
THURSDAY, 27 SEPTEMBER 2018

PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT

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

The House met at 14:15.

The Speaker took the Chair and read the prayer.

BUSINESS OF THE HOUSE

The SPEAKER: You may be seated. Good afternoon hon members. Good afternoon guests in the gallery. Please feel welcome to join us at the sitting today. Just to draw your attention to the fact that you cannot participate in the proceedings and I would like to request that you kindly put all your cell phones on silent please. Order! I recognise the Chief Whip.

(Notice of Motion)

Mr M G E WILEY: Thank you, Madam Speaker. I give notice that I shall move:

That, notwithstanding the provisions of Rule 198, precedence be given to the third Interpellation to be heard first, please.

The SPEAKER: Are there any objections to the motion being moved without notice? No objections? We may then... [Interjection.]

Mr Q R DYANTYI: No objections!

The SPEAKER: Hon member Dyantyi! Good afternoon, we will now proceed.

Mr Q R DYANTYI: I have been waiting for him. †Ek lek my lippe! [Tussenwerpsels.] [I am licking my lips! [Interjections.]]

The SPEAKER: We will now proceed with Interpellation number 3. [Interjections.] I see the honourable, the Minister of Local Government, Minister Bredell.

INTERPELLATIONS:

Municipalities under investigation: disciplinary outcomes

3. Mr Q R Dyantyi asked the Minister of Local Government, Environmental Affairs and Development Planning:

(1) Whether his office has received reports on the disciplinary

outcomes at the seven municipalities that are under investigation;

(2) What has he done regarding councillors who have been implicated?

†'n AGB LID: Hoor-hoor!

[An HON MEMBER: Hear-hear!]

The PREMIER: Hear-hear!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you very much, thank you, Madam Speaker, and first of all allow me to thank the hon member for letting us do the interpellation first.

Madam Speaker, and to the hon member Dyantyi, it should be noted that in instances where municipalities are under investigation that these are either subject to a Hawks investigation and/or in the process of invoking a Section 106 investigation. The criminal investigation by the Hawks entailed former employees of municipalities, hence disciplinary steps in these cases are not possible. In the course of my response I will outline the disciplinary steps instituted by municipalities as well as for instances where records have not yet been provided by municipalities on staff members dismissed as a result of misconduct as contemplated by Section 57A (7) of the Municipal Systems Act 32 of 2000.

In the case of Bitou Municipality based on the forensic report compiled by independent investigators appointed by the Council of Bitou, entailing allegations of maladministration and misconduct, the Council appointed an external Chairperson and officer to lead evidence against the two senior managers in the disciplinary hearing. The senior managers implicated were the Municipal Manager and the Head of Corporate Services within the Municipality. Subsequently Council, in coalition partnerships between the AUF and the ANC, lifted the suspension and charges against the Municipal Manager. In the case of the Head, Corporate Services, she has been placed on suspension and disciplinary action against her is pending.

Furthermore, after being made aware of allegations of maladministration, corruption, fraud and other serious malpractices in Bitou Municipality I have implemented an investigation into the Municipality in terms of 106(1)(b) of the Local Government Municipal Systems Act read with Section 7 of the Western Cape Monitoring and Support of Municipalities Act. To this end I have designated two independent persons to investigate said allegations. This investigation is still ongoing.

In the case of George Municipality I brought to the attention of the Municipality the allegations of serious misconduct against the Municipal Manager and for the purposes of due diligence, transparency and accountability requested that the Executive Mayor table the allegations with the Municipal Council in terms of Regulation 5(1) read with Regulation 5(2) of the Disciplinary Regulations for Municipal Managers, as per Government

Notice 344 published in *Government Gazette* 34213 dated 21 April 2011.

The SPEAKER: Thank you, Minister Bredell. Sorry, if you could finish up, your time has expired.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Thank you Madam Speaker.
[Time expired.]

