcomes as well as the impact of the systemic tests used by the Department on the education aims in the Western Cape.

Perhaps it will be useful to remind the House that this Government identified ten strategic objectives or aims, as the debate subject calls them, in its education plans for the Province; one of which was specifically the improvement of literacy and numeracy outcomes. Clearly any discussion of this systemic testing of literacy and numeracy would look at the results for indications of improvement. From a systems point of view one would also look far wider at how the results have informed changes to such things as classroom practise, appropriate resourcing and the organisation of learning in our schools. The results of the tests are not an end in themselves. However, for the record, let me briefly refer to my media release at the time of the publication of the 2012 systemic testing results. This was on 14 January, 2013. We announced the following:

“In October 2012 over 250 000 Grade 3, 6 and 9 learners from 1 421 public, ordinary and independent schools took part in the tests. The breakdown of learners per grade is as follows: Grade 3 - 83 030, Grade 6 – 79 301, Grade 9 – 89 674. We are delighted that the 2012 Language and Mathematics results

have produced improved outcomes in all grades and in all subjects. We have seen improvements in every grade tested for both Language and Mathematics. We are also pleased that each of our education districts has also achieved improvements in every subject and in every grade.”

Members of this House will know that we have repeatedly stated that while we are pleased with the improvement there is much work to be done before our learners across the board demonstrate acceptable levels of Literacy and Numeracy as benchmarked internationally. A debate on the skills levels of our learners is always relevant in terms of the on-going learning and earning opportunities which lie ahead of them and their ability to participate successfully in what is repeatedly referred to as the knowledge economy.

However, the debate here today has been made even more relevant by the recent release of the first national report of NEEDU on the state of literacy, teaching and learning in the foundation phase and is the first of a number of such reports that have been planned. The contents of this report and its recommendations will, I have no doubt, be the subject of much debate over the next few months. For instance, the Minister of Basic Education is, in terms of the draft NEEDU Bill, required to table the report at a meeting of a Council of Education Ministers. However, for the purposes of our debate in this House today, it is useful to refer to two aspects of the report as follows:

1. The report notes that only two Provinces have developed and

implemented programmes designed to improve teaching in the phase covered by this report. One is the Literacy and Numeracy intervention of the Western Cape Education Department. The report states that all participants in the programme, WCED project managers, service providers and participating teachers, are unanimous in the view that the Literacy and Numeracy intervention is having a positive impact on both teachers' understanding of teaching Literacy and Numeracy and on their class room practise.

2. Secondly, the report notes that it is of great significance to the country as a whole that these two programmes be carefully evaluated in terms of the impact on learner outcomes and the improvement of the teaching of Literacy and Numeracy.

Mr Deputy Speaker, the point which has to be made is that without the use of credible systemic testing of learner outcomes the Department would not have been in possession of the data upon which to develop its Literacy and Numeracy intervention. The key word here is 'credible'. Among the steps we have taken to enhance credibility are the following:

1. Firstly, the expansion of the reach of the tests since their inception in 2002 and the role of the current Premier, who actually listened to the late Kader Asmal and did something about it, from some Grade 3s to across-the-board testing of Grades 3, 6 and 9 under the current administration.

2. Secondly, the use of internationally-recognised compilers of the tests at the Universities of Cape Town and Pretoria.
3. And thirdly, the external administration and marking of the tests.

When I started speaking today I mentioned that it is important to be able to look at the wider systems impact of the testing. Let me refer briefly to just four examples of this broader impact:

1. Both the testing and the public releasing of the results have broadened and deepened accountability in our school system. No longer does society have to wait for the results of the external Grade 12, the National Senior Certificate or Matric Examination to gage the effectiveness of the system. The testing provides an earlier indication in our primary schools, as well as a more regular indicator at key stages in our schooling system. Constructively used this is invaluable information.
2. Secondly, the various processes associated with the testing make up a powerful and cost-effective teacher development tool. Examples are supplied from which teachers are able to determine appropriate standards and learn more about the nature and levels of questions. Feedback indicates that this is producing a more confident and knowledgeable teaching core in this Province.

3. Thirdly, the proper analyses of the test results also confirm the importance of the provision of text books and readers. This Province has committed massive resources to ensuring that these are provided and I have, on a number of occasions, provided this House with the relevant information.
4. Fourthly, the format of the presentation of the results provides each school critically with the wealth of the information about outcomes in other schools per circuit, per district and the Province, which further encourages and strengthens realistic and appropriate school achievement.

