
THURSDAY, 12 APRIL 2018

PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT

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

The House met at 14:15.

The Speaker took the Chair and read the prayer.

The SPEAKER: [Applause.] Good afternoon, hon member Joseph.
[Applause.] [Interjections.]

Hon member Dugmore, if you will just allow me, I would like to call the House to order please. Hon member Joseph, welcome, you indeed got a rousing welcome, so it is good, nice to see you again!

The announcement I wish to read is that it is with great sadness that we mourn the passing of Ms Winnie Madikizela-Mandela on 2 April 2018. I will afford a spokesperson or spokespersons of parties an opportunity to address the House for five minutes each. I recognise firstly the ANC.

Mr P UYS: Madam Speaker, just a point of order first, please?

The SPEAKER: Yes Chief Whip Uys.

Mr P UYS: Madam Speaker, I would like to ask, can the Speaker inform this House why she refused to allow an urgent debate ahead of the special official funeral on Saturday on the legacy of Winnie Madikizela-Mandela. Please, Madam Speaker.

Mr Q R DYANTYI: Yes, you are trying to score some points there. †Sy was uitgevang. [She was caught out.]

The SPEAKER: Hon member Dyantyi, we are indeed talking about a serious matter so I would expect that you would afford this House the respect it deserves. [Interjection.]

Mr Q R DYANTYI: Which you do not take serious.

The SPEAKER: It is a valid question, but I do believe it was discussed in Programming. [Interjections.] You will get an answer hon member Gillion. So I am going to give you my reasoning and I must apologise, I was at a National Speakers' Forum on Thursday and Friday, hence my not being able to respond to your correspondence sooner.

On 5 April 2018 my office received a request from the hon Leader of the Official Opposition for a debate in terms of Rule 140 of the Standing Rules, being a matter of urgent public importance on the following topic:

“The positive legacy of a national hero, Winifred Nomzamo Madikizela-Mandela.”

When considering a request in terms of Rule 140 there are well-established criteria I have to follow before making a decision on the matter and I wish to highlight two requirements that such a request must comply with, namely the request must deal with a matter for which the Provincial Government can be held responsible and secondly the request will not be granted if the matter cannot be dealt with by some other means in the near future. So clearly the topic of the debate requested does not fall within the purview of Rule 140.

The hon member Magaxa was duly informed of that in a letter sent to him on 9 April 2018. Furthermore, hon member Magaxa was advised to raise the matter at the Programming Authority meeting through his Chief Whip since there were various other avenues available in terms of the Rules, example, proposing a motion of condolence for a subject for discussion to have the matter debated.

I was informed that the matter was discussed at the Programming Authority meeting on 10 April 2018 and it was there decided that all political parties would get an opportunity to speak on the matter at the sitting of the House on 12 April 2018. [Interjections.]

Mr C M DUGMORE: Misinformed. [Interjections.]

The SPEAKER: To suggest that I as the Speaker used my powers to curtail or prohibit debate on the above matter is extremely disingenuous and quite frankly in poor taste. As the Speaker I will continue to apply the Rules of the House as approved by all members fairly and consistently. [Interjections.]

On that ruling I also wish... [Interjections.] Hon members, when you joined this term in 2014, members were made aware of fact sheets. There is a Fact Sheet number 13 which tells you what constitutes a matter of public or urgent importance. It says:

“The *sub judice* rule applies. The request must deal with a matter for which the Provincial Government can be held responsible. The request will not be granted if the matter can be dealt with by some other means in the near future.”

Ms S W DAVIDS: The Western Cape is the only province that did nothing.

The SPEAKER: So hon members, all these fact sheets are on the website. Familiarise yourselves with the Rules which apply to all of us. [Interjections.]

An HON MEMBER: We are not here for a lecture, Speaker... [Interjection.]

Ms S W DAVIDS: Do not lecture us.

The SPEAKER: So I am not. Sadly I am not giving you a lecture. I was asked to give my reasons... [Interjections.]

Ms S W DAVIDS: There is no sympathy... [Interjection.]

Ms M N GILLION: There is no sympathy from them.

Ms S W DAVIDS: There is no sympathy.

The SPEAKER: Well, hon members let me explain... [Interjection.]

Ms S W DAVIDS: You show no kindness.

The SPEAKER: ...that on Friday as part of the Speakers Forum I wore my dress and a *doek* in solidarity with my colleagues. [Interjections.] So to even suggest...

Ms S W DAVIDS: Everyone wore that.

The SPEAKER: ...to even suggest that there is no sympathy... [Interjection.]

Ms S W DAVIDS: Yes.

The SPEAKER: ...leaves a lot to be desired. [Interjections.]

Ms S W DAVIDS: Where is your action? A dress is your action?

The SPEAKER: So we will now... [Interjection.]

Mr M G E WILEY: Madam Speaker.

The SPEAKER: Yes, Chief Whip Wiley.

An HON MEMBER: Do not tell us about the dress.

Mr M G E WILEY: Madam Speaker, at the Programming Authority we did agree that we would begin the sitting with a moment of silence.

Ms M N GILLION: Allow that.

The SPEAKER: Correct. [Interjections.]

Mr M G E WILEY: And I think it would be appropriate if we did start this sitting... [Interjection.]

Ms S W DAVIDS: You did not want to today [Inaudible.]

Mr M G E WILEY: Could we please just start the sitting in a dignified way and a moment of silence.

The SPEAKER: Alright, Chief Whip, I work with the feedback from the Programming Authority and how the Order Paper is drawn. At this point there was an opportunity for each party to do five minutes of condolence, at which point I would then request members to rise and observe a moment of silence. If you would appreciate us doing that upfront, I am more than willing that we rise now to observe the moment of silence and then continue with the debate.

Mr Q R DYANTYI: You are such hypocrites.

The SPEAKER: Are we in agreement? [Interjections.]

An HON MEMBER: Yes.

An HON MEMBER: Relax man, sit down! Sit down!

The SPEAKER: Hon member Uys? [Interjections.]

Mr P UYS: Can I address you, Madam Speaker?

The SPEAKER: Yes you may.

Ms M N GILLION: There is a member on the floor, people must sit down!

Mr Q R DYANTYI: Can you sit down.

The SPEAKER: Members, the hon member Uys wishes to make a point.

Mr Q R DYANTYI: Ja, sit down, sit down.

The SPEAKER: I appreciate your standing. Kindly take your seats.

[Interjections.]

Mr P UYS: Thank you Madam Speaker. [Interjections.]

The SPEAKER: Hon member Dyantyi, manage yourself, please, man.

Mr P UYS: As you know it was not for the Programming Authority to decide on the debate because you declined the debate already and once the Speaker declined the debate of course the debate cannot continue, but Madam Speaker, you gave us some technical points here that I do not want to argue now and I do not think it is appropriate, but just having heard of the passing on of Ma Winnie, was it not then your responsibility last week already to say: "But House, let us call a debate..." Now we find all technical reasons that I do not even agree with to not have a debate. Why should we not hold hands and say, you know, we need a debate and it is good for this House and it is good for the Western Cape."

The SPEAKER: Hon member Uys, I think for you to question what it is I need to do or not to do is neither here nor there. I could simply ask when uTata Mandela died what did we do at that stage and what did the ANC do at

that stage. So let us... [Interjection.]

Mr P UYS: If I can ask you Madam Speaker?

The SPEAKER: Alright.

Mr P UYS: We used Section 140. We asked for a debate and the debate was granted.

An HON MEMBER: Ja.

The SPEAKER: Okay so... [Interjection.]

Mr P UYS: I was here. I was in this House.

The SPEAKER: Well I certainly was not and I have followed the Rules to the letter so I am asking that we proceed in terms of the Programme as agreed on Tuesday by all parties. I am told everyone agreed to a five minute speech that they would present and I am now putting it to the floor, do you wish to observe the moment of silence upfront or after the debate? [Interjections.]

An HON MEMBER: No-no, we will stand up.

Mr C M DUGMORE: Sorry Madam Speaker.

The SPEAKER: Yes hon member Dugmore.

Mr C M DUGMORE: Madam Speaker, could I address you? In the reasons you have just provided to the House, you for instance although that particular note is also subject to interpretation, you indicate if it is within the power now of the Provincial Government, now surely the expression of condolences and sympathy is definitely within the power of a Provincial Government to, and effectively your refusal of the debate indicates that you held the particular perspective that the Provincial Government should not show sympathy ... [Interjection.]

An HON MEMBER: Ah come-on, no! [Interjection.]

Mr Q R DYANTYI: Like the DA always do ... [Interjections.]

Mr C M DUGMORE: ...so actually what I want to ask you, would you not say that it is within the power of the Provincial Government to express its condolences, is that not part of what the Provincial Government is able to do?

The SPEAKER: Hon member Dugmore, I have given a ruling. It think it is disingenuous to now try and debate whether we are sympathetic or not, because I would like to remind the members that there is a book of condolence in honour of the late Ms Winnie Mandela downstairs. [Interjections.] So may we now proceed? We either stand and we have a moment of silence or the ANC utilises its five minutes to make a speech.

Which would you prefer, Chief Whip Uys?

Mr P UYS: The ANC would like to proceed and take five minutes.

The SPEAKER: Okay, so we proceed. Every party is afforded five minutes. We will now start with the ANC. I recognise the hon member Magaxa.

EULOGIES BY MEMBERS IN HONOUR OF THE LATE MS MANDELA

Mr K E MAGAXA (ANC): Thank you Madam Speaker. uMam' Winnie Madikizela-Mandela was more than a princess. She was the dignified mother of the nation. She was the queen of hearts to millions of people across the globe. uMam' Winnie was not just a strong woman. She was a role model for hope. She was one of the greatest women that this country ever had. uMam' Winnie was not a talking woman. She was not a ceremonial wife. She was a leader of the struggle. uMam' Winnie could not be broken in Soweto. She could not be tied up in Brandfort, where she was banished. No apartheid jail, no punishment could weaken her spirit. Her spirit of no surrender, her spirit for the liberation of our people, uMam' Winnie became stronger the more she was oppressed. She did not run away when challenged. She sent back every blow. uMam' Winnie was just not a granny, mother or sister, she was everybody's guide in support; she was the rock which did not break when struck. She showed the way to free our people and bring justice to all. uMam' Winnie Madikizela-Mandela was not just a pioneering professional that shaped social work for Africans. She was not just a stateswoman. She

was the light in a very dark period of our history.

Her legacy is so big it cannot be contained. She did not just belong to Bizana, where she was born or where she stayed when she was still young. She even belonged to the Western Cape where she frequented as her husband Nelson Mandela was imprisoned here for being black and a freedom fighter and standing up for his people. uMam' Winnie lived when the whole South Africa was a big prison where black people were treated like slaves. She fought that cruel discriminatory system and won. She lived to see the growth of a new nation and a country after liberation. uMam' Winnie was not just a fashion guide, she was not just a leader for others to follow. She has in fact set her own pace. She was not the President of the country, yet she guided the whole country. She was not a goddess. She was a practical woman who through example showed all how to deal with evil and unfair treatment. She was more than a liberator. She overcame the pain inflicted upon her and she conquered the hearts of many ordinary people. She never sold out the pride of that royal Madikizela name to any racist party. Therefore many people across this nation and beyond our borders chant "long live the spirit of Winnie Mandela", and today I add my voice and that of my comrades to say, "Long live the spirit of Winnie Mandela. Long live!"

We do not need a map or a GPS to know uMam' Winnie led upon the high road towards building a winning nation free of discrimination with equity for all and our country a home for all. No more will a South African be treated as a stranger in our own country. No more will we endeavour the hatred of

another ethnic group. No more will we be regarded as orphans as we have one mother, who is Winnie Madikizela-Mandela. We salute her!

Thank you. [Applause.]

The SPEAKER: Thank you hon member Magaxa. I now see the EFF. Are you willing to speak on this matter, hon member Joseph?

Mr C M DUGMORE: Fighters are always ready.

Mr B D JOSEPH (EFF): I do not wish to make a speech in this regard. I think what had happened yesterday at the National Memorial Service of Winnie is for all and sundry to see and to hear and there is nothing else that I can add to that. I thank you.

The SPEAKER: Thank you hon member Joseph. In the absence of the ACDP, I now see the DA.

The MINISTER OF HEALTH (DA): Thank you, Madam Speaker.

Members of the House and guests in the gallery, the DA caucus in the Western Cape and also the DA immense network nationally, the Women's Movement, inclusive of mothers, daughters, grandmothers, sisters, †oomazala, oomakoti, amanina ngokubanzi [mothers-in-law, daughters-in-law, mothers as a whole] †send our deepest condolences to the Madikizela-

Mandela family on their loss. This is indeed a sad time not only for the family but for the entire nation.

†Ukwenjenje oku kukugxwala emswaneni sisithi ngxe kumzi wooNgutyana, ooMsengeshe, ooMakhalendlovu, ooNqwanda, ooPhapha. Singabalibelanga ooRhadebe, ooNdlebentle Zombini, kulo nina apho khona uMam' uWinnie azalwa khona. Ngokwenene uwile umthi omkhulu.

[Translation of isiXhosa paragraph follows.]

[We would like to send our condolences to the Ngutyana, Msengeshe, Makhalendlovu, Nqwanda, Phapha clan name family. We also do not forget Rhadebe, Ndlebentle Zombini, Mam' uWinnie's mother's clan name. Indeed, a great figure has fallen.]

†No-one disputes that uMam' was a big dreamer, just as no-one can dispute that she was a complex figure, but remember uMam' uWinnie was uMam' uWinnie. She was not anyone's social construct. As Alice Walker would say, I quote:

“The animals of the world exist for their own reasons. They were not made for humans any more than black people were made for white or women created for men.”

uMam' uWinnie was not created to perform for anyone. The complexity of

uMam' uWinnie, if you wanted to make a major subject for discussion then one must start from the beginning. Lest we forget Nomzamo, I want to use her name, the tomboy girl who destabilised the social status quo where she grew up trapping animals, practicing stick fighting with the boys in the rural village of Bizana; lest we forget Nomzamo, the girl child, who lost her sister, then followed by her mother, who recently gave birth to a son that Nomzamo as a girl-child had to raise the new-born brother herself. Lest we forget Nomzamo, the 26-year-old wife was left raising two babies on her own when her husband was incarcerated by the apartheid regime. This is the same uMam' uWinnie who was in and out of prison, physically and emotionally brutally tortured and banished to a rural town in solitary confinement for fighting my freedom.

Madam Speaker, this is uMam' uWinnie, the human being that I want us to remember. In the face of adversity uMam' Ngutyana, her clan name, stood tall, and was a fearless fighter for the rights she believed in and she stood firm in her conviction that apartheid could be brought down. She spoke her mind. †Uyamthanda, awumthandi – yindaba yakho leyo. [Whether you like her or not, that is your problem.]

She is regarded a hero for struggle and a revolutionary leader in her own right. Her role to freedom was never easy. The authorities could not silence her. She continued to fight, to free uMadiba, the fight which ultimately brought about the freedom we all enjoy today. Many bear witness to life before freedom and we are here because of the freedom fighters –

†abanjengooMam' uWinnie. [those like mam' uWinnie.]

Let us remember a resilient and remarkable woman who stopped at nothing for the democracy we have in South Africa. She was far from just a silent bystander wife. In the words of one of the chiefs in Bizana, I quote:

“She was a rose who has been plucked from our garden of heroes.”

Let us remember her through her legacy. She was a powerful woman who was a warrior. She remained a pillar of her community and a champion for the poor. South Africa is indebted to her for the decades of sacrifices she made on the frontline of the opposition struggle while others were imprisoned on exile. Let us continue to fight the rights of the people of South Africa. Let us continue to prioritise service delivery to those who most need it. Let us honour the legacy of uMam' uWinnie in our fight for simple justice, equal opportunities and human rights. Let us not leave anyone behind.

uMam' uWinnie, your name will go down in history as one of the greatest women of this nation as the example you set will never be forgotten. They expected you to leave a perfect life. Yet you were living in an imperfect country. †Umzam' omhle uwufezile. [You have fought the good fight.]

Mzantsi Africa, we miss her but let it go. Women of South Africa, you are on your own. †Umkile uMam' uWinnie. [Mam' uWinnie is gone.]

Thank you. [Applause.]

The SPEAKER: Thank you hon members for your contribution. I would now like to request that all members rise to observe a moment of silence in honour of the late Ms Winnie Madikizela-Mandela.

[Moment of silence observed.]

The SPEAKER: Thank you. You may be seated. May I also take the opportunity again to remind members that the Book of Condolence in honour of the late Ms Winnie Madikizela-Mandela is available in the reception area on the ground floor of 7 Wale Street. You are invited to record your messages of condolences in the book.

We now proceed to Interpellations as printed on the Question Paper. I recognise the hon, I think it is the hon the Minister Schäfer.

INTERPELLATION:

Schools with matric pass rate lower than 60%

1. Mr R T Olivier asked Ms D A Schäfer, Minister of Education:

- (1) Why is the number of schools with a matric pass rate of lower than 60% increasing in schools in Quintiles 1 to 3 in the province;

- (2) Whether her Department has a turnaround strategy to address this; if not, why not; if so, what are the relevant details?

The MINISTER OF EDUCATION: Thank you Madam Speaker, and thank you to hon Olivier for the question.

(1) In 2015, 17 public ordinary schools in Quintile 1 to 3 performed below 60% compared to 12 schools in 2016 and 16 schools in 2017. It is thus true to say that it increased from 2016 to 2017, but it has not been a consistent trend, as in 2016 it had actually reduced from 2015.

In addition, there were 15 Quintile 4 and 5 schools in 2017, compared to 5 in 2016. This shows, therefore, that the issue is not just with our Quintile 1 to 3 schools, but with all schools in all 5 quintiles. [Interjection.]

†Mnr Q R DYANTYI: Asseblief!

[Mr Q R DYANTYI: Oh, please!]

The MINISTER OF EDUCATION: Whilst we are not happy with the situation, we must bear in mind that last year there was a general decrease in the matric pass rate from 86% in 2016 to 82.8% in 2017. There was also a pass rate decrease across the entire country. It also substantially lower - the number of underperforming schools... [Interjections.]

Mr Q R DYANTYI: You are trying to down-play it, hey. †ag ʼn bietjie! [Wait

a minute!]

The MINISTER OF EDUCATION: ...than when the DA took over in 2009, when it was 89.

Mr Q R DYANTYI: So it is a problem.

The MINISTER OF EDUCATION: The increase in the number of schools that had a pass rate of less than 60% in Quintiles 1 to 5 is attributable to a generally poorer performance nationally in subjects such as English FAL, Business Studies, Accounting, Agricultural Sciences, Agricultural Management Practices, Agricultural Technology, Information Technology, and Hospitality Studies.

(2) The following measures are in place to monitor the performance of the affected schools:

- Each district has submitted a detailed plan to improve results at under-performing schools for 2018.
- Comprehensive subject improvement plans are being implemented at district level.
- Meetings with all the affected schools to analyse the results in each subject, per topic have been held.
- The School Management Teams are required to report on progress and emerging challenges on a monthly basis to the District Director which is

followed up by district visits.

The following has been presented and discussed in detail with each school:

- A summary page of results and a full set of candidate advice of results.
- In addition, schools were also provided with an enhanced per question analysis of each question paper that was written at the school.
- Schools also were supplied with symbol distribution graphs for all subjects written at their schools.
- Districts were supplied with their overall circuit and school performance as well as detailed analysis of the performance in subjects at the district and school levels. This included a comparative analysis of the examination and school based assessment for each subject.
- The chief marker of each question paper drafted a report on the 2017 examination question paper in an effort to provide feedback and support to teachers and curriculum advisors.
- Subject, district and school data analysis and interpretation using the Examination Publication Report supplied to senior curriculum planners, heads, curriculum and assessment coordinators to be further interrogated by circuit managers and subject advisors and used for planning and target setting.
- District Directors have been provided with their district results, statistical data of their schools and their district, overall and per subject, and an electronic interactive copy of the per question analysis per question paper for their schools.

The regular monitoring and follow up per subject is expected to alert the WCED of challenges facing educators and learners at the specific schools, specifically in subjects such as English FAL, Business Studies, Accounting, Agricultural Sciences, Agricultural Management Practices, Agricultural Technology, Information Technology and Hospitality Studies.

Thank you.

The SPEAKER: Thank you Minister Schäfer. Your three minutes has expired. I now see the hon member Olivier, who is also scheduled to speak for three minutes.

Mr R T OLIVIER: Thank you Madam Speaker. As recent as on 10 April 2018 we were fortunate as a Standing Committee to receive the report titled National Senior Certificate 2017 Results and in this report slide 23 clearly indicates that the pass rate distribution of schools and the last line of that, the number of schools with a pass rate lower than 60% is 33. It is an increase from 21 the previous year. It is also an increase from the previous year which is 2015, which was 29. So the past three consecutive years it has declined, obviously there has been an improvement in 2016. However there has been a huge increase to 33 from 21.

Mr Q R DYANTYI: That is it. That is what you are trying to hide.

Mr R T OLIVIER: Now let me also just indicate that the bulk of those

schools are situated in Metro Central, Metro East and Metro North. [Interjections.] These are your largest districts within the City, a stone throw away from our own support office, which is the head office, so they can easily go and support some of those schools.

An HON MEMBER: Oh my word!

Mr R T OLIVIER: But what is shocking, what is shocking from these 33 schools is that the most poorly performing school, Metro Central was 23.9%.

[Interjection.]

Mr Q R DYANTYI: You are going to take the fall, ja, we need answers.

Mr R T OLIVIER: 23.9% out of 142 learners, learners that wrote only 34 passed and this school is Kulani Secondary School.

Mr Q R DYANTYI: Oh!

Mr R T OLIVIER: It is followed by a 38.3% Zizamele, which is in the Metro East... [Interjection.]

Mr Q R DYANTYI: In Khayelitsha yes.

Mr R T OLIVIER: ...which also is a 38, 191 learners. Sorry, sorry, 94 learners wrote but only 36 passed and Madam Speaker... [Interjection.]

Mr Q R DYANTYI: Is that in the Western Cape?

Mr R T OLIVIER: Madam Speaker, it is in the Western Cape. This is the picture that we see. [Interjections.] Now I listened to the MEC giving us a breakdown which the Department also gave us. This is the strategy that we were given the previous year and clearly in my view maybe what we need is another turnaround strategy to implement this turnaround strategy, because clearly if that is the case I understand the issue of the [Inaudible.] that wrote last year is less than the previous year and I understand, from a 21% if you have a strategy, it should not increase to such. I mean it increased by a further 12 schools which also added to the 21, and clearly the question that I am raising to the MEC and that I am asking is whether this strategy is the same? Nothing has changed from what the Department said they will be doing in these schools.

Langa High, we had a specific visit to the school. We spoke. There has been changes of management, there has been APC but yet that school still remains under the 60%.

The SPEAKER: Hon member Olivier, I am sorry to interrupt, but your three minutes have expired. Thank you.

†Mnr Q R DYANTYI: Uitgevang!

[Mr Q R DYANTYI: Caught out!]

The SPEAKER: I now see the hon member Kivedo.

Mr B D KIVEDO: Thank you Madam Speaker, and thank you for the inputs of Minister and my fellow member Olivier. Where the school is Quintile 1, 2, 3, 4 or 5... [Interjection.]

Mr Q R DYANTYI: It is member Olivier.

Mr B D KIVEDO: ...the success of each and every single learner is of the uttermost importance for this Department. Madam Speaker, I must commend the Department for its continuous commitment to improving the educational standards of all learners and especially those learners who are in poorer communities.