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

Mr Q R DYANTYI: Thank you very much, Madam Speaker, and thank you to the MEC. He has asked to start first and has shared why he wants that, so I want to say good luck to your son for the matric activity, but as you meet with him just tell him, just give him the bad news that in three minutes you could not answer the question and you are only left with two minutes now to answer the remaining. Just share with the boy that, just so that “daddy, daddy”, as he comes to you, you cannot even do the proper thing...
[Interjections.]

The SPEAKER: Hon member Dyantyi! [Interjections.]

Mr Q R DYANTYI: But here it is, here it is, MEC, here it is!

The SPEAKER: Hon member Dyantyi, kindly address the Chair please. Thank

you.

Mr Q R DYANTYI: Thank you, I am just appreciating this.

The SPEAKER: Thank you, and manage your finger! [Interjections.]

Mr Q R DYANTYI: The question is very clear, the question is very clear: has your office received reports on disciplinary outcomes regarding the seven municipalities under investigation and what has the MEC done regarding councillors who have been implicated like - as I am going to mention now? The disciplinary outcomes, MEC, in a number of municipalities, and you know that, the reason why you are not sharing with us those is because you are sitting on them. You are not acting. [Interjections.]

An HON MEMBER: And those are all your [Inaudible.]

Mr Q R DYANTYI: I am going to give you very clear examples. Let me go to Langeberg, because you are spending three minutes... [Interjection.]

The SPEAKER: Hon member Dyantyi, kindly speak to the Chair. Thank you.

Mr Q R DYANTYI: Oh okay, sorry, sorry, sorry Madam Speaker. The MEC spends three minutes just in Bitou and there is nothing coming out of Bitou, but I want to share with him. Let us go to Langeberg.

Langeberg, the councillor in Langeberg, Councillor Nyamana, this councillor has been found guilty on seven counts. He has been sanctioned for dismissal by the Council. The Council which is led by the DA resolved that this councillor must be dismissed.

When? On 29 May 2018; that is the decision of the Council. That is their resolution, so we are here today. It is 27 September 2018, five months, four months later. The MEC has not done anything. So this does not need any investigation. Here is the decision, the outcome about a councillor who has been guilty on seven charges unanimously by a council not led by the ANC, led by the DA. What he does, he does zilch, nothing! That is why he spent so much time on Bitou because he cannot report on this and I will tell you later why he is not acting on that. So we are here sitting with an MEC who is supposed to play a role of overseeing, monitoring these municipalities, and supporting them; he is allowing problems to continue and as a result of that, of his own inaction, this has led to further collapse and looting in the Langeberg Municipality.

Recently, in June 2018, it was reported that six Langeberg municipal officials were dismissed over misconduct. It is the same municipality. So he does not - I am going to need him when he comes back in his last two minutes, to tell us what controls he has there, why is he sitting on a very clear outcome on a DC and does nothing. [Time expired.]

The SPEAKER: Thank you hon member Dyantyi. Your time has expired. I

now see the hon member Mnqasela.

Mr M MNQASELA: Madam Speaker, I must thank you hon member Dyantyi for bringing this interpellation forward. What we appreciate is that the anticorruption measures are in place. We just need to see the action linked to that. So as the Chairperson... [Interjection.]

Mr Q R DYANTYI: That is right. †Hy is reg. [He is right.]

Mr M MNQASELA: So as the Chairperson of the Standing Committee on Local Government, when we talk about bringing these issues up we need to see actions coupled with that. Recently we heard through the Minister, because, for instance in the question of George, which was reported, the Minister acted within eight days and brought the Hawks to come and work with them. [Interjections.]

Ms M N GILLION: Why five months now?

Mr M MNQASELA: Now I like making this example because what we need is to ensure that we are able to see actions and the Minister is willing to do that, but ... †la nto yesiXhosa yokuba iqqa aliziva kunuka siyibona apha. [But the isiXhosa idiomatic expression which says one does not see his,her mistakes but sees those of others is evident here.]

