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THURSDAY, 17 NOVEMBER 2016

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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.

**ANNOUNCEMENTS, TABLING AND COMMITTEE REPORTS - see p**

The DEPUTY SPEAKER: You may be seated. Order! I have to announce that due to the resignation of Mr M L Fransman, a vacancy occurred in the representation of the African National Congress in the Western Cape Provincial Parliament. This vacancy has since been filled by the nomination of Ms N D Nkondlo with effect from 7 November 2016. Ms Nkondlo was sworn in, in my office on 9 November 2016. Hon member Nkondlo, you are welcome here. [Applause.]

Before we proceed can I just kindly remind members again of some of the logistics. The audio is not centrally controlled. Therefore, please push the talk button on the microphone set before you begin speaking. Members seated in close proximity of a speaker on the floor must therefore be aware that any

loud conversation may interfere with the recording of the speaker's speech.

Lastly, members are reminded to keep their mobile devices on silent because any sound from these devices will interfere with the recording system.

We now proceed to the Question Paper.

We have two Interpellations. The first interpellation hon member Mr Tyatyam. Is hon member Mr Tyatyam here? Hon member Mr Tyatyam to Minister Plato.

I have a speaker's list and the first speaker is Minister Plato. Minister Plato.

## **INTERPELLATIONS**

### *High rate of crime and violence: plans to mitigate*

#### **1. Mr S G Tyatyam asked the Minister of Community Safety:**

Whether his Department has any plans to mitigate and reduce the high rate of crime and violence in communities such as Nyanga, Gugulethu and Delft?

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, good afternoon and good afternoon to the members. Thank you very much to the

member for the question. The Department of Community Safety intervenes meaningfully in the communities mentioned. These include:

- Hosting community-based outreach programmes, which are ongoing and assist hundreds of vulnerable youths to unlock study opportunities at FET Colleges, for instance 78 youth from Delft graduated from Northlink College this year.
- We launched Walking Bus Initiatives in these communities, provide training and support to both neighbourhood watches and community policing forums that are active in the communities.
- In Nyanga for instance the neighbourhood watch helps to protect some of the schools against crime and vandalism. 16 Days of Activism to be held in all of these mentioned communities.
- Opportunities for youth provided for at Chrysalis Academy including 23 youth from Nyanga, 21 from Gugulethu and 20 from Delft; to facilitate internship placements for these youth, 19 in Nyanga, 26 in Gugulethu and 20 in Delft.
- The Youth Safety and Religious Partnership Programme has seen participation of three churches in Nyanga, four in Gugulethu and five from Delft. These religious partners implement youth and safety programmes in the June / July and December / January school holiday

periods.

- We provide school safety volunteer support to five schools in Nyanga; seven schools in Gugulethu and eight schools in Delft. These volunteers assist to keep our young people and schools safe on a daily basis.
- In Nyanga we initiated our Community Safety Kiosk Programme which assists with the deployment of security and safety personnel in the area and provides added support to the neighbourhood watches and the police.
- We have initiated a Nyanga CPF and Neighbourhood Watch Safety Partnership Project in order to improve safety in and around Nelson Mandela High School. Twenty neighbourhood watch members help patrol the school premises to deter the scholars from being involved in illicit activities.
- The Alcohol Harms Reduction Game Changer is also implemented in Nyanga and Gugulethu to help bring about behavioural change and decrease the harms associated with alcohol abuse in our communities.

From the abovementioned examples it is clear that the Department of Community Safety has clear plans, effective partnerships and strategic strategies and targeted interventions to assist the police in reducing the rate of crime and violence in these communities.

The Department of Community Safety supports and assists the police in their attempts to combat crime. The Western Cape Government and I have to stress this Mr Deputy Speaker, the Western Cape Government has no operational control over the police in the province but has a very important oversight mandate. To this extent we complement what the police are doing. We are not the police and cannot do what the police are supposed to do to stop the violence.

Section 205(3) of the Constitution is clear: the objects of the police service are to prevent, combat and investigate crime to maintain public order, to protect and secure the inhabitants of the Republic and their property and to uphold and to enforce the law. [Interjection.]

The DEPUTY SPEAKER: Minister Plato your first slot, the time has expired for the first opportunity.

The MINISTER OF COMMUNITY SAFETY: Thank you, Mr Deputy Speaker. [Time expired.]

The DEPUTY SPEAKER: Hon member Mr Tyatyam.

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. For the past few years it has been continuously and widely reported that the communities, particularly Nyanga, Gugulethu and Delft have been hard-hit by a high rate of serious crime, including murder, rape, gang-related violence killings and

other contact crime. Over the past ten years, you can look at our stats, in these communities - particularly Nyanga, it has even been dubbed as the murder capital - each and every day you will find crime happening; serious crime in particular.

Just in our last crime-stats report, Nyanga reported 279 murders followed by Gugulethu with 184; then Delft with 143 killings alone. Yet the Department, when they respond, always says most of the work must be done by the police, they are not the police. But we do not even see plans to actually prevent crime as they are mandated to do.

The Department fails the residents of these communities because it does not care. Instead Community Safety MEC, Dan Plato, has been embroiled in one scandal after another; befriending himself and giving preferential attention to the underworld drug lords [Interjections.] who are involved in the child sex trade and drug trafficking in this province. They are his friends. [Interjections.] Maybe you are also sharing there.

Clearly, the much celebrated MOD Centres which are there have also not produced the desired outcomes, as we hoped that the MOD Centres would actually keep children out of streets, in the schools and make sure that we reduce our children participating in these crimes. But also there we are found wanting because some of those MOD Centres are not actually functioning to the optimal as per what we think those MOD Centres should be doing. This Department, Mr Deputy Speaker... [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Tyatyam your time has expired for your first opportunity.

Mr S G TYATYAM: Okay. [Time expired.]

The DEPUTY SPEAKER: You will have another chance later. Hon member Mr Mitchell.

Mr D G MITCHELL: Thank you, Mr Deputy Speaker. Decreasing crime and violence not only in Nyanga, Gugulethu and Delft but the whole province remains a high priority for the Western Cape Government and the Department of Community Safety. Many crimes in the specified areas are reported to be fuelled by drugs and alcohol with a strong prevalence of gangs being the initiators of acts of crime and violence taking place in these areas. Even where police patrolling is evident the magnitude of crime in these areas continues to be difficult to monitor.

Nyanga, Gugulethu and Delft reports indicate that gangsterism, the availability of guns and alcohol and drug use are the main drivers of murder in these areas. Decreasing crime and violence in these three areas through the use of various initiatives requires a coordinated and integrated approach from all different role-players.

It is so, it is to this extent that the Department of Community Safety has advocated the use of a Community Safety Improvement Partnership as a

framework to promote professional policing through effective oversight...

[Interjection.]

Mr K E MAGAXA: What about Bambanani?

Mr D G MITCHELL: ... to promote the safety of all public buildings and spaces and build safer communities through sustainable and viable partnerships. We have consistently been lobbying SAPS at a national level and will continue to do so for an increase in police patrolling in all crime hot-spots in the province. We urge SAPS to follow through with our recommendations especially in the three areas which were amongst the top ten crime-affected areas over the past year. I thank you.

The DEPUTY SPEAKER: Thank you. Hon member Mr Tyatyam.

Mr S G TYATYAM: Mr Deputy Speaker, I must say that under the Department we have seen the continuous imposition of the unpopular Extended Partnership Programme on the CPFs resulting in many of them underperforming, many of the CPFs. Yet, let me put it this way, our CPFs, who have contributed for quite a number of years in reducing crime in this province, are seen to be back-benchers in the Department of the ...

[Interjections.]

What is important here is that all others, neighbourhood watches and all others, are more prevalent or operational in the affluent areas. Yet, CPFs that

continue to interact with people in our areas do not see the light in the Department.

We must say that the persistent failure to unconditionally support the CPFs weaken them and is the main cause of social disintegration of these communities. Hon member Mr Mitchell, the DA-led Government abandoned a successful programme called Bambanani. The concept... [Interjections.]

An HON MEMBER: There was still crime.

Mr Q R DYANTYI: We reduced crime... [Inaudible.]

Mr S G TYATYAM: It was reduced. The crime reduced. It further increasingly supports all others that are only participating in the affluent areas. [Interjections.]

An HON MEMBER: It was the ANC... [Inaudible.]

Mr S G TYATYAM: But more so, this Government of the DA... [Interjections.] We have not seen this DA Government making sure that in these particular areas there is correct infrastructure that aligns in these areas - Gugulethu, Nyanga, because in Nyanga you also include Philippi and others... [Interjection.]

The DEPUTY SPEAKER: Order member. Your time has expired for this slot.

Hon member Ms Wenger.

Ms M M WENGER: It is clear, Mr Deputy Speaker, that in spite of DoCS' programmes crime remains very high in these three areas. Research has found that policing has a positive impact on crime if and only if the police to population ratio is one to 220 or more, which is the United Nations Guideline. Anything below this rate means that policing becomes meaningless. Knowing this one would expect the National Government to ensure that poor crime effected areas would have this minimum level of policing, but Delft has only one officer for every 706 citizens; Gugulethu, one officer for 643 citizens and Nyanga only one for every 754 and this already includes the 600 new student constables.

Perhaps the hon member should ask his ANC colleague the Minister of Police what is going on in the Western Cape and why the National Police Department has deserted our communities. [Interjections.] [Applause.]

The DEPUTY SPEAKER: Hon member Mr Tyatyam. [Interjections.]

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. I must say that the continuous response from the Minister telling us about the holiday programmes - crime does not only happen on holidays. Maybe he does not know that. In our areas it does not only happen on holidays. What is happening when there is no holiday? It is in these areas where the majority of children are actually dropouts. Yet we do not see a collaboration of that

Department and other departments in the province to make sure that we have lights in our areas, that we have CCTVs. And, of course, you cannot also say, I know he is going to say “no, that is the work of the municipality.” It is the responsibility of the DA to make sure that it takes care of all the communities because it is the DA that is in the municipality. It is the DA that is there. There must be collaboration to make sure that all our infrastructure is in place, to make sure that we do not have this kind of crime.

More so, we talk of programmes. When we asked the Department how many Safety Kiosks for instance are in Nyanga, the Department told us they only have one Safety Kiosk. If you are looking at the precinct of Nyanga, Nyanga includes Crossroads, it includes Philippi, it includes New Crossroads, they are all under Nyanga and you are expecting that that Safety Kiosk, which we were told has a broken leg, must now save those areas. So it does not address some of the issues which we hope... [Interjection.]

The DEPUTY SPEAKER: Thank you hon member Mr Tyatyam, your time has now expired.

Mr S G TYATYAM: ... must be addressed at that... [Time expired.]

The DEPUTY SPEAKER: Hon Minister Plato.

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, let me say to the hon member that he must go and look at the facts.

I mentioned a lot the Department is doing, and it is on a day-to-day basis. The holiday programme is only one of many as I have identified and we will continue with our interventions in the communities on a day-to-day basis, it is exactly what I am doing with the team behind me and next to me.

Scandals he is talking about, he must bring them. I am not aware of any scandal. Where are they? But I have said from day one that... [Interjections.]

Yes, bring the facts, do not talk, bring! [Interjections.]

Let me say, I have said it from day one, we must go to where it matters in the communities. No-one else before me has done that and my team and I went into the most vulnerable of communities on the Cape Flats and my Department is well aware of that. For this year alone we changed the lives of thousands of people, vulnerable youngsters, gangster and drug-stricken youngsters on the Cape Flats and steer them to FET Colleges to go and study. The latest tally I have which never happened in the history of this Western Cape Government is over 6500 and that is factual.

Thank you very much Mr Deputy Speaker. [Interjection.] [Applause.]

Mr C M DUGMORE: Not according to the ANC... [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: It does not matter if they are ANC. It does not matter. [Interjections.]

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

The MINISTER OF COMMUNITY SAFETY: The fact of the matter is it is there and we use it. [Interjections.]

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

The MINISTER OF COMMUNITY SAFETY: That is it! [Interjections.]

The DEPUTY SPEAKER: Order! Order! Order members.

The MINISTER OF COMMUNITY SAFETY: I said it at the annual meeting.

The DEPUTY SPEAKER: Minister Plato, Minister Plato, you are getting another opportunity now.

[Debate concluded.]

The DEPUTY SPEAKER: We are moving onto the second interpellation. Again Minister Plato from the hon member Mr Tyatyam. Minister Plato.

*Department of Community Safety: failure to assist with fight against crime*

**2. Mr S G Tyatyam asked the Minister of Community Safety:**

In light of the Department of Community Safety's constant failure to assist effectively with the fight against crime and violence, why is his Ministry still referred to as Community Safety, seeing that crime and violence continue to destroy lives in underprivileged communities in the province?

The MINISTER OF COMMUNITY SAFETY: The annual report will say, I have mentioned it right there, you were present at that annual report session.

It is concerning to me that members in this House seem to not want to understand the mandate of provincial departments and would deliberately attempt to mislead this House. [Interjections.]

An HON MEMBER: Hear-hear!

The MINISTER OF COMMUNITY SAFETY: The Department of Community Safety and I want to repeat myself, Mr Deputy Speaker, we are not the Department of Police.

The MINISTER OF SOCIAL DEVELOPMENT: Hear-hear.

The MINISTER OF COMMUNITY SAFETY: Give the operational side of the police to us, then you can come and question us. [Interjections.]

An HON MEMBER: It is now or never.

The MINISTER OF COMMUNITY SAFETY: As already mentioned the Department of Community Safety has no operational control over the police. The Western Cape Government has no operational control over the police as well but has a very important oversight mandate. To this extent we complement what the police are doing. The police are trained to go and stand in front of bullets and to stop bullets flying, not officials of this Department of Community Safety.

The MINISTER OF SOCIAL DEVELOPMENT: Workshop them.

The MINISTER OF COMMUNITY SAFETY: We are not the police and cannot do what the police are trained for to do... [Interjection.]

Ms P MAKELENI: Exactly!

The MINISTER OF COMMUNITY SAFETY: ...to stop the violence, Section 205(3) of the Constitution is pretty clear. [Interjections.] The objects of the police service are to prevent, to combat and investigate crime, to maintain public order. They are trained to do just that. Section 206 of the Constitution describes the role of the MEC and that of the Department of Community Safety. My role is very different from what the honourable member asked in his question.

The Constitution is clear that the police combat crime. The Constitution is clear that the police maintain public order. That is their constitutional

mandate and not that of Community Safety but how can it be expected from SAPS to do that when its fire power gets diminished to such an extent that it becomes a lame duck police service in the fight against crime; specialised drug and gang units taken away; reservists taken away, thousands of them. For the past two years, only one new reservist appointed; 85% of police stations in the province historically under-resourced. We said it over and over.

Conviction rates for gang-related murder over the past two years is a dismal 4% in the 2014/15 financial year and .7% now in the 2015/16 financial year. Our mandate is clear, we can only assist the police to help create safer environments and through effective oversight and it is exactly what we are doing. Thank you. [Interjections.]

The MINISTER OF SOCIAL DEVELOPMENT: Workshop them.  
[Interjections.]

The DEPUTY SPEAKER: Thank you. Hon member Mr Tyatyam.

†'n AGB LID: Saterdag, sommer Saterdag.

[An HON MEMBER: Saturday, Saturday already.]

Mr S G TYATYAM: Thanks Mr Deputy Speaker. I must say that it is only under the DA that a Minister will run away from his responsibility because we have had MECs of Community Safety before, who intervened...

[Interjection.]

An HON MEMBER: Did you reduce crime?

Mr S G TYATYAM: ...and reduced crime... [Interjection.]

An HON MEMBER: In this province.

Mr S G TYATYAM: Yes, in this province. Yet here when the Minister stands up he always says it is not his responsibility. It is not his responsibility. It is National, it is the police responsibility. He must go - in fact he does attend MINMECs. All other MECs take responsibility for what is happening in their jurisdiction. Why can he not take responsibility? In fact... [Interjections.]

Mr M G E WILEY: Where does the ANC Minister take responsibility for any... [Interjections.]

Ms M N GILLION: All the time, where are you? [Interjections.]

Mr S G TYATYAM: Because it is in this province that we have the highest rate of serious crime including murder and many others, you know. It is getting worse basically.

Ms M N GILLION: Do not run away from your crime stats.

Mr S G TYATYAM: In fact, why must we continue to call this the Department of Community Safety? Why are we not calling them the Department of Community Sacrifice and Shame?

An HON MEMBER: Yes. [Laughter.]

Mr S G TYATYAM: Because that is what they are able to do. They are sacrificing our people, you know, because our communities are sacrificed at the hands of hard-core criminals like drug dealers and gangsters. The Department has been the cause of social erosion in the disadvantaged communities because it is a department that has been fighting the Provincial Commissioner. It is the Department that has been fighting some of the generals, who are doing good work in this province. That is his work, basically destabilising... [Interjections.]

In the five year strategic plan of the Department it says it must strive to increase wellness, safety and reduce social ills in our communities, but are we getting that from this Department?

An HON MEMBER: No.

Mr S G TYATYAM: Are we getting that from this Department, you know? [Interjections.]

Ms M N GILLION: You are not the Speaker, man. Keep quiet.

Mr S G TYATYAM: The perpetual disregard of our poor communities, particularly by the DA Government and preferential allocation of resources in favour of affluent areas cannot be left unattended. [Interjections.]

Mr M G E WILEY: Name one example. [Interjections.]

Mr S G TYATYAM: ...because continuously [Interjections.] ...all...  
[Interjection.]

The DEPUTY SPEAKER: Order! Order, before the example is mentioned, your time has expired. [Interjections.] [Laughter.]

An HON MEMBER: No definitely.

Mr S G TYATYAM: I wanted to give him... [Time expired.]

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

Ms M M WENGER: Thank you, Mr Deputy Speaker. The hon member through his question has revealed his misunderstanding of crime and safety. If the member were to read the Constitution he would note that the National Government through the police are responsible for reducing crime and upholding the law. By contrast if he were to read a little further down in Chapter 11 he would note that the Provincial Government and in particular the Department of Community Safety... [Interjections.]

The DEPUTY SPEAKER: Order!

Ms M M WENGER: ...have no operational control over the police. The constitutional mandate of this Community Safety Department is that of policing oversight.

Whilst SAPS targets are directly related to crime reduction and their slogans are #CrimeMustFall, the Department of Community Safety's targets are that of increasing safety and that is done through police oversight, support to CPFs and neighbourhood watches; alcohol harm reductions and through Government safety initiatives; conducting effective police oversight is something which the Western Cape has pioneered and does more rigidly and more stringently than any other province in South Africa. [Interjections.]

Just look at the Provincial Police Ombudsman. [Interjections.] Just look at the Watching Briefs Programme. Look at the Community Safety Act. Perhaps the hon member should have rather asked the Minister whether he should consider changing the ministry's name to the Ministry of Policing Oversight so that we could precisely avoid this kind of confusion in the future. [Applause.]

The DEPUTY SPEAKER: Hon member Mr Tyatyam.

Mr S G TYATYAM: Thanks Mr Deputy Speaker.

An HON MEMBER: Workshop!