In addition, the test scores are analysed for each school in terms of the actual component skills activities involved in the successful mastery of Literacy and Numeracy. So for instance, the school will know how well in Grade 6 Mathematics each of the following aspects are being taught and understood, namely: Numbers, Operations, and Relationships; secondly, Patterns, Functions and Algebra; thirdly, Space and Shape; fourthly, Measurement and, finally, Data handling.

Mr Deputy Speaker, there can be no doubt that the intelligent use of systemic testing by the Western Cape Education Department has played a significant part in the steady and we believe sustainable improvement we have started to witness in outcomes of the learners in our schools. District officials, principals,

teachers and members of the public are better informed and equipped to play their appropriate role in teaching, assisting and supporting our young people to achieve their potential and to take up useful, constructive roles in society.

Finally, Mr Deputy Speaker, I would just like to thank all the members who participated in this debate. Frankly, Mr Deputy Speaker, I am struggling to sweep here because there's not much to sweep. Apart from saying to the hon member Ms Tingwe, [Interjections.] if you are worried about the 17 schools in the Western Cape, I suggest you pick up the phone to your National Minister and ask her about the 310 schools in the Eastern Cape that have just been announced. [Interjections.] I would like to thank the hon member Ms van Zyl for the comments, always constructive and ...

The DEPUTY SPEAKER: Order!

The MINISTER FOR EDUCATION: ... it is remarkable how loquacious the hon member Ms Tingwe is in the House and yet how silent she is in the Standing Committee [Interjections.] under the excellent leadership of Cathy Labuschagne. [Interjections.]

Hon member Mr Lentit, I have also reflected on what Kader Asmal said and I had the privilege of meeting the hon Kader Asmal on one or two occasions... [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER FOR EDUCATION: ... before he died [Interjections.] It is interesting that he acknowledged that the Premier ... [Interjections.]

The DEPUTY SPEAKER: Order. Order, hon member Ms Tingwe.

The MINISTER FOR EDUCATION: ... was the first one to listen and to implement systemic testing as a consequence of her tenure in this House as MEC from 1999 to 2001. [Interjections.]

Hon Witbooi ek weet nie wat om te sê nie anders as dat ek het notas gemaak het van die probleme waarvan u gepraat het. Dit is nie deel van die debat nie, maar ek sal opvolg om te sien wat daar aan die gang is. Ek wil net vir u sê dat ek ook bekommerd is ...

Ms M TINGWE: This is education.

The MINISTER OF EDUCATION: ... oor die leerder-vervoerstelsel. Ek is besig om vrae daar aan die Departement te stel oor hoe ons daardie saak werklik kan verbeter.

I have sleepless nights about it, I really do. Hon member Ms Hartnick, thank you for your comments about Mpumalanga and *The Star*. Funnily enough [Interjection.] I've got picture here, also out of *The Star*. This one is dated 2

May, when I was just coming back from the launch of the NEEDU and its dirty business, and I just want to say to our ANC members on the opposite side of the House to please have a look at that. If you want a copy I am happy to make you a photocopy. [Interjections.] People in glass houses, Mr Deputy Speaker, should not throw stones.

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

The MINISTER OF EDUCATION: I would like to sincerely thank the hon member Ms Beerwinkel for her contribution to the debate. I am delighted to hear you are back in the education space [Interjection.] and we miss you in the Standing Committee. [Interjections.] Alright. Mr Deputy Speaker, thank you very much. I rest my case.

The DEPUTY SPEAKER: Thank you hon Minister. Order. Order. That concludes the debate on this subject. The Secretary will read the first Order of the Day.

Debate concluded.

ORDERS OF THE DAY:

1. Consideration of the Report of the Standing Committee on Agriculture and Environmental Planning on the *Upgrading and Redevelopment of*

Founders Garden, dated 14 May, 2013.

The DEPUTY SPEAKER: I see ...

Mr P UYS: Mr Deputy Speaker, may I just address you on this please?

The DEPUTY SPEAKER: Yes, you may.

Mr P UYS: Mr Deputy Speaker, we received an ATC this morning, but coming here this afternoon there is an ATC with a report attached to it that I believe was not ATC'd. I just want to understand whether this is the report that we were supposed to consider in this debate today?

An HON MEMBER: No. [Inaudible.]