When you look at the Auditor-General, what he says, the office of the

Auditor-General says to us that the Western Cape contributes 1% on the total funds that are lost through the wasteful expenditure and fruitless expenditure.

Ms M N GILLION: Where are you going to? We are talking of Langeberg. Where are you going to [Inaudible.]

Mr M MNQASELA: On the top ten, Madam Speaker, unauthorised expenditure, there is not a single one of the Western Cape in those ones. [Interjections.] And on the top ten on the irregular expenditures, Western Cape - zero! [Interjection.]

Ms M N GILLION: Answer the question! [Interjections.]

Mr M MNQASELA: On another top ten, third...

The SPEAKER: Order please!

Mr M MNQASELA: Fruitless and wasteful expenditure, the Western Cape, zero! Nothing!

Ms M N GILLION: What is the relevance there? [Inaudible.]

Mr M MNQASELA: So that says to us, whilst there are some issues, because you must admit that when things go wrong unlike in the ANC you must take action.

Ms P Z LEKKER: What has the MEC done about that?

Ms S W DAVIDS: Leave the ANC!

Mr M MNQASELA: What the ANC does when a Mayor fails... [Interjections.]

An HON MEMBER: Where is the action?

Mr M MNQASELA: ...that Mayor gets promoted to become a Minister of Finance.

The SPEAKER: Thank you.

Mr M MNQASELA: When that Mayor fails he gets promoted to be Minister of CoGTA. That is not the culture in the Democratic Alliance.

The SPEAKER: Thank you hon member Mngqasela.

Mr M MNQASELA: We act and we act decisively. Thanks, Minister. [Time expired.] [Applause.]

The SPEAKER: Your time has expired. Thank you. [Applause.]
[Interjections.] Sorry members, you have a member on the floor.
[Interjections.]

Ms N D NKONDLO: Is that why MEC Winde is bringing [Inaudible.]

Mr Q R DYANTYI: Thank you very much... [Interjection.]

The SPEAKER: Hon member Nkondlo, you have a speaker on the floor.
Thank you. You may proceed.

Mr Q R DYANTYI: Madam Speaker, now this is - †die blou poppe is diep,
diep in die probleem. [the blue puppets are deep, deep into the problem.]

Ms S W DAVIDS: Yes!

Mr Q R DYANTYI: Two of them have just spoken. You do not get anything
from what they are saying.

Ms S W DAVIDS: Yes.

Mr Q R DYANTYI: This ship is in trouble. [Interjections.] Now let us...
[Interjection.]

The SPEAKER: Order please.

Mr Q R DYANTYI: Langeberg is not the only one, because he knows he is
sitting with them. [Interjections.]

An HON MEMBER: That is ex-ANC.

Mr Q R DYANTYI: So let us go to Knysna. †Knysna is dieselfde probleem. [Knysna is the same problem.] You have a councillor in Knysna, councillor Velile Waxa, on who that Municipality has also concluded a DC process, has submitted the same to the MEC, which suggests and recommends that Waxa must go. What does that MEC do? The same thing as he does in Langeberg. Now I want to put it to him, I want to put it to you, MEC Bredell, that you are defending DA cronies.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Never!

Mr Q R DYANTYI: You are being partisan as an MEC for Local Government, for not acting and you have a dereliction of duty for turning a blind eye on problems and you are doing all of that only to keep the DA in power at all cost. That is what he is doing. Now if we are going to have an MEC that will come here and say he is acting on, he has an anticorruption strategy, municipalities do their own work. They send it to him for him to only sign off. He spends four months on one case so it means he is not going to act on Knysna because that is very recent compared to Langeberg, so maybe he is going to do that in 2019. Now this is the problem that we have with this MEC.

I also want to say that everything is on his table. He is just not acting. He is

applying his mind for four months. Now let me just go further and remind him about the following, that Section 4, MEC, of the prevention and combating of corrupt activities... [Interjection.]

The SPEAKER: Sorry, hon member Dyantyi, your time has expired, but you may finish your sentence.