Ms M N GILLION: You need a workshop.

Mr S G TYATYAM: The Western Cape Constitution... [Interjections.]

Mr M G E WILEY: The example you were talking about?

Mr S G TYATYAM: The Western Cape Constitution Chapter 8, Point D - in Chapter 8 it says that the Department must promote good relations between the police and the community. [Interjections.]

Mr Q R DYANTYI: Hence Bambanani.

Mr S G TYATYAM: And we know that is not taking place currently. [Interjections.]

An HON MEMBER: Exactly.

Mr S G TYATYAM: We know that is not taking place currently. In fact most of the time the Minister is in very affluent areas, he does not even attend to our poor communities. [Interjections.]

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

Mr S G TYATYAM: Mr Deputy Speaker, you must protect me.

The DEPUTY SPEAKER: I am waiting for you to continue. [Interjections.]

Mr S G TYATYAM: Okay. Many households live in fear. School children are constantly negatively affected by gang fights, shooting and violent killings and too often they are innocent in this. [Interjections.]

We see the Department treating crime and violence with soft gloves. The Minister is not prepared to muddy his hands and be involved in crime prevention, as other Ministers who came before him did, who were able to do that ... [Interjection.]

An HON MEMBER: Like Wiley.

Mr S G TYATYAM: ... you know, brought many things under them. [Interjections.]

We must also say that the Minister cannot abandon his responsibility to make sure that there are safer communities. Why does it say in the Western Cape Constitution that the Minister or the Department must make sure that we have safer communities? Why are we not changing it if the Minister cannot do that ... [Interjection.]

Mr Q R DYANTYI: ... can advise them better. He knows it.

Mr S G TYATYAM: Yes, we must do that. [Interjection.]

The DEPUTY SPEAKER: Order, hon member, your time has expired.

Mr S G TYATYAM: He must change it, if they can, or we must close the Department if it cannot do those... [Interjection.]

The DEPUTY SPEAKER: Thank you.

Mr S G TYATYAM: ...at least constitutional issues. [Time expired.]

The DEPUTY SPEAKER: Thank you, your time has expired. [Interjections.]  
Hon member Mr Mitchell.

Mr D G MITCHELL: Thank you, Mr Deputy Speaker. The DA in the Western Cape is well aware of the continued crime and violence faced in underprivileged communities in the province. We have constantly asked for support from SAPS to increase the number of police officers especially in underprivileged areas as these are the highest affected areas to assist DoCS in fighting crime and violence in underprivileged areas. [Interjections.]

In several cases we have pointed out that our province is severely under-policed. Currently our province is still the least catered for when it comes to SAPS staffing, although we continue to have more crime hotspots than any other province. Crime and violence are violating the rights of our

people, not only on a day-to-day basis but it has become an increasing problem even within our schools.

We once again urge SAPS to provide our province with the necessary support and resources in order to make all our communities a safe space. Mr Deputy Speaker, perhaps also I would like to highlight that the ANC is perhaps guilty of over-resourcing the leafy suburbs because it is a direct national competency. [Interjections.]

Ms M N GILLION: Really!

Mr D G MITCHELL: Thank you.

The DEPUTY SPEAKER: Hon member Mr Tyatyam.

Mr S G TYATYAM: Thank you, Mr Deputy Speaker. I just want the Minister to tell us must we continue to call this the Department of Community Safety? Is it not the right time for him to actually resign because he has not produced any good work in that Department? I am sure within the DA there are better people who can do that work.

Ms M N GILLION: Like Max.

Mr S G TYATYAM: Who can do that work with flying colours.

Ms M N GILLION: Like Max!

Mr S G TYATYAM: So I think we cannot continue to have a department in our province that is funded by taxpayer's money, that is calling itself Community Safety and yet our communities are not safe at all. So therefore it is the right time for him to stand up and actually resign. Thanks.

The DEPUTY SPEAKER: Thank you. Minister Plato.

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, it is long since I have listened to such a lot of rubbish. [Interjections.]

Ms M N GILLION: Oh my word!

The MINISTER OF COMMUNITY SAFETY: I cannot agree with any of the issues the hon member have mentioned. [Interjections.]

The DEPUTY SPEAKER: Order!

An HON MEMBER: That is your attitude!

The MINISTER OF COMMUNITY SAFETY: Ja, it is the right attitude to such low-class utterances by an honourable member. [Interjections.] The issue on visiting poor communities... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

The MINISTER OF COMMUNITY SAFETY: ...if there is one MEC every day in the backstreet communities to assist them and to give them hope [Interjection.]

The DEPUTY SPEAKER: Minister, order Minister [Interjection.]

The MINISTER OF COMMUNITY SAFETY: It is me, Dan Plato.

The DEPUTY SPEAKER: Minister, just one second. [Interjections.]

An HON MEMBER: Hear-hear! [Applause.]

The DEPUTY SPEAKER: Hon leader of the Opposition.

Mr K E MAGAXA: Mr Deputy Speaker, I just want your ruling, is it parliamentary for the Minister, especially of Safety, to use such a violent language like “rubbish” in this House?

The DEPUTY SPEAKER: Yes, there is no exceptions whether he is a Minister or not a Minister, he is a member of the House. The word “rubbish” is parliamentary unless you refer to the person as being rubbish, then it is not parliamentary. [Interjection.] So Minister Plato, you may continue and try not to be too controversial in the House... [Interjections.]

The MINISTER OF COMMUNITY SAFETY: Let me further say, the referral to me fighting the police, I do not want to go into the specifics on who is currently appearing in front of the courts, police officers, and let me further say... [Interjections.] ...over the last couple of months quite a number of police officers have been suspended out of the police force... [Interjection.]

Ms P Z LEKKER: Is that not good practice, they were suspended [Inaudible.]

The MINISTER OF COMMUNITY SAFETY: ...because of corruption and other illegal incidences they were involved with. I do promote good relationship between my Department and the police. Yesterday, hon member Ms Lekker will tell you, a question that was posed by her to Lieutenant General Jula and Mr Jula was responded to by saying the relationship between the police today and the Department of Community Safety is very sound. [Interjections.] He said it himself, contrary to what the hon member is saying. I was not there, but I follow what was said at that specific meeting yesterday. That is factual. [Interjections.]

The DEPUTY SPEAKER: Order!

The MINISTER OF COMMUNITY SAFETY: I will continue to make sure that the relationship between myself, my Department and the police is a very, very good relationship but I want to conclude by saying the hon member raised the issue that our communities are suffering. Yes, they are suffering because of the diminishing police force. That is what I am fighting against.

Mr Deputy Speaker, I visit police stations on a week to week basis and find one vehicle for two sectors operating, many times one police officer in a vehicle. You put the police officers up for a failure. They cannot do their work in the manner they are supposed to do their work. [Interjection.]

The DEPUTY SPEAKER: Thank you Minister Plato. Your time has expired.

The MINISTER OF COMMUNITY SAFETY: Thank you. [Time expired.]

The DEPUTY SPEAKER: Order.

Mr Q R DYANTYI: I just want to check... [Interjection.]

The DEPUTY SPEAKER: Order, just before you rise - there is too much unnecessary comment and interjections from this side. I am looking in particular at the hon member Ms Lekker at the back. It is one thing to make a constructive interjection but to comment on each and every comment from the Minister's side is not becoming parliamentary eventually the way it goes on. I see the hon member Mr Dyantyi. Do you still want to speak? Is it a point of order?

Mr Q R DYANTYI: I just wanted to check Mr Deputy Speaker, when you said his time is up, were you saying his time is up in the House or his time is up? [Laughter.]

The DEPUTY SPEAKER: No. That is a little bit frivolous but I was referring to the Minister's speech. [Interjections.]

[Debate concluded.]

The DEPUTY SPEAKER: Order! Order! We proceed to Questions. Question number 1, hon member Mr Uys to the Premier. I see the Premier.

### **QUESTIONS FOR ORAL REPLY**

*Questions standing over from Thursday, 22 September 2016, as agreed to by the House:*

#### *Prevention of HIV and AIDS*

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

Whether her statement that “all that needs to be done to prevent HIV and Aids is to embody scientific knowledge in behaviour” represents the policy of her Government; if so, on what research is this policy based?

The PREMIER: Thank you very much Mr Deputy Speaker. I have not made the statement quoted in inverted commas in the hon member's question.

The DEPUTY SPEAKER: Hon member Mr Uys is there a follow-up?

Mr P UYS: I think so, Mr Deputy Speaker, thank you to the Premier. Madam Premier, it seems like when you tweet and when you speak here there are two different things that you say but while you deny that, may I ask you, do you agree that racism and inequality do fuel the spread of HIV and Aids?

The PREMIER: Well there are very poor communities all over the world where HIV and Aids are not rife so you cannot say that poverty is a direct cause of HIV and Aids. The direct cause is exposure to body fluids and that can happen through blood, through sex and through breastfeeding babies by infected women. It happens with the transfer of body fluids and transfers of body fluids do not happen more easily between rich or poor, black or white. The transfer of body fluids is the cause of HIV.

The DEPUTY SPEAKER: Hon member Mr Uys, your second opportunity.

Mr P UYS: Thank you, Mr Deputy Speaker. So Madam Premier are you then saying that poverty has got no influence on the spread of HIV and Aids at all?

The PREMIER: Well I certainly know that South Africa has R6.3 million people living with HIV and that we have got the most extensive antiretroviral treatment programme in the world... [Interjection.]

An HON MEMBER: Thanks to the ANC. [Interjections.]

An HON MEMBER: Ja, exactly.

The PREMIER: Thanks to the DA in the Western Cape. [Interjections.] In fact thanks to... [Interjections.]

An HON MEMBER: The DA.

An HON MEMBER: Where were you? [Interjections.]

The DEPUTY SPEAKER: Order! Order! [Interjections.] Order! Please allow the Premier to continue. [Interjections.] Order! Hon member Mr Masizole Mngqasela, the hon member there. He has earphones on. He cannot hear me. [Laughter.] You are interfering with the Premier's attempts to reply. [Interjections.]

Premier, you may continue. [Interjections.]

The PREMIER: Thank you very much indeed, Mr Deputy Speaker. In 1999 when the ANC was gripped by HIV Aids denialism it was the Coalition Government in the Western Cape that against National Government policy introduced universal testing and antiretroviral treatment. [Interjections.]

The DEPUTY SPEAKER: Order. We then continue. Is there a further follow-up?

Mr P UYS: Thank you, Mr Deputy Speaker. I am a bit concerned that the Premier is not answering the questions and HIV and Aids are really a critical issue also in the Western Cape and then Premier, what is the incidence of HIV and Aids in the Western Cape because the last PERO really showed us a very, very alarming statistic.

The PREMIER: Yes, absolutely, it is very alarming indeed, because we have tried to have universal testing and everybody knows that there are free antiretrovirals available and yet we are not sufficiently bringing down the incidence of HIV Aids transmission and because HIV Aids transmission is the result of the exchange of body fluids we have to translate that scientific knowledge into behaviour change otherwise we cannot prevent HIV transmission.

The DEPUTY SPEAKER: Your last opportunity hon member Mr Uys.

Mr P UYS: Madam Premier, why do you always like to see this as a mechanical thing of body fluid? Why do you not accept that I want to ask this question to you... [Interjection.]

Mr M G E WILEY: Because it comes from you. That is why.

Mr P UYS: I want to ask the question to you that inequality limits the choice of certain people. Do you accept that at least that inequality will limit the choice of people?

An HON MEMBER: You are not a Minister in.... [Inaudible.] [Interjection.]

Mr P UYS: You just keep quiet there.

The DEPUTY SPEAKER: Order.

†Mnr Q R DYANTYI: Bly stil! Bly stil! [Tussenwerpsels.]

[Mr Q R DYANTYI: Keep quiet! Keep quiet! [Interjections.]]

The DEPUTY SPEAKER: Order! Premier, you may respond.

†Mnr Q R DYANTYI: Bly stil asseblief.

[Mr Q R DYANTYI: Keep quiet please.]

The PREMIER: I absolutely accept that the oppression of women contributes to them having no say in their sexuality. That is a very serious contributing factor. It is not an automatic function of poverty though and it is not helped by people saying that you cannot do anything to prevent the spread of HIV and Aids. Individual human beings can do something and poverty does not make Aids inevitable. Behaviour change makes AIDS prevention a certainty.

The DEPUTY SPEAKER: Thank you. We move on to the new questions, again the first one is to the Premier from hon member Mr Dyantyi.

*New Questions*

*Broadband Game-changer*

**1. Mr Q R Dyantyi asked the Premier:**

- (a) What are the tangible milestones that have been reached and the progress that have been recorded on the broadband game-changer since the State of the Province Address, and
- (b) What are the challenges that have been encountered?

The PREMIER: Thank you very much Mr Deputy Speaker.

- (a) Neotel reached the 75% milestone target which was 1418 sites for the roll-out of broadband services on 7 November 2016 so that was over 1000 in a year - a wonderful achievement! [Interjection.]

To date Neotel has installed 1423 broadband access links at Western Cape Government sites. The State IT Agency or SITA has installed and activated networking equipment which is routers and switches at 1368 of these sites.

- (b) Delays in obtaining wayleave approvals for the installation of fibre network services; delays in the completion of the rural broadband points of presence have been due to slow building plan approvals and municipal power connections and safety and security problems in

Khayelitsha and Mitchells Plain have resulted in some roll-out delays in these areas.

The DEPUTY SPEAKER: Hon member Mr Dyantyi, follow-up.

Mr Q R DYANTYI: Just a quick one, the first one, Mr Deputy Speaker. In the milestones you have just outlined briefly, Madam Premier, can you at the same time share with this House the empowerment progress, if any, in those milestones you have just shared with us here?

The DEPUTY SPEAKER: Madam Premier?

The PREMIER: Yes. Access to broadband is an enormously empowering initiative because access to broadband as all of the hon members in this House will know gives you access to almost all the knowledge that exists in print in the world and if we put broadband access points and free broadband access points in schools it opens every international library in the world to our students.

There are many, many applications in education, in healthcare, in transport, in a range of other areas which can totally transform life for poor people and that is the enabling and empowering aspect of access to fibre.

The MINISTER OF SOCIAL DEVELOPMENT: Hear-hear!

The DEPUTY SPEAKER: Hon member Mr Dyantyi. You may proceed with your second question.

†Mnr Q R DYANTYI: Ek sal terugkom na daai een [I will come back to that one] but let me get to this one. Just from the progress you have just mentioned on my second question, what school, clinic or library in Kraaifontein can you share, those things have been in existence since your State of the Province Address.

The PREMIER: Mr Deputy Speaker, I cannot speculate on specific individual sites, because there are as I said 1400 sites across the province, so if an honourable member identifies a particular site and submits a question on the particular site I can certainly get the particular answer for that site.

The DEPUTY SPEAKER: Hon member Mr Dyantyi.

†Mnr Q R DYANTYI: Nou kom ons. [Now we get there.] Up to this point, surely this one you would know, what actual amount has been incurred by this programme?

The PREMIER: What cost? [Interjections.]

An HON MEMBER: That is a new question... [Interjections.]

Mr Q R DYANTYI: It is not a new question.

The PREMIER: No it is not a new question but in the follow-up question to ask me for an actual amount which was your exact words, if I in any way get that wrong then I can be accused of misleading this House. Now we have budgeted billions for this project roll-out over many years, over many years in the lifetime of the project, but what costs have exactly been incurred up till now is impossible for me to say off the cuff without actually getting that statistic from the Treasury.

The DEPUTY SPEAKER: The last opportunity hon member Mr Dyantyi.

†Mnr Q R DYANTYI: Dis 'n paar goeie vrae. [Tussenwerpsels.] [Those are a few good questions.] [Interjections.] Thank you. Can you share with us Madam Premier, I hope this one you will know. What consultants are involved in that programme and regarding those consultants, is there any empowerment strategy?

An HON MEMBER: That is a new question.

Mr Q R DYANTYI: It is not a new question.

The DEPUTY SPEAKER: Honourable Premier.

The PREMIER: Mr Deputy Speaker, we have done all of this through the State Information Technology, IT, Information Technology Agency; the State Information Technology Agency and they have done it according to the

protocols that apply to the procurement of information technology throughout the country. [Interjections.]

The hon member says this is our project. He may know but he probably may not know that you cannot do anything in information technology without going through the central procurement processes governed by SITA, the State Information Technology Agency, unless you get an exemption. We applied for an exemption and we were refused and rejected and Gauteng applied for an exemption and was accepted. So we worked through the State Information Technology Agency and we followed the procurement process as laid down by them.

The DEPUTY SPEAKER: Thank you. We then proceed to the third question. Before we go there can I just give some guidance. We allow four supplementary questions, four follow-up questions per question. If there are no questioners wanting to ask follow-up questions on the original question they would have the right to ask to about four, but if there is a demand from the other side also for questions then the Chair would allow at least two of the four to go to the original questioner. Hon member Mr Dyantyi to the honourable Premier? Madam Premier, the second question.

An HON MEMBER: The next question?

The DEPUTY SPEAKER: Yes please.

The PREMIER: Thank you very much Mr Deputy Speaker. The Western Cape Government's joint Energy Security Game Changer with the City of Cape Town and other municipalities has made a lot of progress in realising its goal of ensuring energy security that supports economic growth in the Western Cape by 2020.

Some of the milestones achieved to date include small scale embedded generation systems being put in place for five local municipalities. Thirteen municipalities in the province also now have legal frameworks in place to allow small scale embedded generation, which is a huge milestone because now there can be local generation that is used to generate energy in a specific space that does not come off the grid necessarily and that can in fact be fed into the grid if there is surplus energy, which is an extraordinary achievement. This will allow residents and businesses to install and connect their solar photovoltaic panels to their municipal electricity grid and to be compensated for the electricity that they do not use and feed into the grid. It is a major breakthrough and it is the first in the country.

There are also 23 municipalities in the country that have adopted these frameworks and 13 of them are in the Western Cape. The Western Cape Government is also leading by example when it comes to interventions to reduce energy consumption in Government buildings. For example the Department of Agriculture has just completed an energy audit and is now implementing recommendations to reduce their baseline consumption at Elsenburg.

The Department is also investigating the installation of Solar PV. The Department of Health has installed smart meters in hospitals across the province to track consumption and has introduced interventions in key hospitals to reduce consumption and electricity bills.

Finally the Department of Transport and Public Works is installing smart meters to track consumption and identify key buildings for interventions. The first Solar PV panels have also been installed at number 9 Dorp Street.

The National NRS 049 smart meter standard has also been published which will significantly reduce the price of smart meters in the future. GreenCape Provincial Funding contributed significantly to the finalisation of the smart meter standard.

When it comes to our target of installing efficient water-heating devices including solar water heaters and heat pumps across the province, approximately 60 000 solar water heaters have been installed. 46 117 in the City of Cape Town as at April 2016. The number of heat pumps installed is unknown.