Mr Q R DYANTYI: Even those that are failing. You are correct there.

Mr B D KIVEDO: Madam Speaker, the current quintile system is designed to allocate funding to schools based on the level of poverty of the community and learners they serve. Quintile 1 to 3 are categorised as poor and do not charge fees, while those falling under Quintile 4 to 5 are considered wealthy and collect fees from parents to sustain themselves.

†Mnr Q R DYANTYI: Ja, daai weet ons. [Tussenwerpsels.]

[Mr Q R DYANTYI: Yes, that we know. [Interjections.]]

Mr B D KIVEDO: Madam Speaker, we are of the firm belief that each and every child has a right to education and I am very pleased that the WCED assist struggling schools as well as assist our parents who are struggling to make ends meet; ensure that their children have the opportunity to have access to quality education. Under the DA underperforming schools decreased from 89 in 2009 to 78 in 2010 and 30 in 2011. This is remarkable given the failing educational system that we inherited.

The MINISTER OF EDUCATION: Yes.

†Mnr Q R DYANTYI: Dit kom van apartheid.

[Mr Q R DYANTYI: It comes from apartheid.]

Ms M N GILLION: Apartheid schools. [Interjections.]

Mr B D KIVEDO: Madam Speaker, the WCED met with the Standing Committee just the past Tuesday to discuss how the 2017 matric learners performed across our province and that is true, hon member Olivier. I am pleased to inform this House and the public that the WCED is taking proactive steps to improve the academic performance of all our province's learners, all our province's learners.

The SPEAKER: Hon member Olivier, can I ask you to finish up.

Mr B D KIVEDO: The WCED informed... [Interjection.]

The SPEAKER: Sorry, you have two minutes, kindly finish up with your sentence please.

Mr B D KIVEDO: I will leave it for the next round, thank you. [Time expired.]

The SPEAKER: Thank you. I am sorry that I must interrupt you but I do alert you to the timeframe upfront and I will afford you the opportunity to complete the sentence. The next person is the hon member Olivier who now speaks for two minutes. Thank you.

†Mnr Q R DYANTYI: Gooi kole!

[Mr Q R DYANTYI: Throw coals!]

The SPEAKER: And hon member Olivier before you continue, may I just ask the hon member Dyantyi, remind him that interjections are allowed but running commentary especially if it is all only coming from him, constitutes more than just an interjection. Please work with me. I cannot talk too much today. †Asseblief! [Please.] Thank you. You may proceed, hon member Olivier.

Mr R T OLIVIER: Thank you Madam Speaker. Let us start with the right of learners and I agree with the Chair that there is an obligation on the Department that we execute that right and in this instance twelve added schools to learners that performed below the percentage really is speaking to

that very same right. So if we are saying we are doing something in terms of giving the learner the right we must be able to say whatever strategies we use in terms of lowering that number that performed below the 60%, in fact when you read in this report it is much worse because we are benchmarking the 60% but the 23% below, even below 30%, there is 38% below, 40%, so we can still go lower. There is quite a number of schools that performed below 40% and we are saying that strategy, if there is one, the turnaround strategy that we are saying where the Department is doing its best, clearly if we increase in terms of schools that perform poorly, something needs to be looked at, at that strategy. That strategy needs to be reviewed. We need to look at it, we need to sharpen it and at this stage what we have got is not different to what we got previously. Hence I said with this strategy, we implement the same thing and this is the question I am posing, whether it does work because if it does work then it needs to reduce the number of those schools performing poorly.

In fact what we are now seeing is a trend that more schools are added to the under 60% and I can say to you that the reason might be that we are now focusing and chasing numbers so that we are number 1 and we forget that we need to lift those below the 60% up to reach the other levels where other schools are. So we call on the MEC, that let us look at the strategy because clearly if it works, it works quite slowly. Something is wrong and you have to work harder to make it work, because the other rural districts are performing quite well. There are only three schools in the other rural districts and those are performing... [Interjection.]

The SPEAKER: Thank you hon member Olivier. Your time has expired. I now see the hon member Kivedo.

Mr B D KIVEDO: Thank you Madam Speaker. At the same Committee meeting the WCED informed the Standing Committee also that underperforming schools have already received letters of warning from their respective District Offices...

Mr Q R DYANTYI: Is that what the Committee said?

Mr B D KIVEDO: Furthermore, the Department is also in the process of having sessions with each school so as to understand what additional support to struggling schools can be provided.

Mr Q R DYANTYI: Do you believe that?

Mr B D KIVEDO: Madam Speaker, we have also been informed by the Department that their current strategies continue with looking at schools' management, teacher and learner attendance, parental involvement and a stronger focus on subjects, teachers, learners, parents and communities and involves regular monitoring.

†Waar is my ander bladsy? [Where is my other page?] I am sorry. Madam Speaker, where the DA governs children emerge from school having mastered the fundamentals of literacy and numeracy at internationally benchmarked

levels, where their education have emphasised information, literacy, literacy to prepare them for the modern economy. I thank you Madam Speaker.

The SPEAKER: Thank you.

†Mnr Q R DYANTYI: Ja, ek kan sien daai is nie jou skrif daai nie.

[Mr Q R DYANTYI: Yes, I can see that is not your handwriting.]

The SPEAKER: I now see the... I am sure, hon member Dyantyi, you are going to get a turn further down. I see the hon member Olivier. You have two minutes, thank you.

Mr R T OLIVIER: Thank you Madam Speaker. No Madam Speaker, I have said what I wanted to say and maybe in conclusion is to just say that this strategy that we are having is not yielding the necessary result that we are looking at and the indicators are quite clear. It is not rocket science, it is not technical, it is clear that once you get more schools under the 60% bracket you have to look at whether what you are implementing works. And for me what is worrying is that these districts are close by here. It is around here, the Metro, and here sits our head office with all the support and we are saying if we cannot then assist, and what is going right in the rural districts which we cannot implement this side around over the mountain in the Metro area. If the Overberg does not even have one school performing below 70% why can we not implement what they are doing? Why can we not ask for advice or support from those district officials that are able to get their

schools performing at a reasonable acceptable level? What is wrong here in this area which we as the Department cannot do, and I am saying again that we must start looking ahead, what leads in this political office.

MEC, you must pull up your socks and make sure that these districts in this area do perform. You cannot have such a strategy with five points, sending warning letters to schools. For what, to obtain what? So that is the turnaround strategy, sending warnings; the other one having discussion sessions, that is a turnaround strategy?

†n AGBARE LID: Gooi kole, gooi kole!

[An HON MEMBER: Throw coals, throw coals!]

Mr R T OLIVIER: So I am saying these things maybe needs to be looked at and we get a proper strategy and if you want us to assist with the next turnaround strategy to turn this one around we are willing to assist.

The SPEAKER: Thank you hon member Olivier. I now see the hon the Minister, Minister Schäfer.

The MINISTER OF EDUCATION: Thank you Madam Speaker.

Mr Q R DYANTYI: You have all the time to answer now.

The MINISTER OF EDUCATION: Thank you for the colleagues for their

inputs. Hon member Olivier, as you well know or should by now, every year... [Interjections.]

An HON MEMBER: He does not have a clue.

Mr Q R DYANTYI: Ja, she does not have a clue.

An HON MEMBER: She does not have a clue.

The MINISTER OF EDUCATION: Sorry.

Ms M N GILLION: She does not know [Inaudible.] [Interjection.]

The SPEAKER: Order please, hon members.

The MINISTER OF EDUCATION: Every year schools go in and out, some stay, some go out. Some of them, we help them, and sometimes they go up and sometimes they go down. Every school that does not perform is obviously a concern for us but the hon member has highlighted a number of issues.

First of all you say we do not have a strategy. I am not sure if you were listening to my earlier response, but I think I detailed very, very specific steps that we are following this year to improve the performance from last year.

In addition to that we are looking at other strategies such as collaboration schools and such as the school evaluation authority which the ANC is in fact opposing... [Interjection.]

An HON MEMBER: Yes, we oppose that.

The MINISTER OF EDUCATION: ...despite the fact that it is actually showing very good results and on that note, particularly, the member referred to Langa High School which is part of the Collaboration Schools Project and in 2016 got a 34.3% pass rate. In 2017 after only one year in the Collaboration Schools Project with a change of management they got 49.7%, so yes, they are still under 60, but they are on their way up.

Secondly, hon member Olivier referred to the... No, hon member Kivedo referred to the quintile system. This is an ANC invention which is a total and utter disaster. It is supposedly allocating finances on the basis of poverty where it is completely not doing that... [Interjections.]

The SPEAKER: Order please.

The MINISTER OF EDUCATION: We have people in Quintile 4 and 5 schools that are desperately poor but we cannot get additional funding because the National Government policy prohibits it. [Interjections.]

The SPEAKER: Order please members. Hon Minister Schäfer, kindly take

your seat. Members you are allowed to interject but when your interjections drown out the speaker on the floor then I need to ask you all to cooperate and allow the speaker on the floor to continue. You may proceed, hon Minister.

The MINISTER OF EDUCATION: Thank you Madam Speaker. Apart from that we had 130 000 additional learners coming into our system in the last five years that we inherited when hon member Dugmore was MEC, when there were 89 underperforming schools, but the fact of the matter is it will be greatly helped if the National Government would change their funding model, which I have been asking for, for the last four years, to actually accommodate the number of learners there are in our schools so we can give them more resources, which will of course increase our performance, and quite frankly my Department is working miracles given the number...
[Interjection.]

An HON MEMBER: Use the equitable share.

The MINISTER OF EDUCATION: We cannot use the equitable share...

An HON MEMBER: Why not?

The MINISTER OF EDUCATION: ...because it is not enough.

The SPEAKER: Thank you Minister Schäfer, if you could finish up please.

The MINISTER OF EDUCATION: So the fact of the matter is we are doing absolutely everything possible, we are working miracles under the current circumstances, which thanks to the ANC are giving us less and less money for more and more people. Thank you. [Time expired.]

The SPEAKER: Thank you very much. That is the end of Interpellations.

[Debate concluded.]

The SPEAKER: I now want to bring the House to order. We will now deal with Questions as printed on the Question Paper and as I understand it was arranged that Question number 1 will be dealt with at the end of question time. Yes, Chief Whip Wiley.

Mr M G E WILEY: Madam Speaker, may I just address you briefly on this matter please, because lest it be interpreted any other way that the Premier is absent at this time, because it is a very auspicious occasion, I did consult the Programming Authority and they were made aware of this and I just wanted to say that the Premier has attended the Annual Commemoration of the Victims of the Nazi Holocaust, a period of time where millions of ordinary people were systematically murdered because of their race, culture, religion, political affiliation and sexual orientation by the regime of the day. The horror of this political driven genocide is repeated even today and I would ask, Madam Speaker, in memory of those who died at the hands of political genocide, that this House have a moment of silence to this effect.

Mr Q R DYANTYI: And so where is the Premier?

Ms M N GILLION: Where is the Premier? [Interjections.]

The SPEAKER: Sorry, Chief Whip Wiley. Chief Whip Pierre Uys.

Mr P UYS: Madam Speaker, we had absolutely no problem to accommodate the Premier to push it down later, but it is just decency to discuss this with your colleagues in the House and say this is what I am going to put forward. I think you did not even know about this. So I think it is totally out of order, Madam Speaker.

The SPEAKER: Hon member Uys my understanding is that whatever is on the Order Paper has been agreed in Programming and discussed, which is why I take... [Interjections.] ...which is why I take my cue, Chief Whip Wiley.

Mr M G E WILEY: Yes, thank you Madam Speaker. [Interjections.]

The SPEAKER: Order please, listen!

Mr M G E WILEY: Unfortunately, what we agreed at Programming Authority does not necessarily get interpreted in the media until the next day and the Premier is attending an official function of a grave nature... [Interjection.]

Mr P UYS: Yes, that is fine, that is fine.

Mr M G E WILEY: ...which I have now brought to the attention of this House and I have made a request that we rise in a moment of silence to those people who fell victim because of their political persuasion, that we rise in a moment of silence... [Interjections.]

The SPEAKER: Thank you Chief Whip. [Interjections.]

Mr P UYS: I do not think we can manage this House like this.

An HON MEMBER: Sit down man... [Inaudible.]

Mr P UYS: If we want to put a motion forward we discuss it with each other, we agree on it and we take it forward. [Interjections.]

Ms S W DAVIDS: Yes.

The SPEAKER: Hon member Uys your...

Mr P UYS: But that anybody can halfway through any debate stand up and say “now I want a motion”, no Madam Speaker, this is not proper order.

The SPEAKER: Your point of order is noted. Sorry, hon member Dugmore. [Interjections.] Members if you could take your seat please, kindly, thank you. There is a member on a point of order... [Interjections.]

Ms M N GILLION: There is one Speaker in the House.

Mr C M DUGMORE: Madam Speaker, I would like to address you on this point. I think it is a very, very dangerous precedent to be set as the Chief Whip has raised, because this is being done in the midst of an order point about today's proceedings. No notice has been given...

An HON MEMBER: He is giving instructions now.

Mr C M DUGMORE: ...and there is an attempt here to create a perception...
[Interjections.]

An HON MEMBER: Not to us!

Mr C M DUGMORE: ...that there would not be members on this side of the House that would want to support such a moment of silence as there would be many, many other examples of genocide across the world. I think it is cheap politics. I think it is unnecessary and I would urge you Madam Speaker, not to fall into a trap set by the... [Interjection.]

†Mnr Q R DYANTYI: Julle is uitgevang.

[Mr Q R DYANTYI: You were caught out.]

Mr C M DUGMORE: This is simply an abuse of this House's procedures and an abuse of ourselves as members of this House.

The SPEAKER: Hon member Dugmore, I have noted your point. Chief Whip Wiley.

Mr M G E WILEY: The precedents have previously been set by the ANC and we have risen on a moment of silence on exactly the same principle. [Interjections.]

Mr C M DUGMORE: Give us an example.

Ms M N GILLION: No, let him give an example. [Interjections.]

The SPEAKER: Okay, hon member Gillion, may I just ask, it is okay for you to say let him give an example, but you do need to pose your question through the Chair, because earlier on you defended me by saying there is only one Speaker in the House. So let us deal with it through the Speaker. Chief Whip your point has been noted. You have heard the response of the Opposition in terms of it being a motion. It would be remiss of me to now call for a moment of silence because there has not been the procedure that has been followed... [Interjection.]

Mr Q R DYANTYI: That is it!

The SPEAKER: ...so may I then recommend that members have stood up and indicated that we proceed, we continue with the proceedings of the day.

Mr Q R DYANTYI: Correct so. That is correct, Speaker.

The SPEAKER: So you understand why the Premier is not in the House.
Thank you. [Interjections.]

Mr P UYS: We accepted your explanation, Speaker.

The SPEAKER: Thank you and you have accepted my explanation, so there we go. May we now go to Question number 2, which is... [Interjection.]

Mr C M DUGMORE: Chairperson, please just another point of order...

The SPEAKER: Yes, hon member Dugmore.

Mr C M DUGMORE: I would like to ask what is the protocol in this House in regard to the gallery for journalists. Is the gallery for journalists, reserved for journalists or are other people allowed to be there as well? Can I just ask you what is the protocol in that regard because we have a situation right now which I would like to clarify.

The SPEAKER: Okay. I do not think I can entertain that. It does not affect the ruling or the procedural issue in the House but what I am aware of is that the media section above is normally reserved for members of the media only. So if anyone is in there that should not be there or they have not gone through the accreditation process it is certainly something that we would

need to follow up. So thank you for drawing it to my attention. Yes, Chief Whip Wiley.

Mr M G E WILEY: Thank you very much Madam Speaker. I would like to bring the House's attention to the fact that Kobus Grobler, the media person of the ANC is routinely in that box up there. [Interjections.]

An HON MEMBER: Always! Always! [Interjections.]

The SPEAKER: So members, there was an issue drawn to attention today and I suppose there were situations in the past that were overlooked but we are certainly not going to indulge in a game of tit-for-tat and neither are we going to do cheap politicking as it is said. I would expect that in honour of uMam' Winnie Mandela we would afford this sitting the dignity and respect that it deserves in her honour. So I am asking you please to cooperate and let us work together so we can get through the Programme. I now see the hon, is it the Minister of Health, Minister Mbombo, Question number 2.

QUESTIONS FOR ORAL REPLY

[Question 1 to the Premier to stand over to the end of questions.]

Listeriosis outbreak: prevention of

2. Ms M N Gillion asked the Minister of Health:

Whether her Department has plans in place to prevent the spread of Listeriosis in the province; if not, why not; if so, what are the relevant details?

The MINISTER OF HEALTH: Thank you member Gillion for the question. This is a concurrent function. The outbreak and recording of affected food items are managed by the National Department along with the National Institute for Communicable Disease and the National Food Control. The Provincial Departments are not involved in this process. However, to limit the spread of the disease in the Western Cape we have removed all affected food items from our menus in the hospitals. We have also raised awareness through the various media, social media, below the line elements such as flier distribution within communities and health facilities. We also have communicated awareness locally through Environmental Health and also through the Department. Thank you.

The SPEAKER: I see the hon Gillion. It is Question number 2 which was posed by you, hon member Gillion.

Ms M N GILLION: Thank you Madam Speaker.

The SPEAKER: Thank you.

†Me M N GILLION: Dankie vir die antwoord *MEC*, en dat u ook vir ons sê

dat alhoewel dit die Nasionale Departement se funksie is, dat hierdie Provinsiale Regering se Departement van Gesondheid wel toegesien het dat sekere goed gebeur.

My opvolgvraag is as volg: die *Environmental Health Departments* wat onder distriksmunisipaliteite val, *and in the City of Cape Town, by the City of Cape Town*, van die Departement van Gesondheid af, wat is die verwantskap en julle *inter-governmental relations*, hoe doen julle dit saam, want alhoewel dit deur 'n nasionale departement beheer word is ons verantwoordelik vir gesondheid in die Wes-Kaap, en wat is die *relationship* tussen die amptenary by die Wes-Kaapse Gesondheidsafdeling en die *environmental* gesondheidsafdelings binne-in die verskillende munisipaliteite?

[Translation of Afrikaans paragraphs follow.]

[Ms M N GILLION: Thank you for the reply, MEC, and that you are saying to us that although it is the National Department's function, that this Provincial Government's Department of Health has indeed saw to it that certain things happened.

My follow up question is as follows: the Environmental Health Departments falling under district municipalities and in the City of Cape Town, by the City of Cape Town, from the Department of Health, what is the relationship and what are your inter-governmental relations, how do you do it together, because although it is governed by a national department we are responsible

for health in the Western Cape, and what is the relationship between officials at the Western Cape Health Division and the Environmental Health divisions within various municipalities?]

The SPEAKER: Thank you hon member Gillion. I see the Minister.

The MINISTER OF HEALTH: I did not get much of it because it was already ... but anyway, I think this is what I have just indicated in that each and every sphere of government ... †inoxanduva eluthathayo into yokuba mayithathe ntoni. Umzekelo: besenditshilo into yokuba undlunkulu nguye o-responsible for environmental health kunye nee-municipalities. Ngokunyanisekileyo into yokuba i-district kunye no-local government ...

[Translation of isiXhosa paragraph.]

[...what I have just indicated that: each and every sphere of Government has a responsibility that it takes on. For example: I have already mentioned that National is responsible for environmental health along with the municipalities. It is true that the district and local government...]

Local governments are the ones responsible and they report directly to National Health. Our job as a Provincial Department is to collect the indicators and report quarterly. For example we have about maybe five or so indicators in terms of environmental health, but according to the National Health Act, environmental health is the function of Local Government.

However, we do have the intergovernmental framework, especially when we have to collect all those indicators related to environmental health. As I indicated earlier, the awareness that is created by Environment Health, like for the one that I conducted in Wynberg Taxi Rank, is done together with the City to raise such awareness. I think that is what our National Minister indicated, that when they implemented or when they developed the National Health Act in 2003, they removed the food control as not being part of this, that is the problem that was created. It was the same thing with the port health control instructions that were sent to the provinces, when it became difficult at the time of the Ebola outbreak in terms of managing people going through the port which was part of the Province's function; then again through the Act we take port health back to National. It is the same issue that we are faced with where environmental health is within the district, yet the social determinants of health like sanitation, water, the outbreak, the disease transferral, they form part of the Province's mandate, we as Province have to absorb all of those but we are working with them throughout, as I indicated.

The SPEAKER: Thank you. A follow-up hon member Gillion.

Ms M N GILLION: Thank you Madam Speaker. Through you, Madam Speaker, to the MEC. †Kan u met sekerheid sê dat die Wes-Kaap alle produkte van alle *outlets* van die rakke af verwyder het en kan u met sekerheid sê... [Can you say with certainty that the Western Cape has removed all products of all outlets from the shelves and can you say with certainty]... Am I talking too... [Interjections.]

The MINISTER OF HEALTH: There is nothing, there is nothing.

The SPEAKER: There seems to be a technical problem with the translation.

Ms M N GILLION: So let me speak in English.

The SPEAKER: Yes please, thank you hon member Gillion.

†Me M N GILLION: Ek hou van Afrikaans praat, Speaker.

[Ms M N GILLION: I like speaking in Afrikaans, Speaker.]

The SPEAKER: No, I will in the interim ask them to check the technical aspects as to why we are not picking up the translation.

Ms M N GILLION: Okay.

The SPEAKER: Thank you.

Ms M N GILLION: So can the MEC give us the satisfaction that in this province all items have been removed from all outlets through your relationship with the Environmental Health Department and with the reports that you received from them, because we had some children that died in this province?

It is very important that the Department of Health gives that assurance to the

community of the Western Cape, that through their participation with the Environmental Department, they can surely say they did take everything off the shelves. Thank you.

The SPEAKER: Thank you, hon member Gillion. I see the hon the Minister.

The MINISTER OF HEALTH: Again, let me explain that even if all the products have been removed the problem is that the listeriosis incubation period is up to 70 days, meaning we might still have cases later. When you eat infected food it can take about 70 days before the symptoms arise and also the symptoms are vague like a fever, headache, muscle ache and all of those so a diagnosis might not be made until there is a blood test.

So far we have had 29 deaths and 124 cases. If we get more it does not mean that those people have just ingested infected food. It would be because of the incubation period, from the time of exposure up to the time that there are symptoms.

I must also stress that we live with listeriosis on a daily basis. It is not the first time, it has always been there. I might have listeriosis, but what is different now is the type of strain which affects those who already have compromised immunity. In this case it is new-borns, pregnant women, older people and those who already have chronic conditions like TB, cancer and all of those. In the 29 cases that died they also presented with other conditions, so it is not clear yet whether it was really due to listeriosis, but it

might have contributed.

So I cannot give you the assurance that all the foods have been removed because it is not our direct responsibility, but in terms of the reports we received, we are satisfied with what they are saying.

The SPEAKER: Are there any other hon members who would want to ask a follow up question? In the absence of that, hon member Gillion, have you completed? Okay, that then deals with Question 2.

We now move to Question 3 which is addressed to the Minister of Community Safety. I see the hon, the Minister Plato.

Guns and ammunition: Uitsig and Eureka Estate

3. Ms D Gopie asked the Minister of Community Safety:

Whether his Department has a plan to take guns and ammunition out of the hands of gangs in Uitsig and Eureka Estate; if not; why not; if so, what are the relevant details?