The DEPUTY SPEAKER: I can only act upon what I have in front of me. This is an Order of the Day on the Order Paper, and the Speakers' list is available. If there is any other matter that I am not aware of I want the Chief Whips to tell me. As far as I am aware there was a unanimous report from the Standing Committee and on that basis it appears as an Order on the Order Paper. So therefore, unless there is - Chief Whip, have you got nothing further to comment? No. I cannot entertain anything further, hon member Mr Uys, if I am not aware of the second report that you are referring to.

Mr P UYS: Mr Deputy Speaker, because you are in control of the ATC and everything around that I would like you to check, because a document has now been slipped in, attached to the ATC and giving the impression that it is part of the ATC and is published. It is not, so it is slipped in the wrong way and I want you to investigate that please.

The DEPUTY SPEAKER: It is not the Chair's duty to interfere with the Order Papers. That is the starting point and I want the Chief Whip of the Majority Party to assist me here. What is the report that the Chief Whip of the Opposition is referring to?

Ms A ROSSOUW: This is a report that appeared in the ATC, and now appears on the Order Paper for consideration. I believe he has a problem with the report attached to the ATC, but that is not part of the report that has been published.

The DEPUTY SPEAKER: I am informed that the only thing in front of us now is the Order of the Day. The extra documents were the documents that were part of the Committee's deliberations, and all members in that Committee approved that report. They had access to that report and it was approved. Therefore I will see the first speaker on that one.

MR P UYS: Just help me please, Mr Deputy Speaker. Which report are you referring to? Was this report attached, Mr Deputy Speaker?

The DEPUTY SPEAKER: I am informed the report that is attached was in front of the Standing Committee.

MR P UYS: But this was not approved.

An HON MEMBER: It was approved. [Interjections.]

MR P UYS: Mr Deputy Speaker, was it deliberate that they did not? When they ATC'd us this morning, this report was not available. Now all of a sudden it is not a loose report, it is attached to the ATC, creating the impression that this is part of the ATC. It is not and it is misleading and there are people that are playing a different role ... [Inaudible.]

The DEPUTY SPEAKER: I will go into that, but my understanding is that the part of the report that you refer to as the report was the document in front of the Standing Committee, which the Standing Committee considered, and which was unanimously approved by the Standing Committee. The next step is the consideration of the report which appeared in the ATC. It is a short, one paragraph document, which I have seen, and refers to the fact that there was no objection to it and that it was an unanimous report of the Standing Committee. The documents now attached are simply supplementary documents to members to assist them. They are the very same documents that were before the Committee, so I don't see a major problem there. I then see the first speaker and that is the hon member Mr Walters.

Mr M C WALTERS: I thank you, Mr Deputy Speaker. The Standing Committee on Agriculture and Environmental Planning, having considered the subject of the upgrading and redevelopment of Founders Garden, as referred to the Committee in terms of standing rule 88, begs to the report that it has concluded its deliberations on the subject and recommends that the House approves the redevelopment of Founders Garden, with all that that implies.

It is rather surprising that the ANC now seems to have a problem with either the substance or the procedure followed to bring this matter to the House. The procedure was relatively simple. All the materials relating to the laying of this matter before the House as provided by the Department, were provided to the members during the previous week. These comprised *inter alia* covering letters, title deeds, effect or delay on the progress of the greater project, future vision and benefits, *etcetera*. A comprehensive briefing in the form of a power point presentation was provided by the Department in the presence of the Minister and officials. This briefing was concluded and comments were invited. The Committee was unanimous in approving the Department's request for submission of the request to this House [Interjections.] with the ANC delegate indicating her agreement.

Ms M TINGWE: Is it?

Mr M C WALTERS: To now attempt to delay matters by bringing a spurious

argument to the table, after unanimous acceptance of the recommendation of the Standing Committee, smacks of typical ANC tactics related ...

An HON MEMBER: Hear, hear!

Mr M C WALTERS: ... even as far as their project reclaim and disruption of progressive initiatives to improve matters for the communities of the Western Cape and visitors to our cities. The ANC member was a party to the Committee's decision and any change in her stance is probably due to pressure from the Chief Whip of the ANC

An HON MEMBER: Hear, hear!

Mr M C WALTERS: ... and an insult to the ability of the delegate to reach her own conclusions. I propose that the House accept the recommendation of the Standing Committee.

HON MEMBERS: Hear, hear!

The DEPUTY SPEAKER: Thank you. I see the hon member Ms Mbalo.

An HON MEMBER: Full 10 minutes, hey.