Some of our main interventions going forward currently include that there are nine local municipalities with approved small scale embedded generation tariffs, which is the legal framework plus tariff approved by NERSA in the province. This is nine out of the 12 municipalities that have tariff approval

across the country. We will focus on assisting the other municipalities in the province that have legal frameworks in place to also give tariff approval from NERSA. We will also be engaging with key Government stakeholders to promote the importation of liquefied natural gas in the Western Cape, which is why we are disappointed that Saldanha Bay was not identified as the port for the importation of natural gas in the preliminary information memorandum released by the Department of Energy on 3 October.

The National Department has also failed to provide details on its plans for the 600 megawatt allocation for natural gas in the West Coast that the National Minister of Energy Tina Joemat-Pettersson gazetted in May 2016. There are a number of strong reasons why Saldanha Bay should have been included in phase one of the LNG Independent Power Producer Procurement Programme, which raises serious questions of why the National Department has excluded our region.

For this reason the Western Cape Minister of Economic Opportunities Minister Alan Winde has written to Minister Joemat-Pettersson requesting further engagement on these issues and detailed reasons why Saldanha was excluded.

The City of Cape Town has also written to Minister Joemat-Pettersson requesting permission to procure solar and wind power from independent power producers. However, she has not responded to date. This is critical if we want to increase renewable energy in the province and the City, therefore

we plan to legally challenge the National Minister's lack of response on this important matter. [Interjections.]

Finally, of great concern is the National Government's vehement support of nuclear in the absence of any documented business case that is both publicly available and independently verifiable. Processes to date around nuclear have lacked the reason, have lacked the transparency, legality and impartiality that should be inherent in a major procurement process in a constitutional democracy like ours, especially in the context where now the cost of producing green energy is less even than the cost of coal fired energy and much, much less than the cost of nuclear.

Instead of explaining why the nuclear procurement is such a top priority the process is labelled with rumours of secret meetings and agreements and avoidance of public consultation and participation... [Interjection.]

†Mnr Q R DYANTYI: Ek het nou nie daai gevra nie.

[Mr Q R DYANTYI: I did not ask about that now.]

The PREMIER: And complete disregard for industry expert opinions and the blatant removal of any Government official who questions or opposes the nuclear deal decision. President Zuma's personal involvement and influence in the nuclear procurement process to date despite a number of unanswered questions about how South Africa will afford this investment, which at an estimated maximum cost of R1.6 trillion raises serious suspicion over the

President's motives.

It is clear that South Africa cannot afford to blindly pursue an expensive nuclear programme while ignoring the enormous advantages and availability and low cost of renewable technologies combined with natural gas.

It is a fourfold win: low carbon emissions, cheaper electricity prices; more foreign investment; more jobs; more industrialisation and everything that goes with it. This is the energy future of Africa and the Western Cape is currently leading the way and we will continue to pursue it no matter how many obstacles your National Government puts in our way.

Thank you very much.

An HON MEMBER: The ANC does not get this.

The DEPUTY SPEAKER: Hon member Mr Dyantyi.

Mr Q R DYANTYI: I am very aware of the trick of redirecting us. Let me be specific and come back home. In terms of the State of the Province Address Madam Premier, you said by April 2016 there would have been a designation of Atlantis as a Special Economic Zone (SEZ) from GreenTech.

†Die PREMIER: Dis reg. Ja.

[The PREMIER: That is correct. Yes.]

An HON MEMBER: Yes.

Mr Q R DYANTYI: What is happening? Madam Premier, I want you to be specific. We might just stand the two of us and deal with this.

The PREMIER: Yes, indeed there has been a declaration by the City of Cape Town that has produced many incentives for investment and attracted an enormous amount of investment, which is why jobs are being created, investments are being made and the cost of generating green energy is coming down very significantly. That is precisely why.

The DEPUTY SPEAKER: Hon member Mr Dyantyi.

Mr Q R DYANTYI: Another very specific one, in the same State of the Province Address, Madam Premier, you spoke of 30% reduction target in energy over the medium term. Can you indicate to us where are we on that now as we speak?

The PREMIER: Well a 30% reduction target in energy would be disastrous because we would be in economic collapse. I mean if the demand for energy dropped by 30%, a 30% reduction target is what you are saying, it could only be caused by economic collapse. We want the demand for energy to grow, but we want it to be produced by green sustainable sources.

The DEPUTY SPEAKER: Hon member Mr Dyantyi.

Mr Q R DYANTYI: That is interesting going into the next State of the Province Address. It is already clear we are not getting there, very clear. [Interjections.] But here is the next specific one. You also spoke of agreements with independent power producers. Where are we, Madam Premier, on that? [Interjections.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: 2000 in the City of Cape Town.

The PREMIER: Good, well I did not know the exact number but the hon the Minister has interjected that there are 2000 such agreements in the City of Cape Town. I am not here to be able to challenge his particular statistics because being the Minister of Economic Opportunities he knows precisely how many opportunities these kinds of agreements generate. I knew there were very many independent power producer agreements for the City of Cape Town. The challenge is that the National Minister is blocking our capacity to use that as the key source of our energy consumption so that we can grow the green technology industry even more. So there are very large numbers of IPPs and many, many people are now generating their own electricity and potentially going off the grid because it is impossible for us to get past all the red tape and blockages that the National Government puts in our way.

Mr Q R DYANTYI: The last one Mr Deputy Speaker ... [Interjection.]

The DEPUTY SPEAKER: Hon member Mr Dyantyi your last opportunity.

[Interjections.] I have to go to the last one. Madam Premier, I hope you see that you are on your own. They are not even helping you but let us do this.

The PREMIER: They have been helping me all the time... [Interjection.]

Mr Q R DYANTYI: Let us do this. [Laughter.] In the same State of the Province one of the key things you mentioned emphatically was that you were going to diversify this energy mix. Can you just give us - I do not want to ask many - just two examples up to this point what is it that you have done in relation to that. Remember it is November now before February.

The PREMIER: I just wonder sometimes whether the hon Opposition listens to the answers that we give to questions.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Could someone help write it down for them.

The PREMIER: We have gone so much further than we ever anticipated with the energy game-changer.

Mr Q R DYANTYI: Give the answer.

The PREMIER: We got so much further. We never expected to be  
[Interjection.]

Mr Q R DYANTYI: Just one example. That is all I am asking.

The DEPUTY SPEAKER: Order member, order hon member Mr Dyantyi.

The PREMIER: We never expected to have got so far that energy from wind and solar is now cheaper, cheaper in the Western Cape because of the provision than electricity generated by coal.

†Mnr Q R DYANTYI: Uitgevang.

[Mr Q R DYANTYI: Caught out.]

The PREMIER: That is an example.

†Mnr Q R DYANTYI: Julle is uitgevang.

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

The PREMIER: Solar and wind are massive sources of energy including water sources at a place like the Steenbras Dam. That is what has enabled us to prevent stage 1 load-shedding when the rest of the country was still suffering from it. How many more examples do you want?

The DEPUTY SPEAKER: Thank you. We move to the next question, Question 3. Hon member Mr Uys to the Premier again.

*Green Point Athletics Stadium: renaming of*

**\*3. Mr P Uys asked the Premier:**

What is the time frame and process for the renaming of the Green Point Athletics Stadium as announced by her recently?

Mr M G E WILEY: Mr Deputy Speaker the light is on but there is nobody at home there.

The PREMIER: Ja.

Ms M N GILLION: That side there is nobody at home. [Laughter.]

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

The DEPUTY SPEAKER: Order! Madam Premier you may proceed.

The PREMIER: The Green Point Athletic Stadium is the property of the City of Cape Town and it is not within my power to decide on or announce any name changes.

An HON MEMBER: Oh, really.

The DEPUTY SPEAKER: Is there a follow-up, hon member Mr Uys?

†Mnr Q R DYANTYI: Die Premier werk vandag, nè, alleen. [Gelag.]

[Mr Q R DYANTYI: The Premier is working alone today, hey. [Laughter.]]

†Me M N GILLION: Niemand help haar nie.

[Ms M N GILLION: Nobody is helping her.]

Mr P UYS: Madam Premier, did you not write to the Mayor and request her to change the name of that stadium and why would you now tell us because it is not your authority, you did not inquire on what is the timeline and the timeframe, or was it just a public stunt to just call it, because if you are really interested and if you really care you would really ask the Mayor: “When will this happen? What is the timeline?”

†Mnr Q R DYANTYI: Hulle praat mos nie.

[Mr Q R DYANTYI: They don't speak.]

Mnr P UYS: So why do you not answer the question Madam Premier?

†Mnr Q R DYANTYI: Hulle praat mos nie met mekaar nie.

[Mr Q R DYANTYI: They don't speak to each other.]

The DEPUTY SPEAKER: Order! Order! Madam Premier.

The PREMIER: Thank you very much. Mr Deputy Speaker, I like any other member of the public can make proposals in terms of the City of Cape Town's place naming policy and I made a proposal and I submitted it in the

correct way, and the City is currently going through a public participation process on it and however long that is going to take is in the control in the City of Cape Town, and I am satisfied that it is underway, that members of the public can make different proposals or support the proposal I have made. That is all underway at the moment and it is not within our control.

The DEPUTY SPEAKER: Is there a follow-up, hon member Mr Uys?  
[Interjection.] Hon member Mr Uys then I will get back.

†Mnr Q R DYANTYI: Julle kan maar aanhou slaap.

[Mr Q R DYANTYI: You can carry on sleeping.]

The DEPUTY SPEAKER: Order!

Mr P UYS: Thank you, Mr Deputy Speaker. What the premier is saying to us, †ons praat nie, ons tweet nie eers nie. [Gelag.] [we don't speak, we don't even tweet.] [Laughter.] But Mr Deputy Speaker... [Interjection.]

†Mnr Q R DYANTYI: Daar is oorlog daar.

[Mr Q R DYANTYI: There is war there.]

Mnr P UYS: When you make a recommendation like that you are not an ordinary member of the public. I mean you are the Premier and when you make a recommendation like that to the Mayor are you going to contribute substantially to the upgrading, to the institution of programmes at this

facility? You cannot just change the name of the stadium and think now this is going to honour a person. What are you bringing to the table Hon Premier?

Mr M G E WILEY: What is your point?

An HON MEMBER: That is a clear point.

The PREMIER: I do not quite understand what the hon member is getting at.

An HON MEMBER: Nobody understands.

The PREMIER: But let me respond in this way.

The DEPUTY SPEAKER: Order, order.

The PREMIER: The new Green Point Athletics Track has replaced an old and rather derelict track. It is a new and beautiful athletics track and it seems to me an ideal opportunity to name the track after somebody who has brought sporting glory to this country to the point of being named the best male athlete in the entire Olympic Games ...

The MINISTER OF SOCIAL DEVELOPMENT: Hear-hear!

The PREMIER: ... and it seemed to me a proposal that was worth making.

That does not mean to say that it has to be accepted. It is certainly not exempt from the normal public participation processes which it is undergoing at the moment, but it was a proposal made in good faith on a new facility that does not have to be called by a geographic location, but can be named in order to celebrate excellence, and that is the proposal I made.

The DEPUTY SPEAKER: Hon member Ms Wenger.

Ms M M WENGER: Thank you, Mr Deputy Speaker. I would like to ask the Premier what kind of public response she has had to this renaming proposal?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: In response to the hon member's follow-up question. I have had a lot of informal responses, including on Twitter, Facebook, all of those, because those are very important channels of communication and I use them to great effect. So I have had a lot of responses, but in fact the formal responses have to go to the City of Cape Town in the public participation process, and I do not know what the ANC is hoping to achieve by these kinds of questions, because they only come across as being anti Wayde van Niekerk. [Interjections.]

The DEPUTY SPEAKER: Order. Hon member Uys, your last opportunity?

Mr P UYS: Thank you, hon Premier. Hon Premier, really maybe you do not

feel well today, because you are not answering the questions today, but let me ask the question ...[Interjection.]

An HON MEMBER: Sit, sit.

The DEPUTY SPEAKER: Order. Order, hon member Uys. Hon member Wiley?

Mr M G E WILEY: Reflecting on the integrity of the Premier ...[Interjections.]

An HON MEMBER: Sit down!

Mr M G E WILEY: With respect, the Rules say I am allowed to address you and I would appreciate protection from you ...[Interjection.]

The DEPUTY SPEAKER: Order. Just give the hon member the opportunity.

Mr K E MAGAXA: Sit down Wiley.

Mr M G E WILEY: With due respect, I believe that casting an aspersion on the Premier in her personal capacity ... [Interjection.]

Mr K E MAGAXA: Says who?

Mr M G E WILEY: ...is totally unacceptable.

The DEPUTY SPEAKER: I will look at that, I did not interpret it that way, but let me look at the Hansard. The hon member may continue. Just remember ...[Interjection.]

Mr P UYS: Not at all, Mr Deputy Speaker. I always see the hon Premier as this vibrant person and she is a bit different today, and that is the only reason why I am asking this.

The DEPUTY SPEAKER: Please continue, I will have a look.

Mr P UYS: But let me ask the question Mr Deputy Speaker. Let me ask the hon Premier, in her whole career did she nominate or have a facility renamed after any other sport star so far?

The PREMIER: Well, I do not recall any other athlete being named in the same way as Wayde van Niekerk and breaking a 17 year old world record in a lane that no one has ever won that race in before.

The MINISTER OF SOCIAL DEVELOPMENT: Hear-hear!

The PREMIER: So it is quite an extraordinary achievement and whether or not I have done it before is quite immaterial. There is always a first time.

Mr DEPUTY SPEAKER: We proceed to the next question, Question 4. Hon member Uys to the Premier again. Order, we allow the Premier – order, hon member at the back there, hon member Makeleni. Hon Premier, you may proceed with Question 4.

*Premier Zille's autobiography: assistance by staff*

**\*4. Mr P Uys asked the Premier:**

To what degree did provincial and municipal staff assist her with research for and the compilation and writing of her autobiography that was published recently?

The PREMIER: In response to this question, Mr Deputy Speaker, I would like to refer the hon member Uys to the acknowledgment section of my book, where I thanked people for doing research for me, for retrieving documents, for bringing me cups of tea, for driving me around – all of those things, thank you very much.

The DEPUTY SPEAKER: Is there a follow-up question hon member Uys?

Mr P UYS: Ai, I do not know. It is a battle today, Mr Deputy Speaker. Let me ask the hon Premier why she is not answering the question? Did anybody in Government or an official help you hon Premier, because how did you achieve this in 8 months and that is extraordinary, really?

†Mnr Q R DYANTYI: Ja of nee.

[Mr Q R DYANTYI: Yes or no.]

The DEPUTY SPEAKER: Hon Premier, you may continue.

The PREMIER: I can assure the hon member Uys that I wrote every word of that book myself and I got up very, very early in the morning to do so, and indeed I have a lot of research from the past, accessible very quickly to me. I certainly got help from certain officials, for example [Interjection.]. Yes, I am going to tell you, and they are named and the help they gave me is in the acknowledgement section of my book.

Mr P UYS: Don't force me to buy the book? [Laughter.]

The MINISTER OF HUMAN SETTLEMENTS: You bought it already. You have it already! [Interjections.]

The DEPUTY SPEAKER: Order.

The MINISTER OF HUMAN SETTLEMENTS: In fact you finished reading it already.

The DEPUTY SPEAKER: Order.

The PREMIER: Mr Deputy ...[Interjection.]

The DEPUTY SPEAKER: Order, can we calm down please. Premier you may continue.

The PREMIER: Mr Deputy Speaker, the hon member Uys asks me a question that is answered in the acknowledgements section of my book, fully. And I refer him to that, it is all there in print; for example, if I want to retrieve a document, which I did want to do both in the City and in the Province, I have to get permission.

The officials who gave me that permission assisted me and I mention them in the acknowledgements section.

†Mnr Q R DYANTYI: Okay, wie is daai? Sê nou vir ons, wie's daai?

[Mr Q R DYANTYI: Okay, who are those? Tell us now, who are those?]

The PREMIER: Go and look in the acknowledgements section, it is all there. It is all there. For example, I had to go and get records of court cases from the police, and I had to get advice as to how to do that, and all of that was assistance rendered to me. People who drove cars while I was sitting in the back being able to write in that time are people who assisted me and they are acknowledged.

Mr C M DUGMORE: [Inaudible.] bodyguards.

The PREMIER: Ja. They were [Inaudible.]

The DEPUTY SPEAKER: We proceed, is there another one hon member Uys?

Mr Q R DYANTYI: [Inaudible.] not important. They are faceless.

The PREMIER: Excuse me, they are very important.

Mr Q R DYANTYI: [Inaudible.] mentioned them?

The PREMIER: Which is why I have mentioned them in the acknowledgments section of my book.

The DEPUTY SPEAKER: I did not hear that. Was it a question by ...?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: When he has finished reading the book he can pass it to Dyantyi.

The DEPUTY SPEAKER: Was the interpellation an interjection that the Premier referred to? Hon Chief Whip ... you are on the verge of taking the opportunity of the Chief Whip to ask a further question, but I will allow the member to ask a question. Please continue.

Mr P UYS: So I know I am going to get a gift from you hon Premier.

Mr Deputy Speaker, I think where officials helped you hon Premier, do you

not think it is wrong that your official spokesperson speaks on your behalf when people query certain issues in the book? I think that is pushing it a bit too far where you ask your official spokesperson to respond to issues that you wrote about in the book. I think that is your responsibility and you know very well I can quote you - Soweto, where he wrote a letter defending what you said in your book.

The DEPUTY SPEAKER: Hon member Uys, get to the question.

Mr P UYS: That is the question I would like to – would you stop that please hon Premier?

The MINISTER OF HUMAN SETTLEMENTS: But there is nothing wrong.

Mr P UYS: There is a lot wrong. You cannot use the Premier's Office to promote a book.

The DEPUTY SPEAKER: Order, the question was asked. Hon Premier you may respond if you want to.

The PREMIER: Mr Deputy Speaker, for example when General Vearey, who is well-known for his public support and defence of a certain political party, which is actually against the law for a police officer, comes out and makes a politically loaded statement, it is absolutely appropriate, for example for my spokesperson to refute it, and with the facts on the table.

As you know all of our spokespeople are appointed to speak on our behalf in a range of different circumstances and are political appointments.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Thank you, Mr Deputy Speaker. Thank you, hon Premier. Hon Premier, it was not the General that was under discussion, it was the Zille/Mazibuko relationship misleading and that is where you asked Michael Mpofu to comment on your behalf. It is wrong hon Premier, but let me ask the question Mr Deputy Speaker.

May I ask the hon Premier what is her special relationship with *Die Burger*, hosting the *ontbyt* and where people must pay R400 for that, to listen to you where you actually make your book available ... [Interjection.]

Mr M G E WILEY: What is wrong with her book?

Mr P UYS: ... to the audience. But it is not linked to Helen Zille, it is linked to the Premier and former leader of the DA. No, no, I think it is wrong if the Chief Whip stands up. He is not mentioned in that book, he cannot stand up. [Laughter.]

The DEPUTY SPEAKER: Order, order.

An HON MEMBER: So you have read the book?

†Die MINISTER VAN FINANSIES: Jy is uitgevang!

[The MINISTER OF FINANCE: You are caught out!]

The DEPUTY SPEAKER: Order, can we calm down please. Hon Chief Whip?