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you to the hon member for the question. Part of the role of the police includes the proliferation of illegal firearms and ammunition. My Department of Community Safety and the police work together to rid our communities of the scourge of gangsterism and the guns that kill.

The police do raid gangster and drug houses. The police do arrest and take dockets to court. The police do investigate, gather intelligence and confiscate guns in all gangster stricken communities and the province as a whole.

The Department of Community Safety sees to the functionality of its safety structures, to complement what the police are doing - structures such as the Neighbourhood Watches, the Community Policing Forums and our Walking Buses. They are the ears and eyes of the police in the communities. The Department also structures partnerships with community based NGOs and the religious fraternity. As a result the silent majority is rising in communities against the criminals.

My office receives information on a daily basis about gangster, drug and gun activities, and concerns from community members from across the province. All information is relayed to the police, to the State Security Agency and if needed, also to the Hawks. The Prof Joints Forum has established a Priority Committee, led by senior officials of my Department, with a mandate to facilitate the alignment of current programmes within the national strategy.

We are operationalising all support to achieve maximum impact to reduce the scourge of gang activities and gang related violence in many of the precincts across the Western Cape Province.

My Department hosts workshops with all the necessary role players from time to time, including the National Prosecuting Authority, the police, the

Department of Justice, the Department of Correctional Services, towards the development and implementation of a provincial response to the above-mentioned national strategy.

I have also tabled the issues of gangs, guns and drugs, and also the availability of guns which is a major problem today in many of our gangster communities, for discussion at our last Minmec meeting, with the National Minister of Police as well as the National Commissioner of Police. The National Minister's response echoed my concerns. I have raised these issues in Cabinet meetings, even yesterday, and in public fora before, and the Minister has asked, and I quote him:

“Where is the police intelligence regarding the guns and where is the Specialised Drug and Gang Unit?”

I said it in my Budget speech as well. I think that was some days ago. It was a big mistake to disband these units.

An HON MEMBER: Mmm.

The MINISTER OF COMMUNITY SAFETY: It unfortunately has to be said that police intelligence is seemingly non-existent to effectively turn the tide on the availability of guns, drugs and gangs in our communities.

Madam Speaker, the police also sacked thousands of police reservists. This

issue I have raised in this House before, and it has impacted severely on police visibility in our communities, and that is why, apart from the guns issue, visibility of SAPS is also a major issue. In many of our communities they are also non-existent, and the lack thereof in our gang stricken communities has allowed for the conditions in which criminals and gangsters flourish.

This was another big mistake. The police should never have done it. That is why in my Budget speech I was quite clear in asking for those specialised units to be brought back. I support the new National Minister when he asked that question, and he also undertook to look very, very seriously into police intelligence, because only with proper intelligence we can infiltrate the drug and gangster dens on the Cape Flats. Thank you.

The SPEAKER: Thank you, Minister Plato. I see the hon member Gopie.

Ms D GOPIE: Madam Speaker, the Minister, in his response, is saying that it is the police's responsibility to confiscate guns and drugs in our community, but the Minister knows that in Uitsig it is in a particular street that there will be a phone call to say: "They are shooting in Azalea," and then two days after that there will be a call: "They are shooting in Azalea." There is constantly one street in Uitsig, and the same applies in Eureka. There is one street in Eureka.

Now when do they confiscate these guns if it is constantly one street that is

experiencing the shooting? Even the people that are being caught by the bullets, elderly people, are in a certain street in Uitsig and in a certain street in Eureka.

The SPEAKER: Thank you, hon member Gopie. Minister Plato.

The MINISTER OF COMMUNITY SAFETY: I am glad the hon member made that point and I want to agree with her. She is quite correct. That is my concern as well. That is exactly what I also said as part of my Minmec report last week to the National Minister. I asked the question: What is it the SAPS are doing? It is not the whole of Manenberg that is a red zone, it is pockets of Manenberg. It is not the whole of Uitsig, it is only three streets in Uitsig: Azalea, Aster and Coronation.

Then looking at Avian Park in Worcester. I said to the National Minister and I said it this morning in our caucus meeting, four streets in Avian Park ...
[Interjection.]

An HON MEMBER: [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: It does not matter, it does not matter. You can allow me to say what I want to say.

Mr C M DUGMORE: It was in a DA caucus.

The MINISTER OF COMMUNITY SAFETY: It does not matter. So what?

Mr C M DUGMORE: It wasn't an ANC caucus.

The MINISTER OF COMMUNITY SAFETY: So what is the issue?

[Interjections.] No-no-no. I said in a caucus. If it is an ANC caucus or a DA caucus, it is none of your ... [Interjection.]

Mr C M DUGMORE: It was not an ANC caucus, that is for sure.

The MINISTER OF COMMUNITY SAFETY: Will you please keep quiet.

The SPEAKER: Order please, hon members. Hon Minister Plato, will you answer your question and direct it through the Chair please, and if I could ask hon members to refrain from posing questions directly to you, but request from the Chair whether you will actually take a question. You may proceed, Minister Plato.

The MINISTER OF COMMUNITY SAFETY: Thank you, Madam Speaker. Avian Park, four streets and in four streets for this year, from January until now, Madam Speaker ... [Interjection.]

The SPEAKER: The mic is not on.

The MINISTER OF COMMUNITY SAFETY: ... listen to this. 29 people

shot... Apologies, thank you.

The SPEAKER: The technology has been restored, thank you, Minister Plato.

The MINISTER OF COMMUNITY SAFETY: And this is a critical point I want to make, Madam Speaker. 29 people shot and killed in only four streets. I am looking at a police force in Worcester, for instance, of about 250 manpower. They cannot control it. The question is why not? I agree with the hon member Gopie, she is right.

Looking at Uitsig, three streets, but one stands out, Azalea. She has mentioned it. Police cannot stop it, they cannot control it, and here the member will agree with me, 80% of the killings take place in that same street.

Now my take is this: what do we have a police force for that cannot control one street? Or in Worcester with 250 police officers. They cannot control four streets, which are relatively short streets. If you walk in Avian Park the streets are not even a 100 metres long. How is it that our Government, that is in control of the police force, cannot put a lid on the gangster violence and allow a couple – and looking at the amount of gangsters, I have given names to the police myself, and I think the hon member has done previously likewise – it is no more than 20 people that are responsible for the mayhem.

With the shootings in Mitchells Plain, it is not the whole of Mitchells Plain.

It is a couple of people and then you can take it from community to community.

So the point is how is it that we have military intelligence, we have police intelligence and not one of those forces can make a dent in the gun fighting and gun shootings, and even the origin of where the guns are coming from. We are talking about effective and efficient policing, and currently, like with the situation now on the streets of the Cape Flats, it is not the case. We do not have an effective police force to deal with a couple of crooks in the community, holding the community to ransom. Thank you very much.

The SPEAKER: Thank you, Minister Plato.

Mr B D JOSEPH: [Inaudible.] strategy in the province?

The SPEAKER: Hon member Joseph, would you direct your question through the Chair if you wish to pose a question to the Minister, please? We cannot engage directly across the floor and hon member Gopie is now on the floor for a follow up question. You may proceed, hon member Gopie.

Ms D GOPIE: Madam Speaker, now my question to the Minister is: What is the Minister's plan in terms of forging a relationship between the community and the police because there is a lack of relationship between the police and the community? These things happen during the day while the community are looking but they cannot give the information to the police. What is the

Minister's plan to create that relationship between the community and the police because there is a lack of communication or trust between the community and the police?

The SPEAKER: Minister Plato.

The MINISTER OF COMMUNITY SAFETY: I once again want to thank the hon member for that crucial, very important question. It is exactly the issue. There is a total breakdown in communication between the police and the communities. My response here is exactly what the public are saying out there. They cannot understand why the police cannot put a damper on the gangster violence in the communities. [Interjections.]

I have held many, many community based meetings and you know what the community is saying to me? The hon member knows. In Uitsig, some weeks ago, not even more than a month ago, in a workshop kind of a format with SAPS present, the community said they do not trust the police because the police are working together with the gangsters and drug lords. [Interjections.] They have cups of tea ... [Interjections.] with the gangsters and the drug lords. The police take brown envelopes in front of the public.

Ms M M WENGER: We know.

The MINISTER OF COMMUNITY SAFETY: If the public phone the police station about an incident, within half an hour – and hon member Gopie she

will back me, she knows exactly what I am talking about – within half an hour there is a gangster car visiting the phone caller: “Why did you report a crime, a gangster criminal incident to SAPS?”

An HON MEMBER: Yôh!

The MINISTER OF COMMUNITY SAFETY: They have the information. That is what is happening and that is what we must get right in South Africa and in the Western Cape. [Interjections.]. We do not fight, we do not ... [Interjections.]. Let me – Cameron, you know nothing. Oh sorry, my apologies, hon member, you know nothing. [Interjections.]

The SPEAKER: Order please, hon members!

The MINISTER OF COMMUNITY SAFETY: Let me tell you, you ... [Interjection.]

Mr C M DUGMORE: The Premier wants to fight instead of working [Inaudible.].

The MINISTER OF COMMUNITY SAFETY: We do not fight.

An HON MEMBER: The Premier.

The MINISTER OF COMMUNITY SAFETY: No, the Premier does not fight,

the Premier and my office have a very good relationship, Madam Speaker ...

[Interjection.]

†'n AGBARE LID: Ja, daar is niks.

[An HON MEMBER: Yes, there is nothing.]

The MINISTER OF COMMUNITY SAFETY: ... with the police.

†'n AGBARE LID: Daar is niks.

[An HON MEMBER: There is nothing.]

The MINISTER OF COMMUNITY SAFETY: Can I say, Madam Speaker ...

[Interjection.]

The SPEAKER: Minister Plato, please speak to me and I will ask the hon members to cooperate if they wish to pose a question, please.

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, there were previously problems with the police, because as we have said there were too many criminal elements in SAPS and we were correct.

An HON MEMBER: Huh!

The MINISTER OF COMMUNITY SAFETY: And even the other day some were arrested in Zevenwacht and at Parow Police Station, nine police officers

arrested. Why? Because they work together with the criminals out there, and police now [Inaudible.] nab them. That is what must happen.

Mr C M DUGMORE: You [Inaudible.] support Veary and Jacobs. [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: And let me say to you, hon member, you will not dictate to us ... [Interjection.]

The SPEAKER: Hon member Dugmore ...

The MINISTER OF COMMUNITY SAFETY: ... who we must support. We do not support individual police officers, we support the police force as a unit. If the hon member's blue eyed police officers are Jacobs and Veary, so be it, but you do not instruct us who we must support. We will support whom we want to support, and that is all the police officers out there.

An HON MEMBER: Including Jeremy Veary.

Mr C M DUGMORE: Ja.

The MINISTER OF COMMUNITY SAFETY: Now let me further say ... [Interjection.]

An HON MEMBER: [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: ... do the following ...
[Interjection.]

The SPEAKER: Order please!

The MINISTER OF COMMUNITY SAFETY: ... the hon members must do the following instead of asking what I am doing. My Department is not trained to investigate. My Department and officials are not trained to arrest. My Department is not trained to do intelligence driven activities. That is the role of the South African Police Services. They must get the message and you, as the Opposition, must support us in our quest to make the police in the Western Cape a more efficient and effective police force. Thank you.

†Mnr D JOSEPH: Hoor-hoor.

[Mr D JOSEPH: Hear-hear.]

†‘n AGBARE LID: Ja! [Applous.]

[An HON MEMBER: Yes! [Applause.]]

The SPEAKER: Thank you. There is a follow up question from the hon member Lekker. You may proceed.

†UNksz P Z LEKKER: Enkosi Somlomo. Ndinombuzo omnye obhekiselele pha kuMEC uPlato.

[Ms P Z LEKKER : Thank you, Madam Speaker. I have one question directed

at the MEC Plato.]

The Minister makes mention of their role as the Department, which is that of ensuring that there are good relations between the police and the communities. He made mention that there are names that were submitted to the police and nothing was done about it. Can we get to a point where we get detailed statements in relation to those police officers who are alleged to be corrupt and not just pick and choose those that have been busted by their own police, so that as and when we go forward we get proper information.

Now my question therefore would be, out of the names that he claims he has submitted to the police for investigation, can we get to a point where he is able to say there are statements and therefore we take that matter forward? Is that available?

The SPEAKER: Thank you, hon member Lekker. Minister Plato, I am going to ask you to respond if you so wish, but I need to point out that at the end of this question I am going to ask to suspend the House for just a short while. There does seem to be a problem with the translation and also the syncing of Hansard to the microphones. I am certain it will be a short intervention, but we need to make sure that Hansard captures all the detail correctly, and that when anyone speaks in any other language, that we all have access to the translation.

So, Minister Plato, you may respond, and if we get to the fourth follow up,

then I will ask to suspend briefly just to allow us to get the technology right.
Thank you.

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you also to the hon member ... [Interjection.]

Mr Q R DYANTYI: That is fair. At least let them fix it.

The MINISTER OF COMMUNITY SAFETY: ... thank you for the question.

Mr Q R DYANTYI: Others cannot even fix them, hey!

The SPEAKER: Hon member Dyantyi, there is a member on the floor who is speaking.

†Mnr Q R DYANTYI: Baie dankie.

[Mr Q R DYANTYI: Thank you.]

The SPEAKER: You may proceed, Minister Plato.

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, with regard to information, names. Police do react if my office provides them with the necessary information. It is happening, I follow up. I do have dedicated staff dealing with that ... [Interjection.]

An HON MEMBER: We must just get more ... [Interjection.]

Mr C M DUGMORE: You are contradicting yourself. You said you do not have the best relationship.

The SPEAKER: Minister Plato ... [Interjection.]

The MINISTER OF COMMUNITY SAFETY: We provide ... [Interjection.]

The SPEAKER: ... please speak to me.

The MINISTER OF COMMUNITY SAFETY: Madam Speaker ...
[Interjection.]

The SPEAKER: Thank you.

The MINISTER OF COMMUNITY SAFETY: ... the members of the ...
[Interjection.]

The SPEAKER: Do not allow yourself to get baited ... [Interjection.]

The MINISTER OF COMMUNITY SAFETY: ... ANC are not listening.

The SPEAKER: Speak to me please.

The MINISTER OF COMMUNITY SAFETY: There is something wrong with their ears.

Ms P Z LEKKER: That is good advice.

The MINISTER OF COMMUNITY SAFETY: We do not investigate. We hand over to the police and we follow up what they are doing with the information. Thank you. [Interjections.]

The SPEAKER: Thank you. If there are no follow up questions ... [Interjections.] – sorry, hon member Gopie.

Ms P Z LEKKER: You do not know your role, †wêna. [you.]

Ms D GOPIE: Madam Speaker ...

The SPEAKER: Yes?

Ms D GOPIE: My question to the MEC about the relationship with the community and the police was not answered.

Mr C M DUGMORE: Ja.

Ms P Z LEKKER: Exactly.

Ms D GOPIE: He did not even touch that question.

Ms P Z LEKKER: Yes.

The SPEAKER: Thank you.

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, in many ways the relationship between the communities and the police is not good, as a result of what I have said. Communities give information and the police relay the information to the criminals.

Ms P Z LEKKER: What is your plan?

The MINISTER OF COMMUNITY SAFETY: My Department has outreach meetings to restore that relationship and that is exactly what I am doing. I mentioned the Uitsig case and I think next week I will also be in Avian Park, in a day-long workshop to do exactly the same, because there it is a total collapse in the relationship between police and the communities. Thank you.

The SPEAKER: Thank you. That concludes this question. Hon members, can we suspend briefly and as soon as we have restored the technology we will be back? Thank you.

[Business of the House suspended briefly and resumed.]

The SPEAKER: You may be seated. Thank you, hon members, for your indulgence. I have just been informed by the IT people that Hansard is indeed synched with the microphones, and that all of the earpieces are now working.

However, if you do experience a problem please just slip us a note and we will try and get it attended to as quickly as possible.

So we have concluded Question number 3. We now move to Question number 4, which is from Ms Gopie to Minister Plato. I see the hon the Minister, the Minister of Community Safety. Thank you.

Ravensmead Police Station: permanent Station Commander

4. Ms D Gopie asked the Minister of Community Safety:

(a) Why is there not a permanent station commander at the Ravensmead Police Station and (b) when can the people expect a permanent Station Commander to be employed?

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, thank you, and also to the hon member for the question.

That is correct. The former Station Commander at Ravensmead SAPS had to leave. He was ill more than anything else and he has been temporarily replaced with an Acting Station Commander until the permanent position is

filled. That is the situation at that police station, but I need to add that the station is functional with all the necessary manpower in place. Thank you.

The SPEAKER: Thank you, Minister Plato. Hon member Gopie.

Ms D GOPIE: When was the temporary Station Commander appointed and has the CPF been introduced to the new person?

The MINISTER OF COMMUNITY SAFETY: Madam Speaker, yes, a month ago, and the CPF is on board. I had a discussion last week with Mr Bastian, the CPF coordinator from Ravensmead. They are currently happy with the acting position. It is also a colonel in that position, a senior, and they are getting along quite nicely.

The SPEAKER: Thank you, Minister Plato. Hon member Gopie.

Ms D GOPIE: Madam Speaker, the Minister is saying that the previous Station Commander was always sick, and is the Minister aware that the new incoming Commander was on sick leave last week already? [Laughter.]

The SPEAKER: Thank you. Minister Plato.

Mr Q R DYANTYI: [Inaudible.] sick.

†‘n AGBARE LID: Ag nee!

[An HON MEMBER: Oh no!]

The MINISTER OF COMMUNITY SAFETY: [Laughter.] Madam Speaker, it is their right to take sick leave, but I can see what the hon member is getting at. The question is then why is it that all the Station Commanders, one after the other at that station, are falling ill. I will bring that under the attention of the Provincial Commissioner. Thank you.

The SPEAKER: Thank you, Minister Plato.

An HON MEMBER: It is probably stress.

The SPEAKER: Hon member Gopie. Are there any other questions to the Minister? Hon member Gillion?

Ms M N GILLION: Thank you, Madam Speaker. Because this is an acting position, can the Minister give us a timeframe of how long it will be acting and if possible when a permanent appointment will be made?

The SPEAKER: Thank you.

The MINISTER OF COMMUNITY SAFETY: I will investigate and ask the Provincial Office. That is a normal administrative issue, dealt with by SAPS internally, and I do not have much of a say in guiding that. I can only inquire for you, hon member, and bring an answer back to you. Thank you.

The SPEAKER: Thank you, Minister Plato. Hon member Gopie.

Ms D GOPIE: Madam Speaker, this is the area that we were speaking about that has shootings taking place over and over, week after week, and the police do not have a solution and now Station Commanders are sick and so on.

So I think the Minister must take this station seriously and give attention to this station, because things cannot get worse than they are at the moment.

The SPEAKER: Thank you, hon member Gopie.

The MINISTER OF COMMUNITY SAFETY: Officially I will do the necessary. I hear the plea of the hon member. I will inquire with regard to certain issues at that specific station. Thank you.

The SPEAKER: Thank you, Minister Plato. That concludes Question 4. We now move to Question 5, which is from hon member Olivier to the hon Minister Schäfer. I see the Minister.

Placement of learners in schools

5. Mr R T Olivier asked the Minister of Education:

(a) What is the total number of learners who have not been placed in

schools at the latest date for which information is available, (b) (i) what are the reasons therefor and (ii) when are the learners expected to be in class and (c) what is the catch-up plan for the learners who are missing out on the first quarter of school in 2018?

The MINISTER OF EDUCATION: Thank you, Madam Speaker. The answer to part (a) is 889 learners ... [Interjection.]

Mr Q R DYANTYI: 889.

An HON MEMBER: 8-8-9.

The MINISTER OF EDUCATION: ... must still be placed. Yes, 8-8-9, yes. [Interjections.] 8-8-9 must still be placed ... [Interjections.]

The SPEAKER: Order!

The MINISTER OF EDUCATION: ... as at 4 April 2018.

Mr P UYS: This is April.

The SPEAKER: Can I appeal to both sides of the House? Minister Schäfer, kindly take your seat. Hon member Dyantyi?

Mr Q R DYANTYI: May I please get clarity on this question to the MEC?

The MINISTER OF EDUCATION: No.

The SPEAKER: No-no, hold on – sorry, sorry ... [Interjection.]

Mr Q R DYANTYI: 889 ...

The SPEAKER: Hon member Dyantyi, no-no, hold on.

Mr Q R DYANTYI: ... out of school as we speak?

The SPEAKER: Hon member Dyantyi, you ask me as the Speaker: “May I pose a question to the Minister?”

Mr Q R DYANTYI: May I ... [Inaudible.].

The SPEAKER: Now kindly take your seat. Minister Schäfer will you take a question?

Mr Q R DYANTYI: 800 kids out of school!

The MINISTER OF EDUCATION: Madam Speaker, if the hon member will let me speak, he will hear the answer.

The SPEAKER: Okay, thank you. The Minister is not prepared to take a question. You may proceed, Minister Schäfer.

The MINISTER OF EDUCATION: Thank you very much. 889 learners must still be placed as at 4 April 2018.

Mr Q R DYANTYI: This is April now.

The MINISTER OF EDUCATION: This represents 0,085% unplaced in relation to 1,042,575 learners who are placed. The WCED managed an increase of around 25 000 learners in 2018, many of which were late applications and just two weeks ago ... [Interjection.]

Mr Q R DYANTYI: It does not make it any better.

The MINISTER OF EDUCATION: ... two weeks ago we received an additional new 3,000 learners ... [Interjections.]

Mr Q R DYANTYI: It does not make it any better.

The MINISTER OF EDUCATION: ... who we also have had to place at short notice in schools where we have no space.

(b) part (i): These are late applications, relocation cases and cases where no land was readily available to put up mobile classes such as in Bloekombos and Hout Bay.

Part (ii): Land has now been secured in Bloekombos and it has been fenced,

and it is intended that the process to erect the mobiles will start shortly. The learners in Bloekombos mobile units will be used to resolve the remaining cases such as Hout Bay, Metro North, South and East.

And part (c): Placement is subject to mobile classes being erected by contractors between April and May 2018. In cases where learners start school late, the WCED will liaise with and support schools to put in place catch-up plans to ensure that learners are not disadvantaged. We have placed 79 mobile units at 60 schools already for 2018 to accommodate growth. Thank you.

An HON MEMBER: Yes.

The SPEAKER: Thank you, Minister Schäfer. I see the hon member Olivier and then the hon member Botha – I noticed you – and then I see hon member Dyantyi.

Mr R T OLIVIER: MEC, we take it that these 889 are what SEMAS says are the learners that applied, but not yet in schools, so we take that is the number.

How soon can those learners be placed? I am sure you know by now that it is the second quarter of the academic year, and whatever the catch-up plan, I am just worried that it is getting later and you might have to have additional budget for a catch-up plan for this number of learners, because obviously you

must give them extra classes, they must have teachers that teach them, or whatever the case might be.

So the worrying factor is that having this number of pupils delayed in the second quarter creates other challenges that you might sit with, like human resources, the budget allocations and so on. How soon can we see these learners in class?

The SPEAKER: Thank you. Minister Schäfer.

The MINISTER OF EDUCATION: Thank you, Madam Speaker. I think I answered that in my original response. I am equally concerned, but if we got 3 000 learners coming two weeks ago, it cannot be expected that the Department is going to place them immediately. [Interjections.] Yes, it does matter, because we do not have schools waiting for people to just come in to them. [Interjections.]