Ms B G MBALO: Thank you, Mr Deputy Speaker. This debate is necessary in

order to clear the air on a couple of important matters pertaining to a very valuable and large tract of prime land in the mother city. Various procedures and processes are flawed in bringing this so-called report to this full legislature for rubber stamping. In fact the DA seems hell bent to steamroll the decision taken in its backrooms through the legislature. I will deal with this matter in detail as it seems some people refuse to apply their minds and may leave this legislature open to legal challenges. I was part of the deception in the Committee stage and after discussing the matter with my peers in my caucus, I wish to make clear the ANC position. From the onset this processes ...

[Interjections.]

They are starting again. [Interjections.] From the onset this process was flawed. The request by the ... [Interjections.] ... MEC to the legislature was not duly reported in the Announcements, Tabling and Committee Reports document at the onset. In this case, the Speaker directly referred the matter to the Standing Committee, dealing with the planning only. Then only the Planning Committee was engaged, while more Committees could have been involved like the one dealing with public works, as it is that MEC who brought the matter to the legislature. At least the Provincial Treasury should have been part of it. Why was this not done? Then the process was rushed through the Committee on Tuesday and the most important document, the title deed, was only in Afrikaans without even a full explanation given to members who do not understand the language. [Interjections.] This means all members ...

An HON MEMBER: Why didn't you ask? [Interjections.]

The DEPUTY SPEAKER: Order! Order!

MS B G MBALO: ... of the Committee were not given an opportunity to apply their minds in order to take an informed decision today. But the problems with this departure do not end there. The Committee was fleeced by asking to consider and agree to the redevelopment of this area. In fact, this so-called report to the legislature today also makes reference to the upgrading and redevelopment of the Founders Garden. I then went ahead to study the documents with some of my fellow members to find out what is actually taking place here, and discovered that the intention is to get a different kind of permission than is sought now. The question before this legislature should be to change the restriction that states it is to be used as a park garden for pedestrians and access to the Opera House or underground facilities, and to state the purpose it may be used for. Knowing what purpose was expressly specified or given to this legislature [Interjections.]

By approving redevelopment without specifying what development is approved, the MEC asks the legislature to allow any development possible and to give him a blank cheque to do as he pleases. [Interjections.] We cannot give free reign or open permission. The document provided is too scant to give any clear indication of what this specific intended use is.

It consists mostly of newspaper clippings and does not contain a detailed development plan.

An HON MEMBER: No.

Ms B G MBALO: So what are we really agreeing to here today?

An HON MEMBER: We don't know.

MS B G MBALO: In the absence of a fully detailed submission to which we must agree, this so-called report and the resolution of the Committee cannot stand. Maybe many people would be affected negatively by the development and various businesses may not have their rightful direct access to the buildings in the area. It may even result in the closing down of businesses and people losing huge amounts of money... [Interjections.] Monstrosities may be erected in that specific ...

The DEPUTY SPEAKER: Order.

MS B G MBALO: ... space that would impact ...

The DEPUTY SPEAKER: Hon member Ms Brown? Order! Order!

MS L BROWN: Mr Deputy Speaker, I am not sure that the Minister has an

opportunity to speak.

The DEPUTY SPEAKER: Yes.

Ms L BROWN: He is spending - he is bullying the speaker on the floor now.

The DEPUTY SPEAKER: Order!

Ms L BROWN: He is trying to bully her.

The DEPUTY SPEAKER: Order!

Ms L BROWN: That is what he is trying to do now.

The DEPUTY SPEAKER: Order. Order. I will rule on that. Order! Order! I was on the point of saying to the hon member Mr Carlisle that he will have the time to reply and must please contain himself.

Ms B G MBALO: Monstrosities may be erected in that space that could impact negatively on others. What exactly is planned here? We were not told. We just know it is to open opportunities to some developers - an open-ended permission. [Interjections.]

We are asked to make an uninformed decision here today. With such a massive intervention the legislature must follow the constitutional road to allow for affected people and the public to guide us in the participation process that allows for consultation to take place. No public input or participation was gathered by the legislature. This is a contravention of our mandate to represent and take the opinion of our citizens into consideration. The DA clearly has no regard for people's opinion and input. We cannot merely delegate this to the MEC and his advisors or consultants. We have to scrutinise this with our own legal people and experts at Parliament, instead of relying only on the MEC and cabinet wishes. In the absence thereof we would fail our mandate and our people by not duly applying our minds. This resolution by the Committee does not meet the real issues or requirements we have to meet in order to say we have properly applied our minds. We must be satisfied that we did our work well.