Mr M G E WILEY: Mr Deputy Speaker, to the best of my knowledge *Die Burger* is neither provincial nor municipal officials and therefore it is a new question.

The DEPUTY SPEAKER: I will leave that ... Order! I will leave that to the Premier to decide whether she wants to respond to that, but it is not her domain obviously. Hon Premier, you may continue.

The PREMIER: You know, I thought the hon member Uys might ask me about all the interviews I did with members on the Honourable Opposition's side of the House in writing my book and all the relationships that I have had over the years, politically, with the hon members on the other side of the House, but the bottom line is that I have been asked to speak in many places, and I am quite happy to go and do that if people ask me to speak about my book, and *Die Burger* is one of the groups that asked me to go and speak, and I am doing it with pleasure.

I am going tonight to speak to a very large audience somewhere else that has asked me to speak.

The MINISTER OF HUMAN SETTLEMENTS: You want to go?

Mr P UYS: [Inaudible.]

The PREMIER: No, I do not have to tell you where and I do not have tell you who. But the point is that anybody can invite me to speak about something that I know something about and I can accept that invitation. *Die Burger* invited me and I accepted.

The DEPUTY SPEAKER: We then proceed to the next question, hon Minister Madikizela from Ms Maseko.

The PREMIER: I just want to say that whatever people are charging for these meals does not come to me. [Interjections.] Let him ask. I have just realised Mr Deputy Speaker, something that never ever crossed my mind ...

An HON MEMBER: [Inaudible.]

The PREMIER: Can I answer this question?

The DEPUTY SPEAKER: Order, order. Hon Premier, we have already moved on to the next question.

The PREMIER: Okay.

The DEPUTY SPEAKER: But the next question has been withdrawn, so there is no next question.

The PREMIER: So may I just state that it has occurred to me that the hon member Uys thinks that the R400 that is being charged for this event is coming to me. It is not coming to me.

The DEPUTY SPEAKER: Thank you. That disposes of that question. Question number 5 I am told has been withdrawn, so we move on to Question number 6, which is to Minister Schäfer from hon member Max. Hon Minister Schäfer?

*[Question 5 withdrawn.]*

*Lawrencia Primary School, De Novo: boundary wall*

**6. Mr L H Max asked the Minister of Education:**

- (1) Whether the condition of the boundary wall at the Lawrencia Primary School in De Novo has been brought to her attention; if so,
- (2) whether her Department has any plans to demolish the wall and replace it with a proper fence; if not, why not; if so, what are the relevant details?

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker. The answer to the first part of the question is the following:

The condition of the wall has recently been brought to my attention. However, it is not the boundary wall of the primary school, but falls just outside our property on the property belonging to the Department of Public Works.

Then the answer to the question's second part is no, because the property does not belong to Western Cape Education Department and does not form part of the school premises.

The DEPUTY SPEAKER: No follow-up questions? Hon member Dugmore?

Mr C M DUGMORE: Arising from that response, so therefore once the MEC established those facts, did she then not do anything at all given that it is the safety of the learners at the school that is actually the issue? Did she absolve herself or what did she actually do and what has she done practically to help secure the premises with her colleagues for the learners of that school?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF EDUCATION: My officials were first informed of the situation on the 17<sup>th</sup> of September at a Standing Committee meeting. After that they have been to visit the site, but as I said, we do not take action

ourselves because it is not our property, but we have instructed our teachers at the school to ensure that the learners do not go anywhere near the wall and they are observing that.

The MINISTER OF EDUCATION: Hon member Dugmore, your second ...  
[Interjection.]

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. Could you explain to us how exactly what action you have taken to ensure that the learners do not approach the dangerous wall in question? Your answer is, through the Deputy Speaker, that you gave instructions to ensure that they do not. What kind of instructions? Did you put up signage, have you put up fencing? Please explain to us.

The MINISTER OF EDUCATION: I cannot explain details, but the officials have given instructions and I am informed that the teachers are complying with those instructions. What else must we do?

Mr C M DUGMORE: Final question.

The DEPUTY SPEAKER: Hon member Dugmore, your ... [Interjection.]

Mr C M DUGMORE: Through the Deputy Speaker, so MEC, you are telling this House that you are not exactly sure as to whether your officials or any other officials have actually taken any action?

The MINISTER OF EDUCATION: Hon member Dugmore does not seem to understand when I give an answer to a question. I have told you what we have done about it. The Department of Transport and Public Works who owns the land, is busy working on a solution to the wall and they will be answering the question after this, which is the same question.

The DEPUTY SPEAKER: Thank you, we then move on to the next question which is Question number 7. Hon member Max to Minister Grant. Hon Minister Grant?

*Lawrencia Primary School, De Novo: boundary wall*

**7. Mr L H Max asked the Minister of Transport and Public Works:**

- (1) Whether the condition of the boundary wall at the Lawrencia Primary School in De Novo has been brought to his attention; if so,
- (2) Whether his Department has received a request from the Western Cape Education Department, the school or the school governing body to attend to the safety risk of the wall; if so, what are the relevant details?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Thank you, Mr Deputy Speaker. Yes, it has been brought to my attention and that is the answer to part one.

Part two, no the Department did not receive a request from the WCED, the school or the school governing body. [Interjections.] However, and if you remember hon Minister Schäfer said it arose through a Standing Committee, okay?

An HON MEMBER: Oh my word!

The MINISTER OF TRANSPORT AND PUBLIC WORKS: So this is not a contradiction, and let me continue. [Interjections.]

However, the Department identified the safety risk of the wall and took the initial steps to demolish it. This was prevented by objections to Heritage Western Cape by certain residents of De Novo. Subsequently the Department approached Heritage Western Cape to obtain the requisite approval for the demolition of the wall which was granted on the 7<sup>th</sup> of November 2016 – a short time ago.

In the interim the Department has implemented the necessary safety measures to address the potential risks.

The DEPUTY SPEAKER: Hon member Dugmore, do you want to follow-up?

Mr C M DUGMORE: Would MEC Grant then concede that the statement we have just heard in this House from MEC Schäfer, that her Department had written to the MEC Grant's Department is not true? [Interjections.]

The DEPUTY SPEAKER: Order.

The MINISTER OF EDUCATION: I did not say that [Inaudible.]

The DEPUTY SPEAKER: Yes, Minister Grant, you can respond. Order. Hon Minister Grant, you can respond to that.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, no, the hon Minister Schäfer did not say that.

The DEPUTY SPEAKER: Thank you. Is there further follow-up?

Mr C M DUGMORE: Could the MEC please explain to us exactly what interim measures were implemented given that the permission to now finally demolish the wall was granted on the 7<sup>th</sup> of November? What exactly did you do, physically and structurally, to secure the learners at this particular school?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Measures include fencing off of the rubble and the wall, and the placing of warning signs, as well as communication with the staff at the school to alert the learners of the danger.

Mr C M DUGMORE: And how soon after the meeting of the Standing Committee, which was the first time that this matter had been brought to your

attention, were those measures actually implemented? How many days after this matter was discussed at the Standing Committee did you take action?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: I do not know Mr Deputy Speaker, and if I did guess I would be misrepresenting it. I am happy that my Department furnishes the response to that question in due course to the hon member Dugmore.

The DEPUTY SPEAKER: Thank you, we proceed to the next question. The next question – order, hon Chief Whip. I have said before I am trying to find the dignity and decorum in the Office of the Chief Whip on that side, but I am still not seeing it quite yet – difficult. Member Question number 8, hon Botha to Minister Fritz. Hon Minister Fritz?

*Updated register of sex offenders*

**8. Ms L J Botha asked the Minister of Social Development:**

Whether his Department has an updated register of sex offenders in the province; if not, why not; if so, what are the relevant details?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you for the question and thanks Mr Deputy Speaker. No, the Department of Justice and Constitutional Development maintains this register, not the Department of Social Development.

The DEPUTY SPEAKER: Are there any follow-up questions? Nothing? Then we proceed.

Mr C M DUGMORE: So, can I just ask. So would MEC Fritz agree with the statement that Ms Botha should have possibly done some more research before she asked you this question?

The MINISTER OF SOCIAL DEVELOPMENT: I think it is a fair question. [Laughter.]

†‘n AGB LID: Mooi!

[An HON MEMBER: Good!]

The DEPUTY SPEAKER: We then proceed to Question number 9. Hon Botha to Minister Fritz again.

*Human trafficking*

**9. Ms L J Botha asked the Minister of Social Development:**

Whether any issues surrounding human trafficking in the province have been brought to his attention; if so, what measures are in place to deal with the issues?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you Mr Deputy

Speaker. The recruitment of persons for the purpose of sexual exploitation is a form of human trafficking, and as we know the kind of research from the United States Trafficking in Persons Report of 2016 indicates that there has been an increase in the number of sex trafficking victims specifically also to the Western Cape.

The Western Cape Government and the Department of Social Development tackle such crimes against adult victims of crimes and violence through the Victim Empowerment Programme. Trafficked children are dealt with by the Child Protection Programme, and that is another register – just as a matter of interest hon member Davids. The Victim Empowerment Programme's core function is the rendering of services to adult victims of domestic violence, sexual offences and human trafficking, and to this end we have about five shelters that we fund in this regard.

The DEPUTY SPEAKER: Thank you. Hon Leader of the Opposition?

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. In light of the fact that the Minister acknowledges the increase of this human trafficking problem, including drugs that is also escalating in the province, do you not think that there is a necessity to engage with your colleague next to you, the hon Minister of Community Safety, to get a strategy to deal with this thing as a matter of urgency?

The MINISTER OF SOCIAL DEVELOPMENT: Thank you hon member

Magaxa. We in the Western Cape Government will always welcome the transversal basis, and so one of the issues that we have raised is the trafficking issue, at our Provincial Strategic Goal Meetings, which is Provincial Strategic Goal 3, which speaks generally to safety and social ills. So it is raised at that level with officials and the only way to deal with it includes involving the Department of Justice, Department of Community Safety, Department of Social Development and the Department of Health, everyone. And that is the best way to take it – not only Government, but an all of society approach with NGOs.

I must tell you I visited a couple of centres, which I of course cannot name for safety purposes, and because we know in one case a woman was killed coming out of one of those centres going to a shop. So specifically with human trafficking, and because people must also work with the prosecutorial authority to get convictions of these traffickers, we cannot name centres, but I will tell you that amazing work is being done by NGOs. So a very, very good question, thank you.

Mr Q R DYANTYI: [Inaudible.] bad answer.

An HON MEMBER: No answer.

The DEPUTY SPEAKER: Hon member Davids? Hon member Davids, then I will come back to the [Inaudible.]

Ms S W DAVIDS: Thank you, Mr Deputy Speaker, because that is my question to the MEC. Do we know the amount of NGOs that are assisting with human trafficking within the Western Cape? And my second question to him is if he knows ...[Interjection.]

The DEPUTY SPEAKER: Link it to the first one otherwise ...

Ms S W DAVIDS: Yes. Which boundaries are being used where human trafficking is happening the most? Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you. That is also a good, I think a very interesting question. You see hon member Botha raised a very important question. So the one point about the number of the NGOs - quite a lot, but of course I cannot divulge the names of those NGOs because that is exactly the point about human trafficking.

The other point is they come through all types of borders. They come through land borders and we have heard frightening stories coming through the Limpopo and the border from Zimbabwe, some people walking through the Kruger National Park, sometimes being eaten alive by lions. But when they reach the Western Cape I think that is where we kick in. I think an important point, very interesting, also the kind of trafficking happening with foreign women, women from the East, from Thailand, from China and how they land in the sex trade and some of the women coming from – ja, opposite the House, the Parliament here, you are right, *Mavericks* and the harbours.

Yes, from all the different borders, but I think the point we are making, I know at a national level we are now trying to complete the Thailand Agreement, because we are seeing a very big increase coming from there into prostitution in the Western Cape, but also in South Africa as a whole.

The DEPUTY SPEAKER: Hon Chief Whip?

Mr M G E WILEY: Thank you, Mr Deputy Speaker. Would the hon Minister, if I gave the name of an individual who smuggled an illegal person into this country for trafficking purposes, report this matter to the police for me?  
[Interjections.]

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF SOCIAL DEVELOPMENT: Am I allowed to answer the question? I think that is also another important issue, because the point is we work with the South African Police Services, with the Department of Justice, with all our different Government Departments, and there is in fact a forum in this regard, and yes, we would report a matter like that to the police.

Mr M G E WILEY: Give them the name of the individual? You can report the Minister of Defence, who used an official aircraft to bring someone illegally from Burundi. [Interjections.]

The DEPUTY SPEAKER: We proceed to the following question, number 10.

Hon member Makeleni to Minister Winde. Hon Minister Winde, Question 10.

*Small-scale farmers: Kraaifontein*

**10. Ms P Makeleni asked the Minister of Agriculture, Economic Development and Tourism:**

With which intervention or interventions are his Department and Ministry engaged in to assist pig farmers and other small-scale farmers in the Kraaifontein area who are being evicted from their farms?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much, Mr Deputy Speaker. This case has been brought to our attention. The big problem that these farmers specifically have is that they had illegally occupied the land in question and were evicted in accordance with legal process.

The Western Cape Department of Agriculture can only provide support services to farmers who have secured the tenure on that piece of land or a specific piece of land, as set out in the conditions of the CASP and Ilima grants.

We linked these specific farmers with the Department of Rural Development and Land Reform for assistance through the Proactive Land Acquisition Strategy, the PLAS strategy. The Western Cape

Department of Agriculture continues to provide extension and advisory support service to farmers across the province.

The Department's Extension Officers supported over 2000 smallholder farmers with advice in the previous financial year. The Farmer Support and Development Programme's targets for this financial year include:

- \* 4 140 site visits to subsistence, smallholder and commercial farmers to deliver extension and advisory services.
- \* 1 620 smallholder producers supported with agricultural advice; and
- \* 192 farm assessments and farm plans completed for smallholder and commercial farmers.

†Mnr Q R DYANTYI: Ons praat van Kraaifontein, nie algemeen nie.

[Mr Q R DYANTYI: We are speaking of Kraaifontein, not in general.]

The DEPUTY SPEAKER: Hon member Makeleni, do you want to follow-up? Not? Hon Deputy Chief Whip?

Mr Q R DYANTYI: Am I hearing you correctly Minister, that in terms of the Kraaifontein evicted farmers, that because of the way they got into that space, that your Department as we speak here, is not doing anything to help their plight? Am I hearing you correctly?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: You need to listen far more carefully. I won't read the answer again, but perhaps seeing as you ask that question about what kind of help and the kind of land that is given to specifically black farmers in this province, I hold here ... [Interjection.] across the province, Kraaifontein included.

We have got:

- Klipfontein
- Leeuwendrift Boerdery
- Klein Môreson
- Caledonian Boerdery
- Erf 547 of Stofbergfontein
- Erf 347, Erf 566, Erf 725, Erf 726 of Twee Palms
- Erf 91, 355, 708 and 931 of Môreson
- Erf 348, 66, 65, 727, 929, 63 of Green Gold

And so it goes on. I am only this far down the sheet. Do you want me to carry on reading all of these erf numbers?

Now the reason that I am reading off this sheet and I would really like the ANC's help in this regard, because I have sent this document to the National Minister of Land Reform, I have sent it to his D-G, I have sent it to the Agricultural Minister and the new D-G, and you know that these are all pieces of land, every single one of these are pieces of land to specific

farmers like you have referred to in the Kraaifontein area.

Specific pieces of land for black farmers to get farming, and you know that every single one of these pieces of land belong to the Department of Rural Development and Land Reform, and they all range, most of them, from 5 years in the waiting for a lease agreement. Do you know that without a lease agreement you cannot even open the bank account of that business?

We write to this Department on a monthly basis, pointing this out. They cannot even get their act together to give these farmers the opportunity to farm on this land.

†‘n AGB LID: Skande.

[An HON MEMBER: Disgrace.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: So will you please help us to get the ANC to get their ass into gear and get these leases to these farmers.

The DEPUTY SPEAKER: Order. Order, order, order. Hon Minister, I think you can withdraw that before we go further.

Mr C M DUGMORE: Are you suddenly outraged?

The DEPUTY SPEAKER: Order.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Mr Deputy Speaker, I apologise. This issue actually really makes me angry, and I apologise for asking them to get their ass into gear. I withdraw that and I would ask that the ANC please go and speak to their National counterparts to wake up and please help these farmers get access to this land.

The DEPUTY SPEAKER: Thank you Minister. Order, order. Hon member Dyantyi?

†Mnr Q R DYANTYI: Baie dankie mnr die Adjunkspeaker. Ek kan rêrig sien dat die Minister baie kwaad is. Die LUR is baie kwaad, en ek wil nie die ding erger maak nie, ek wil nie vir hom meer kwaad maak nie.

Nou hier is my volgende vrae. Hy het mos vir ons half gevra, nou hier kom die ding. Is ek reg as ek môre terug in my kiesafdeling gaan in Kraaifontein, met al daai opkomende boere van varke en so aan, om vir hulle te sê in hierdie Huis vandag het die LUR van Ekonomiese Geleentehede gesê dat hy sy hande opgelig het, daar is niks wat hy kan doen nie, ons moet maar gaan hulp soek by die Nasionale Departement. Sal ek reg wees as ek so dink?

*[Translation of Afrikaans paragraphs follow.]*

[Mr Q R DYANTYI: Thank you, Mr Deputy Speaker. I can really see that

the Minister is very angry. The MEC is very angry, and I don't want to aggravate this thing, I don't want to anger him even more.

Now here are my next questions. He sort of asked us, now here it comes. Am I right if tomorrow I go back to my constituency Kraaifontein, with all those emerging pig farmers and so on, to tell them that today in this House the MEC for Economic Opportunities said he throws his hands in the air, there is nothing that he can do, we have to go and seek help from the National Department. Will I be correct if I think that?]

†Die ADJUNKSPEAKER: Minister, ja?

[The DEPUTY SPEAKER: Minister, yes?]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: So when you go and speak to your constituents, the first thing you are going to do is you are going to repeat the first part of my answer that you did not listen to. That is the first thing, and I will give it to you in writing so you can actually hand it to them in writing, it will show exactly the kind of help.

But quite frankly you do not need to go and tell your constituents that because we have already interacted with them on this specific issue, first of all. Second of all that on these specific issues this is the real serious problem. We have got a Department whose job is land reform and because they are failing so badly in this space, that is why we had to set up our

own land reform within the Department in the province, and that is why we are setting our own targets within the province, because of the absolute failure.

So you are welcome to go and tell your constituents about the absolute failure of the National Department of Rural Development and Land Reform, and you can tell them that there is no land reform because of that Department.

The DEPUTY SPEAKER: Hon member Davids?

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. Mr Deputy Speaker, is the MEC aware that there was an agreement between the Department of Public Works and the Department of Rural Development nationally, not your Rural Development and Land Reform, National Department before the elections that they will give an extension to these farmers and come back to them and then give them an answer on what will happen to their livelihoods, the cattle and stuff?

Is the MEC aware of that agreement that there was between the Department of Public Works and the Department of Rural Development?