As far as budget is concerned, yes, it is going to put an additional strain on our budget, because obviously this will involve us having to make more plans for people. As I said earlier in my interpellation, if we did not have such a financial mess in the country as a result of the ANC, we would have more money to be able to do that. [Interjections.] Thank you.

An HON MEMBER: That is the truth.

The SPEAKER: Thank you. Sorry, hold on. The Chief Whip, are you rising on a point of order?

Mr M G E WILEY: I am rising to ask the Minister a question.

An HON MEMBER: No!

The SPEAKER: Okay. The Minister has taken her seat. You can ask it in the next round. I see the hon member Botha who was next in line, then it was hon member Dyantyi and then ... [Interjection.]

Mr C M DUGMORE: [Inaudible.] a point of order.

The SPEAKER: Yes, Sir?

Mr C M DUGMORE: Just on a point of order. Madam Speaker, is it correct that because the DA Chief Whip and his caucus fail to ask any questions themselves are they allowed to try and dominate the questions now?

The SPEAKER: No.

Mr C M DUGMORE: The follow up questions?

The SPEAKER: Hon member Dugmore, you, more than anyone, know the rules of questions and how we engage in terms of follow ups. Normally the

Minister will respond and the questioner will have the first right of response and after that the floor is open. So I am now going to open ... [Interjections.]
Yes, Chief Whip Wiley?

Mr M G E WILEY: Did the Minister answer her full quota of questions?
Because I stood up the moment she sat down.

The SPEAKER: She had taken her seat, Chief Whip Wiley. Thank you.

Mr Q R DYANTYI: [Inaudible.] Lorraine!

†Die SPEAKER: Oukei. Daar is niks Lorraine hier nie.

[The SPEAKER: Okay. There is no Lorraine here.]

†You know the word. We are all hon members. †Bedaar asseblief. Ai, boeta!
[Calm down please. Oh, *boeta!*] You may proceed, hon member Botha.

Ms L J BOTHA: Hon member Lorraine.

The SPEAKER: Sorry.

Ms L J BOTHA: Madam Speaker, thank you ... [Interjection.]

The SPEAKER: Sorry. Hon member Olivier, are you on a point of order?

Mr R T OLIVIER: Just – can I address you, Madam Speaker?

The SPEAKER: Yes, you may.

Mr R T OLIVIER: My apologies, hon member Botha. Madam Speaker, I am just happy that I see this question has knocked up such huge interest and I am happy that they deal with it because they do not ask questions but now they are jumping up. [Interjections.]

The SPEAKER: That is not a ... [Interjection.]

Mr R T OLIVIER: I am just happy.

The SPEAKER: ... that is not a point of order. It is a debating point. Take your seat please. Thank you. Hon member Botha, you may now proceed.

Ms L J BOTHA: Madam Speaker, can the Minister tell us what grades are affected by these 889, and what provinces they hail from? [Interjections.]

The SPEAKER: Thank you. Minister Schäfer.

The MINISTER OF EDUCATION: Thank you, hon member Botha. Predominantly we find Grade 8 and Grade 1, and most of the people who are coming to the Western Cape are from the Eastern Cape – usually. Quite a few are now from Gauteng as well because of the ANC's failed policies and failed

political management of their provinces. Thank you. [Interjections.]

The SPEAKER: Thank you. I now see ... Hon member Kivedo, I see your hand, but I do have a member on the floor ... [Interjection.]

Mr Q R DYANTYI: Ja.

The SPEAKER: ... who has been dying to speak since we started ... [Interjection.]

Mr Q R DYANTYI: Ja!

The SPEAKER: ... so I am now going to give him the opportunity to pose a question to the Minister. You may proceed, hon member Dyantyi.

†Mnr Q R DYANTYI: Baie dankie, agb Speaker.

[Mr Q R DYANTYI: Thank you, Madam Speaker.]

The SPEAKER: And please address the Speaker and not the Minister, thank you.

†Mnr Q R DYANTYI: Oukei, baie dankie, agb Speaker.

[Mr Q R DYANTYI: Okay, thank you, Madam Speaker.]

The SPEAKER: There we go.

Mr Q R DYANTYI: Madam Speaker, 889 constitutes a school.

An HON MEMBER: Yes.

Mr Q R DYANTYI: That is what we are talking about. [Interjections.] That is a crisis.

Now the question I want to ask, I hope she knows the answer to it. Can the MEC, who told us there are 889 students out in the streets, tell us, because by now she should know, which areas are these 889 coming from – in Cape Town? Where are they looking for the schools because that is a school on its own?

An HON MEMBER: Build a new school.

The SPEAKER: Thank you.

Mr Q R DYANTYI: It is a crisis, man.

The SPEAKER: Thank you, hon member Dyantyi. You have indeed posed ... [Interjection.]

Mr Q R DYANTYI: She should be able to say.

The SPEAKER: You had your turn, you posed your question. †Bedaar nou.

[Calm down now.] May I ask that when we address each other we do so in a manner that is appropriate. We are all hon members and hon Ministers. I now give the floor to the Minister.

The MINISTER OF EDUCATION: Madam Speaker ... [Interjection.]

The SPEAKER: The hon Minister.

The MINISTER OF EDUCATION: ... they are in different areas. They are not all in one area. We have ... [Interjection.]

Mr Q R DYANTYI: What areas?

The MINISTER OF EDUCATION: ... certain hotspot areas like Bloekombos, like I have mentioned. There are various other ... [Interjections.] Sorry, Madam Speaker, I cannot answer questions when I get an ongoing ... [Interjection.]

The SPEAKER: Hon member Dyantyi ...

Mr Q R DYANTYI: [Inaudible.]

The SPEAKER: Hon member Dyantyi, you run the risk ... You may proceed, Minister Schäfer.

The MINISTER OF EDUCATION: Thank you, Madam Speaker. As I said, they are not all in one specific area, they are across the province and as I said, many only arrived two weeks ago. So I do not have specific details of every individual who is ... [Interjections.]

The SPEAKER: Thank you. May I make a statement, hon member Dyantyi? I am here to ensure procedural fairness. I cannot attest to the response that you get to a question. So I think in fairness you need to understand that the response you get I have no control over. I now see the hon member Gopie. Chief Whip, are you on a point of order?

Mr Q R DYANTYI: We shall not blame you for poor [Inaudible.].

Mr M G E WILEY: Madam Speaker, I want to speak on behalf of the aggrieved.

The SPEAKER: Yes?

Mr M G E WILEY: After having risen to ask the Minister a question, you said I could not, and two other people have asked questions to the same Minister. [Interjections.]. Can you ... [Interjections.]

The SPEAKER: Order.

Mr M G E WILEY: ... explain the oddity to me, please?

The SPEAKER: Okay. Chief Whip, before you stood up on your question, hon member Botha had raised her hand, hon members Dyantyi and Gillion had indicated that they wanted to pose questions after hon member Olivier, and I then announced in that sequence, it would be hon member Botha, it would be hon member Dyantyi and hon member Gillion.

So that is the process I followed, and next time I will wait until the one question has been posed before I entertain the next one to ensure fairness. Hon member Gillion, you may proceed.

†Me M N GILLION: Baie dankie, agb Speaker. Deur u na die LUR.

[Ms M N GILLION: Thank, Madam Speaker. Through you to the MEC.]

What is the MEC implying when she states that it is people that came into the province, specifically ... [Interjection.]

An HON MEMBER: She said last week.

Ms M N GILLION: ... last week? My question is very clear.

An HON MEMBER: She is insulting the people.

Ms M N GILLION: Is there still a notion in the Western Cape Education Department that it is refugees ... [Interjections.] who are coming and moving into this province as it was that time when we did not have enough place for

black students in Grabouw? Is it still that notion? [Interjections.]

The SPEAKER: Thank you. [Interjections.] Order please. Hon Minister Schäfer, you may respond.

The MINISTER OF EDUCATION: Thank you, Madam Speaker. I am not implying anything. I am stating that if people came two weeks ago, they cannot be expected to immediately find a place in school, that is what I am saying. [Interjections.]

The SPEAKER: Thank you, Minister Schäfer. That concludes that round of questions. We move on to Question number 6, which is a question from hon member Olivier to the hon Minister of Education. I see the Minister.

Day Zero and supply of water to schools

6. Mr R T Olivier asked the Minister of Education:

- (a) What is her Department's state of readiness for Day Zero and (b) how is her Department going to ensure the continued supply of water to schools across the province?

The MINISTER OF EDUCATION: Thank you, Madam Speaker. I answered this question a few weeks ago when hon member Botha asked it, but I will do so again.

Originally, Provincial Treasury ring-fenced an amount of R77,5 million for the Department for drought relief. However, this amount will not assist to meaningfully impact on the situation at schools. Hence the 2018/19 infrastructure budget has been reprioritised to make funding available to deal with the most important components of the plan in preparation for Day Zero, if it materialises.

In total an amount of R300 million will be used in the 2018/19 financial year to support drought interventions at WCED schools.

They are as follows:

- To provide 10,000 litre water tanks to all schools that do not have them currently. One to smaller and two tanks to larger schools.
- All non-functional boreholes will be repaired. Borehole water will be treated to enable potability.
- Schools with existing boreholes will have water tanks reticulated to ablutions.
- The purchasing of portable fire extinguishers is in the process and will be installed at all schools in high risk areas as a precaution to Day Zero.
- The WCED tries to assist as many schools as possible in connecting

them to the City's network of treated effluent water.

- We are installing some water-saving devices such as Aquatrip water restrictors and Smart Water meters in schools, especially those with high water consumption to reduce consumption.
- (b) The logistics concerning the transportation of water to schools that do not have boreholes is a topic of ongoing discussion with the Department of Transport and Public Works, Disaster Management and external stakeholders.

The Provincial Disaster Management Centre is also assisting to centralise the receipt of packaged water donations. Thank you.

The SPEAKER: Thank you. I see the hon member Olivier. Your microphone is on already.

Mr R T OLIVIER: MEC, we have got about 1,545 schools in the province, and my question is, if it happens that tomorrow is Day Zero, with your readiness plans ... [Interjection.]

An HON MEMBER: It is not ... [Inaudible.].

Mr R T OLIVIER: No, I am saying if it happens – not tomorrow – whenever it happens. In fact, there was no Day Zero ... [Interjections.]

The SPEAKER: Order please, hon members. Hon member Olivier ...
[Interjection.]

Mr R T OLIVIER: So if it does happen, will all our schools be able to function with water for both drinking ... [Interjections.]

The SPEAKER: Sorry, hon member Olivier, you are on the floor and some of your own members are interjecting as well as DA. Can we please respect the speaker on the floor? And, hon member Olivier, may I request that you address, you speak to me as the Chair and in that way I think we will get things going.

Mr R T OLIVIER: I think, Madam Speaker, you must sponsor some questions to them as well. No, the question is quite simple. If it happens that we have a Day Zero – let me not say tomorrow, because that is where the hype is. [Interjections.] Will the 1 500 plus schools be able to function with drinking and sanitation water? That is the question that I have raised. Will we be able to function? Will we not have to close schools and all those things? That is what I am asking. [Interjections.]

The SPEAKER: Thank you, hon member Olivier.

Mr R T OLIVIER: And I ask this question, Madam Speaker, to the MEC of Education. I think that is what it says here.

The SPEAKER: It is a hypothetical question, just for the record, but the Minister is free and welcome to respond as she deems necessary.
[Interjections.]

The MINISTER OF EDUCATION: Thank you, Madam Speaker. I do not believe that hypothetical questions are allowed to be asked in this House, but the fact of the matter is we are a responsible Government that plans for every eventuality.

So there will be no Day Zero tomorrow and we are confident that if it does materialise, we will have sufficient measures in place. Thank you.

The SPEAKER: Thank you very much. Hon member Olivier, I see you again.
[Interjections.]

Mr R T OLIVIER: Madam Speaker, my apologies. Just for clarity; my question is on the Order Paper – Question 6. It is on there. If it was hypothetical ... [Interjections.] I am just asking why is it on there? Why was I not informed about – because it is on there. I am just asking if it is on there can I ask this question to the MEC?

The SPEAKER: Hon member Olivier, if I may address you? You raise a valid point. Your question as it is stated is indeed in the proper format. The hypothetical part of it is “if Day Zero is tomorrow”, that is the hypothesis.
[Interjections.]

So you may continue. The Minister has answered and she said that they are ready, so this is now your second shot.

Mr R T OLIVIER: Madam Speaker, is the MEC confirming that we will not have problems if we enter into Day Zero? I hope that is not hypothetical.

The SPEAKER: Thank you, hon member Olivier.

The MINISTER OF EDUCATION: Madam Speaker, we are taking it as it comes. We cannot predict whether we are going to have rain in winter, we cannot predict anything like that. [Interjections.] So we are doing everything possible to keep schools open as long as possible. If we get to a position where nobody in the Western Cape has any water, then we will have to look at it again.

The SPEAKER: Thank you. Hon member Olivier, your third shot at the ...
[Interjection.]

Mr R T OLIVIER: Just for my own ... [Interjection.]

An HON MEMBER: Another question?

Mr R T OLIVIER: Just for my own confirmation, the Department will not be ready to provide services to schools in the event that does happen? Is that what the MEC is saying to me? [Interjections.] Well, she said she cannot

predict rains and that is not what I have been asking. I am asking whether there will be water for learners at school. [Interjections.]

Ms M N GILLION: You predict Day Zero.

The SPEAKER: Hon member Olivier, I will check with the Minister if she is willing to answer that question.

The MINISTER OF EDUCATION: Madam Speaker, I think I have answered the question. I answered his initial question, that is why I thought his second was hypothetical because the first had already been answered, and I think I have answered sufficiently. I cannot answer any further. Thank you.

The SPEAKER: Thank you. That then concludes that question. We now move to Question number 7, which is the hon member Pierre Uys to the Minister of Cultural Affairs and Sport. I see the hon the Minister Marais.

Green Point: heritage area

***7. Mr P Uys asked the Minister of Cultural Affairs and Sport:**

For what reason has the Green Point area, with the exclusion of any affordable housing, been declared a heritage area?

†Die MINISTER VAN KULTUURSAKE EN SPORT: Baie dankie, agb Speaker. Dankie agb lid Uys vir die vraag.

Erfenis Wes-Kaap se antwoord word amptelik as volg genotuleer:

Erfenis Wes-Kaap is die Provinsiale Erfenishulpbronne-owerheid wat verantwoordelik is vir die identifisering, beskerming, bewaring en bestuur van erfenishulpbronne in die provinsie ingevolge die Wet op Nasionale Erfenishulpbronne, No 25 van 1999.

In hierdie verband is die verklaring van Groenpunt se algemene area, “Greenpoint Common” in die algemene taal, as 'n provinsiale erfenisgebied daarop gemik om te verseker dat die erfenisbetekenis daarvan beskerm word. “Greenpoint Common” se historiese en praktiese betekenis lê opgesluit in sy geskiedenis, die maatskaplike waarde, sportgeskiedenis en sy verbintenis met die vrystelling van slawe. Dit is ook een van die grootste openbare oop ruimtes in die groter Kaapstad gebied.

Hierdie verklaring as 'n provinsiale erfenisgebied verhoed nie enige toekomstige ontwikkeling van die algemene area bekend as die “Greenpoint Common” nie, maar verseker net dat sodanige ontwikkeling nie die erfeniswaarde sal verminder nie. Ek dank u.

[Translation of Afrikaans paragraphs follow.]

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you, Madam Speaker. Thank you hon member Uys for the question.]

Heritage Western Cape's reply is officially recorded as follows:

Heritage Western Cape is the Provincial Heritage Resources Authority responsible for the identification, protection, conservation and management of heritage resources in the province in terms of the National Heritage Resources Act, No 25 of 1999.

In this regard the proclamation of Green Point's general area, generally known as "Greenpoint Common", as a provincial heritage area aimed at ensuring that its heritage value be protected. Greenpoint Common's historical and practical significance lies in its history, the social value, sports history and its association with the emancipation of slaves. It is also one of the largest public open spaces in the greater Cape Town area.

This proclamation as a provincial heritage area does not prohibit any future development of the general area known as the "Greenpoint Common", but only ensures that such development will not diminish the heritage value. I thank you.]

The SPEAKER: Thank you. I see the hon member Uys.

†Mnr P UYS: Baie dankie, agb Speaker, baie dankie, LUR. Siende dat daardie hele gebied dan nou as 'n erfenisgebied verklaar is, sal dit net korrek wees om voor mens 'n gebied as 'n erfenisgebied verklaar, dat daar tog 'n plan en 'n begroting is wat 'n mens daaraan koppel. Kan ek vir u vra wat is die plan en

begroting gekoppel aan daardie spesifieke gebied om die erfenis te bewaar? Anders is dit maar net 'n handtekening wat doelloos is en niks beteken nie.

[Translation of Afrikaans paragraph follows.]

[Mr P UYS: Thank you, Madam Speaker, thank you, MEC. Seeing that that whole area has been proclaimed as a heritage area, it will only be correct that before one proclaims an area as a heritage area, that there will be a plan and a budget that one can link to that. May I ask you what is the plan and the budget linked to that specific area to conserve the heritage? Otherwise it is merely a useless signature and means nothing.]

The SPEAKER: I see the Minister.

†Die MINISTER VAN KULTUURSAKE EN SPORT: Baie dankie. Ek het nie die plan by my nie. Die gebied behoort aan die Stad Kaapstad. Die Belastingbetalersvereniging het aansoek gedoen en is ondersteun deur die Stad Kaapstad, en dis toegestaan deur die Erfenis Wes-Kaap, en indien u aandring op die plan kan ek dit vir u kry en voorsien. Dankie.

[Translation of Afrikaans paragraph follows.]

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. I do not have the plan with me. The area belongs to the City of Cape Town. The Taxpayers Association has applied and was supported by the City of Cape

Town, and it was granted by Heritage Western Cape, and if you insist on the plan I can get it for you and submit it. Thank you.]

The SPEAKER: Thank you. I see the hon member Uys.

†Mnr P UYS: Dankie, agb Speaker. Kan ek dan vra, en ek dink u het dit probeer aanraak, agb Speaker, wat gebeur dan met die gebiede soos die Kaapstad Stadion en die Verkeersdepartement, byvoorbeeld, en onder andere Virgin Active wat daar is? Kan u vir ons sê? Want die gebied is nou 'n erfenisgebied.

[Translation of Afrikaans paragraph follows.]

[Mr P UYS: Thank you, Madam Speaker. May I then ask, and I think you have tried to touch upon it, Madam Speaker, what happens then with areas such as the Cape Town Stadium and the Traffic Department, for example, and amongst others Virgin Active located there? Can you tell us? Because the area is now a heritage area.]

†Die MINISTER VAN KULTUURSAKE EN SPORT: Dankie. Ek weet die gebied is 'n erfenisgebied en dit vorm deel van die plan, maar in 2010 is die groter omgewing of die groter gebied baie verklein, en ek kan net sê dis verklein in 2010 tot 61,8 hektaar.

So die gebied is baie verklein, en soos ek sê dit verhoed nie enige

ontwikkeling nie. Indien u sou sterk voel daarvoor kan u aansoek daartoe doen aan Erfenis Wes-Kaap.

[Translation of Afrikaans paragraphs follow.]

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. I know the area is a heritage area and it forms part of the plan, but in 2010 the greater environment or the greater area was very much reduced, and I can only say it was reduced in 2010 to 61,8 hectares.

So the area has been very much reduced, and as I say it does not prohibit any development. If you feel strongly about it you may apply to Heritage Western Cape.]

The SPEAKER: Thank you, hon member Uys.

†Mnr P UYS: Baie dankie. Dankie, LUR. U sê dit verhoed nie enige ontwikkeling nie. Sluit u antwoord dan nou in bekostigbare behuising in hierdie gebied? Want die indruk word geskep dat die belastingbetalers bloot aansoek gedoen het vir erfenisgebied om bekostigbare behuising uit te sluit.

[Translation of Afrikaans paragraph follows.]

[Mr P UYS: Thank you. Thank you, MEC. You say it does not prohibit any development. Does your reply then now include affordable housing in that

area? Because the impression is created that the taxpayers have merely applied for the heritage area to exclude affordable housing.]

The SPEAKER: I see the Minister.

†Die MINISTER VAN KULTUURSAKE EN SPORT: Baie dankie. Ek wil nie graag politiek speel nie, maar dis jammer dat u na Tony Ehrenreich luister. Dit sluit enige ontwikkeling in, maar daar moet 'n balans gehandhaaf word tussen die erfenis en die geskiedenis en ook vir toekomstige ontwikkeling, en soos ek aan u gesê het, as u sterk daaroor voel is u welkom om aansoek te doen deur die regte kanale. Baie dankie.

[Translation of Afrikaans paragraph follows.]

[The MINISTER OF CULTURAL AFFAIRS AND SPORT: Thank you. I do not want to play politics but it is a pity that you listen to Tony Ehrenreich. It includes any development, but there should also be a balance maintained between the heritage and the history and also for future development, and as I have said to you, if you feel strongly about it you can apply through the right channels. Thank you.]

The SPEAKER: Thank you, Minister Marais. No further follow-ups. We now move to Question number 1 which was stood over, and it is a question by the hon member Uys to the hon Premier Zille. I see the hon the Premier.

***1. Mr P Uys asked the Premier:**

Why has a Commissioner for Environment not been established to date in the Western Cape?

The PREMIER: Thank you very much, Madam Speaker.

As the Hon member Uys would be aware, given that the ANC Parliamentary Office on the 4th Floor at 7 Wale Street is the address of service, the matter of the appointment of an Environmental Commissioner is now before the Court, an application having been brought by the ANC Youth League Dullah Omar Regional Spokesperson, purporting to be acting in his personal capacity. [Interjection.]

Having been previously struck off the roll with costs due to a lack of urgency, it has been re-enrolled for hearing on the semi-urgent roll for 31 May 2018 ... [Interjection.]

†Mnr Q R DYANTYI: Daai is die datum, ja.

[Mr Q R DYANTYI: That is the date, yes.]

The PREMIER: ... and hence under Rule 61 of this House's Standing Rules, no member may refer to any matter on which a judicial decision is pending. The history leading us to this point is, however, not contested before the Court and I am surprised that the ANC Youth League spokesperson has not

informed the Court of that history, and in so doing reminded you too, hon member Uys – who appears to have forgotten - that though the Western Cape Constitution was finalised in 1997 and implemented in 1998, during that entire period until today, no Environmental Commissioner was appointed.

I only became Premier more than 10 years later, in 2009. [Interjections.]

Ms S W DAVIDS: Oh, so you did not do anything?

The PREMIER: I cannot therefore ... [Interjections.]

An HON MEMBER: Well done!

†Die MINISTER VAN ONDERWYS: Gooi kole! [Tussenwerpsels.]

[The MINISTER OF EDUCATION: Throw coals! [Interjections.]]

The PREMIER: I cannot therefore ... [Interjections.]

†'n AGBARE LID: Waar is die kole?

[An HON MEMBER: Where are the coals?]

†Mnr Q R DYANTYI: Waar kry sy kole?

[Mr Q R DYANTYI: Where does she get coals?]

†Die SPEAKER: Asseblief.

[The SPEAKER: Please.] Order please.

†Mnr Q R DYANTYI: Dis flou kole.

[Mr Q R DYANTYI: They are poor coals.]

Ms S W DAVIDS: At least she tried.

The PREMIER: I cannot therefore give the hon member Uys an answer as to why an Environmental Commissioner was not appointed under any of the six previous Premiers.