An HON MEMBER: Yes.

Ms B G MBALO: The ANC stands for proper processes to be followed [Interjections.]. Therefore the ANC says ... [Interjections.] You must listen. Therefore the ANC says it must be referred back to the relevant Committees for proper consideration, full public participation, consultation with experts or affected parties and for all members to be given good time to duly apply their minds. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you hon member Ms Mbalo.

Ek sien die agb lid mnr Lentit.

Mr R B LENTIT: Mr Deputy Speaker, I support the decision of the Committee. Thank you.

An HON MEMBER: Nothing to say. Nothing.

The DEPUTY SPEAKER: Order. Order. The hon member Ms van Zyl.

Me J LVAN ZYL: Dankie agb Adjunkspeaker. Titelakte 36740 van 1976 en wel voorwaarde B het 'n spesifieke bepaling in terme van vir watter doel die betrokke gebied gebruik kan word. Waarvoor hierdie Parlement vandag versoek word, is om toestemming te gee vir 'n ander gebruik, naamlik die uitbreiding van die Artscape-gebou. Ek haal aan uit die Titelakte:

“Die erf mag nie vir 'n ander doel gebruik word as die volgende doel nie, naamlik 'n tuin en park insluitende gebruike eie daaraan, voetgange en motorvoertuigtoegang na die Opera Huis-gebou op Erf 187 Roggebaai en ondergrondse munisipale en poskantoor dienste, tensy die Provinsiale Wetgewer van die Wes-Kaap by besluit daardie ander doel goedkeur.”

Op 28.11.2011 was daar 'n hofbeslissing om sekere woorde te vervang, naamlik om “beide huise van die Parlement” te vervang met “die Provinsiale

Wetgewer van die Wes-Kaap”, die instansie wat die mense van die Wes-Kaap verteenwoordig.

Mnr die Adjunkspeaker, Minister Carlisle moet nou vandag verduidelik hoekom hierdie proses en die goedkeuring van die versoek met soveel spoed gedryf word. Daar was geen publieke deelname wat hierdie proses bekendgemaak het aan die mense van die Wes-Kaap nie en die deursigtigheid in terme van sodanige versoek is dus nie gehandhaaf nie. Cope is in beginsel ten gunste van uitbreiding van die Artscape-gebou met vooraf prosesse in plek, dankie.

The DEPUTY SPEAKER: The hon member Mr Carlisle to reply.

'n AGB LID: Jy kon in die komitee gesit het dan kon jy dit gesien het.

[Tussenwerpsels.]

The MINISTER FOR TRANSPORT AND PUBLIC WORKS: Thank you, Mr Deputy Speaker [Interjections.] and thank you to those who contributed to this debate.

First of all my thanks to the Chairman of the Committee and my thanks for his support for passing this report. The hon member Ms Mbalo is a deeply confused member. I am not even sure she is in the right debate. I am not even sure she is in the right legislature, quite frankly ... [Interjections.]

I do not want to say that I also do not think she may be in the right ... [Interjections.] But let me try and explain it to her. I believe she has been at the meetings but she does not understand. Let me try and explain it to her. For years and years, close to 50 years, a piece of land has been lying completely unused, shabby, gathering bits and pieces of etcetera, etcetera, because of a strange clause that was put on this Title Deed. Now let me just ask the hon member Ms van Zyl also to listen because she used the word 'rushed'. If three years is rushing then I don't know. It is Provincial land and I would hope - perhaps the hon member Ms Mbalo is a bit new – that she is aware of our policy with regards to that and of our determination to use our land to wipe out maintenance, to create jobs and to improve the economy.

Now, there is a second aspect to this and I can't believe that the hon member Ms Mbalo didn't mention it today, and that is the position of Artscape. The ANC National Government, not the DA National Government, the ANC National Government has proclaimed three major cultural centres. Artscape, the one in Durban and the one in Pretoria. They, not us, proclaimed it. They are proposing to extend the considerable money they already put into them and this one in particular to perhaps in excess of R1.1 billion. To do that they want to know that the Artscape would have sustainability and security of tenure. Until I change or this legislature changes this, we cannot get that security of tenure, because we cannot give that lease to Artscape which will satisfy the National Department of Culture and Sports or whoever it is. So, let me try to