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: First of all the question deals with pig farmers and not cattle farmers. So I am not aware of the cattle farmers' issue, and it is not the

Provincial Department of Public Works, it is the National Department of Public Works, so you need to ask that question at a national level.

The DEPUTY SPEAKER: We will then proceed – it is the last opportunity Hon member Gillion had indicated.

Ms S W DAVIDS: Thank you, Mr Deputy Speaker. Seemingly ...[Interjection.]

The DEPUTY SPEAKER: Sharon, just one second.

Ms M N GILLION: It is not a question Mr Deputy Speaker.

The DEPUTY SPEAKER: Not a question?

Ms M N GILLION: I am rising on a point of order.

The DEPUTY SPEAKER: Of order? Yes, I am listening?

Ms M N GILLION: The point of order I am rising on is, is it parliamentary for the MEC to refer to the ANC to get its ass in order. Those were his words, those were his words.

The DEPUTY SPEAKER: Yes, hon member Gillion. We have dealt – order, order. We have dealt with that and the Minister withdrew that. The

Minister did withdraw. Hon member Davids, you can continue.

†Me S W DAVIDS: Dankie, mnr die Adjunkspeaker. Die LUR het nou net gesê daar is net varke. Ek dink nie die LUR was dan daar nie, want dit is nie net varke wat daar is nie. Hy moet gaan kyk in Wallacedene wat daar rondloop. Dit is nie varke nie.

My vraag aan die MEC is wat het sy Departement gedoen aangaande daardie vee, want as ons sê as 'n Departement is ons ernstig oor voedsel, wat doen ons met daardie vee?

*[Translation of Afrikaans paragraphs follow.]*

[Ms S W DAVIDS: Thank you, Mr Deputy Speaker. The MEC just said that there are only pigs. I don't think the MEC had been there, then, because there are not only pigs. He should go and have a look at what is walking around in Wallacedene. It is not pigs.]

My question to the MEC is, what has his Department done about those livestock, because if we say as a Department we are serious about food, what are we doing with that livestock?]

The DEPUTY SPEAKER: Thank you. Hon Minister?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: The question

says pigs.

The DEPUTY SPEAKER: Hon Minister Winde, you may respond to the question.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you, Mr Deputy Speaker. This is the answer that I started the question with when it was originally asked to me, and it is now the second individual on that side of the House who obviously does not listen at all to the answer and I will say this case has been brought to our attention, as I said. I will also say that the big problem that these farmers face is that they had illegally occupied the land in question and were evicted in accordance with legal procedures.

I cannot intervene in those eviction processes. It is not possible for me to do so, and if the member would like to, I will make a second copy of this and give the member a copy of this answer.

The DEPUTY SPEAKER: Thank you. We will then proceed. Hon member Makeleni, you missed the boat on this question, but you will get an opportunity on the next question. Question number 11, hon member Makeleni to Minister Schäfer. Hon Minister Schäfer?

*Schools in Khayelitsha: gangsterism*

**11. Ms P Makeleni asked the Minister of Education:**

What interventions are her Department undertaking at schools in Khayelitsha that are continuously affected by gangsterism?

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker. The Western Cape Government, including the Western Cape Education Department, adopts a “whole of society” approach to dealing with gangsterism.

The Western Cape Government is investing R9.4 billion in youth development programmes in 2016/17, including the After School Game-Changer initiative.

The WCED’s Safe Schools Division has implemented a variety of programmes in Khayelitsha over the past year, as part of the broader “whole of society” approach by Western Cape Government Departments and other role players.

Safe Schools has worked with specific high schools that have experienced gang-related behaviour problems. These include Bulumko, Luhlaza, Manyano and Joe Slovo.

The activities have included a Back-to-School campaign; a weekend on reconciliation; meetings with parents; truancy reduction; a crime

awareness and anti-bullying campaign; motivation; a leadership camp; and working with RCLs.

In addition, in partnership with the City of Cape Town, we have introduced School Resource Officers at 18 of our schools in the Metro, some of which are in Khayelitsha. The SROs provide law enforcement services which include access control, search and seizure as well as patrols.

The Department has been instrumental in establishing a Khayelitsha RCL Forum to encourage and support learner leaders at 20 high schools to address key issues, including the impact of gangsterism and violence on schools.

The forum will also work with the Metro East Education District and the Khayelitsha Education Forum on issues facing learners.

I have had several meetings with the Department of Community Safety and the SAPS about school safety in a number of areas, including Khayelitsha, the most recent being on Monday.

I am also aware that on Tuesday 15 October 2016, Minister Plato met with headmasters, various community leaders and the South African Police Service in Khayelitsha to further address the problem.

School Safety is also high on the agenda of the Khayelitsha Commission's joint meetings which convene on a monthly basis. Thank you.

The DEPUTY SPEAKER: Hon member Makeleni, do you want to follow-up?

Ms P MAKELENI: Just a quick one, Mr Deputy Speaker, just to check. Of the students that are currently doing matric, from Buluko and other schools, is there a programme to assist them while they are busy with exams now, because these gangsters just erupt any time?

The MINISTER OF EDUCATION: We have security arrangements at all our matric venues, and I have not had any reports of any problems at all. So we are always on the alert for any issues that happen during matric exams. I am not aware of a specific programme that is for them particularly, but I have not had any complaints at all so far.

The DEPUTY SPEAKER: Thank you. If there are no further follow-up questions that then brings us to the end of question time. The time has expired for Questions. The remaining questions will be printed in Hansard.

We move on to Questions to the Premier without notice and the first one is the hon member Tyatyam.

**QUESTIONS TO THE PREMIER WITHOUT NOTICE**

Mr S G TYATYAM: Thank you very much, Mr Deputy Speaker. The research commissioned by the Department in relation to the Alcohol Harms Reduction Game-changer, I must say is positive, particularly when it speaks about changing, increasing the age from 18 to 21, but I also want to understand, hon Premier, what are the programmes currently in the Department that speak to the reduction, to this game-changer in particular?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: Mr Deputy Speaker, I am interpreting that question as to mean what are the thrusts, the key interventions that the Alcohol Harms Reduction Game-changer is seeking to make?

Now this is by far the most complex game-changer that we have, because it has many, many causative factors and many potential interventions. We have tried many things in the past that have failed and the problem is widespread and very diverse.

So we have decided to pilot our interventions on an area basis. One in town two, one in the larger Gunya area and the other one in the Drakenstein area, where there are serious alcohol harm related interventions.

The first thing we have to do is get some kind of baseline to know which of the injuries and harms have some kind of alcohol link so that we can work out whether our interventions are having an impact or whether they are not, over time, and that is some of the research we need, but in the main on a geographic basis, our interventions involve firstly, and this is in no particular order of importance:

- Creating a lot of alternative activities for young people, especially young men, in the hours of greatest alcohol abuse which is at night, especially Friday and Saturday nights.
- Creating other entertainment sources.
- Then, to ensure that illegal liquor sales are very closely policed and acted on, not only at the point of sale, but also at the point of wholesale and retail supply, which is a very, very important component of the game-changer.
- And then to monitor illegal liquor outlets and help them transition into legal businesses if they meet the criteria and to transition to other businesses that we are hoping to make opportunities available for.

So we are running a big pilot in this December holiday, it is very complex, it is very multi-faceted, but we are going to have to have a whole of society approach linked to this as well, and it cannot be divorced from the role model that parents have to provide to their children around alcohol.

The DEPUTY SPEAKER: Is there a follow-up hon member Tyatyam?

Mr S G TYATYAM: Thank you hon Premier. It is a pity †ke, lo mhedeni bendifuna ukuthetha ngaye uphumile. [It is a pity the heathen that I wanted to speak to has stepped out.]

The PREMIER: [Inaudible.][Off mic.]

†‘n AGB LID: O jinne.

[An HON MEMBER: Oh dear.]

Mr S G TYATYAM: Mr Deputy Speaker, I wanted to ...

Mr Q R DYANTYI: That is fine. It is English. Don't worry.

Mr S G TYATYAM: It is fine. I will translate.

The PREMIER: No, no. I might be able to understand you now that [Inaudible.]

Mr P UYS: Let Donald help you.

Mr S G TYATYAM: I wanted to understand, why the Education MEC is allowed to go against the wishes of the Cabinet, your wishes, of our people by attempting to popularise and sell alcohol beverages at schools in terms

of what she is currently busy with? Particularly in our areas where the issues of drugs and alcohol abuse have been highlighted as a major problem, particularly amongst young people?

The PREMIER: Interesting to hear where that question comes from, but let me do my best to answer it. †Undihlekisa. [You make me laugh.] Alright. There has been absolutely no attempt whatsoever by the Minister of Education to try and get alcohol sold or provided at schools, none at all.

Mr Q R DYANTYI: Tell us the truth.

The PREMIER: The first point about the game-changer in alcohol is that you have to understand what the problem is and what the cause of the problem is.

In the Draft Bill of the Education Department the Minister is saying it should be possible for schools to be able at a fundraiser, for example, to serve a glass of wine, not to sell alcohol as if they are a shebeen, and that will have to happen in a particular way. Currently that is a Draft Bill. There is comment coming in on that Draft Bill and I have no doubt that the Minister will take that comment into account in looking at how that Bill is finally formulated and brought to the House.

It helps not at all to be killing mosquitoes when you are being attacked by crocodiles. You have got to look at what the problem is and what the

solution is and not try and attack irrelevant issues to the core problem you are trying to address.

Mr Q R DYANTYI: So she is a crocodile?

The DEPUTY SPEAKER: Hon member Tyatyam?

Mr S G TYATYAM: So hon Premier, do you agree that our schools must serve at least a glass of wine and also do you not think how this could be educationally sound if our schools are now changed to shebeens where glasses of wine are going all over the place? Is it right?

HON MEMBERS: At school!

Mr S G TYATYAM: Maybe it is not happening in the affluent schools, but [Interjections.] okay.

The DEPUTY SPEAKER: Order.

The PREMIER: You know, Mr Deputy Speaker, I cannot understand how things get so distorted. No one is asking for any school to be turned into a shebeen.

Mr K E MAGAXA: White schools must be – they are rich, they can have alcohol in their schools.

The PREMIER: Now we get this complete distortion about saying something is for white schools and not for black schools, not at all. The point is that Minister Schäfer is proposing in her Bill to open the door for applications to be made to serve alcohol at specific functions for the interest and benefit of a school, not to be drunk by learners, but to be served at particular events.

An HON MEMBER: At schools.

Ms M N GILLION: At schools.

The PREMIER: And if those events are at schools to raise funds for those schools and if it is done responsibly, it is not contributing to alcohol harms. Instead of getting hung up on the things that are not contributing to alcohol harms, can we please focus on the things that are contributing to alcohol harms?

The DEPUTY SPEAKER: Thank you. We proceed to the next question. [Interjections.] Order, order! Question number 2, hon member Mitchell? Order.

Mr D G MITCHELL: Thank you, Mr Deputy Speaker, through you.

The DEPUTY SPEAKER: Order. We have disposed of Question 1, we are now with Question 2. Hon member Mitchell, you may pose your question.

Mr D G MITCHELL: Thank you, Mr Deputy Speaker, through you to the Premier. Hon Premier, what are the challenges to be overcome in creating a Children's Commissioner in the Western Cape?

The PREMIER: Mr Deputy Speaker, the first principle that we have to adhere to is the principle of legality, which means that we can only do those things that are specifically provided for in law and don't conflict with the mandates given to other agencies under the law.

Since 1997, when the Western Cape Constitution was promulgated, many, many laws and other agencies have been brought into being which have a similar mandate. So the first step that we have to undertake is to research all of the mandates of other structures and bodies to ensure that we understand what they are doing so that there is no duplication and cross-cutting mandate. Then we have to research policy in terms of the available interventions left that could feasibly be fulfilled by a Children's Commissioner for example.

So those are some of the areas of research and preparation that have to be undertaken and that are currently underway.

The DEPUTY SPEAKER: Hon member Mitchell?

Mr D G MITCHELL: Thank you, Mr Deputy Speaker. Thank you, hon Premier. Hon Premier, how will the additional budget cuts imposed by the ANC National Government impact on the appointment of the Children's

Commissioner in the Western Cape? [Interjections.]

Mr P UYS: Trying to find an excuse.

The DEPUTY SPEAKER: Order.

The PREMIER: Current budget cuts, Mr Deputy Speaker, are nothing short of potentially disastrous for this province and for every other province, and that is a very direct result of bad governance, of corruption, of power abuse and of internal factional battles within the ruling ANC, that have dramatically impacted on our currency and our rate of economic growth.

And that is the reason why our economy is not growing, tax is not being collected, huge amounts of money have to be spent on rescuing things that should not have been problematic in the first place, such as the collapse of state owned enterprises, and they are going to result in our having to cut very deep in service delivery budgets.

So the implementation of the Children's Commissioner will once again detract from critical areas like norms and standards in schools, and various other critical service delivery areas that the ANC is neglecting.

The DEPUTY SPEAKER: Hon member Mitchell?

Mr D G MITCHELL: Thank you, Mr Deputy Speaker. Hon Premier, in the

absence of a Children's Commissioner in the Western Cape, how are the current functions being channelled through the different departments in the Western Cape?

The PREMIER: Mr Deputy Speaker, every single complaint that we get is dealt with in the appropriate way, in the appropriate department and through the appropriate agency, also within NGOs and research institutes at University. We have taken great care to ensure that not a single issue of concern raised around children goes unattended to.

The DEPUTY SPEAKER: We proceed to the next question, Question 3, the hon member Wenger to the Premier.

Ms M M WENGER: Thank you, Mr Deputy Speaker. I would like to ask the Premier whether the Western Cape Government has any concerns about the Draft Liquor Amendment Bill which was tabled by the Minister of Trade and Industry recently?

Mr Q R DYANTYI: You are asking a very bad [Inaudible.]

The PREMIER: Yes we do have several concerns about that. The first major concern we have is that the Bill is very badly drafted. So, for example, there are many contradictions within the Bill.

Some sections, for example, that have been amended have not seen those

amendments drawn through the entire Bill and the implications taken into account. So, for example, if you look at the amendment which changed minor to people under 21, has not been changed in the definition of minor in the definitions for example. So it is full of contradictions and problems as far as that is concerned, and that is a serious issue.

Then there are other issues that arise which give far more serious concern around constitutional mandates. So, for example, the issuing of licences is a provincial mandate, but the Bill, as I recall, is proposing a National Oversight Regulator who is going to have a critical role in an area of constitutional provincial competence, and so there is no clarity on how that clash of roles is going to be resolved, because one can imagine that with every application for a license and every decision one way or the other, could end up in an inter-governmental dispute.

So it is very, very complex and we do not believe this Bill is thoughtfully drafted, we do not believe it is carefully drafted and we do not believe it takes account of various constitutional mandates that reside in different spheres of government. [Interjection.]

The DEPUTY SPEAKER: Hon member Wenger?

Ms M M WENGER: Thank you, Mr Deputy Speaker. Given that the purpose of the draft Bill is to bring about alcohol harms reductions and the Premier did address that a little earlier with regards to the game-changer in the

province, I wonder if she could tell us a little bit more about the safety measures at the pilot sites that she mentioned earlier?

The PREMIER: Look, as I said earlier, Mr Deputy Speaker, alcohol harms are a complex area that have to be linked to specific causes and chains of events. Now the key cause is not an event that has a specific license to serve alcohol, to do a specific thing such as fundraise. That is not the cause of alcohol harms.

The cause of alcohol harms is the enormous amount of alcohol illegally bought and illegally sold, trundled across large parts of our province in wheelie bins that are meant for that purpose, delivered at shebeens often through intermediaries, and sold in huge numbers to people who drink very excessively and then engage in violence and harm towards each other, often towards people they know.

And so our objective is to ensure that we provide both push and pull factors to reduce alcohol harms reduction, the push factors involve preventing the illegal sale and consumption of alcohol in very effective ways, including tracking the sources of that alcohol to put the onus on the original manufacturers and distributors, and secondly the other major factor is the pull factor to provide alternative attractions to young people so they do not fall into this excessive alcohol abuse culture that is so rife in our society.

Those two factors are what we are trying to do, and it is very easy to

grandstand around issues that have nothing to do with alcohol abuse and claim that you are doing something about alcohol abuse. We have identified the specific issues that have got something to do with alcohol abuse and alcohol harms, and we are trying to do something about that.

It is changing that culture that is absolutely critical because so many young people start drinking excessively at an early age, destroy their chances of getting a decent education, destroy their brains, destroy their chances of getting a decent job and caring for their families, and that is the cycle we have to do our best to stop.

The DEPUTY SPEAKER: Thank you. Hon member Kivedo, unfortunately in questions to the Premier only the person who asked the question may ask follow-up questions. We move on to the next one. Hon member Gopie?

Ms D GOPIE: Thank you, Mr Deputy Speaker, through you to the Premier. Did the Premier's Cabinet discuss the matter of illegal activities by its cell phone security service provider that is owned by one former police captain, Paul Scheepers, and what transpired?

The PREMIER: The answer is yes.

The DEPUTY SPEAKER: Hon member Gopie?

Ms D GOPIE: Does she support the prosecution of Paul Scheepers against the

many allegations levelled at him?

The PREMIER: I have got nothing to do with prosecutions. We believe in the separation of powers, Mr Deputy Speaker. [Interjections.]

The DEPUTY SPEAKER: Order. The last opportunity hon member Gopie.

An HON MEMBER: Answer the question.

Ms D GOPIE: Will the Premier ... [Interjection.]

The DEPUTY SPEAKER: Order.

Ms D GOPIE: Will the Premier testify in the Paul Scheepers trial about her Government dealings with him?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: There is no reason for me to testify at all and I certainly have not been subpoenaed to.

Mr Q R DYANTYI: If you are?

Mr DEPUTY SPEAKER: Thank you. That brings us then to the end of Questions to the Premier. Please attend – please, we are going to move on to

Statements by Members. The first one I see is the DA. Statements, hon member Botha.

## **STATEMENTS BY MEMBERS**

Ms L J BOTHA: Mr Deputy Speaker, Monday 14 November marked World Diabetes Day. Every year on this day we create awareness around diabetes, a condition that many live with unknowingly. Studies reveal that globally 1 in 2 of the 415 million people living with diabetes are not aware that they have the disease.

Today I want to urge this House and communities to take diabetes quite seriously as it is among the top 10 causes of death in South Africa. What is of grave concern is that the youth in our communities still view the condition as one that only the elderly suffer from and this is a misconception that needs to be done away with.

Contributing factors to suffering from the condition include obesity, unhealthy diets and a lack of physical activity, all factors that many children and young adults can have. We need to educate them on the importance of healthy living as this will decrease the chance of one day being diagnosed with diabetes.

I am pleased to note the effort by the City of Cape Town. They will be hosting a range of activities to encourage residents to be proactive and make

healthy lifestyle choices, because early detection is crucial, screening will also be encouraged.

I would therefore like to urge the members of this House to heed the call and get screened, encourage all we come into contact with to do the same. Diabetes can be beaten. I thank you.

The DEPUTY SPEAKER: Thank you. The ANC, hon Leader of the Opposition.

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. The DA has a lot to explain as it continues to connive with corruptive colluding construction companies in shady development deals.