However, I know that the hon member Uys was a member of this Parliament and a member of the ruling party under five of those six Premiers, as well as a Cabinet Minister for much of that time. [Interjection.] Therefore, he will know better than I why a Commissioner for the Environment was not appointed between 1999 and 2009.

It is also interesting that the ANC has largely ignored the issue of the Commissioner of the Environment for the past eight years and now, 20 years after the Western Cape Constitution was adopted, has decided to make this a political issue, even going so far as to disingenuously suggest that such a Commissioner could have prevented the consequences of the devastating three-year long drought under which we are suffering. [Interjections.]

Mr Q R DYANTYI: It would have helped mitigating it. Do not run away from

that.

The SPEAKER: Hon member Dyantyi ...

The PREMIER: It should be noted that since the implementation of the Western Cape Constitution in 1998 and my election in 2009, a number of new pieces of environmental legislation, along with extensive subordinate legislation, were adopted by the National Assembly and the Western Cape Government, aimed at protecting the environment and dealing with administrative oversight, and I think it is worthwhile to list how many things have changed in relation to the protection of the environment since the Western Cape Constitution was adopted in 1998, Madam Speaker.

- Firstly the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).
- Then the Mineral and Petroleum Resources Development Act (Act 28 of 2002).
- Then the National Environmental Management Act (Act 107 of 1998).
- The National Environmental Management: Air Quality Act (Act No. 39 of 2004) .
- The National Environmental Management: Biodiversity Act (Act No. 10 of 2004).
- The National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008).
- The National Environmental Management: Protected Areas Act (Act

No. 57 of 2003).

- The National Environmental Management: Waste Act (Act No. 59 of 2008).
- The National Heritage Resources Act (Act No. 25 of 1999).
- The National Water Act (Act No. 36 of 1998).
- The Spatial Data Infrastructure Act (Act No. 54 of 2003).
- The Spatial Planning and Land Use Management Act (Act No. 16 of 2013).
- The Western Cape Biosphere Reserves Act (Act No. 6 of 2011).
- The Western Cape Health Care Waste Management Act (Act No. 7 of 2007).
- The Western Cape Land Use Planning Act (Act No. 3 of 2014).
- The Western Cape Nature Conservation Board Act (Act No. 36 of 1998).
- The Western Cape Monitoring and Support Act (Act No. 4 of 2014).

In addition, other legislation covers the Ombudsman role that the Environmental Commissioner is envisaged could possibly play, and these include:

- The Promotion of Administrative Justice Act; and
- The Public Protector; and
- The Environmental Management Inspectorate, created under NEMA.

With all this legislation in place and all these offices established, it was

considered a duplication to appoint a Commissioner for the Environment, as well as being an additional cost that would have to be incurred in a tight budgetary environment that Minister Schäfer has already explained the primary genesis of.

Interestingly, even before the above legislation was enacted and in a much easier budgetary environment, it was the ANC who argued vehemently in this Legislature that the appointment of a Commissioner for the Environment would be a waste of money.

HON MEMBERS: Hear-hear!

The PREMIER: The irony of that debate on the Draft Provincial Constitution of 1997, given the plethora of legislation to which I have now referred, is that the DA has now come to appreciate the concerns which the ANC expressed in 1997, and the ANC has come back here to argue the position of the then National Party in that debate. It is perhaps for that reason that the hon member Uys has raised this question. He never really left the National Party. [Interjections.]

Mr Q R DYANTYI: That is so weak!

The PREMIER: In the Committee Stage ... [Interjections.]

The SPEAKER: Order please, hon members. There is a speaker on the floor.

May I request both sides – hon Premier, kindly take your seat. Hon members, a question was posed, an answer is being presented, can I request both sides, both ... [Interjections.] I cannot control the responses. I am asking both sides of the House. A question has been posed, kindly listen to the response and afford the Premier the opportunity to answer the question. [Interjections.]

Maybe if we listened we would understand what is going on or where it is going to. [Interjections.] I am asking both sides of the House, please, your cooperation is required. You may proceed, hon Premier.

Ms S W DAVIDS: What about the DP and [Inaudible.]?

The PREMIER: We all understand, Madam Speaker, that the ANC was captured by the NP in this caucus ... [Interjections.], so that is why they are adopting the position.

Ms S W DAVIDS: What are you saying about them?

The PREMIER: In the Committee stage ... [Interjection.]

Ms S W DAVIDS: We know what you are saying about them.

The SPEAKER: Hon member Davids, an interjection is allowed, but not a running commentary.

Ms S W DAVIDS: We know who you are. You do not have to mention names.

Mr M G E WILEY: Mention the names!

The SPEAKER: Hon member Davids, you are going to run the risk of being asked to leave if you continue with your running commentary.

Ms S W DAVIDS: Sorry, Madam Speaker.

The SPEAKER: Thank you. You may proceed, hon Premier.

The PREMIER: Thank you, Madam Speaker. In the Committee stage of the drafting of the Western Cape Constitution, the ANC's Environmental Spokesman, Russel McGregor, said:

“We believe that if the Legislature is serious about its ability to strengthen and protect the environment and promote environmental justice, its first priority must be to build the capacity of the Department of Environmental Affairs and Cape Nature Conservation Department. To create an independent commissioner or commission for the environmental tasks we are performing, functions that broadly fall within the ambit of government, is likely to do little in this regard.”

The MINISTER OF SOCIAL DEVELOPMENT: That is exactly what [Inaudible.].

The PREMIER: And then he carries on and says:

“We would firstly prefer environmental legislation at the provincial level to be clarified and tightened up so that the public’s right of redress is clear, either through the courts or through the Provincial Legislature, and secondly the Department to be strengthened and properly strategised.”

Said the hon McGregor. And he says, he adds ... [Interjection.]

Mr Q R DYANTYI: [Inaudible.].

The PREMIER: And as Russel McGregor adds ... [Interjections.]

Mr Q R DYANTYI: It is Russel’s fault. [Laughter.] [Interjections.]

The SPEAKER: Hon member Dyantyi, hon members, there is a speaker on the floor.

Mr Q R DYANTYI: No, the speaker is really not helping.

The SPEAKER: You posed a question, you are getting the answer. Please, thank you. You may proceed, hon Premier. [Interjections.]

Mr Q R DYANTYI: Ai, Russel, you did this, you. [Interjections.]

The PREMIER: I am still quoting the former hon Russel McGregor, Madam Speaker, when he said ... [Interjections.]

“As currently proposed, the Commissioner has nothing more than advisory status and powers.”

Then he went on to say – he made a good speech there. He went on to say ... [Interjections.][Laughter.] He went on to say ... [Interjections.]

An HON MEMBER: He made an excellent speech.

The PREMIER:

“We welcome the recognition that the environment needs to be given greater importance in the province. We feel that the proposal could however, lead to the setting up of a group of underpowered and overpaid commissioners whose effectiveness would be overshadowed by politicians and whose very existence would slow down the development of a strong Department of Environmental Affairs and Cape Nature Conservation Department, which I regard as crucial.”

Thus the hon McGregor.

But earlier in the debate Madam Speaker, the hon Tasneem Essop of the ANC argued against both the Commissioner for the Environment and the

Commissioner for Children. She said and I quote:

“Our problem is that at no point has there been any information about the cost implications. It is fine to say that it will benefit all of us in the province, that it is important to invest in it and that nothing can be costed in terms of the environment and children, but that is in fact, not true. To purely make a statement of intent can have massive cost implications for the province because, as we well know, nationally and provincially, commissions and commissioners have a life of their own.”

She then went on to add:

“The point is that this Province needs to be very careful about the kinds of institutions it creates, because if it is to be done elsewhere and can be done elsewhere, we will save money rather than spend it on unnecessary duplication.” [Interjections.]

Madam Speaker, now we have done all the things that did not exist in 1998 and now the ANC has suddenly adopted another one of the National Party’s policies that got stuck in the early 1990s. [Interjections.] So not only has the ANC managed to lose the hon Essop to the international community, but it continually fails to learn from good advice freely given from its own midst, and it is hardly any wonder that all the people who give the good advice are no longer here.

Ironically it is now the DA which is arguing that it “can be done elsewhere” and that we should avoid unnecessary duplication and we do so bearing in mind that it is legislation passed at a national level which introduces uniform national norms and standards applicable to all provinces.

Mr C M DUGMORE: Now suddenly we are nationalists.

The PREMIER: Madam Speaker, we do not support National. We are saying they have got national norms and standards as they have in many other areas and we are a party of the Constitution and we are ... [Interjection.]

I do not want to digress, but the bottom line is that the Constitution requires us to have oversight over the police. The national norms and standards established under the Constitution by National, have removed the requirements for all the reasons that are explained to have an environmental ombudsman and we do not ignore the Provincial Constitution. We take it very seriously and as the hon members on the other side of the House know, Madam Speaker, we have tried to work through the parliamentary and constitutional mechanisms to rectify the issue and we will continue doing so.

In that same debate in 1997, it was the hon Dugmore – I do not know how he got left behind here but probably [Interjections.] no one else wanted him – whom I am led to understand has a close relationship with the ANC Youth League Dullah Omar Regional Spokesperson who has launched the court application – who stressed the limited powers of the Environmental

Commissioner saying, now this is quoting the hon Dugmore:

“If there is any attempt to argue that this Commissioner will be able to veto land-use planning decisions on appeal, we are labouring under a misapprehension.”

And so, it was the ANC in 1997, who argued that a Commissioner for the Environment would be a duplication of tasks that could be done better elsewhere, and that it would be a waste of money and that what was actually needed was national norms and standards and proper legislation, both provincially and nationally which has all subsequently been done.

Now that we are agreeing, and have actually done all the things that were required, they have changed their tune to say that, without such a Commissioner, and suddenly despite all the efforts at national level and provincial level, that the introduction of a costly Environmental Commissioner with almost no powers ...

Mr C M DUGMORE: [Inaudible.] a Children's Commissioner.

The PREMIER: ... will ensure that we save our environment and unless we do introduce it, the environment is doomed. That argument can be seen by everybody for what it is. Part of the hon Dugmore's strategy to become the ANC Chairperson in the Western Cape. [Interjections.] He wants to dominate the headlines, he wants to fight with Zille because the whole idea of the ANC

in the Western Cape is if you fight with Zille and if you win you become the champion of the ANC. [Interjections.]

So the bottom line is that the hon Dugmore, that most of the ANC at the moment do not want, has to position himself in the media. He has to position himself as the person who is taking on the DA and so he gets a whole set of covering individuals and covering institutions who pretend to be concerned members of the public who are actually extensions of his campaign. [Interjections.]

The SPEAKER: Order please. Order please, hon members, both sides of the House. The Premier's on the floor [Interjections.]. Hon Davids I am appealing for support, thank you.

The PREMIER: You need your name in the paper quite a lot to get elected by the Branch Membership. In doing so ... [Interjections.]

The SPEAKER: You may proceed Premier.

The PREMIER: I hope Madam Speaker, that this little walk down memory lane will help the Hon Uys remember ... [Interjections.]

The SPEAKER: Well you even got the hon Davids clapping at that point so ... [Interjections.].

The PREMIER: I hope Madam Speaker, that this little walk down memory lane will help the hon Uys remember why he never did anything about a Commissioner for the Environment while he was in government, and help the public understand that this sudden interest by the ANC is little more than a political stunt to try to get attention and more specifically attention for the hon Dugmore.

In doing so it is being misrepresented to the public that an Environmental Commissioner would have jurisdiction over water-related matters despite the National Water Act making it very clear that it is the National Government who has overall responsibility for, and authority over the nation's water resources and their use, including the equitable allocation of water for beneficial use and the redistribution of water and including bulk water and including bulk augmentation.

It is all good and well to want to spend millions of rands. The conservative estimate, Madam Speaker, is R10 million to establish a new office but there must be a real point to it, both in terms of expense and effect. I went around to various schools in Bloekombos and Wallacedene with Minister Schäfer to look at the situation there and I cannot tell you what we saw there. We saw up to 80 children in a classroom and the principal said to us he did not anticipate the situation this year, because the children come after the start of the year and enrol at that point.

And there was a hall that we saw there with three groups in the hall, in

different corners, having lessons because the principal and the teachers have to accommodate these children, and this year we had an additional 25 000 children that were unanticipated in the Western Cape. And I am the Premier ... [Interjection.]

Mr Q R DYANTYI: Oh, you do know.

The PREMIER: I am the Premier and that is why I am going to ... [Interjections.] and that is why I am going to ...

The SPEAKER: Order please.

The PREMIER: ... look at these situations very carefully and we are going to make sure that we drive the strategy of ensuring that the subsidy follows the child. The subsidy has to follow the child. The principal of the school in Bloekombos said to me his feeder area is the Eastern Cape. That is what he said to me and if the money, through the Fiscal and Finance Commission has gone to the Eastern Cape, it needs to follow those children to the Western Cape, so that we can give them a decent education which is why their parents send them here.

And many of those children are living with families and other relatives in order to escape the ghastly education that has collapsed in the Eastern Cape and to give those children a chance in life. They have to escape those terrible conditions to get an opportunity in life and that is the critical issue. The kids

have to run away from the Eastern Cape to get a decent education.

[Interjection.]

Mr C M DUGMORE: [Inaudible.] looking for work.

The PREMIER: Well you know, Madam Speaker ...

The SPEAKER: Order please.

The PREMIER: May I just ask why it is that the only province in which the population is rising rapidly and unemployment is dropping rapidly is the Western Cape? [Interjections.] That is also because of decent government and a capable state and good infrastructure and everything to do with government [Interjections]. That is the bottom line, a capable state, the rule of law, no corruption, and that is why we have got more jobs and that is why we have got better schools and that is why people come here [Interjections.].

The SPEAKER: Order please. Hon Premier kindly take your seat. Hon member Dugmore?

Mr C M DUGMORE: Madam Speaker, I would like to ask if the Premier would accept a question?

The SPEAKER: If you could take your seat. Hon Premier would you take a question?

The PREMIER: I would happily take a question.

The SPEAKER: Sorry, hon Premier are willing to take a question? The Premier is willing to take a question.

Mr C M DUGMORE: Do you not want to first finish your tea before I can ... [Interjections.]. What I would like to ask is ... [Interjection.]

The SPEAKER: Stick to the question please, hon member Dugmore.

Mr C M DUGMORE: The Premier, Madam Speaker, indicated that this year 25 000 people arrived unexpectedly in our province and obviously needed to be accommodated for schooling. I would like to ask her how many learners arrived in Gauteng at the beginning of the 2018 year and how many learners did they have to accommodate? [Interjections.]

The SPEAKER: Thank hon member Dugmore. Hon Premier?

The PREMIER: May I suggest, Madam Speaker, that he asks that to the Premier of the relevant province.

An HON MEMBER: They do not talk.

The SPEAKER: Thank you.

The PREMIER: They are in a different faction so they clearly do not know.

The SPEAKER: You may proceed. Members I need order on both sides of the House please. [Interjections.]

Mr C M DUGMORE: That is 40 000, Premier.

The PREMIER: You see now that is what you call a thumb-suck, Madam Speaker, a) and b) that is entirely irrelevant to the point I am making. It is impossible for schools which are chock-a-block full to take additional children. There is not ... [Interjection.]

The SPEAKER: Order please. Hon Dugmore if you wish to ask the Premier a question, please kindly direct it through the Chair. Thank you.

The PREMIER: Well I think that I will digress a little bit and explain to the hon Dugmore what we are doing now. After I went to these schools, which is the first thing, to go and see for yourself, I made absolutely sure that we found a piece of land that was properly zoned, and of course it did not take two minutes after the hon, the President, had supported land expropriation without compensation, for that piece of land to be occupied and invaded. And that was the land that we required for the school. So we had to ensure that the relevant unit of the City went in and took those shacks down and now we are going through the planning process as a matter of urgency.

We are asking to go on a deviation so that we can immediately put some of the temporary classrooms that we have procured and held in abeyance, and teachers that have been allocated to other schools, into that situation to alleviate the crisis. We build all the schools we can every single year but it is absolutely impossible if the equivalent of 25 new schools arrive on our doorstep unannounced for us to accommodate it. If I understood the hon the Minister, she said that 'in recent weeks', that is in the run-up to the second term, another 800 children have arrived.

The MINISTER OF EDUCATION: No, another 8 000.

The PREMIER: 8 000.

HON MEMBERS: 3 000!

The PREMIER: Another 3 000. But one thing I do know, Madam Speaker, is that in the Western Cape these things are not thumb-sucks because we register every child and we have the right channels in which to record every child's name and every child's need. And it is quite impossible for us to manage this, Madam Speaker. It is quite impossible for us to manage the scale of the challenge. So we are doing our very best. [Interjection.]

Mr C M DUGMORE: When will the classrooms be ready in Bloekombos?

The PREMIER: The classrooms will be ready in Bloekombos when we have

followed the rule of law, if that site is not re-invaded now.

It is good and well to want to spend millions of rands, at least R10 million, we estimate, on setting up an office of an Environmental Commissioner but there must be a point to it, both in terms of expense and impact. So what the ANC is wanting is a commissioner that is likely to be very expensive and all but toothless in relation to a number of issues that affect our environment because these now fall within either a national competence or are protected in terms of relatively new environmental law. These include matters such as preventing the extraction of water from aquifers, as this is a National Government mandate; or the combating of abalone poaching for which provincial governments do not have powers, or even being able to prevent planning permission being given for building work. When it comes to claims from the Opposition that an Environmental Commissioner could have prevented a three-year drought, then we are entering the realm of the absurd, but that is the normal planet on which the hon the Opposition lives, Madam Speaker.

It is one thing for the ANC to sacrifice members of their Youth League to obtain political mileage, but another to abuse the court process and waste the court's time with issues that should be resolved in this Legislature. Thank you. [Applause.]

An HON MEMBER: Well done!

The SPEAKER: Thank you, hon Premier. Sorry is it a point of order hon member Schäfer?

Ms B A SCHÄFER: No. I would like to ask the Premier a follow up. Thank you. Hon Premier, thank you for the memory lane, but prior to publishing the Constitutional Amendment Bill aimed at removing the requirement for an Environmental Commissioner, did the Western Cape Government hold any discussions with the ANC about the position or removing the requirement from the Western Cape's Constitution and if so, how did they respond?

The SPEAKER: Thank you, hon member Schäfer. I see the hon Premier.

The PREMIER: Yes, indeed, Madam Speaker. We had a proposal to alter the Constitution in line with what the former hon Tasneem Essop had said to remove the requirements for the commissioners because of the very limited mandate and because of the plethora of national and provincial legislation covering both aspects.

From the beginning there was strong opposition to altering the Constitution from the ANC on the Children's Commissioner but certainly not on the Environmental Commissioner and so having concluded ... [Interjection.]

Mr Q R DYANTYI: [Inaudible.] the ANC Now. [Inaudible.] spokesperson.

The SPEAKER: Hon member Dyantyi.

The PREMIER: It is interesting that it is the hon Dyantyi who is heckling and interjecting here because he knows very well what conversations were held with him about changing the Constitution to remove the Environmental Commissioner and he knows very, very well what his positive response was to that and he knows very well how much that depends upon what we are still waiting for, which is a response from the ANC and a response from the national structures of the ANC because we were told clearly that until the then Secretary General, Gwede Mantashe, had given the go-ahead, although there was support in the province, they could not be given the go-ahead because Gwede Mantashe from Luthuli House had to give the go-ahead.

Now, subsequently, like almost every ANC office bearer, Gwede Mantashe is no longer in the position he once was and in all the issues Madam Speaker, it is a merry-go-round and you have to start again from the very beginning. But yes, we have had discussions and we would never have withheld any kind of Environmental Commissioner Bill, as we had tabled a Children's Bill, if we were not pretty sure that the ANC would support the removal of it, given its historical position and given the logic of our argument.

The SPEAKER: Thank you. It is hon member Uys and then the hon member Schäfer.

Mr P UYS: Hon Deputy Speaker, thank you very much.

The SPEAKER: It is hon Speaker, the Deputy Speaker is not well today.

[Laughter.]

Mr P UYS: Okay. If you insist. Hon Speaker, thank you to the Premier. The base that she referred to was before the Constitution was approved and the thing that is under consideration now, hon Premier, is, does the Premier agree that the appointment of the Commissioner for the Environment is an obligation imposed by the Provincial Constitution, and I am asking a question ... [Interjection.]

The SPEAKER: Hon member Uys, sorry, there is a point of order.

Mr P UYS: ... that is binding on this Government, irrespective of what happened before. [Interjection.]

The SPEAKER: Sorry, if you could take your seat, there is a point of order. Chief Whip Wiley?

Mr M G E WILEY: Madam Speaker, just now we had to adjourn because of the defective sound system. It is obviously not working again, he has not heard a word that the Premier said. [Interjections.] [Applause.]

The SPEAKER: Chief Whip Wiley, that is not a point of order, that is a debating point. [Interjections.]. That is a debating point and not a point of order. Hon member Gillion?

Ms M N GILLION: No, do not tell me to sit.

The SPEAKER: Hold on, hold on. Hon Olivier is also on his feet.

†Me M N GILLION: Kan ek asseblief met u praat?

[Ms M N GILLION: May I address you please?]

†Die SPEAKER: Ja, jy mag.

[The SPEAKER: Yes, you may.]

†Me M N GILLION: En kan u vir my beskerm teen daardie lid wat nou soek

[Ms M N GILLION: And can you protect me against that member who is now looking to] †“can I address you” because they are making a mockery out of this House. The utterances and the manners of the Chief Whip are making a mockery out of this House and all the members are clapping, please control this House and bring order back.

The SPEAKER: Thank you hon member Gillion, your concern is noted. I did alert the Chief Whip that that was not a point of order but indeed a debating point. You may proceed Chief Whip, Uys.

Mr P UYS: Thank you, Madam Speaker. Let me just repeat it then. What actually happened before the approval of the Constitution is one thing, but after that the Constitution of the Western Cape was approved and the question was very clear, through the Speaker, does she agree that the

appointment of a Commissioner for the Environment is an obligation imposed by the Provincial Constitution, and do you see it binding on the Provincial Government? That is a simple question. [Interjections.].

The SPEAKER: Thank you. Hon Premier?

The PREMIER: Madam Speaker, we are bound by the National and the Provincial Constitution but constitutions are not immutable and conditions change and therefore we have worked through the legal and constitutional proceedings to try and rectify the issues and we will continue doing that if the ANC would just return to us and reply to the questions so that we can take the issue further.

It is interesting that we are the only government that has sought to rectify the disjuncture between what is in the Constitution and what this Legislature has done. None of the five Premiers preceding me have sought to do that and we are trying legally and constitutionally to rectify the matter and the delay is entirely on the ANC's side.

The SPEAKER: Thank you, hon Premier. I see the hon member Schäfer.

Ms B A SCHÄFER: Thank you, Madam Speaker. Hon Premier, can I bring you back to the ANC? Do you think that the lack of leadership in the ANC in this province has been a factor in trying ... [Interjections.] to resolve this very issue?

The SPEAKER: Thank you.

The PREMIER: Well, in fact ... [Interjection.]

The SPEAKER: Hon member Dyantyi.

The PREMIER: ... the crisis in South Africa as a whole is largely as a result of the lack of leadership in the ANC and Madam Speaker ... [Interjections.]

The SPEAKER: Order please, hon members.

The PREMIER: I think one of the reasons that the ANC can never come back with an answer to anything is that they are so divided internally that no one ever agrees on anything ... [Interjections.] and there is no position that can be established on anything. I can tell you quite confidently, Madam Speaker, there are people on the other side of the House ... [Interjections.]