explain to the hon member Ms Mbalo that what we are doing here today is part of a co-operative endeavour between the ANC National Government and this Government. Her own Government. I believe she is a member of the ANC. I need her to understand that. As the hon member van Zyl pointed out initially, and this all goes back to the days the Artscape area was three metres under the water. It all goes back to those days and when the land was reclaimed and that particular area was marked. Its Title Deed restricted the use to only a garden. Now when I started to look at the various Provincial properties, this was obviously nonsense as far as I was concerned. We then conducted an investigation to find out what we would need to do. The first thing we ascertained was that the only power that could change this was the old tricameral apartheid system. Now the hon member van Zyl would know that I am a very remarkable Minister, but even I cannot recreate the old apartheid tricameral system. So we then went to Court. We then went to Court and asked the judges to please change that from the old tricameral Parliament - you should talk about being patronising my friend - to this Provincial legislature. That was the core problem. Then we came to the Committees via the Speaker. We came to the Committees here and the Committees were then presented with all the information. Now, let me put the hon member Ms Mbalo's mind to rest so that she sleeps well and peacefully tonight. [Interjections.] We are not going to do anything untoward with the land. In fact you do not have to be frightened of anything. We are not even going to allow it to be stolen. We are not going to do anything with the land until we have done all of the processes that you must do before you can develop land. The first of those processes is to

come to the Committees here, you see. So if the hon members will only come to the Committees and listen, they do not have to make silly speeches. Then there are a whole series of processes that follow, whatever we decide to do. If we decide we would like to do X, we bring it to you. We move on from there and it will most certainly require public participation. It will require that it is publicly announced. It will most certainly require environmental assessment and all the other things. All of those will happen, but they don't happen now because in fact nothing is going to happen now. There is no point in us developing or planning to develop this area until such time as this House passes the change in Title Deed. When it does, then processes will start. But for the purposes of the hon member Ms Mbalo, let me share with her what I think is important.

An HON MEMBER: Mbalo.

The MINISTER FOR TRANSPORT AND PUBLIC WORKS: You are going to have a very much bigger - yeah, you are not so good with my name either, pal. We are going to have a much bigger Artscape in due course, financed by the national ANC government. We are going to have a much bigger Convention Centre, financed by this Parliament and by the City Council, and a few other things in due course. Two of those come together at the nexus which is indeed this earth that we are talking about. Therefore I would ask hon members - I actually invite hon members - what the kind of things are that we should be doing with this land when it becomes a place where people gather

for commerce and the arts. We would value your opinion on that. One of the obvious things is an open-air, what do you call it, auditorium for the jazz festivals. That is one of the obvious things. It will be a spill-over for the Convention Centre. It will be a spill-over for the Artscape. One of the things I think we should provide there is garaging, but all of these things are going to be discussed with the Committees here. So whilst under the ANC that piece of land was simply forgotten about and was left there to gather litter, etcetera, etcetera. we have actually done something about it and that land is now available for use by the people of Cape Town, for the betterment of Cape Town, for the betterment of its economy, for the improvement of its employment chances, for improving it as a cultural and as a tourist venue. Generally speaking, to do something of value with it. So I thank the Chairman of the Standing Committee on Agriculture and Environment Planning and I do ask this House to support his request to approve the redevelopment of Founders Garden.

The DEPUTY SPEAKER: Thank you hon Minister. That then concludes the debate on this report. Are there any objections to the report being adopted?

HON MEMBERS: Yes.

The DEPUTY SPEAKER: There are objections, I will now put the question and those in favour of the adoption of the report will say “Aye”.

HON MEMBERS: Aye.

The DEPUTY SPEAKER: Those against “no”

HON MEMBERS: “No!”

The DEPUTY SPEAKER: I think the “ayes” have it and so they have. The objection of the ANC will be recorded.

[Debate concluded]

Report adopted.

The DEPUTY SPEAKER: The Secretary will read the next Order of the Day.

2. Consideration of Report of the Standing Committee on Agriculture and Environmental Planning on the *National Environmental Management Laws First Amendment Bill* [B 13D – 2012] (NCOP), dated 14 May, 2013.

The DEPUTY SPEAKER: Order. The legislature received the report of the Standing Committee on Agricultural and Environmental Planning on the *National Environmental Management Laws First Amendment Bill*, conferring authority on the Western Cape delegation and the NCOP to support this Bill with amendments. This mandate has been sent to the NCOP. Are there any objections to the ratification of the conferment of authority on the Western

Cape delegation and the NCOP to support the Bill? Any objections?

Agreed to.

The DEPUTY SPEAKER: That concludes the business of the House. The House is adjourned.

The House adjourned at 17:12