It seems as if it is open season in the DA's basement bargain sale on state property to the advantage of pale big business interests instead of using these pockets of land to alleviate the massive backlog of housing for the poor closer to the opportunities in the Western Cape.

The DA continues to dump and isolate people in patronising so-called transitional relocation areas that soon become permanent and slum-like places of despair.

The DA sponsors and defends evictions of people and waging war against the poor to make way for the rich. Tafelberg school site in Sea Point, the

Tramway mess, the Philippi Industrial Park, the Maiden Cove debacle are but some examples. All this foremost done to the advantage of DA sponsors.

Proof of this affinity for big businesses is the fact that Cape Town under then mayor Helen Zille promised to recover overpayments to the construction cartel that on her watch was found by the Competition Commission to have fleeced the taxpayer. Yet the DA did nothing to get the money back and gives all kinds of excuses. Shame on the DA for not caring for the poor people.

The DEPUTY SPEAKER: Thank you. I see the DA again.

Mr N E HINANA: Mr Deputy Speaker, thank you very much. Today I urge all the road users in our province to be extra cautious over this festive season.

For the month of December 2015, 143 people perished on our roads. This was an increase of around 15% from the previous year. These number are extraordinarily high and that is why the need for us to promote road safety awareness during this period where our roads are used more than any other time during the year.

With the traffic volumes set to increase as this festive season begins, I humbly urge all the motorists and pedestrians at all times to be extra careful when making use of our roads. It is also exceptionally important to reiterate

the importance of not drinking while driving. Not only is one putting the lives of their own families in danger, but one is putting as well the lives of other road users at risk. The dangers surrounding the use of our province's roads must thus not be taken very lightly.

I urge that we continue to ensure that law enforcement agencies must include monitoring reckless driving, speed, road worthiness of cars and especially fatigue associated with the long distances driven during the season. The horrific crashes we see on our roads, particularly on long stretches like the N1 and N2, can undoubtedly be the result of one if not all of these factors. I encourage all road users to be mindful of the dangers that exist on our roads and be informed of all other factors as they take to the road during this busy time.

The clarion call that I make today is that let all the people who are using the roads respect the rules of the road and respect other people who are using the roads, like the pedestrians. Thank you, Mr Deputy.

The DEPUTY SPEAKER: I see the DA again. Again the DA. The EFF is not here. The DA?

Ms L M MASEKO: Thank you very much, Mr Deputy Speaker. The recent evictions have unfolded before us over the last few months, because the sale of private property has meant that the affected families need homes.

Where the Western Cape Government and the City of Cape Town can help, they are doing so. Despite these efforts many have expressed their unhappiness about the alternatives offered.

The housing beneficiary list is growing by a rate of 1 000 people per day in the City of Cape Town alone. Those already on the list have been waiting for many years. We cannot ignore this reality. There are child headed households in need, there are elderly and disabled people who are desperately seeking accommodation.

It is not to say that the needs of some are more important than others. It is precisely the opposite. It is precisely that we must be fair. The reality is that there is a limit to the public money available for housing. Available budget must be spent to the benefit of as many as possible.

The responsibility of the Western Cape Government is to spend public money in a way that benefits as many people, who are most deserving, as fairly as possible. It is my duty as the Chairperson of the oversight body to ensure that that happens. There is no other road to freedom, fairness and opportunity. I thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. The ANC, hon member Gillion.

Ms M N GILLION: Mr Deputy Speaker, tensions in the DA grow rapidly. Some eat each other's flesh in public, even in a Cape Town Sub-Council

meeting. The former PAC/ID faction led by Cape Town Mayor, Patricia de Lille, is also a target of the old DP/phoney libs.

Premier Helen Zille has fired the first salvo low over the heads of De Lille and her cronies as a public challenge to gun for her position as leader of the Western Cape.

What is more revealing is how former Provincial leader, Theuns Botha, was dumped. Her little black book autobiography tells the story, while the Premier made us believe Botha was let go on humanitarian grounds as he as very ill. The truth is now out. Botha's head was chopped off by an Alice in Wonderland queen. [Interjections.]

It would be interesting to see who sides with whom in this battle standoff that will define or break the DA's back in the Western Cape and South Africa. But both sides have baggage. Notably the former police mercenary spy, Paul Scheepers' trial that may reveal the wheeling and dealings of this DA Government.

In the meantime Zille and De Lille travel round the globe at every jet hopping opportunity like modern day Marco Polo wannabees.

The DEPUTY SPEAKER: Order – one second hon member.

Mr M G E WILEY: The hon member has called hon Premier ...[Interjection.]

The DEPUTY SPEAKER: Yes, I was going to say that at the end, but is the member finished?

Ms M N GILLION: Yes I am finished.

The DEPUTY SPEAKER: The point of order is taken, hon members and the member accedes to that. Thank you. We will then proceed with the DA. Hon member Wiley?

Mr M G E WILEY: Thank you, Mr Deputy Speaker. Twice the National Assembly has failed to pass the Division of Revenue Bill due to a lack of a quorum. Passing legislation is one of the three main pillars of any parliament and the onus to keep a quorum resides with the majority party.

Given that the ANC has the outright majority in the National Assembly, this should sound alarm bells in many quarters. Is this a protest against the President or against the responsible Minister? Or is it a simply a continuation of the total contempt that the ANC and its members show for one another and the citizens of South Africa as a whole?

The net result of this fiasco is that all 9 Provincial Legislatures and hundreds of municipalities cannot process their mini budgets and any funds will not go to the intended recipients in time. Who are these recipients?

- Poverty relief and infrastructure development programmes
- Community libraries
- HIV programmes
- School nutrition programmes
- Health and insurance for the poorest people
- Homes for the poor
- Expanded public works for the jobless
- Substance abuse treatment programmes
- Sports development
- Disaster and drought relief.

Every one of these programmes is aimed at assisting the impoverished and marginalised. But what does the average ANC MP care? Not to speak of its spineless Ministers who voted *en bloc* to keep Jacob Zuma in luxury. He rewards them even when they betray their oaths of office.

Whatever the reason, the real losers are the poor citizens of South Africa and those persons who still feel that our Constitution and its democratic institutions are still relevant.

Mr L H MAX: Amen.

Ms P MAKELENI: Look who is talking.

The DEPUTY SPEAKER: The ACDP first.

Mr F C CHRISTIANS: Mr Deputy Speaker, a recent article dated 11 November 2016 shows that a Grade 10 girl, approximately 16 years old, was allegedly raped by three boys in a unisex toilet at a school in Mitchells Plain.

How absurd, how ridiculous that we now have unisex toilets at schools? And we are already facing enormous security problems at schools and it is so difficult for these young girls because the girl said that the one boy that allegedly raped her was sitting outside the toilet, monitoring every move.

So Mr Deputy Speaker, the ACDP is concerned and we want the Minister of Education to investigate, to see if there are unisex toilets at our schools, because this is unacceptable. This is unacceptable and especially the younger girls, the grade 8's are vulnerable to the senior boys at our schools, and this is in Mitchells Plain where we have enormous problem with crime.

So we urge the Minister of Education, Debbie Schäfer, to look at this matter urgently and report back to this House. I thank you.

The DEPUTY SPEAKER: Thank you. The ANC, hon member Lekker?

Ms P Z LEKKER: What a mess DA MEC Debbie Schäfer made of the Draft Bill to further privatise state schools in the Western Cape and turn the province into an island of no hope.

In her haste to deliver our schools to sponsors, we see the secessionist DA now even wants to allow more consumption and sale of alcoholic beverages at schools. Where principles were responsible, now all of a sudden it includes SGBs.

It will result in a relaxed regime where liquor would be available liberally at schools on state property with devastating consequences, especially in the poor communities where alcohol is a major problem. This is partly the legacy of the erstwhile tot system that allowed workers to be remunerated with cheap liquor together with the resultant foetal alcohol syndrome.

While Premier Helen Zille's Government pontificates about a so-called game-changer to reduce the harm of alcohol, we do not see this commitment in the Draft Bill. The DA clearly does not care for the lives of the poor children. Instead it now wants to popularise alcoholic beverages and turn our schools into shebeens. Shame on the DA.

The DEPUTY SPEAKER: Thank you. The DA, hon member Mnqasela.

Mr M MNQASELA: Thank you, Mr Deputy Speaker. I commend the success of the DA Government in achieving 100% clean audits for all Provincial Government Departments.

The DA's story is a story of good government, a story of a professional civil service, a story of adequate service delivery to all its people, a story of a

clean government. The Western Cape Government continues to outperform governments across the nation. Central to our success is that our priority remains the people of this province and not ourselves. We do not feed our stomachs, we take care of the people.

Mr L H MAX: Yes!

Mr M MNQASELA: That is in contrast to the corruption that we have seen in all other provinces governed by the ANC. Our vision is that of a South Africa governed on the basis of freedom, fairness and opportunity. Where people are free, secure and equal before the law, and that services are given to all people with the speed that is required.

This is the dream we deliver, the dream that we are already delivering as envisaged in the National Development Plan Vision 2030, we deliver it today. We deliver prosperity, we deliver opportunity and recognition for all the rainbow people. We are making positive strides in ensuring a better tomorrow today.

We are the only government where our provincial strategic goals are properly aligned with the National Development Plan, whilst the ANC and the provinces they run, continue to reject and dismiss the objectives of the National Development Plan. We are the best in this Country. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. That brings us to the end of Statements.

Ms P MAKELENI: [Inaudible.]

The DEPUTY SPEAKER: Order, Hon Makeleni. I'm competing with you here. We are now moving onto Motions. Are there motions where notice is given? Are there no motions? Hon member Gillion?

### **MOTIONS WITH NOTICE**

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

That the House calls on the Department of Social Development to hastily find alternative, appropriate accommodation for the residents of Geneva House Women's Shelter, who were illegally evicted by this uncaring Government, an act which the Western Cape High Court recently ruled to be unconstitutional.

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

The DEPUTY SPEAKER: Notice taken. Are there any further. Hon member Kivedo, you want to rise? Not? Hon member Dugmore?

Mr C M DUGMORE: Mr Deputy Speaker, I move with notice that the House

debates whether ... [Interjection.]

The DEPUTY SPEAKER: Just put your mic on, hon member Dugmore.

Mr C M DUGMORE: Mr Deputy Speaker, I give notice that I shall move:

That the House debates whether this DA Provincial Government has mechanisms in place to prevent the growing of underage drinking and drug abuse, particularly amongst school children.

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

The DEPUTY SPEAKER: Notice is taken of that. Hon member Joseph?

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

That the House debates the reports of the AG relating to the work that this Western Cape Government has successfully been doing. I so move.

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

The DEPUTY SPEAKER: Notice is taken. Hon member Dyantyi.

Mr Q R DYANTYI: Mr Deputy Speaker, I give notice that I shall move:

That the House calls on the Local Government MEC to investigate reports that at least 2 DA councillors in the province face common assault charges, the first being George Councillor, Johan Stander, who manhandled a fellow DA Councillor Gert Niehaus during a heated incident at that municipality. Second, Simon Liell-Cock who will appear in Simon's Town Magistrates Court on November 23, for breaking a Fish Hoek resident's arm following an altercation over parking and calls on the MEC to remove these councillors as they are clearly not fit to hold public office.

It will be a nice debate.

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

The DEPUTY SPEAKER: Notice is taken of that. Hon member Magaxa?

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

That the House institutes an investigation into the new effort to sell off publicly owned land to DA-aligned developers and whether the Provincial Government is captured by these private developers.

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

The DEPUTY SPEAKER: Notice is taken of that. Are there any further on

this side?

An HON MEMBER: No.

The DEPUTY SPEAKER: Then I go to hon member Dugmore.

Mr C M DUGMORE: Mr Deputy Speaker, I give notice that I shall move:

That the House notes with grave concern that the Western Cape Education Department has excluded 226 public schools from any upgrades, because the said schools are standing on private land and notes further that in so doing the Department has placed the health of many pupils and teachers at risk, as some of these schools are structurally unsafe and some built with dangerous materials including lethal asbestos, and thus calls on the MEC to do everything in her powers including the option of purchasing the properties in question to improve the health and learning conditions of the already marginalised children in our province.

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

The DEPUTY SPEAKER: Notice is taken of that one. Are there any further?

Hon member Beerwinkel?

Ms C F BEERWINKEL: Mr Deputy Speaker, I give notice that I shall move:

That the House calls on the Western Cape Department of Education to institute an investigation into the high prevalence of sexual assault on pupils by teachers in the province, after SACE reported that 23 pupils in the Western Cape were sexually violated or raped by teachers in the 2015/6 financial year; notes this concern was also raised in the Equal Education's Social Audit whose recommendation this Department refuses to implement.

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

The DEPUTY SPEAKER: Notice is taken of that. Are there any further? For the last time. Hon member Dugmore?

Mr C M DUGMORE: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the WECD's strategies to deal with overcrowding in our schools, after the number of pupils reportedly has increased while that of teachers has decreased. Also, noting that the WCED has decided not to increase the number of support staff and indicated that some contracts will not be renewed, despite the anticipation of more than twenty thousand additional pupils who will enter the province in the new year. I so move.

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

The DEPUTY SPEAKER: Notice is taken of that. Are there any further?  
Hon member Tyatyam.

Mr S G TYATYAM: It's not a motion but I will need clarity from you,  
Mr Deputy Speaker.

The DEPUTY SPEAKER: Is it a point of order then in other words? Yes, I  
am listening.

Mr S G TYATYAM: Yes, I need clarity. Is it parliamentary when members  
are paid to come to the Chambers and do their work and yet we are finishing  
the motions here and the members do not have motions? [Laughter.] Why are  
they getting paid? Taxpayers' money. No!

The DEPUTY SPEAKER: Hon member Tyatyam [Interjection.]

Mr S G TYATYAM: It cannot be right!

The DEPUTY SPEAKER: Yes, your point is taken although it is not a point  
of order. We proceed. Are there any further? Hon member Christians at the  
back.

Mr F C CHRISTIANS: Mr Deputy Speaker, I give notice that I shall move:

That the House debates the escalating flare of gang violence disrupting

the communities of Steenberg, Delft, Mitchells Plain and the adjacent areas which has claimed many innocent lives. Due to an incident in Mitchells Plain, Wade Arends, a matriculant, was killed before his final matric exam. I thank you.

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

The DEPUTY SPEAKER: Thank you. Notice is taken. Nothing further from this side? Nothing further from the Opposition side? Then we proceed to the next form of motions. Motions without Notice. I see the hon member Mitchell at the back there.

#### **MOTIONS WITHOUT NOTICE**

Mr D G MITCHELL: Mr Deputy Speaker, I move without notice:

That the House congratulates the Department of the Premier for winning a gold award for best ethical and professional Department for the second consecutive year at this year's Batho Pele awards held last week.

*[Motion as moved by member.]*

An HON MEMBER: Yes!

The DEPUTY SPEAKER: Order! Are there any objections to the motion

being moved without notice? There is an objection. It will be printed on the Order Paper. Hon member Makeleni.

Ms P MAKELENI: Mr Deputy Speaker, I move without notice:

That the House congratulates the World four hundred metre record holder, Wayde van Niekerk, who was yesterday crowned as the Best Male Athlete of the 2016 Rio Olympics. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Thank you. I take it there is no objection to that motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Hinana.

Mr N E HINANA: Mr Deputy Speaker, I move without notice:

That the DA wishes all the Grade 12 students the best outcomes as they sit for their 2016 examinations.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Botha?

Ms L J BOTHA: Mr Deputy Speaker, I move without notice:

That the House expresses its condolences with the children and family of Jane Jansen, assistant pharmacist of Clanwilliam CDC who died in a car accident in Graafwater on Saturday, 5 November 2016. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Are there any objections to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Lekker.

Ms P Z LEKKER: Mr Deputy Speaker, I move without notice:

That the House notes with sadness the brutal rape and murder of 18-year old Leah Marchant from the Cape Flats early in October; and conveys condolences to her family.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Joseph?

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

That the House condemns the alleged incident where a white man assaulted a 13-year old girl, accusing her of provoking his dog and condemns all incidents of racism and discrimination in any form, as it does not represent nation building and social cohesion. I so move.  
Thank you.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Any objections to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Dyantyi?

Mr Q R DYANTYI: Mr Deputy Speaker, I move without notice:

That the House notes that the Kraaifontein artist, Simphiwe Mbunyuza's exhibition in Vallarus, France, in October this year was hailed a success and he was invited to host another exhibition next year; congratulates the artist and calls on the Department of Cultural Affairs and Sport to invest more in the development of artists in the townships.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon

member Max.

Mr L H MAX: Mr Deputy Speaker, I move without notice:

That the House congratulates the following award winners during the 2016 National Department of Transport Annual Award ceremony:

1. Mr Kenny Africa, Chief Director and Western Cape Provincial Traffic Chief, for receiving the Best Male Transport Employee award;
2. Mr Yasir Ahmen, Chief Director for Transport Operations won second place in the Best Male Transport Employee category; and
3. Ms Bernie McMahon, Director of Operator Licensing and Permits won the second place in the Best Female Transport Employee category. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Hinana.

Mr N E HINANA: Mr Deputy Speaker, I move without notice:

That the House congratulates the Western Cape Provincial Parliament

for being declared the best run province by the Auditor General, Kimi Makwetu. The Western Cape achieved the most clean audits in the 2015/2016 financial year. The Western Cape had 80%, followed some distance behind by Gauteng at 60% and KZN only near 35%.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection – is there an objection? There is an objection. It will be printed on the Order Paper. Hon member Makeleni?

Ms P MAKELENI: Mr Deputy Speaker, I move without notice:

That the House congratulates SA World Champions, Caster Semenya and Wayde van Niekerk on their nominations for the World Athletes of the Year by the IAAF to be announced on December 2.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Almost a similar one but I will accept that one. No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Maseko.

Ms L M MASEKO: Mr Deputy Speaker, I move without notice:

That the House congratulates Anton Alexander who was recently named the Western Cape's Agri Worker of the Year 2016. Alexander has been working at the Ouwerf Farm for the past twenty years. Initially employed as a general worker he has held different positions, including that of a tractor driver and supervisor, before being promoted to HR officer. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Thank you. No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Wenger?

Ms M M WENGER: Mr Deputy Speaker, I move without notice:

That the House extends its congratulations to the Department of Community Safety for winning the Bronze Award for the best Functioning Provincial Department in this year's Batho Pele Awards.

*[Interjections.]*

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Is there an objection? I sense there is an objection. It will be printed on the Order Paper. Hon member Dugmore.

Mr C M DUGMORE: Mr Deputy Speaker, I move without notice:

That the House notes with due concern the taxi violence in Thembalethu, George after the Chairperson of Uncedo Taxi Association, Mr Wesley Sikhumbuzo Mini, was ambushed and gunned down in front of his house on Friday night; notes further that the alleged link to the roll out of Go George in this area is a possible reason for this hit; conveys condolences to his family and calls on urgent intervention from both the police and the Provincial Government, including the urgent commencement of the mediation process arising from the ongoing disputes between Go-George and the taxi industry. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Kivedo?

Mr M MNQASELA: It is point of order.