The SPEAKER: Hon member Davids.

The PREMIER: ... who agree fully with our position on the Environmental Commissioner. There are other members in the honourable Opposition who want to use it to grandstand and to posture in the run-up to an election and to position themselves in the internal ANC contestation for power. That is what is going on. [Interjections.]

The SPEAKER: Thank you. I think this is the final follow up. I see the hon member Uys.

Mr P UYS: Madam Speaker, thank you. Premier, did you study the Provincial Constitution to understand that there is a big difference between the Environmental Commissioner, that must be impartial, independent, not be guided or directed by a state organ like the Executive or Parliament but must report to this Parliament, so it is not an official executing a specific piece of legislation but it is an independent impartial person and you try to equate this to an official in your Department?

The SPEAKER: Thank you hon member Uys. I see the hon Premier.

The PREMIER: I have never equated nor would I ever equate ...
[Interjections.]

The SPEAKER: Hon members please can we get some order. Thank you.
[Interjections.] There is no 'he' or 'she' we are all honourable members.
Thank you.

Mr Q R DYANTYI: The hon Premier must answer the question. Just to be fair.

The SPEAKER: Thank you, hon member Dyantyi.

The PREMIER: Here we have the extract from the Constitution. Thank you very much. Yes, I most certainly have read the Constitution on the Environmental Commissioner and the Children's Commissioner. Now the Constitution requires provincial legislation and we need ... [Interjection.] Yes, absolutely.

The SPEAKER: Order. Sorry, hon member Uys if you wish to ask a question please do it through the Chair but we cannot have rebuttals while the Premier is responding. You may continue Premier.

The PREMIER: The bottom line is that the Constitution creates the post but legislation and regulation must set the rules whereby that post functions. And that is what we require, Madam Speaker. We also require processes in this Legislature because I cannot simply appoint somebody.

If the hon member Uys has read the Constitution he will find that this Legislature has to agree on the person by 60% but we do have to have the processes in the run-up to that and that is the challenge. We obviously want to abide by the Constitution.

All Constitutions are amended from time to time, as we know, because there have been about 17 or 18 constitutional amendments of our National Constitution and so if a provision of the Constitution has been overtaken in time, and by developments and by other legislation, then we as a constitutional party are duty bound to try and regularise the provisions of the

Constitution which is what we are trying to do so that we are not in contempt of a constitution as the last five Premiers were.

Mr C M DUGMORE: You are already are [Inaudible.]

The SPEAKER: Thank you. Hon members that is the end of Questions for Oral Reply. There are no outstanding replies to be printed in Hansard. We now move to Questions to the Premier without Notice and I recognise there is a list. I must say upfront I do not see the hon F C Christians in the House, so the first question goes to the hon Dugmore.

Mr C M DUGMORE: Thank you very much, Madam Speaker. Hon Premier, on 19 March this year you tweeted at 10:45 p.m. and asked what the families of the Life Esidimeni did before these tragic deaths to raise the alarm about their loved ones starving and living in profound neglect.

And you were then publically rebuked by both the DA leader, Musi Maimane, as well as the DA spokesperson, while the DA Federal Chair, James Selfe, quoted in *Die Burger* said:

†“Dit sal beslis op die volgende federale vergadering bespreek word. In dié stadium kan ek nie sê of ons stappe teen haar gaan doen nie.”

[“It will definitely be discussed at the next federal meeting. At this stage I cannot say whether we will take steps against her.”]

My question, through the Speaker, is hon Premier, whether the DA leadership have initiated any disciplinary steps against you for this late night tweet?

The SPEAKER: Thank you hon Dugmore. I see the hon Premier.

The PREMIER: The bottom line, Madam Speaker, is this. I followed the Life Esidimeni reports in the newspaper very closely and the situation was horrific that the people suffered through. Obviously, at the time, I wondered very much whether there was any risk of a Life Esidimeni happening in the Western Cape. I spoke to the Minister of Health in the province about it and I also had discussions with various officials about it ... [Interjection.]

Mr Q R DYANTYI: Before you tweeted?

The PREMIER: Yes, long before I tweeted. [Interjections.] Long before I tweeted, believe me. I ensured that I established the facts. First of all it is the National Government's policy to de-institutionalise mental health care patients. Secondly, and it is a fact, that even in our very best institutions here, we have patients sitting for up to 40 years who never get a visit from their families and they can be very, very grateful that they are in institutions in the Western Cape, where people are not starving and they are well-looked after and they are ... [Interjection.]

Ms S W DAVID: Answer the question. Is there [Inaudible.] against you. Yes or no.

The SPEAKER: Hon member Davids, will you allow the Premier to continue.

Mr Q R DYANTYI: Answer the question!

The SPEAKER: You may proceed, hon Premier. [Interjection.] There is a question and there is a response. Please co-operate, thank you.

The PREMIER: I am going to respond to these questions as I choose, Madam Speaker. So, our institutions across the board have significant numbers of people who are never visited by their families, never seen by anybody and at our very best facility, over 90% of people who have been living there for years, have never had a visitor. So if we were to de-institutionalise those people and if we were to dump them, like in Gauteng, in the very worst of circumstances ... [Interjections.] which we would never do, no one would ever know.

And that is the tragedy of this National Government's policy. All over the world, it is policy to de-institutionalise long-term mental health patients. But we come and take the policy, the best policy all over the world and we implement here, where there is no capacity and no ability to do it. The question is about the policy. [Interjection.] The question is about the policy [Interjections.] ...

The SPEAKER: Order please. Order please!

The PREMIER: And so, Madam Speaker ... [Interjections.]

The SPEAKER: Members please the Premier is responding. Please afford her an opportunity.

The PREMIER: And so, Madam Speaker, it is critical as a matter of policy that if you are going to de-institutionalise people ... [Interjection.]

Mr K E MAGAXA : Answer the question!

The PREMIER: Can I have some protection to continue answering the question?

The SPEAKER: Hon member Magaxa and all the other members, as I said earlier in this sitting, it is my duty to ensure that we manage this House procedurally. I cannot attest to the veracity or the authenticity or the answer that is going to be presented to any question. That is up to the Minister or the Premier to respond. So a question has been posed and I take it that the Premier is getting to your response. [Interjection.]

Mr Q R DYANTYI: She is taking too long!

The SPEAKER: There is no rule that says how long the Premier can take to respond to a question. So I am really sorry. Hon Premier, if you can take your seat. Is it a point of order hon member Magaxa?

Mr K E MAGAXA: May I address you Madam Speaker?

The SPEAKER: Yes, you may.

Mr K E MAGAXA: Is it procedural for the Premier to go so far from the question ... [Interjections.] with not even an indication of going to – for more than five minutes to ten minutes while you are – I mean you are presiding over this process?

The SPEAKER: Hon member Magaxa I am indeed presiding and I do think the response the Premier is giving is relevant to the question.

Mr K E MAGAXA : No, it is not.

The SPEAKER: She is talking to a tweet and she is giving the background to this.

Mr K E MAGAXA: No.

The SPEAKER: She is talking to a tweet and she is giving the background to ...

Mr K E MAGAXA: No. It is not about the tweet. The question is about whether the DA ...

The SPEAKER: ... and I am certain she will answer the question ...

Mr K E MAGAXA: ... whether the DA acted against her. It is not about ...

[Interjection.]

The SPEAKER: Hon member Magaxa, I cannot answer the question for the Premier, I cannot do that and she is about to answer your question. Chief Whip Wiley, your point of order.

Mr M G E WILEY: Madam Speaker, the hon Leader of the Opposition is now getting into the area of contempt for the Chair and I really would ask that you rule on that. [Interjections.]

The SPEAKER: Thank you, Chief Whip.

Mr K E MAGAXA: Madam Speaker, I appreciate that response by the Chief Whip but I think you are saying if I hear you very well, you are saying she is about to answer the question. I do not think that is what asking questions – questions are not supposed to be about [Inaudible.]. A person is supposed to answer a question.

The SPEAKER: Hon member Magaxa you cannot expect me as the Speaker to dictate to any Minister or Premier how they need to respond to a question. That sadly is the reality in terms of procedure. So I am going to afford the Premier the opportunity to continue in an effort to answer your question.

Thank you. You may proceed, hon Premier.

The PREMIER: Thank you very much. So having learnt that this de-institutionalised policy was in fact one that was imposed by the National Government and that we were trying to comply with, we all agreed that very engaged families were essential for that policy to work. And indeed the de-institutionalisation had started in the Western Cape and there were over 200 facilities that people had been deinstitutionalised to ... [Interjections.]

The SPEAKER: Hon member Magaxa, you are out of order. Please. Thank you.

The PREMIER: And the hon, the Minister of Health, Minister Mbombo immediately sprang into action to find every one of those facilities and to ensure that they were properly registered and functioning properly and that everyone was properly looked after and last time I checked with her, there were 39 still to go. And only one that we have decided was not good enough and that we had to close down and when we called all the relatives together, very, very few came.

So on the basis of that ... [Interjections.]. On the basis of my experience in the Western Cape and my discussions with various people, we had to look very carefully at this policy and I am very nervous about it. So for example, in one children's home with very, very severely disabled children, where bad things were happening in the Western Cape, none of the parents alerted me to

what was going on. It was a next-door neighbour that alerted me to what is going on and I had to go there to see for myself.

†Me S W DAVIDS: [Onhoorbaar.] tweet te regverdig.

[Ms S W DAVIDS: [Inaudible.] to justify the tweet.]

The PREMIER: I am not †regverdiging [justifying] anything.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: You asked the question, now accept the answer!

Mr Q R DYANTYI: The question is whether the DA acted against her.
[Interjections.]

The SPEAKER: Order please, hon members. Both sides. Hon Premier you may proceed.

The PREMIER: So when I was reading the newspapers, I was reading with great interest to see how the families were involved in the move and in caring for the people subsequently. Because you have to admit that on any face value, if any of us had a family member who was mentally disabled and who was slowly starving to death, the question must arise where were the families? That question has to arise. And it was not covered anywhere that I could read in the daily newspapers. It was the ghastly conditions under which those ... [Interjections.]

The SPEAKER: Order.

The PREMIER: It was under the ghastly circumstances that the people were facing that my heart broke. But I wanted to know, given our experience in the Western Cape, whether it was the same and why they were de-institutionalising people without the support of their families and without their families knowing that their people were starving to death because it takes a long, long time for a human being to starve to death, [Interjections.]. So, Madam Speaker, this was not covered in the daily newspapers. I cannot watch television, I read the daily newspapers and so ...[Interjection.]

The SPEAKER: Order please!

The PREMIER: ... so when the award was made of constitutional damages to every single family, of R1,2 million per family, the question is obvious because Judge Dikgang Moseneke also said that every other family who had not been a claimant should be able to claim that R1,2 million in constitutional damages ... [Interjections.]

Mr Q R DYANTYI: The DA deceives, not us! [Interjections.]

The PREMIER: You do not know the story. That is the point. That every other family who had not been a claimant should be able to claim the R1,2 million in constitutional damages. Now I sat there as the Premier of the Province and we have got people that were not even claimants, in court being

allowed or being encouraged by the Judge to make a claim for constitutional damages and saying that he hopes the Department does not oppose them.

Then I think, because I also went with Minister Schäfer to her schools to see children sitting in a hall without anything, that if parents had to come to us for constitutional damages, because their children's constitutional rights to basic education were being violated what would we do, because it has profound implications. So my mistake was knowing the huge context and the background and the situation – and I certainly meant no disrespect – when I read the entire arbitration award and not just the newspaper reports of the judgement ...

Mr Q R DYANTYI: James Selfe [Inaudible.]

The PREMIER: No. He can listen as much as he likes – I then saw ...
[Interjections.]

The SPEAKER: Order please! [Interjections.] Hon members, hon members
[Interjections.]. Hon Premier you may continue.

The PREMIER: I then saw that the families who had brought the case had indeed tried very hard to find their loved ones. But I need to know, all of those who are now entitled to claim the R1,2 million constitutional damages, it is in my view important to find the link between the contact and the love and the care and the concern administered to mental health patients by their

families and the balance of the responsibilities between families and the state. [Interjections].

Ms S W DAVIDS: Then why did you tweet? Why did you not go to those families and ask them?

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

The PREMIER: Because those families are not in the Western Cape.

The SPEAKER: Hon Premier take your seat please. Chief Whip Wiley?

Mr M G E WILEY: Thank you, Madam Speaker. I have waited quite a long time to stand up on this matter. You have spoken to hon member Davids and hon member Magaxa on how many occasions? At which stage do we actually go over to protecting the Premier in this regard, because it cannot go on like this?

The SPEAKER: Thank you, Chief Whip. I try my best in terms of Rule 41 to ensure order. I did, hon member Davids, ask you that if you wish to pose a question, you do it through the Chair and not directly across the floor and I know that everyone is waiting in anticipation for the response to the question and I am going to ask the Premier to continue. Thank you.

The PREMIER: Now as you know ... [Interjection.]

The SPEAKER: Now hold on, you asked a question. Now the Premier is about to answer and now you start interjections. Hon Premier, kindly take your seat. Hon member Olivier is on the floor now. Is it a point of order, hon member Olivier?

Mr R T OLIVIER: It is a point of order, Madam Speaker.

The SPEAKER: Yes.

Mr R T OLIVIER: I am not sure whether the Premier understood the question. It is a yes or no whether the DA has taken action? Now why is the Premier today in the mood for memory lane? [Interjections.]

The SPEAKER: Hon member Olivier.

Mr R T OLIVIER: She can explain that in a disciplinary hearing not here. All we want here was the action yes or no ...

The SPEAKER: Hon member Olivier if I could ...

Mr R T OLIVIER: ... and that is it. Madam Speaker, we are sitting here listening to what we do not want to hear.

The SPEAKER: ... guide you and I am now going to have to repeat myself in terms of my role. I cannot tell a Minister or a Premier how to respond to a

question. In your mind it might be a simple yes or no. It could be hypothetical, it could be anything. The onus is on the Minister or the Premier to respond. So may I kindly ask for your co-operation and allow the Premier to proceed. [Interjections.] Hon member Olivier – sorry Premier – I tendered an explanation. Did you hear me?

Mr R T OLIVIER: I heard that explanation, Madam Speaker. Can I address you on that explanation?

The SPEAKER: Yes, you may.

Mr R T OLIVIER: Madam Speaker, how long will you, as the Presiding Officer, allow the Executive to undermine this House? [Interjections.] Because that is clear undermining ... [Interjections.]. If we allow this Executive to continue this way we might not leave this House. [Interjections.]

If the Premier has the whole world to answer – I mean it is a question, for me, it might not be as simple to others, but if I have been asked whether my party is taking action against me, it is no or yes. Why should we now go down memory lane?. [Interjections.] It is clearly undermining this House. The Executive is taking this House for granted and you allow it, Madam Speaker. I must just raise it because you cannot allow this question – that explanation is no longer responding. [Interjection.]

The SPEAKER: Hon member Olivier ...

Mr R T OLIVIER: She is giving us a history.

The SPEAKER: ... your point has been noted, but once again I have to draw your attention to the fact that a Minister or the Premier can respond in a manner that is deemed fit. So, I am now going to ask the Premier to respond. Thank you. [Interjections.]

The PREMIER: No. Now I am taking my time, believe me. Okay. Thank you very much.

Thank you, Madam Speaker. At the heart of this issue is the policy of de-institutionalisation of mental health patients.

Mr Q R DYANTYI: You have already said that.

The PREMIER: The second point is, Madam Speaker, that this policy cannot work without intensive family involvement. That is the lesson all over the world. The third point is that from our experience in the Western Cape, we know how low family involvement actually is with mental health patients.

From that specific case in Gauteng, we also know - but unfortunately it was not covered in the newspapers - that there were some families that were desperately looking for their family members because the Department was so

incompetent or so corrupt that they did not even inform the families where their loved ones were going.

Now there is no question that if families have been marginalised and not informed, they absolutely have a right to constitutional damages, but there is no sphere of government that should not sit up very smartly when the issue of constitutional damages in a class action suit comes to play. Because once this precedent has been set in a class action suit, which is very, very different from an ordinary court case, where for example an individual gets constitutional damages and where the Judge says that he encourages others to come forward, and requests the Gauteng Government not to oppose their application for constitutional damages, then you have to raise the crucial question of involvement of families who then have the right to claim R1,2 million.

If for example, a family has been intensely worried, as some were, and as our hon colleague, Jack Bloom, brought to the public attention and worked very hard on, absolutely a class action suit for constitutional damages is absolutely valid. The question we have to ask is the link between these policies and the environment in which the policies operate and the family. Intensive family involvement is absolutely a pre-requisite for the functioning of a de-institutionalisation policy. In fact in at least 80% of the cases.

If people cannot go back to their homes, if they are going somewhere where people may have set up a fly-by-night institution, to just get the people's

disability grants and let them starve to death on the other side, which is what was going on, then it is a complete crisis and I agree that there should be heavy punishment for the officials. That is why I said it is wonderful that justice has been served to the families of the Esidimeni victims but I need to ask what was the involvement of their families before they starved to death and died. Thank you.

Mr Q R DYANTYI: Tell the Legislature there is no answer.

The SPEAKER: Hon member Dugmore?

Mr C M DUGMORE: Madam Speaker, I am sure you are aware that the Rules indicate that I am allowed to put two supplementary questions ...

The SPEAKER: Two follow ups, yes.

Mr C M DUGMORE: .. which must relate to his or her original question or to the reply. [Interjections.]

The SPEAKER: Order please!

Mr C M DUGMORE: So it is clear that we have had a speech by the Premier but we have not had a reply. So I would like to ask as a follow up question that given that the leader of the DA in response to the tweet, and Madam Speaker, I do not think the Premier must mislead this House in terms of when

she said “it was wonderful” her words were simply “good”. Now she wants to make it wonderful. She wants to change her tweet here and now. You can tweet tonight, you can tweet tonight and say it is wonderful.

†Maar dit is wat Musi Maimane gesê het en ek wil *Die Burger* hierso aanhaal. *Die Burger* het vir Musi Maimane, die DA-leier, aangehaal waar hy gesê het dat hy steun nie Zille se twiet nie en toe het die nasionale woordvoerder van die DA verder gesê dat Zille se twiet betreurenswaardig, onvanpas en ondoeltreffend was.

[Translation of Afrikaans paragraph follows.]

[But that is what Musi Maimane said, and I want to quote *Die Burger* here. *Die Burger* quoted Musi Maimane, the DA leader, where he said that he does not support Zille’s tweet, and then the national spokesman of the DA further said that Zille’s tweet was regrettable, inappropriate and ineffective.]

Now the question that I asked you previously, through you, Madam Speaker, was the following and I want to repeat that question. My question is whether the DA leadership have initiated any disciplinary steps against you for this tweet?

The SPEAKER: Thank you Cameron – the hon Dugmore.

The PREMIER: Madam Speaker, the Leader of the DA is entirely entitled to

his opinion and so is the spokesperson for the DA. If I have broken any rule of the DA or any aspect of its Constitution or anything like that, they are welcome to charge me. Now the bottom line is this, the Federal Legal Commission is quite busy at the moment and maybe the charge is in the post. Thank you.

The SPEAKER: Hon member Dugmore. This is your last follow up.

Mr C M DUGMORE: Thank you. The last follow up question, †as jy nie omgee nie, agbare Speaker. Weereens wil ek vir *Die Burger* aanhaal. Meneer Selfe sê duidelik in *Die Burger* dat dit beslis op die volgende federale vergadering bespreek sal word. “Op dié stadium kan ek nie sê of ons stappe teen haar gaan doen nie.”

[Translation of Afrikaans paragraph follows.]

[if you do not mind, Madam Speaker. Again I want to quote *Die Burger*. Mister Selfe says clearly in *Die Burger* that it will definitely be discussed at the next federal meeting. “At this stage I cannot say whether we will take steps against her.”]

†Now I would like to ask as my final follow up question, that given the Premier’s reply, which appears to be quite arrogant and dismissive in saying that maybe the charges are in the post, as far as the Premier is concerned has she received any communication from the Federal Council that she will be

charged or not? [Interjections.]

The SPEAKER: Thank you, hon Dugmore. Hon Premier?

The PREMIER: This is totally irrelevant to the Provincial Parliament, but the bottom line is this, I do not ... [Interjection.]

The SPEAKER: Order.

The PREMIER: I do not know what gets discussed in federal structures and no one leaks to me from the federal structures so I have no clue what gets said and this is an internal DA matter and not a Provincial Legislature matter.

The SPEAKER: Thank you Premier. That concludes that question. [Interjections.]. Order. Hon member Uys?

Mr P UYS: Madam Speaker ... [Interjection.]

The SPEAKER: Order please members. There is someone on the floor. †Asseblief nou, speel saam. [Please, cooperate now.] Hon member Uys?

Mr P UYS: Thank you, Madam Speaker. Just to ask you, in terms of the Rules, what is the time that is left, Madam Speaker?

The SPEAKER: There is normally 20 minutes allocated and I will just check with the Table how much time is left? There is one minute left. [Interjections.] And that one minute – I think it is member B Schäfer who has an opportunity to pose a question in that one minute.

Ms B A SCHÄFER: A quick minute, thanks Madam Speaker. So looking back hon Premier, to the inception in 2012 of the Premier's Advancement of Youth Project, what has been in your reflection, the real value of this project? [Interjection.]

The PREMIER: The real value has been enormous.

Mr Q R DYANTYI: Memory lane.

The PREMIER: It is very worthwhile going down memory lane on this particular project and I would like to thank the hon Schäfer for the question.

It is one of the flagship projects of this Government because it has created a job opportunity for at least a year in an internship to become entirely work-ready and to get a foothold on the ladder of a job for well over 4 000 young people in this province. And for many of them, they have gone on to ... [Interjection.]

The SPEAKER: Hon Premier, I am sorry I have to interrupt you. Minister Winde and hon member Olivier – †nee, nee. Dis is al twee van julle. Ek besef

nou wat hier aangaan. [no, no. It is both of you. I now realise what is going on here.] †Minister Winde do not hide behind Minister Grant and hon member Olivier stop chirping. Can I ask you to please manage yourselves. The Premier is responding to a question and we only have one minute left. Please work with me. Thank you.

The PREMIER: Thank you very much, Madam Speaker.

The SPEAKER: I see minister Winde now. [Laughter.] You may proceed.

The PREMIER: The wonderful thing is how many people have actually seen that for what it was meant to be which is the first step on the ladder of a career. Some, the very best were retained in Government, to build their careers and in fact several that I know of, are studying part-time and getting promotion through the ranks of Government.

It is also incredibly heartening where I go across the province and in many places ... [Interjections.]

The SPEAKER: Order.

The PREMIER: ... people come from behind counters where they are working on the front-line in Government services and they will say “Oh I got my chance through the Premier’s Advancement of Youth Project”. So, it is good to know we are putting our money where our mouths are ...

Mr Q R DYANTYI: Oh, please!

The PREMIER: ... and creating pathways into jobs for a significant number of young people. The Apprenticeship Game-Changer is designed to do precisely that and we have identified the areas of economic growth potentially in this province, and we have identified all the skills shortages in the areas of the economy that can grow, and now we are busy going to all the potential employers in those different spheres of the economy, in order to persuade employers to do what the Western Cape Government has done and take people on board so that they can, in the tradition of the apprenticeship system that the ANC of course scrapped the moment they came into power, but are trying now to resurrect because they realise what a mistake it was to actually take people on-board to give them an opportunity to learn while they earn.