The DEPUTY SPEAKER: Order. Hon member Kivedo just ... [Interjection.]

Mr M MNQASELA: Mr Deputy Speaker, I would like to request that you investigate the nature of the motions the ANC is making. [Interjections.] They have been making statements today. From the motions with notice to

the motions ... [Interjection.]

The DEPUTY SPEAKER: Order!

Mr M MNQASELA: So, we really just need not to allow the ANC to take advantage ... [Interjection.]

The DEPUTY SPEAKER: Order, hon member. The motion was put to the House. The House agreed to it. So, if there is a problem the House must come back and rescind it. I see the hon member Kivedo.

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

That the House congratulates our Anglican Archbishop, Emeritus Njongonkulu Ndungane who has been honoured with the Freedom of the City of Cape Town, on Friday 10 November 2016. Godspeed.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Gillion?

Ms M N GILLION: Mr Deputy Speaker, I move without notice:

That the House notes the reported high prevalence of teen suicides, recorded at 1 out of 5 youth deaths in the Western Cape by the South African Depression and Anxiety Group; notes further that earlier this week a 10-year old school boy committed suicide at his home in New Crossroads and calls on the Departments of Education and Social Development to improve the mechanisms to curb this scourge.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Mitchell.

Mr D G MITCHELL: Mr Deputy Speaker, I move without notice:

That the House extends its sincere condolences to the family and friends of Mr Neville Londt, the former Glenville and Cape Town Spurs striker, also fondly known as “Athlone Ghost” by his soccer fans, that sadly passed away on Tuesday 15 November. May his dear soul rest in peace. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Hon member

Makeleni?

†UNksz P MAKELENI: Sekela-Somlomo. [Mr Deputy Speaker] I move without notice:

That the House congratulates one of the oldest and most beloved cricket clubs in South Africa, Saint Augustine, on its 118<sup>th</sup> anniversary.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Kivedo.

†Mnr B D KIVEDO: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis sy innigste meegevoel uitspreek teenoor die naasbestaandes van die bekende filmmaker, skrywer, denker, humanis en filantroop, Jans Rautenbach wie verlede week op De Rust in die Oudtshoorn-streek oorlede is. Mag sy siel in vrede rus.

*[Voorstel soos deur lid voorgestel.]*

Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder

kennisgewing? Geen beswaar teen die voorstel self nie? Goedgekeur. Agb lid Dugmore.

*[Translation of Afrikaans paragraphs follow.]*

[Mr B D KIVEDO: Mr Deputy Speaker, I move without notice:

That the House conveys its condolences to the next of kin of the well known film producer, writer, philosopher, humanist and philanthropist, Jans Rautenbach, who died last week at De Rust in die Oudtshoorn region. May his soul rest in peace.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Any objection to the motion without notice? No objection to the motion itself? Agreed to. Hon member Dugmore.]

Mr C M DUGMORE: Mr Deputy Speaker, I move without notice:

That the House notes that while October was traffic month, the road carnage continued unabated in our province, with no clearly effective strategies from this Government to improve road safety, especially the failure to fill much needed traffic officer posts on the most dangerous sectors of our roads and notes that the only other news highlight about the month of October in the province was how R5-million was splashed

on buying expensive Lexus vehicles for the City of Cape Town. It calls on this Government to improve its road safety strategies as the peak summer holiday season fast approaches. [Interjection.]

*[Motion as moved by member.]*

The DEPUTY SPEAKER: I believe there is an objection to that motion. It will be printed on the Order Paper. Hon member Joseph, are you objecting? Hon member Mitchell.

Mr D G MITCHELL: Mr Deputy Speaker, I move without notice:

That the House congratulates the following teachers for winning the 2016 Annual Western Cape Top Teachers Awards.

1. Ms Marika Smit from Bottelary Primary School in Kraaifontein, for her excellence in Primary School Teaching;
2. Ms Miralese Wiegman from Hermanus High School for her excellence in Secondary School Teaching;
3. Ms Sharone Opperman from Dellville Park Primary in Pacaltsdorp for her excellence in Grade R Teaching;
4. Ms Tanya Ernsten from Ligstraal School for Elsen and Paarl East for her excellence in Special Needs and Inclusive Teaching;
5. Ms Portia Naidoo from Bernadino Heights School in Kraaifontein for her excellence in teaching Physical Sciences;

6. Mr Stephen Adams from Bernadino Heights School in Kraaifontein for excellence in teaching Mathematics;
7. Ms Cecelia Campbell from Erika Primary School in Mossel Bay for excellence in Technology Enhanced Teaching and Learning;
8. Ms Dawn Petersen from Blomvlei Primary School in Hanover Park for her excellence in Primary School Leadership;
9. Mr Conrad Koegelenberg from the West Coast School of Skills in Saldanha for his excellence in Secondary School Leadership; and lastly;
10. Mr Henry Alexander from Bernadino Heights School in Kraaifontein for his Lifetime Achievement Award. I so move.

*[Motion as moved by member.]*

Mr M G E WILEY: Hear-hear!

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Beerwinkel.

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

That the House notes MEC Schäfer's poor leadership skills and arrogance and refusal to engage education stakeholders in the province resulting in the annual systematic evaluations being disrupted at several

schools, while boycotted in others; also calls for an investigation into the reasons for these disruptions and encourages the Minister to initiate a dialogue with education stakeholders unhappy with these superfluous evaluations as opposed to her dictatorial approach of threatening schools participating in the boycotts with disciplinary action and serving organisations involved with court interdicts.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: I sense there is an objection to that. [Interjections.] It will be printed on the Order Paper. Order. Are there any further? Hon Leader of the Opposition?

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

That the House notes thousands of residents have been displaced in informal settlement fires which killed too many others in the past few months in the province; notes further that it is a cause for serious concern that many of these fires occurred outside of the dreaded fire season; advises the Premier and her Government that it will take more than just smoke detectors to save poor people from these fires and call for more meaningful intervention from the relevant departments and municipalities. Thank you.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Is there an objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Kivedo?

†Mnr B D KIVEDO: Mnr die Adjunkspeaker, ek stel sonder kennisgewing voor:

Dat die Huis sy medelye uitspreek teenoor die naasbestaandes van die befaamde musikant en dirigent Nico Carstens, wat onlangs in Bellville oorlede is. Mag sy siel in vrede rus.

*[Voorstel soos deur lid voorgestel.]*

Die ADJUNKSPEAKER: Enige beswaar teen die voorstel sonder kennisgewing? Geen beswaar teen die voorstel self nie? Goedgekeur. Agb lid Davids.

*[Translation of Afrikaans paragraphs follow.]*

[Mr B D KIVEDO: Mr Deputy Speaker, I move without notice:

That the House conveys its condolences to the next of kin of the famous musician and conductor, Nico Carstens, who died in Bellville recently. May his soul rest in peace.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Any objection to the motion without notice? No objection to the motion itself? Agreed to. Hon member Davids.]

Ms S W DAVIDS: Mr Deputy Speaker, I move without notice:

That the House notes that after several calls to the Education MEC by the ANC for safety of pupils and teachers in schools, it has been reported that 18-year-old matric pupil, Avile Chris Nkontywana, was stabbed to death allegedly by a fellow pupil at Ihlumelo High School in Paarl and many other reported incidents, warns the MEC that too many pupils could be killed, as we have been made aware by the Premier that it is the DA's plan not to intervene in safety issues in the province, until such time the DA wins national elections; conveys condolences to the Nkontywana family and calls for improved safety conditions for teachers and pupils in schools.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: I sense there is an objection. Objection to that one? It will be printed on the Order Paper. Are there any further? Hon member Kivedo?

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

That the House congratulates Cape Town based medical doctor, Imitiaz Sooliman, for the sterling work done by his organisation, Gift of the Givers, for the last 30 years in ravaged countries and nations throughout the world and being rewarded with a global Humanitarian Award from the United Nations last week.

*[Motion as moved by member.]*

Mr M G E WILEY: Hear-hear!

The DEPUTY SPEAKER: Thank you. No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Lekker?

†UNksz P Z LEKKER: Enkosi Sekela-Somlomo. [Mr Deputy Speaker] I move without notice:

That the House calls on MEC Dan Plato to demonstrate the effectiveness of his Department's rehashed Walking Bus Initiative, given the fact that while he goes around the province launching it in different communities to help keep pupils to and from school safe, hundreds of pupils and children are reportedly daily caught in the middle of gang battles, cross-fire and fatally hit by stray bullets or hospitalised with serious wounds.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Is there an objection to the motion being moved without notice? There is an objection. The motion will be printed on the Order Paper. Are there any further? Hon member Dugmore?

Mr C M DUGMORE: Mr Deputy Speaker, I move without notice:

That the House conveys condolences to the families of those people who died when a DMJ bus crashed outside Touws River in mid-October killing 13 people on the spot and injuring 43 others, 8 of whom were in critical condition; and calls on the Provincial Government to increase the number of visible traffic officers in the province, especially on the more dangerous stretches of our road and to prioritise safety at all times.

I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Are there any further? Hon member Mngqasela?

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House commends the efforts by Provincial Disaster Management and the Department of Local Government to curb, mitigate and fight fire disasters in the province. Furthermore, note the creative and innovative interventions to save lives in informal settlements. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Thank you. Are there any objections to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Lekker.

Ms P Z LEKKER: Mr Deputy Speaker, I move without notice:

That the House calls for an urgent intervention on the situation of Dunoon Primary School's teachers and about a thousand pupils who are forced to use only two mobile toilets at the school.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Thank you. Is there no objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Hon member Mngasela?

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House congratulates SALGA Western Cape for conducting a successful elective conference and wishes the newly elected leadership under the stewardship of the Chairperson, Councillor Anton Coetzee, a successful journey going forward. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Thank you. No objection to the motion being moved without notice? No objection to the motion itself? The motion is agreed to. Are there any further? Hon member Mngqasela?

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House commends the Department of Local Government for the launch of its First Green Thusong Centre Facility for the province in Ladismith, Kannaland Municipality; and further notes the need for face-to-face interaction between Government and the people, with the primary focus on development communication and information to empower the poor and disadvantaged in bridging the service imbalances at a local level by bringing Government closer to the people. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Thank you. No objection to the motion being

moved without notice? No objection to the motion itself? Agreed to. Is there another one? Hon member Dyantyi first.

Mr Q R DYANTYI: Mr Deputy Speaker, I move without notice:

That the House congratulates Councillor T Bathembu for winning Ward 108 handsomely and dismantling the DA in Mfuleni. I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Is there any objection to the motion being moved without notice? No objection to the motion itself? There is no objection to that. The motion is agreed to. Are there any further? Hon member Mngasela?

Mr M MNQASELA: Mr Deputy Speaker, I move without notice:

That the House congratulates the winners of the 2015 Greenest Municipality Competition, hosted by the Western Cape Environmental Department, held on 2 November 2016, in an award ceremony of 16 Local Municipalities and four District Municipalities. I wish to congratulate the following municipalities:

Local Municipalities:

- 1<sup>st</sup> Place: Hessequa Municipality – Prize Money: R130 000
- 2<sup>nd</sup> Place: Mossel Bay Municipality – Prize Money: R70 000, and
- 3<sup>rd</sup> Place: Swartland Municipality – Prize Money: R50 000.

District Municipalities:

- 1<sup>st</sup> Place: Eden District Municipality – Prize Money: R130 000.
- 2<sup>nd</sup> Place: Overberg District Municipality – Prize Money: R70 000  
and;
- 3<sup>rd</sup> Place: Cape Winelands Municipality – Prize Money: R50 000.

I so move.

*[Motion as moved by member.]*

The DEPUTY SPEAKER: Thank you. No objection to the motion being moved without notice? No objection to the motion itself? Agreed to. Are there any further? For the last time, I think, have we exhausted this?

We then come to the end of motions. I want the House's indulgence. We need to suspend just for one minute, to allow for a changing of the guard here, because the Deputy Speaker must go to the floor. So, if you can just allow us for one second to change the Presiding Officers.

*[Hon member D Joseph takes the Chair.]*

The TEMPORARY CHAIRPERSON: Hon Members, we will continue with the sitting. The next item on the Order Paper is the Draft Resolution in the name of Honourable P J C Pretorius, our Deputy Speaker. I have been informed by the Chief Whip that the program authority resolved that there would be no list of speakers and that the party will now be afforded the opportunity to speak for three minutes on this motion. I recognize the DA.

### **DRAFT RESOLUTION**

Mr P J C PRETORIUS: That the House, noting that:

- (a) In terms of section 1 (e) of the *Parliamentary and Provincial Medical Aid Scheme Act, (Act 28 of 1975)*, membership of Parmed, in relation to members of a provincial legislature, becomes compulsory once a provincial legislature has resolved to confirm such compulsory membership;
- (b) the Rules Committee, on behalf of the Western Cape Provincial Legislature, resolved on 15 April 1996 (Report of the Rules Committee containing the resolution tabled in the Announcements, Tablings and Committee Reports, dated 8 May 1996) that the abovementioned provision of the Act would apply to members, thereby confirming the compulsory membership of Parmed of Members of the Western Cape Provincial Legislature;

- (c) pursuant to the adoption of the abovementioned Report and resolution in 1996 membership of Parmed has always been regarded as compulsory for Members of the Western Cape Provincial Parliament, and the Western Cape Provincial Parliament, by its conduct, signified that the resolution was intended to operate in perpetuity,

**therefore, RESOLVES to:**

- (1) affirm its intention for the said Act to apply to its Members; and
- (2) affirm its intention for this resolution to be in force until such time as the Western Cape Provincial Parliament, by resolution, may determine otherwise.

Mr P J C PRETORIUS: Thank you, Mr Chairman. I am not going to take the full three minutes, but allow me to say the following. This motion is about a domestic in-house matter where party politics really should not come into play, and it is simply to confirm the *de facto* situation which applies namely, that Parmed is a compulsory medical aid fund for us all as members, the only exception being when a member has been exempted by the Board of Parmed.

The motion as worded, is really self-explanatory and I do not need to add to that except to say the following to those who might regard Parmed as an unnecessary burden on their pockets.

Keep in mind that you will not be forever young. Keep in mind that you and your family will not be forever healthy. Keep in mind that this fund and this fund alone, is heavily subsidised for you by the State when you are no longer a member here and may I add, politics is a very unpredictable game as Harold Wilson said “a week in politics is long.”

Retirement from politics does not always happen as planned. It is not always voluntary and one may need that subsidy sooner than expected. May I also remind members of the extent of this generous subsidy in their post-parliamentary years. Even after one year of service the State will subsidise your contribution by 31.67%. After five years or one term in this House, your contribution will be subsidised by 51.67% and after eight years, that is the maximum, it gets capped at 66.67% which is a huge benefit.

And remember the point I made, this is only this fund, only Parmed that will be subsidised by the State when you retire, when you leave this. We have a very good fund and we need to look after it in the interest of us all.

Mr Chairman, just to finally say something about the Board, we as the Western Cape do not have membership on the Board. The Board of Parmed consists of our own family members, members of the National Assembly, members of the NCOP and four members from the various legislatures in the country. Those members are elected at the Annual AGM at the beginning of the year and I think it important that we work together as a team and get somebody from the Western Cape also elected as a Trustee, because many of

the things which happen, happen in the Trustee Board and we have no insight there and we get the information second hand.

To summarise, this is an attempt simply to formalise the current situation which has been maintained since 1996 and we are now saying let us make doubly sure and take the resolution of the House in terms of the original law to confirm that all our members are compulsory members of Parmed, except you have the right to apply to the Board of Trustees for exemption and some members have been given exemption. If there is a specific reason why, a member can get exemption, the Board will give exemption, but in the absence of exemption the principal member, meaning you, yourself is obliged to belong to the fund and your contribution is something like R4 700 per month, which is small compared to the salaries we earn. Nothing stops your family from belonging to a different fund. [Interjection.]

The TEMPORARY CHAIRPERSON: Your three minutes are coming to an end hon member.

Mr P J C PRETORIUS: I said I wouldn't take three minutes, but I did take three minutes. I then move the motion and I ask the support of the House. Thank you.

HON MEMBERS: Hear-hear!

The TEMPORARY CHAIRPERSON: And thank you. Are there any other

parties? I recognize the ANC.

Mr Q R DYANTYI: Honourable Chairperson, I, Qubudile Richard Dyantyi, rise to move that the matter be referred to the Rules Committee for further consideration and brought back to the House for finality. I was initially going to end there, but with the member having gone into the merits of the issue, allow me to be very practical and bring my own personal situation to the matter. I rise as a single parent of three boys and a girl. There are three issues that when we get to that point I will put on the table.

The first is on the issue of principle. We fought for this country, for freedom of choice. This medical aid takes what we have fought for away. Secondly, the issue of affordability. The medical aid is not meant to be a medical aid for just a member, but Parmed's affordability forces you to do that. Just I alone must pay close to R5000 and if I add my three boys and my daughter and the two orphans that I have from my sister, I must pay over a R10 000 every month for a medical aid. That is the affordability and I rise to make the point that this needs further discussion and attention.

The third point is on the process. The motion is a resolution that is brought here, we are told of a Rules Committee Resolution in 1996 under Premier Hernus Kriel. There is no resolution of the House that was done. It is a Rules Committee and Rules Committees do not take a decision on our behalf. And therefore there is a process issue that we need to deal with. The haste with which this is brought, from where I am standing, brings more questions

to the issue. I therefore move that the matter be referred back to the Rules Committee. I so move.

The TEMPORARY CHAIRPERSON: Thank you hon member Dyantyi. I just want to confirm. Are there any other parties that wish to speak? Is the ACDP here in the House? Doesn't [Inaudible.] Fine. After hearing, if I could call it, declarations, I would like at this point to ask if there are any objections to the motion being agreed to? We have different positions on the table, received through the declarations by the respective parties, namely the ANC and the DA. It means we need to vote on this matter. I need to put the question – ja?

Mr P UYS: Hon Chairperson, if I could address you on this one, please. Before you say we must vote, I would like you to consider that this report did not come via a Standing Committee or any committee of this Legislature, with any report and any legal input into this and I think it is just fair and right and correct that this must follow the proper route, proper investigation and then come to the House for consideration.

You cannot just vote on something because there is a motion by an individual coming to this House. I think procedurally it is wrong and I would like the Secretary to also advise you in this regard please.

The TEMPORARY CHAIRPERSON: Hon member Dugmore?

Mr C M DUGMORE: Just add to the discussion. I think it is common cause Chair, that legal opinions have been obtained by this very Legislature on the issue about whether compulsory membership of Parmed is in fact lawful and the legal opinion of which some of us are in possession of, indicates that in fact a case can be made.

Mr M G E WILEY: A point of order.

Mr C M DUGMORE: So therefore, we would like this matter ...  
[Interjection.]

The TEMPORARY CHAIRPERSON: There is a ... [Interjection.]

Mr C M DUGMORE: ... to be referred and that is why I support hon member Uys.

The TEMPORARY CHAIRPERSON: Okay fine.

Mr M G E WILEY: Chairperson, we have been through a process which is described in the Rules and that is that a declaration was done. Individual parties are allowed three minutes. The ANC are once again abusing the Rules while they are trying to have more bites at the cherry by having further declarations. So, that is not allowed in the Rules. [Interjections.]