And so this is a big and important strategy for us and based on the success that we have had with the Premier's Advancement of Youth Project we are now expanding that and persuading companies and other employers to do the same. Thank you.

The SPEAKER: Thank you, hon Premier. The 20 minutes have expired hon member Schäfer. I do not know if you wanted to have a follow up but I am bound by the Rules and the Table staff have alerted me that questions to the Premier have now been concluded and we are now going to move to Statements by Members. Members know that there are two minutes allocated

per statement and we also understand the difference between a statement and a motion. I now see the DA.

Is it a point of order, hon member Dugmore?

Mr C M DUGMORE: Madam Speaker, if I can address you? Our experience with questions to the Premier has raised a lot of concerns, I believe, for the order in this House given that ... [Interjections.]

Mr M G E WILEY: Raise it in the Rules Committee.

The SPEAKER: Order, please. There is a speaker on the floor.

Mr C M DUGMORE: You must go to the Rules Committee and learn the Rules.

The SPEAKER: Order, please. Speak to the Speaker.

Mr C M DUGMORE: Yes, through the Speaker. I would just like to request the Speaker to reflect on what has happened today and the Rules, given the fact that other members who have been drawn to ask questions could not ask those questions given that the Premier, if we are very honest, Madam Speaker, did not answer the question but gave an explanation, I think it is a dangerous precedent. [Interjections.]

The SPEAKER: Order please.

Mr C M DUGMORE: All I am asking is that you take this under review.

The SPEAKER: I will certainly reflect on Hansard, thank you. Chief Whip Wiley?

Mr M G E WILEY: Could the hon member please refer me to the Rule he is talking about. [Interjections.]

The SPEAKER: Thank you, Chief Whip Wiley. I see the hon Minister Winde. A point of order?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you, Madam Speaker. Again, as a point of order, I wanted to just point out to the hon Dugmore that he knows very well, he has been long enough in this House, that it is not the Speaker that makes the Rules and he must refer that to his Chief Whip.

The SPEAKER: Thank you, hon Minister Winde. [Interjections.] So that concludes the matter on Questions to the Premier. We are now going to move to statements, Members' Statements. Two minutes per member and I am going to be quite strict on that. I see the DA.

STATEMENTS BY MEMBERS

Mr M G E WILEY: Thank you, Madam Speaker. Last year the A Cluster Committees visited Bavaria, a state in Germany, which this province is twinned with. Whilst there the Committee members visited the site of Dachau concentration camp. This camp was part of a complex of hundreds of such camps established by the Nazis in 1935 to 1945 to enslave, brutalise and ultimately murder six million men, women and children on an industrial scale. Their only sin? That they were not politically acceptable to the ideology of the Nazi regime was their only sin.

Political affiliation, race, religion, culture, physical infirmity or sexual persuasion was contrary to the Nazis and was sufficient cause to be rounded up in any country under Nazi domination, and sent by cattle cars to these camps.

Those who were not immediately selected for death in the gas chambers were brutally enslaved in the most horrendous conditions to work in labour battalions, munition factories or subjected to horrific so-called medical experiments. Thousands died as a result.

At the same time the B Cluster was visiting Rwanda, an African country which also, more recently, was subjected to politically inspired genocide. They too visited one of the memorials in the capital. In Rwanda in the 1980s, the genocide was brutally brief and more direct. If you were a Tutsi tribe member you were hacked to death, burnt alive or otherwise killed in a

horrific way. Today as we sit here, there are state-sponsored and systematic attempts to kill many thousands of ordinary citizens in Syria and Myanmar to name a few. The question for us in South Africa is, can this happen here?

According to the Genocide Watch Scale, which monitors the 8 stages required to declare a genocide, we are already at stage 4. This means that classification, symbolism, dehumanisation, an organisation are already a fact. When one sees the almost daily stigmatisation of certain people, the de-legitimisation of this and any other DA-led Government together with the constant threat of retribution for perceived, past injustices ...

The SPEAKER: Kindly finish up, Chief Whip.

Mr M G E WILEY: ... one can start ask legitimate questions about motive and driving forces.

The SPEAKER: Thank you. I see the ANC. The hon member Magaxa.

Mr K E MAGAXA: Thank you, Madam Speaker. We do not sing empty praises when we pay tribute to Mama Winnie Madikizela-Mandela. Indeed, a formidable woman. Her vast legacy lives on as a movement leader and a fighter for the rights of all women in our country.

Since her birth, more than 81 years ago in Bizana, she was taught to be independent and self-assertive. During her life she continuously raised

issues of gender and equality. Though she did not come from a very poor background, she embodied the hopes and the dreams of the poor, vulnerable and oppressed people.

She fought the brutal apartheid system and hated pass books for African women. She spent time in jail for defying and protesting these pass laws. She was eventually elected for two terms as the President of the ANC Women's League as she led women from the front.

She was continuously harassed and cruelly treated, even separated from her own children as her husband was jailed for 27 years. She diligently worked and built resistance to the unjust apartheid system.

She strengthened the ANC internally in the country and recruited young people to join uMkhonto weSizwe. Her humility and spirit will live on. Apartheid could not contain or restrain her. She will remain the mother of our nation. †Halala! Winnie Mandela, Halala!

HON MEMBERS: Halala!

The SPEAKER: I see the DA.

Ms L J BOTHA: Madam Speaker, today I rise with a deep concern that the South African Social Security Agency or SASSA, as they are more commonly known, is no longer securing the poor, but rather defrauding the most

vulnerable in our society.

[The Temporary Chairperson takes the Chair.]

Recently, SASSA announced in Parliament's portfolio committee that grant beneficiaries would as of 1 April 2018 be responsible for the R10 bank fee on their accounts at Grindrod Bank while SASSA is transferring beneficiaries' accounts from Grindrod Bank to the Post Bank.

This is extremely alarming and unacceptable as SASSA, who ought to be the custodian of the poor and the most vulnerable in our society, is now exploiting them. Quite frankly, the fact that beneficiaries have not been informed of this new deduction contradicts SASSA's values of transparency, integrity, equity and care.

Chairperson, this is daylight robbery of the poor. It is vital that the poorest of the poor in our society do not continue to suffer from these unacceptable deductions, and that they are no longer manipulated or exploited.

I would also like to commend Minister Fritz and his Department for condemning this action by SASSA. We will not let SASSA or anyone else continue to take advantage of the most vulnerable in our society. I therefore call on SASSA to ensure that beneficiaries are reimbursed when their contract with Grindrod Bank comes to an end.

An HON MEMBER: Hear-hear!

The TEMPORARY CHAIRPERSON: In the absence of the EFF, I see the DA.

Mr M MNQASELA: Thank you, Chairperson. The Democratic Alliance notes with great dismay the recent failed, orchestrated, and violent land-grabs in Hermanus and Kleinmond. The political opportunism, ethical deficit and immoral political leadership of the ANC/EFF alliance is dangerous for South Africa, and we therefore strongly condemn it.

We need to unambiguously affirm that we will never accept that hooliganism and violence triumphs at the expense of the Overstrand community.
[Interjection.]

The TEMPORARY CHAIR: Order members, order please.

Mr M MNQASELA: Our loss during these protests is unsurmountable. Latest estimates amount to a loss of billions of rands in sectors such as tourism ...

An HON MEMBER: It is your failure!

Ms S W DAVIDS: [Inaudible.]

Mr M MNQASELA: ... local industry and damage to public and private property which included among others a satellite police station, library and

several vehicles that are much needed in that community.

We must at all times seek peaceful means to resolve differences and encourage dialogue between Government and communities as the only measure to address service delivery concerns. [Interjection.]

I want to say to the people of Hermanus and Kleinmond, we must isolate those among us who seek to address community concerns using divisive rhetoric and violence. We must reject those who seek to divide us and work together to build trust and foster social cohesion in our communities.

The Democratic Alliance will never allow political expediency to determine the agenda of any of our governments. Where we govern, we remain responsive and corruption-free. Municipal IQ ranked Overstrand among the top 5 of the best performing municipalities in South Africa. We deliver the best services to the people and ensure that we honour freedom for all, ensuring a fair distribution of budgets, thereby creating opportunities for all people in the Overstrand Municipality. Let us reject ... [Interjection.]

The TEMPORARY CHAIR: Thank you, hon member Mnqasela.

Mr M MNQASELA: ...the ANC and EFF.

The TEMPORARY CHAIR: Thank you. I see the ANC.

Mr Q R DYANTYI: The tariff increases proposed by the DA City of Cape Town, for the people of Cape Town, are nasty and out of step with reality. South Africa has an inflation rate of 5% and yet the City wants to impose a barrage of tariff increases and levies. They add a whopping extra 35% to the average monthly non-indigent municipal bill.

These increases and levies are not just higher than the inflation rate, they are almost 7 times higher. The City increased the amount for rebates by R300 million to almost R3 billion. With these increases and levies, the City underlines that they are multiplying the number of dependents on Government rebates and social assistance.

The increase for water is 55% for the 0-6 kilolitre bracket and there is also a proposed stepped levy based on the size of the municipal pipe. In January 61 000 people objected to the drought charge and the DA City decided to scrap it. Now the DA City has found a new way to bring it back in the form of this new stepped levy. Has public participation become a mere “tick box” for the City of Cape Town?

The proposed electricity tariff increase of 8,14% is higher than the 5,23% increase set down by NERSA in December 2017. Why is the DA City of Cape Town ignoring the NERSA guidelines? This 1 800-page DA budget is nasty and set out to line the City of Cape Town’s pockets for pet projects and has no regard for the effect and impact this will have on poor communities.

[Interjection.]

Progressive NGO's have done very serious work. For example, so far 18 000 people have objected to the drought budget; we have 55 000 people objecting to the proposed water tariff increase. [Interjection.]

The TEMPORARY CHAIR: Please conclude, hon member Dyantyi.

Mr Q R DYANTYI: As I conclude, we have 43 000 people objecting to the drought water by-law. †Julle sal julle deur sien, sommer gou! [You will see your door, very soon!]

The TEMPORARY CHAIR: Thank you. Thank you very much. I see the DA.

[The Speaker takes the Chair.]

Mr T A SIMMERS: Madam Speaker, the most notable environmental issues facing us today can be seen in the form of deforestation, reduced soil productivity, pollution and the depletion of fresh water reserves. If not addressed, these will end up hindering human and economic development across the country.

The time of Africa merely being widely accepted as the continent that is vulnerable to environmental change and the least likely to adapt to climate change, may be true for the vast majority of regions in the continent however, this is not the case in the Western Cape.

Madam Speaker, the DA in the Western Cape believes that all its efforts need to focus on transforming the nature and performance of its economy to simultaneously achieve sustained GDP growth, greater environmental resilience and much better inclusion reflected in lower rates of unemployment, poverty and inequality.

While the DA-led Government continues to ensure that our province maintains the lowest level of unemployment in our country, we have done so without neglecting the importance our environment plays in ensuring that our economy remains on a sustainable growth trajectory.

†Voorsitter, dit is waarom die toegewysde begroting ons Provinsiale Regering se onderneming toon, om ons ryke biodiversiteit nie net te beskerm nie, maar ook te verseker dat ons sisteme in plek het wat met veerkragtigheid die behoud van ons omgewing sal verseker.

[Translation of Afrikaans paragraph follows.]

[Chair, that is why the allocated budget shows our Provincial Government's enterprise, not only to protect our rich biodiversity, but also to ensure that we have systems in place that will ensure the maintenance of our environment with resilience.]

The DA in the Western Cape focusses a whole of society approach that will ensure adaption to the increasing demand on our environment that is required

to create a more resilient society and economy that is proactively ready for and resilient to changes such as long-term drought, wild fires and any other forms of natural borne disasters.

†Agb Speaker, ons stap alreeds die pad van volhoubare ontwikkeling.
Dankie.

[Madam Speaker, we are already walking the path of sustainable development. Thank you.]

†Mnr Q R DYANTYI: Asseblief.

[Mr Q R Dyantyi: Oh, please.]

The SPEAKER: Thank you. In the absence of the ACDP I see the ANC.

Ms M N GILLION: Madam Speaker, the impact of intra-political infighting on service delivery has been proven by many studies. The intra-political infighting has a negative impact on service delivery.

†Mnr Q R DYANTYI: Soos in Hermanus.

[Mr Q R DYANTYI: As in Hermanus.]

Ms M N GILLION: Such was the finding of the University of KwaZulu Natal which concluded that when internal squabbles take precedence, services take a back seat; time spent trying to resolve squabbles results in delays in providing services.

Sadly, Madam Speaker, this is what the people of the Western Cape have to endure as the DA is self-imploding. The DA is in disarray, especially after its National Policy Elective Conference in Tshwane last week, where they came with resolutions that will worsen the divisions within their party.

The DA resolved to amend its Constitution to introduce the so-called “De Lille clause”. This will allow DA caucuses to remove public representatives when they have lost confidence in them. De Lille, the Mayor of Cape Town, is the intended recipient. [Interjections.]

Cape Town is currently faced with a severe water crisis. [Interjections.]

The SPEAKER: Order.

Ms M N GILLION: Yet the DA’s response ... [Interjections.]

The SPEAKER: Order please, members. I need to respect the member on the floor. Order. [Interjections.] Members, you are entitled to interjections, but when there are too many interjections and they drown the speaker on the floor, I have a duty to protect the speaker. Can I please ask for cooperation? You may proceed, hon member Gillion.

†Me M N GILLION: Ek hoop nie ek het my tyd verloor nie, agb Speaker.

[Ms M N GILLION: I hope I have not lost my time, Madam Speaker.]

†Die SPEAKER: Nee. U het niks tyd verloor nie.

[The SPEAKER: No. You have lost no time.]

Ms M N GILLION: Madam Speaker, Cape Town is currently facing a severe water crisis, yet the DA's response is to introduce the so-called "De Lille clause" and the above inflation tariff hikes and introduction of a provincial fuel levy. [Interjection.]

Mayor De Lille has been vilified behind closed doors for far too long; being asked to explain herself on why she attended a memorial service for the late Mam Winnie Madikizela-Mandela is the straw that will break the camel's back. Where else was she supposed to mourn the passing of the mother of the nation, as the DA "old guard" refused any events in the province to honour our late stalwart?

The SPEAKER: Hon member Gillion, your time has expired.

Ms M N GILLION: I thank you, Madam Speaker.

The SPEAKER: Thank you. I now see the DA.

Ms M M WENGER: Madam Speaker, the South African Constitution is often hailed as one of the most progressive and liberal constitutions of modern times. It is only one of very few that explicitly prohibits discrimination on the basis of pregnancy, which is enshrined in our Bill of Rights.

Today our Parliament, the Western Cape Provincial Parliament, will be taking steps towards ensuring those rights. The motion I put forward, namely that we adopt a policy for members of this House on maternity, paternity, adoption and surrogacy leave, will ensure those rights for both mothers and fathers.

†‘n AGB LID: Mooi!

[An HON MEMBER: Good!]

Ms M M WENGER: In a country beset with inequality we often call for more women ... [Interjections.]

The SPEAKER: Order please, hon member Dyantyi.

Ms M M WENGER: ... to be represented in politics. Today is our chance to level the playing field and break down structural barriers to women pushed away from entering a life of public service. By adopting the motion, we are for the very first time thinking and taking active steps to ensure our sisters are able to serve their nation and look after their families. It should not be a zero-sum equation and where women are forced to choose between a career or family.

In addition, Madam Speaker, families are not simply the families we traditionally think them to be. We therefore as law makers should also include fathers who need time to bond with their babies to become the kind

of fathers that we wish for our province's children. Similarly, there are many babies who find parents in men and women, in heterosexual and homosexual couples, who are not necessarily their biological offspring. Today we make provision for parliamentarian parents, whatever their gender or family arrangements.

Today, we take a step to ensure our Parliament will have a policy for its own members which is well and necessary and in the spirit of our Constitution. Thank you. [Applause.]

The SPEAKER: Thank you, hon member Wenger. That is the end of Members' Statements. We are now going to move and listen carefully, to Notices of Motion which are governed by Rule 147, and I am now going to ask, are there any motions where notice is given? I see the hon member Joseph.

An HON MEMBER: Notice is given.

An HON MEMBER: Without notice?

The SPEAKER: No, no. I am saying ... [Interjection.]

Mr D JOSEPH: With notice, with notice.

The SPEAKER: Notices of Motion. We now move to Motions. Are there any

motions where notice is given? [Interjections.]

Mr P UYS: But we always start without notice.

Mr D JOSEPH: No, no.

The SPEAKER: No, we normally go with – first Notices of Motion and then Motions without Notice. [Interjections.]

Mr D JOSEPH: Ja. Thank you. Madam Speaker ... [Interjection.]

The SPEAKER: So, that is just the sequence that I follow normally.

Mr D JOSEPH: Thank you, Madam Speaker. Motion with Notice ... [Interjection.]

The SPEAKER: Do we need a workshop?

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

That the House debates the ongoing killings in the Western Cape due to gang violence and the impact it has on service delivery. Thank you.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. I am going to ask the Table to assist me. I do see the hon member Davids. You were about to get onto your feet and then I am going to ask the Table staff to guide me and we are going to do it in rounds of three, if that is appropriate, so that we have order. Hon member Davids you are next.

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

That the House debates land inequality and expropriation as means to accelerate land reform. [Interjections.]

[Notice of motion as moved by Member.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: It is already on the Order Paper. [Interjections.]

The SPEAKER: Notice taken. I see, I think it is the hon member Mnqasela, then the hon member Dyantyi and then I see member hon Gillion. Let us make that three and then hon member Joseph. I will get to this side of the House after that. So, Table staff are you with me? It is hon Mnqasela, hon Dyantyi and hon Gillion. Thank you.

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

That the House debates the need for sound and ethical political leadership in our resolve to prevent unlawful land occupation in the Western Cape. †Niyayazi ukuba iyaphi. [You know where it is going to.]

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. I see the hon member Dyantyi.

Mr Q R DYANTYI: Madam Speaker, I give notice that I shall move:

That the House calls for an urgent investigation into corruption in the municipalities in the province, especially in the City of Cape Town, Knysna and George, which made headlines for corruption allegations last year. I so move.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. Thank you. I see the hon member Gillion.

Ms M N GILLION: Madam Speaker ... [Interjection.]

†Mnr Q R DYANTYI: Ons is op die pad!

[Mr Q R DYANTYI: We are on the road!]

†Die SPEAKER: Agb lid Dyantyi, jy het nou jou beurt gehad. Bedaar

asseblief.

[The SPEAKER: Hon member Dyantyi, you had your turn. Calm down please.] Hon member Gillion.

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

That the House debates the challenges of Emergency Medical Services in the Western Cape. I so move.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. I now see the hon member Botha, I think it was hon member Joseph and the hon member Lekker, your hand is up, yes. That is the next – not you?

AN HON MEMBER: It is her hand.

The SPEAKER: Alright, thank you.

Ms L J BOTHA: Madam Speaker, I give notice that I shall move:

That the House debates declaring poverty a national disaster. I so move.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. I see the hon member Lekker and then the hon member Mackenzie.

Mr Q R DYANTYI: [Inaudible.] That is what it is.

The SPEAKER: Hon member Dyantyi, you have a member on the floor, please. Thank you. I am going to send you some interesting stats very shortly. You may proceed, hon member Lekker.

†UNksz P Z LEKKER: Ndiyabulela Somlomo.

[Ms P Z LEKKER: Thank you, Madam Speaker.] †I give notice that I shall move:

That the House debates the impact of the drug turf war and the targeted killings in our communities and the Provincial Government's poor response to this crisis.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. I see the hon member Mackenzie.

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

That the House commends Ms Rushda O'Shea on her appointment of the new principal ... [Interjections.]

The SPEAKER: Sorry. We are not running ahead of ourselves here, hon member Mackenzie. I see the hon member Olivier, after which I see the hon member Gillion. Thank you. Hon member Mackenzie, it will happen shortly. Thank you, you may proceed hon member Olivier.

Mr R T OLIVIER: Madam Speaker, I give notice that I shall move:

That the House debates the Western Cape Education Department's school admission policy and learner placement plans, seeing that every year thousands of learners are deprived of their rights to education. I so move.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. I see the hon member Gillion.

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

That the House debates the effectiveness of the Western Cape Health Department to respond to outbreaks of dangerous diseases following its failure to contain the Listeriosis outbreak.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. I see the hon member Hinana and then I see

the hon member Uys.

Mr N E HINANA: [Inaudible.]

The SPEAKER: Is it not Hinana? Your mic is flashing there, sorry. Thank you. I see the hon member Uys.

Mr P UYS: Thank you, Madam Speaker, I give notice that I shall move:

That the House debates the Western Cape's poor economic growth projection for the year.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. If there are no further Notices of Motion, this is the last round. We are now going to move to Motions without Notice. Are there any, oh gosh, now there is a flurry of hands. Hon member Hinana, you were up first. I see the hon member Max.

Ms M N GILLION: [Inaudible.]

The SPEAKER: Sorry, hon member Gillion. It is hon member Hinana, hon member Max and then hon member Gillion, first round. Let us do it like that [Inaudible.] in the House of Commons, just work with me. Hon member Hinana?

Mr N E HINANA: Thank you, Madam Speaker. I move without notice:

That the House notes and congratulates the Democratic Alliance on a successful and incident free congress held in Tshwane on 7 and 8 April 2018. I so move. [Interjections.]

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? There is an objection. The motion will be printed ... [Interjections.] I am not going to deliberate on the content. The motion will be printed on the Order Paper. I now see the hon member Max.

Mr L H MAX: Thank you, Speaker ... [Interjections.]

The SPEAKER: People! Sorry, hon member Max.

Mr L H MAX: Motion without Notice ... [Interjection.]

The SPEAKER: Just before you begin, I just need to get members to order before the chairs start flying all over the place here. Let us just cooperate. We are not going to deliberate on comments that are made. We cannot do that, but please allow the member on the floor to deliver his or her motion. You may proceed, hon member Max.

Mr L H MAX: Thank you, Madam Speaker. I move without notice:

That the House notes and celebrates the successes of the athletes of the Western Cape, including Luvo Manyonga, Johannes Snyman, Dylan Buys, Henricho Bruinjies, Reinhardt Hamman and Ruswahl Samaai in the Commonwealth Games. The Western Cape is very proud of our athletes' achievements, whom were very exemplary in their performance.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There are no objections. [Interjection.] Here we go again. The next round. Shall I recognise the next three persons? It is hon member Gillion, hon member Joseph and hon member Schäfer. Next three. There we go.

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

That the House notes with profound sadness that Nomzamo Winifred Madikizela-Mandela, the struggle icon and heroine of the people, who endured so much suffering and pain under apartheid security police, because of the love for her people, has passed on at the age of 81; and also welcomes the President declaring national days of mourning from the day of her passing on, until her burial, as well as declaring a special official funeral, which is reserved for people of extraordinary

credentials, and conveys condolences to her family, friends and comrades. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? There are no objections. I see the hon member Joseph.

Mr D JOSEPH: Thank you, Madam Speaker. I move without notice:

That the House notes the outcome of the court case against Nicky Momberg in finding her guilty for her racist utterances when she used the K-word 48 times when the police tried to assist her. This penalty is sending a clear message that any form of racism will not be tolerated in South Africa.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? There is no objection. I see the hon member Schäfer. I am being guided by the Table. Thank you.

Ms B A SCHÄFER: [Inaudible.]

The SPEAKER: Oh, okay. You have made a swop. Alright. [Interjection.]

Sorry. I see – hon member Dyantyi please hold on. There is a member on the floor after which you will proceed and then the hon member Kivedo.

UMnu M MNQASELA: Linda mna mhlekazi.

Mr M MNQASELA: You must wait for me honourable. †Madam Speaker, I move without notice:

That the House notes with great sadness the passing of ubawuZola Sidney Themba Skweyiya, an ANC stalwart and a great South African, who sadly passed on at age 75 on Monday 10 April, just a day before his 76th birthday.

Dr Skweyiya served on the Board of Trustees of the National Commission for the Rights of Children. He was also elected as President of UNESCO's Management of Social Transformations. Further, note that he served as a parliamentarian and as a Minister in the National Government for 15 years, both of Social Development and Public Service and Administration respectively.

We will sadly miss him for his contribution to South Africa, his impeccable credentials, immense skill and expertise. We wish the Skweyiya family, the people of South Africa, his organisation the ANC, and we wish that they find solace in the love of the Lord, during this period. The nation is mourning. We are also mourning too. †Silahlekelwe. [What a loss.] May his soul rest in peace. Qina mhlali

qina. [Be strong comrades, be strong.]

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections to the motion being moved? There are no objections. I now see the hon member Dyantyi and then the Table will guide me. I see member member Wenger and then hon member Kivedo.

Ms M N GILLION: And this side?

The SPEAKER: I am watching both. Hon member Gillion, the Table staff are helping me, and I am trying my best. Hon member Davids and you will be the next two after, absolutely. You may proceed, hon member Dyantyi.

Mr Q R DYANTYI: Madam Speaker, I move without notice:

That the House notes with deep sadness the passing on of an ANC stalwart and former diplomat, George Nene; notes further that Nene once served as an ambassador to Switzerland and as South Africa's High Commissioner to Nigeria. He retired from the International Relations and Cooperation Department two years ago; conveys condolences to his family, friends and comrades. He is part of a list of dignified honourable people who helped us be where we are today. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? No objections. I now see the hon member Wenger.

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

That the House expresses its sincere condolences to the family of Khayelitsha police officer, constable Ncedo Katoyi, who was killed whilst in the line of duty in the Site C area. Katoyi is survived by his wife Ntombothando Katoyi and his three children, aged between 1 and 15 years old. We mourn a committed service man, who gave his life for a safer Western Cape.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? No objections. Hon member Gillion, I will see you before the hon member Kivedo and then I will go to hon member Davids, to ensure fairness.

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

That the House notes with profound sadness the brutal murder of ANC Western Cape PEC member and former MK combatant, comrade Elese Depouch, outside his home in Crossroads on 6 March 2018; notes further

that his wife was shot and wounded in the same attack; calls on the police to speed up its investigation and bring the perpetrators to book. We also convey our sincerest condolences to his wife, family, friends and comrades.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see the hon member Kivedo.

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

That the House congratulates the success of our province's school districts at the recent National Education Excellence Awards. The top performing districts according to the inclusive basket of criteria, that is below 400 schools, the Cape Winelands district took third place, with the West Coast Education District coming in at second place.

In addition, the top performing districts with regards to Bachelors passes in the 2017 National Senior Certificate were, in the third place the West Coast Education District.

A special congratulations to West Coast District Director, Heather van Ster, and to Cape Winelands District Director, Juan Benjamin. Your endless dedication and commitment has not gone unnoticed. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There is no objection. I now see the hon member Davids.

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

That the House notes and commiserates with the Woodstock family of 8-month old baby girl, Rifka Shaik, who died in a wendy house fire in Pine Road last week; and calls on the Provincial Government to accelerate the eradication of informal settlements in the province.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see the hon member Mackenzie. I am getting my speaking list from the Table. After hon Mackenzie, it will be the hon Dijana and then it will be hon Schäfer and then we will get to the next lot. Thank you. You may proceed, hon member Mackenzie.

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

That the House commends Ms Rushda O'Shea on her appointment as the new principal of Sans Souci Girls School. Further notes that she was the

principal of Tafelsig High School and that she is capable, enthusiastic and very intelligent and we wish her well on her appointment. Thank you.

[Motion as moved by Member.]

An HON MEMBER: Hear-hear!

The SPEAKER: Thank you. Are there any objections? There are no objections. The next member is the hon member Dijana.

Ms T M DIJANA: Thank you, Madam Speaker ... [Interjection.]

The SPEAKER: Is it “Diyana” or “Didjana”?

Ms T M DIJANA: “Didjana”.

The SPEAKER: Dijana. The hon member Dijana.

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

That the House notes with sadness the tragic death of three members of a Khayelitsha congregation who drowned at Monwabisi Beach during a baptism; and conveys condolences to their families and friends.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see the hon member Schäfer.

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

That the House notes the passing of accomplished South African business woman, Mrs Pam Golding, who was a fearless pioneer in the local and international male dominated property market, creating a multi-billion-rand empire in Pam Golding Properties since 1976. Mrs Pam Golding's life bears testimony to the power and capability of female empowerment in South Africa and we commemorate her life and her phenomenal achievement as a female entrepreneur. I here so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? There are no objections. I see the hon member Lekker. And then I see the hon member Davids, after which I see hon member Kivedo. Hon member Mackenzie, I will get you in the next round. Thank you.

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

That the House notes with sadness the passing of Thembekile aka

'Ghost' Plaatjie on 31 March 2018; notes he worked at National Treasury and conveys condolences to his family, friends and comrades. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? There are no objections. The next person. Hon member Davids. The Table staff has alerted me.

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

That the House notes and supports the National Assembly's passing of a motion to investigate land appropriation without compensation; notes further that this is the biggest breakthrough in the country's efforts to accelerate land reform and condemns all the alarmists that caused unnecessary panic in the country through their negative communication.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? There are objections. The motion will be printed on the Order Paper. I now see the hon member Kivedo.

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

That the House congratulates the success of our province's schools at the recent National Education Excellence Awards. The top performing public schools in Quintile 5 were all from the Western Cape, namely:

Third Place: Bloemhof High School;

Second Place: Westerford High School; and

special congratulations to Rustenburg Girls High School who came in at number one.

Furthermore, well done to Minister Alan Winde, who has been re-elected as the Chairperson of the SGB at Rustenburg Girls High School. This will now be his fourth year as Chairperson. Keep up the good work, Minister Winde! [Applause.] I so move. Thank you.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There are no objections. I now see the hon member Lekker, after which I see the hon member Gillion. [Interjections.] Hold on. Hon members, please help me. I see lots of pieces of paper flying and I need to cast my eye across the entire Chamber. So, we are now going to proceed with the two hon members and then we will do the next round. Hon member Lekker, followed by hon member Gillion. Thank you.

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

That the House notes with sadness the passing on of the wife of Western Cape High Court Judge Siraj Desai, Ms Faieza Desai, on 29 March 2018, following a long battle with lymphoma, a rare type of cancer; notes further that Ms Faieza Desai is a struggle veteran who made a valuable contribution in the liberation of this country and conveys condolences to her husband, children, family, friends and comrades. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? There are no objections. I now see the hon member Gillion after which I will see the hon member Schäfer and then hon member Mackenzie. [Interjections.] I will get back to you. Hold on. Please work with me. Hon member Gillion.

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

That the House notes that the community of Caledon in the Overberg is up in arms that the racist singer and apartheid apologist, Steve Hofmeyr, will be performing at a state school in the area this month; notes further and condemns the DA's move to give access to the school premises for racist people to spread their propaganda and demands the MEC and the Premier to heed calls to prevent Steve Hofmeyr from performing in the school as a matter of urgency and not stoop to allowing and praising

Hofmeyr concerts like what happened in the George Town Hall where the DA's highest provincial office interfered. I thank you.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are objections. The motion will be printed on the Order Paper. [Interjections.] Next is the hon member Schäfer, after which it is hon member Mackenzie. [Interjections.] Order, order please members. There is a speaker on the floor.

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

That the House congratulates and commends Cape Town International Airport for winning the Award for Best Airport in Africa at the Skytrax World Airport Awards, as well as the Award for Leading Airport in Africa at the World Travel Awards in October. I here so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections to the motion being moved? There are none. Hon member Mackenzie, I see you and then I will start the next round which is hon member Davids, hon member Dijana, the hon member Joseph and hon member Kivedo. That is the next four. You may proceed.

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

That the House notes with concern the arrest of two police officers from Lentegour Police Station; further notes that the Lentegour Police Station like stations across the province, is already under resourced and we call on the Minister of Police to allocate more police resources to the Western Cape. I move so.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There is no objection. Our next speaker is the hon member Davids.

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

That the House congratulates Mr Ruswahl Samaai on his good performance in his hometown Paarl and thank him for making his community proud.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? It was mentioned but there are no objections. Or is there is no objections? I now see the hon member Dijana. I see you. And then hon member Joseph.

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

That the House notes and congratulates team South Africa on its impressive run in the Commonwealth Games, as they are ranked fifth with a total of 25 medals, with 10 gold, 6 silver medals and 9 bronze medals and congratulates all the medallists, especially this province's own Luvo Manyonga who broke the Commonwealth Games record in the men's long jump event with a massive jump of 8,41 metres. I thank you.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see the hon member Joseph.

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

That the House notes and congratulates Dr Ivan Meyer on his election as First Deputy Federal Chair at the DA Federal Congress and wishes him well for the term. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There is an objection. The motion will be printed on the Order Paper. [Interjections.] I now see the honourable – Table staff work with me. It is hon member Kivedo, then it is hon member

Mackenzie and then I see, is it hon member Lekker – you had your hand raised? We will do those three. Let us go.

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

That the House expresses its deepest condolences to the aggrieved family, loved ones, friends and school community of Middelpoos Primary School in Saldanha Bay, of the late Ms Cecelwa Faith Mabila, who has been fatally shot on the school premises yesterday. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There are no objections. I see the hon member Mackenzie.

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

That the House congratulates Western Cape Health Minister, Dr Nomafrench Mbombo on her election as the leader of the Democratic Alliance Women's Network and wishes her well in advancing the plight of women in South Africa. [Interjections.][Applause.]

[Motion as moved by Member.]

The SPEAKER: Are there any objections? [Interjections.] No, no. The hon

member Dyantyi is having a real [Inaudible.] here but for what it is worth the objection has been recorded and will be printed on the Order Paper. I now see the hon member Lekker, after which I see hon member Dijana. [Interjections.] Order please, members. Hon member Lekker and then hon member Dijana. [Interjections.]

†UNksz P Z LEKKER: Ndiyabulela Somlomo.

[Ms P Z LEKKER: Thank you, Madam Speaker.] †I give notice that I shall move:

That the House notes and congratulates the ANC for winning the Cape Town Ward 93 in the by-elections November last year; and notes further that the party received 70% support to win the ward. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? There is an objection. It will be printed on the Order Paper. Hon member Dijana.

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

That the House notes and congratulates Justin Kemboi from Kenya, who won the 2018 Old Mutual Two Oceans Marathon, as well as Gerda Steyn who won the women's race, held in Cape Town on 31 March 2018; notes further that Ipeleng Khunou from Rustenburg, born with a brain

condition which affects his balance and eyesight also participated in the event to help raise funds for the Nelson Mandela Children's Fund, and congratulates Ipeleng for making history as the first runner on crutches to run and finish the Two Oceans Half Marathon. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I now see, I think it is the hon member Davids and hon member Dugmore. Member Gillion I am asking the Table – is it not you, member Davids? Then it is member Dugmore and member Gillion. Thank you.

Mr C M DUGMORE: Madam Speaker, I move without notice:

That the House notes, with a deep sense of sadness, the passing on of Archibald Mncedisi Sibeko aka Zola Zembe – the former trade unionist, political activist and uMkhonto weSizwe operative, who was also a prison cellmate of former President Nelson Mandela, after suffering a stroke at his home in London; notes further that comrade Zola is a former Deputy Chair of the ANC in the Western Cape and Honorary President of the South African Railway and Harbour Workers Union; and sends its sincere condolences to his wife, children, family, friends and comrades. I so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections to the motion being moved without notice? No objections. I see the hon member Dyantyi, after which I see the hon Schäfer and [Interjections.] member Gillion, I am trying really hard. The Table staff is directing me. Is it not you, hon member Dyantyi? It is you. Sorry. I am taking my cue from the Table staff. You will get a turn. Sorry, hon member Gillion. You will get a turn.

Ms M N GILLION: You said Gillion and then changed [Inaudible.].

The SPEAKER: Okay. Hon member Dyantyi, will you forfeit your opportunity, and allow the hon member Gillion to present?

Mr Q R DYANTYI: I will, I will.

The SPEAKER: There we go. Problem solved. We can play “swop around”. It happened on that side, so it can happen this side too. [Interjection.]

Ms M N GILLION: Madam Speaker, thank you.

The SPEAKER: You are welcome.

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

That the House notes and supports calls by the lobby group, Treatment Action Campaign for TB infection control to be made a priority this year, after its study found that the state in a number of clinics showed

very poor infection control measures in place; notes further that of the 27 facilities assessed in the Western Cape, 19 were found to be in a serious state with poor infection control measures, 8 were found to be in a moderate state and not a single facility was found to be in a good state with good TB infection control measures. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There are objections. The motion will be printed on the Order Paper. I see hon member Dyantyi – you are the perfect gentleman. I see the hon member Schäfer and then I will see you, thank you.

Mr Q R DYANTYI: Madam Speaker, I move without notice:

That the House notes with concern the almost 30% increase in water and sanitation tariffs to be implemented on 2 July 2018 in Cape Town; notes further that it is a tariff which is aimed at ensuring water security in the province; is a punishment to the people for the failures of the DA-led administration, to manage the water crisis better and condemns the increase.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There

are objections. It will be printed on the Order Paper. I now see the Hon member Schäfer.

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

That the House congratulates and commends Triggerfish Animation Studios in Cape Town for their international Emmy Kids Award for the adaptation of author Roald Dahl's "Revolting Rhymes". This is another incredible accolade for Cape Town's animated film and television industry. I here so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections to the motion being moved? There are no objections. Anyone else for motions without notice? I see the hon Lekker. I see hon Mngasela and Schäfer in that order this time around. You may proceed hon member Lekker and then hon member Dugmore they will add you to the list, thank you.

†UNksz P Z LEKKER: Ndiyabulela Somlomo.

[Ms P Z LEKKER: Thank you, Madam Speaker.] †I give notice that I shall move:

That the House notes with concern the DA's cosy relationship with gangsters. Notes further that the ANC in the Western Cape condemned

the DA in the past for accepting funding from gangsters and having meetings with gang bosses. This relationship has been cemented with the partnership of the DA and PA in the Nelson Mandela Bay Municipality and condemns the DA for this relationship. It is not clear why it refuses to adequately address the issue of drugs and gangs in the Western Cape. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? There are objections. The motion will be printed on the Order Paper. I see the hon Masizole.

Mr M MNQASELA: Thank you, Madam Speaker. I move without notice:

That the House notes with dismay and great condemnation the orchestrated land grabs in the province and the political opportunism by the ANC/EFF alliance which borders on ethical deficit and immoral political leadership on their shores. I so move. [Interjections.]

[Motion as moved by Member.]

The SPEAKER: There is an objection. The motion will be printed on the Order Paper. I see the hon member Schäfer, after which it will be ... [Interjection.]

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

That the House commends and congratulates FlySafair which won the award for the Best Airline in Africa and the Indian Ocean in the 2018 TripAdvisor Travellers' Choice Awards.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see the hon member Dugmore.

Mr C M DUGMORE: Thank you, Madam Speaker. I move without notice:

That the House notes the ever increasing death toll on the provincial roads which claimed a total of 33 lives in one week during February; notes further that it is rather concerning that no plans on averting the road carnage were discussed in Premier's State of the Province Address and therefore this House calls on the relevant authorities to come with clear strategies and plans to meaningfully respond to this carnage including the employment of more traffic officers on our roads.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections to the motion? There is an objection. It will be printed on the Order Paper. I see the hon member

Lekker.

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

That the House notes the Western High Court handed down hefty sentences to members of an abalone syndicate, known as “The Enterprise”. Notes further that following a Hawks investigation, which exposed export companies shipping poached abalone to China, various other fishing companies were raided. Abalone worth millions of rands were seized, and 18 suspects were arrested; and welcomes the sentences handed down to Adrian Wildschutt, Tony du Toit, Willie van Rensburg, Phillip Muller and Johannes Liebenberg. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? No objections. Are there any further? I see the hon member Lekker again and I see the hon Dyantyi. *[Interjections.]* Order please, members.

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

That the House notes and congratulates General Jeremy Veary, the newly appointed Deputy Provincial Commissioner for Detective Services: Western Cape, as well as Anthony “Peter” Jacobs who has been appointed as the new boss of Crime Intelligence Division in the South

African Police Services; and wishes them well in discharging their responsibilities. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved?

[Interjections.] There is an objection. It will be printed on the Order Paper.

[Interjections.] Sorry, was there an objection?

An HON MEMBER: No.

The SPEAKER: Sorry, my apologies. [Interjection.] No-no, I heard an altercation. My apologies, there was no objection. [Interjections.] I would like to know who it is. The next person is hon Dyantyi.

Mr Q R DYANTYI: Yes. Thank you.

The SPEAKER: You see, before you even begin †dan sê hulle, [then they say,] now we will object.

Mr Q R DYANTYI: They might be surprised. Let me surprise them.

The SPEAKER: You may proceed, Hon member Dyantyi.

Mr Q R DYANTYI: Madam Speaker, I move without notice:

That the House notes with concern that the failure to properly manage the water crisis has led to Moody's placing the City lower on a BAA3 rating, which is the lowest investment grade; notes further that this has prompted the City to increase borrowing for the first time in four years, while debt is expected to rise sharply over the next three years; welcomes that this and many other examples show the DA as the failed party it is in the Government, and condemns the DA for its poor management of the water crisis. I so move. [Interjections.]

[Motion as moved by Member.]

The SPEAKER: Are there any objections? [Interjections.] Actually, now I do hear Minister Winde objecting. There is an objection and it will be recorded on the Order Paper. Hon members, that was Motions without Notice. I see the hon Dugmore and I see the hon Olivier. You may proceed hon member Dugmore.

Mr C M DUGMORE: Thank you Madam Speaker, I move without notice:

That the House notes Premier Helen Zille's callous comments on Twitter [Interjections.] which questioned the families of Life Esidimeni victims and asked what they did to raise the alarm about the conditions at the NGO's, and after arbitration process led by retired Deputy Chief Justice Dikgang Moseneke; notes further that such comments further alienated

and isolated her from DA members and added to her woes in the party as she was rebuked by the DA Leader Musi Mane (sic); and further condemns the DA [Interjection.]

The SPEAKER: Musi Mane?

Mr C M DUGMORE: Further condemns the DA for failing to act against the Premier while clearly applying double standards in their treatment of Mayor De Lille, showing that the DA acts in a factional and racist manner when it comes to disciplinary matters. [Interjections.]

[Motion as moved by Member.]

The SPEAKER: Thank you, hon member Dugmore. Chief Whip Wiley?

Mr M G E WILEY: These are not Motions without Notice. These are statements that are being made.

The SPEAKER: Thank you, Chief Whip. I am going to put the question to the floor. Are there any objections to the motion? There are objections. It will indeed be printed on the Order Paper. I now see the hon member Olivier. [Interjections.] Please allow the hon member Olivier to present. Thank you. Speak to me hon member Olivier. Do not be side-tracked.

Mr R T OLIVIER: Madam Speaker, I saw the MEC has now stopped typing so

it is fine. [Laughter.] Madam Speaker, I move without notice:

That the House welcomes the announcement that mother-tongue learning is set to be rolled out at more than 250 schools across the Western Cape and calls for proper monitoring measures to ensure that these timelines are met. I so move.

[Motion as moved by Member.]

The SPEAKER: So, are there any objections? There are no objections. Members, I think that concludes ... [Interjections.] Do we still have members? Okay. So, sorry. Please just work with me. I cannot have members of the same party standing at the same time. Can I – there is hon Dugmore, hon Olivier and hon Dijana – have you? No, not you. So, it is just hon Dugmore and hon Olivier on this side. May I ask on this side of the House, are there any further? There is no further. So, the last two are hon member Dugmore and hon member Olivier.

Mr C M DUGMORE: Thank you, Madam Speaker. Just as I start with this motion I just want to inform you, for the benefit of member Wiley, that normally when one has a Motion without Notice, you note, and you believe and then you resolve and that is the format of such a motion. So, Madam Speaker, I move without notice:

That the House notes and condemns ... [Interjections.]

The SPEAKER: Order please.

Mr C M DUGMORE: It is called convention, Madam Speaker. It is convention.

That this House notes ... [Interjection.][Laughter.]

The SPEAKER: Order please. Let us not impose conventions now. We are busy with Motions without Notice.

Mr C M DUGMORE: Okay.

The SPEAKER: Hon member Dugmore, you may proceed.

Mr C M DUGMORE: I move without notice,

That this House notes and condemns the plans by MEC Donald Grant to shut down certain taxi routes and ranks due to the escalation of violence in the province, which has led to the deaths of at least 4 taxi owners and drivers; and further notes that this House should urge him to rather meaningfully consult with the taxi bosses and consider their warnings that such a move would increase violence in the province, and therefore that this House calls on the MEC to withdraw his proposal. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: The last person I will take advice from is the hon Dugmore.

The SPEAKER: There is an objection. The motion will be printed on the Order Paper. I see the hon member Olivier.

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

That the House notes that more than 77 incidents of sexual misconduct by teachers against the learners were reported in the Western Cape in the past three years; calls for protection of learners against these predators and demands harsh punishment for those found guilty of such acts. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. Members, in – sorry, you have another one, hon member Olivier, or is it one, two or three?

Mr R T OLIVIER: No, just two.

The SPEAKER: Just two more, okay.

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

That the House notes with concern that pupils' lives who cross over the N2 at De Beers Avenue and Victoria Street, on their way to Danie Ackerman Primary School in Somerset West remain at risk as the Provincial Government is not prepared to build a pedestrian bridge. Instead it plays the blame game with SANRAL while innocent children perish on the road; and calls on the MECs of Education and Transport and Public Works to find a lasting solution to this impasse to save the lives of our learners.

[Motion as moved by Member.]

The SPEAKER: Are there any objection to the motion being moved without notice? [Interjections.] There is an objection. It will be printed on the Order Paper. Your next motion, hon member Olivier. [Interjections.]

Mr R T OLIVIER: So, our kids will still die. [Interjections.] Madam Speaker, I move without notice:

That the House notes and mourns the passing of Prof Richard van der Ross, known as Dick, who departed this world peacefully in his home on Wednesday 13 December 2017; notes further that he will be remembered for his role as a social rights and political activist, a distinguished educator and historian and a man who fought to open the doors of

learning to all as the first black Vice-Chancellor of the University of the Western Cape; and conveys its condolences to his family and friends. I so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections to the motion being moved? There is no objection to the motion itself. Hon member Dugmore, I see you.

Mr C M DUGMORE: Thank you. Madam Speaker, I move without notice:

That the House urges both hon members Wiley and Mnqasela to attend an urgent meeting on ethics to ensure that they have a full grasp and understanding of this concept. I so move. [Interjections.]

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion? [Interjections.] The hon Mnqasela has objected. If there are no further Motions without Notice, hon members, I then have to announce that that concludes Motions without Notice.

That also concludes the business for the day. The House is adjourned. I thank you.

The House adjourned at 18:23.