The TEMPORARY CHAIRPERSON: Order please, order please. I am

following the procedure as we normally have to follow the procedure. I am going to just ask the proposer of the motion, that you have heard what the members of the ANC have said, or the speakers. Do you want to comment on that? I need to confirm before we go over to the vote.

Mr P J C PRETORIUS: Chair, I was hoping that it would not be necessary but I can just say that all the comments made now are something which the Board must decide about. We have no option. This is a legal requirement that Parmed is a compulsory medical scheme. We have no option there. We have all belonged to Parmed as a compulsory scheme since 1996.

If you will allow me Chair, in 1996 the Rules Committee took a resolution to confirm the provision in the law. The law says the Provincial Legislature must take a resolution to force its members to be compulsory members of Parmed. Now there was a whole uncertainty whether our Parliament in fact took that resolution, but now it turns out that the Rules Committee on behalf of Parliament took a resolution with a rider at the bottom to say, if there is no objection to the resolution of the Rules Committee, then this will be the position.

The *de facto* situation in practice since 1996 has been that we all have to belong to Parmed as compulsory members, except when the Board exempts you. That has been the case always. So, there is nothing new to it. We are simply confirming the current situation. That is all it is and if there are individual members, I take it younger members might have issues with it.

This is not the forum for that. That is the Board. That is why I made the point that we must get membership of the Board and give input with the Board. It is no use arguing among ourselves about the fact that it is expensive or things like that. Thank you, Chair.

The TEMPORARY CHAIRPERSON: Thank you. I have given the opportunity to the proposer just to respond. Just to make sure that he understood what you have said. Now in terms of the Rules I have to follow a procedure as the Presiding Officer. I cannot change the Rules. So, okay. I am only going to give hon member Dyantyi an opportunity to respond, because he was the first speaker on behalf of the ANC. I am only going to allow that. Thank you.

Mr Q R DYANTYI: Honourable Chair, the Deputy Speaker makes the point that we have no option. If he is correct, why would this matter be brought here to this House, today?

Ms M N GILLION: Exactly.

Mr Q R DYANTYI: Why would it be brought here? You are bringing it here because you want a decision of the House in 2016, because if you are saying the Rules Committee took that decision, why are you bringing it here? The point we are making, Chair, because there is a legal opinion which was brought to this House and I am the initiator of that. There has been a discussion about this thing. The Deputy Speaker makes it a very simple

thing. It is a bit more complicated than it is being presented here and all we are asking is that, let us refer this matter back to allow - because I would be interested in the minutes of that Rules Committee in 1996. We have not seen that. We are being told. Obviously, he would know. He was the Secretary at the time. So, I really want to appeal that this is not a political issue and I am rising and I have raised it and for me it is very personal and I am emotional about it.

The TEMPORARY CHAIRPERSON: Thank you, hon member Dyantyi. Hon members, I think I have been fair by giving both parties the opportunity just to elaborate and explain. I think the Draft Resolution is very clear. We do not have to read it again, it is clear as it was put up before us on the Order Paper. The two points that came out from the proposal was to formalise the current situation and that any member may apply for exemption and that was the motivation. On your side hon member Dyantyi and hon member Uys there was a request for a referral. I think those are the facts before us at the moment.

My job as Presiding Officer now is to follow the procedure and to put the question to the House that we need to vote on it. I cannot allow any further discussion, I am sorry, I have already explained the procedure I am going to follow in terms of the role of the Presiding Officer. Hon members, I am going to ask the House to vote. Okay. Is it a point of order?

Mr S G TYATYAM: Yes. As the Speaker there you cannot force anything on

us. There are those who want to make a point on this process that you are saying that we are going to follow. It cannot be for you as Chair to tell us that if we do not follow this process we might be in breach. So, I think it is important for you Chair, if there are points to be raised, to allow us to raise those points because the issue here ... [Interjection.]

Ms M N GILLION: What is the rush?

Mr S G TYATYAM: Because the issue here Chair, is not about how young or old this thing is. The Deputy Speaker is wrong. What we are saying is we do not want to argue here. Take the matter to the Rules Committee. We will raise the issues ... [Interjection.]

The TEMPORARY CHAIRPERSON: You are not raising a point of order. You are trying to deliberate, explain and motivate why. It is not a point of order. I have read the item on the Order Paper and I have informed that there was a program authority meeting where the Whips were present and there was no list of speakers and according to the Rules, today here in the House, the parties get the opportunity to make a three-minute statement, which we did and I even on top of that, allowed one or two comments in addition to that. That is the Rules. That is the Rules of this House.

Ms M N GILLION: Chairperson, will you allow me to address you?

The TEMPORARY CHAIRPERSON: On a point of order. But we are not

going to allow motivations into the substance of the topic ... [Interjection.]

Ms M N GILLION: No, this has nothing to do – I want, there was a suggestion made by hon member Dyantyi next to me, where he asked, because we have got the former Secretary sitting next to you, that the former Secretary advise this House. Can you allow that to happen please?

The TEMPORARY CHAIRPERSON: Hon member, thank you very much for your point but it is not a point of order and I have been advised as to what procedure I must follow.

The MINISTER OF HUMAN SETTLEMENTS: On a point of indulgence, Chairperson.

The TEMPORARY CHAIRPERSON: Point of indulgence? I have never heard of that before. Hon member, I can only allow you on a point of order.

The MINISTER OF HUMAN SETTLEMENTS: Can I respectfully request ... [Interjection.]

The TEMPORARY CHAIRPERSON: Hon Minister, please. I will allow you on a point of order. You want to rise on a point of order?

The MINISTER OF HUMAN SETTLEMENTS: Yes.

The TEMPORARY CHAIRPERSON: Okay.

The MINISTER OF HUMAN SETTLEMENTS: Can I request Chair, that we be given at least five minutes to caucus on this? Can I respectfully request that?

The TEMPORARY CHAIRPERSON: I will only allow that if the proposer – I need to ask the proposer.

An HON MEMBER No!

The TEMPORARY CHAIRPERSON: No, let me explain. I will allow the proposer to comment on that proposal and one person from this House. Fine. Okay. On the request to adjourn for five minutes. Alright, thank you. We will do so. Thank you. We will ring the bell for that five minutes. Fine.

Hon members, because of difficulty of space we just want people to group, because we do not have other rooms. There is a boardroom, but it is on the 12th Floor, if people want to move there. Okay.

[Business of the House suspended at 17:20 and resumed at 17:26.]

The TEMPORARY CHAIRPERSON: Hon members, welcome back. There was a proposal from the DA side to have a five-minute caucus. We are all back now and I am handing back to the proposer of the motion.

Mr P J C PRETORIUS: Thank you Chair, for allowing us some thought about the matter. I want to propose that the motion be withdrawn until such time as we have had further discussions on the issue. Thank you very much. We do it in terms of the Rules. Rule 152. Thank you. [Applause.]

The TEMPORARY CHAIRPERSON: The motion is withdrawn in terms of Rule 152. Hon members, we pause for a moment just for the Deputy Speaker to come back. Thank you.

The DEPUTY SPEAKER: Thank you, hon members. The House is back in action. We now move on to Orders of the Day. The Secretary will read the first Order of the Day.

The SECRETARY: Consideration of and Finalisation of the Western Cape Liquor Amendment Bill [B 4 B–2016]

The DEPUTY SPEAKER: Not sure if parties want to talk or use the opportunity to say something about this? Nothing. Hon member Lekker?

Ms P Z LEKKER: Thank you, Mr Deputy Speaker. As the ANC we feel that the DA keeps on manipulating and shifting the responsibility of members of the Executive Council around. We still vividly remember how the responsibility of Traffic Policing was taken away from MEC Dan Plato. It was more than a vote of no confidence as he is seen to be too weak as the

School Safety Program was also taken away from him. The DA will do much better if the Neighbourhood Watch Support Program is also taken away from him as he does not know what he is doing.

The DEPUTY SPEAKER: Order. Hon Chief Whip you want to rise on a point of order?

Mr M G E WILEY: I just want to raise the issue of relevance. Is it about the Liquor Amendment Bill?

The DEPUTY SPEAKER: Yes. My understanding is that there was a change of ownership so to speak, from the ministry side so that is the relevance, as far as I am ... [Interjection.]

Ms P Z LEKKER: Patience is a virtue.

The DEPUTY SPEAKER: Please continue, but we will [Interjection.]

Ms P Z LEKKER: He is clearly not trusted so much anymore. We notice his shadow in the Cape Town Metro has taken over most of his public role as MEC with a growing profile that he even irritates Mayor Patricia De Lille. Now the Policing of Traffic is clumped together with the construction of State Infrastructure in our Province. Infrastructure like clinics, schools and road surfaces on the side. Here the DA after the fact, shifted the responsibility in law for administering this main Liquor Act wholesale on

very idle MEC Dan Plato away from MEC Winde.

It is cushioned as mere technical changes, but it is to justify and accommodate the loading of the plate of MEC Dan Plato, even though he is not fully trusted. What a misnomer. The change to the Act to allow the Premier to further allocate the duty to any other MEC opens the door for playing more DA musical chairs.

We will not hold our breaths and therefore the ANC cannot rubberstamp DA internal politics and therefore remains resolute not to vote with the DA. The DA is on its own here. I thank you. [Interjections.]

The DEPUTY SPEAKER: Thank you. Are there any other parties? Hon member Wenger?

Ms M M WENGER: Thank you, Mr Deputy Speaker. The Standing Committee on Community Safety considered the Western Cape Liquor Amendment Bill, which was referred to it in terms of Rule 171 and made amendments which are tabled in this House as Bill B 4 B of 2016.

The Bill primarily dealt with the transfer of the administration and the Liquor Act from Economic Development to Community Safety. Our Committee called for public comment on the Bill in three major Western Cape newspapers and we sent out a media release, as well as advertised it on our website and in social media.

In the amended Bill we deleted the definition of department as this word is not used in the Principal Act and therefore needs not to appear in the definitions. Now considering that Section 47 of the Western Cape Constitution enables the Premier to transfer the administration of any legislation entrusted to another member of Cabinet, we amended the Bill to make it less prescriptive.

Instead of specifying in the legislation which member of Cabinet holds the administrative responsibility for the Act, we deemed it more expedient to define the term "Minister" to mean "Member of the Provincial Cabinet to whom the administration or any power or function of the Liquor Act has been assigned by the Premier", which would be by proclamation in the official *Gazette*.

This would mean that in future, should the Executive determine it necessary to transfer responsibility for this Act to a different member of Cabinet, it would not require a legislative process. Finally, we clarified the expression "Standing Committee", by adding "Standing Committee of the Provincial Parliament". The amendments to this Bill were few and technical in nature. The ANC came ill-prepared to the deliberations and eventually abstained from the formal consideration stages of the Bill. I thank the members of the Committee for their participation and we support the Bill.

Mr M G E WILEY: Nice. †Hoor-hoor! [Hear hear!]

The DEPUTY SPEAKER: I then proceed to put the Bill. Are there – I believe there are objections to the Bill. Those in favour will say “Aye”.

HON MEMBERS: Aye.

The DEPUTY SPEAKER: And those against, “No”.

HON MEMBERS: No.

The DEPUTY SPEAKER: The “Aye’s” have it and the dissention of the ANC will be recorded. [ANC dissenting.] I did not see the hon Christians? He is voting for the Bill. Thank you. The Secretary will read the Bill.

The SECRETARY: Western Cape Liquor Amendment Bill.

The DEPUTY SPEAKER: The Bill will be sent to the Premier for her assent. The Secretary will read the Second Order.

The SECRETARY: Consideration of Report of the Disciplinary Committee on the conduct of Members P Uys, S G Tyatyam and R T Olivier dated 15 September 2016.

The DEPUTY SPEAKER: There is no speakers’ list for this topic. Are there parties that want to talk about this? Hon member Max?

Mr L H MAX: Thank you, Mr Deputy Speaker. It is a well-known fact that on 21 May 2015 this House took a resolution as per Annexure A as to the report which is tabled here in this House today and mandated the Committee which was appointed in that resolution, namely myself as the Chairperson, hon member Joseph and hon member Schäfer from the Democratic Alliance, as well as hon member C M Dugmore of the African National Congress.

As indicated by the Chair there were three persons whose conduct needed to be investigated and based on facts at the disposal of this Committee, the charges against hon members Tyatyam and Olivier were dropped, because of the discrepancy in the Precinct.

So, the case against hon member Uys proceeded. On 13 May 2016 the Committee concluded its deliberations on the matter and made a finding that member Uys was guilty as charged and the guilty finding thereof is in Annexure B to this report. On 10 June 2016, after applying the *audi alteram partem* Rule in full it needs to be mentioned that the Provincial Parliament Western Cape was represented by Advocate Uys, and member Uys appointed also his legal representative to represent him in this matter.

Now on 10 June 2016, after having considered the arguments of both parties in mitigation as well as in aggravation, this Committee resolved to the following sanction which is being recommended to this House and is subject to the endorsement or amendment by this House and that is as follows:

1. That the member be fined in terms of section 12(5)(f) of the Powers, Privileges and Immunities of Parliaments and Provincial Legislatures Act 4 of 2004 with a fine of one month's salary and allowances of which half is suspended for 12 months, on condition that the respondent, that is now member Uys, is not found guilty in terms of Rules 44 and 45 of the Western Cape Provincial Parliament Standing Rules or related transgression during the period of suspension.
2. That the period of suspension to take effect as from the date the recommendation is endorsed and/or amended by this House.
3. Further that the Respondent in terms of Section 12(5)(c) apologizes to the House and the Speaker in a manner determined by the House.

It also needs to be mentioned that it was not a unanimous decision and recommendations by the Committee - it was three against one. The ANC dissent in this particular matter. I so move that the House accepts the recommendation of the Committee as stipulated in the report. I thank you.

The DEPUTY SPEAKER: Thank you, hon member Max. Any further? Hon member Dugmore?

Mr C M DUGMORE: Thank you very much, Mr Deputy Speaker. I think it is important when we reflect on this resolution that we consider what are the lessons that actually need to be learnt in regard to this incident and I think the key thing that we need to remember here is that this particular incident basically resulted from the breach of promise and a breach of a commitment

made at the last session of this Legislature in 2014 before we adjourned. Everyone in this House would recall that there had been an agreement after concerns raised about the interpretation of whether the particular phraseology used by a member, was unparliamentary.

There was an agreement that a judge of the Cape High Court would actually be approached to rule on this particular matter. That was a solemn agreement that had been made and communicated to the various parties. The fact that when we then convened for the first time, when the Premier was due to deliver her State of the Nation Address, that that trust had been breached and that the Speaker who was then in the Chair actually failed to report to the House in terms of what had been agreed and created an atmosphere. It is ironic that the charges against those who had actually breached this promise were not actually made, but that there was a deliberate attempt to target one member in the main ... [Interjection.] hon member Uys in this regard.

The DEPUTY SPEAKER: Order.

Mr C M DUGMORE: And the reason and I think it is very important, Mr Deputy Speaker, that when we consider this ... [Interjection.]

The DEPUTY SPEAKER: Order, order. Just one second. [Interjection.]

Mr C M DUGMORE: ... we consider the context which led to this particular incident. [Interjection.]

The DEPUTY SPEAKER: Hon member Max, is it a point of order? What is it?

Mr L H MAX: Yes, Mr Deputy Speaker, with respect I just would like to raise the point that what the member is saying concerns the merits and it was dealt with. What is before the House today is this sanction which has been concluded.

The DEPUTY SPEAKER: Yes, I understand that.

Mr L H MAX: And if the hon member concerned here, the respondent, does have any other remedies at his disposal, but we cannot go back ...  
[Interjection.]

The DEPUTY SPEAKER: Yes.

Mr L H MAX: ... to the merits of the case. It is about ... [Interjection.]

The DEPUTY SPEAKER: Point taken, hon member Max. I was giving the hon member rather a lot of latitude and I want him to get back to the report. If he is not already there.

Mr C M DUGMORE: Thank you, Sir. It is very clear that essentially what we ended up having then was, in a way a kangaroo court. If you look at the composition firstly. That this is supposed to be a committee representative

of the House. When the minority parties declined participation, Mr Deputy Speaker, there could have been the appointment of additional members. Yet we have a ratio of 75% DA, the Committee chaired by a member of the DA and 25% of the ANC. So, clearly that had indicated that this composition was not reflective of the House itself.

Secondly, what is very important, it was clear that the Chief Whip had an agenda right from the beginning where in his testimony before the Committee indicated very clearly that he believed that the ANC's Chief Whip who had already been sanctioned, had clearly not been sanctioned enough and when we then ... [Interjection.]

The DEPUTY SPEAKER: Honourable, get to the point. Your time has expired.

Mr C M DUGMORE: I will conclude it now. I was at ... [Interjections.] The initiator, Mr Deputy Speaker, had actually not proposed the sanction that this Committee has endorsed. She had proposed one of three and she had regarded that an apology would be appropriate. Yet once again this stacked kangaroo court came and tried to make .. [Interjection.]

The DEPUTY SPEAKER: Hon member your time has expired.

Mr C M DUGMORE: ... everything about one person and that is why we are dealing with this particular situation. [Interjections.]

The DEPUTY SPEAKER: Order. There are no further comments? We will then proceed to put the report. Those in favour of the report will say “Aye”.

HON MEMBERS: Aye.

The DEPUTY SPEAKER: Those against, “No”.

HON MEMBERS: No.

The DEPUTY SPEAKER: The “Aye’s” have it. The dissention of the ANC will be recorded. [ANC dissenting.] We then move on to the motion following on that. Hon member Max, will you move the motion? I recognise the hon member Max.

(Contingent motion)

Mr L H MAX: That, in pursuance of the acceptance by the House today of the report of the Disciplinary Committee (see Announcements, Tablings and Committee Reports, dated 5 October 2016), and with specific reference to the sanction proposed in paragraph 9(3), the House instructs Mr Uys to forthwith apologise unconditionally to the House and the Speaker verbally.

Mr L H MAX: Thank you, Mr Deputy Speaker. I will now request this House to allow member Uys to apologize unconditionally to the House and the Speaker verbally.

The DEPUTY SPEAKER: I put the motion to the House. Those in favour of the motion will say “Aye”.

HON MEMBERS: Aye.

The DEPUTY SPEAKER: Those against will say, “No”.

HON MEMBERS: No.

The DEPUTY SPEAKER: The “Aye’s” have it. So, the motion has been agreed to and as a consequence of the motion, I have now to ask the hon member Uys to give effect to the decision of the House, namely to render his apology as per the motion. Hon member Uys?

Mr P UYS: Thank you, Mr Deputy Speaker. Mr Deputy Speaker, I hereby apologise to the House and to the Speaker.

The DEPUTY SPEAKER: Thank you very much. Well done. Thank you, hon member Uys. That then brings us to the end of the business for the day. Do I take the Budget Committee meeting is no longer taking place? I was going to say the Budget Committee meets, but there is no Budget Committee further. The House is then adjourned.

The House adjourned at 17:42.