Mr Q R DYANTYI: Okay, I will come back. [Time expired.]

The SPEAKER: It is only two minutes. Thank you.

†Die MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING: Hou op om nonsens te praat.

[The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Stop talking nonsense.]

The SPEAKER: Alright, then I see the hon member Mngasela. [Interjections.]

†Me M N GILLION: Nee dis nie nonsens nie. [Onhoorbaar.]

[Tussenwerpsels.]

[Ms M N GILLION: No, it is not nonsense. [Inaudible.] [Interjections.]]

†'n AGB LID: Die waarheid maak seer!

[An HON MEMBER: The truth hurts!]

Mr M MNQASELA: Madam Speaker, I think that the ANC must appreciate the fact that nationally we have been told that the National Minister of CoGTA [Interjections.]

†Me M N GILLION: *Sorry, trek terug.*

[Ms M N GILLION: *Sorry, withdraw.*]

Ms P MAKELENI: Ja, your MEC resolved the... [Interjections.]

†Me M N GILLION: *Sorry, trek terug.*

[Ms M N GILLION: *Sorry, withdraw.*]

The SPEAKER: Order!

Mr M MNQASELA: ...wants to use Oudtshoorn as the case study to see what happens when you inherit a corrupt government and change it around...

Ms P MAKELENI: So you are agreeing to be corrupt. [Interjection.]

Mr M MNQASELA: ...and the nice thing is that the corrupt government we inherited was bankrupt, run by the ANC. Now we have turned Oudtshoorn around and CoGTA says they want to use that to tell everybody and show them what happens when you steal money and what happens when you do not steal money. [Interjections.]

An HON MEMBER: You did not do that.

Mr M MNQASELA: Because the Democratic Alliance has turned it around.

An HON MEMBER: No. [Interjections.]

Mr M MNQASELA: The Mayor of the ANC, Gordon April, was sentenced to jail for five years without an option of a fine and that is what we are fixing in this province... [Interjections.]

The SPEAKER: Order! Hon member Mngqasela, kindly take your seat please. Hon member Nkondlo, are you rising on a point of order?

Ms N D NKONDLO: Yes, I wanted to check if I can sing for the member.

The SPEAKER: No-no, sorry, hon member Nkondlo, that is spurious and that is not a point of order. That is frivolous. Thank you. [Interjections.] You may proceed.

Mr M MNQASELA: Madam Speaker, the issues here are real.

An HON MEMBER: Who is fooling who?

Mr M MNQASELA: We cannot come here and act as if... †asizodlala uphuca sidlale umcimbi ingathi sizogida akukho semgidini apha. [... we are not just

doing this for the sake of doing it, we are not playing games here. This is not a game like in traditional ceremonies.]

The SPEAKER: Thank you, thank you hon member Mngqasela.

Mr M MNQASELA: What we need to be doing... [Interjection.]

An HON MEMBER: You forgot to do...

Mr M MNQASELA: ...is to ensure that the money that comes in... [Interjection.]

Ms M N GILLION: He forgot what happened.

Mr M MNQASELA: ...and the money that goes out in our municipalities gets accounted for properly... [Interjection.]

The SPEAKER: Thank you, your time has expired.

Mr M MNQASELA: ...and Minister, please help us until that happens. †Ndiyabulela. [I thank you.] [Time expired.]

The SPEAKER: Thank you. [Interjections.]

Ms C F BEERWINKEL: Who is fooling who? [Interjection.]

An HON MEMBER: You learnt from me, you learnt from the best.

The SPEAKER: Hon members, can we manage ourselves with dignity and decorum. Hon member Dyantyi, you are on the floor. You have I think it is two minutes. There we go, thank you.

†Mnr Q R DYANTYI: Ja, nou dit is my ding dié. Ek het my twee minute.

[Mr Q R DYANTYI: Yes, now this is my thing. I have my two minutes.]

†Die SPEAKER: Doen jou ding asseblief!

[The SPEAKER: Do your thing please.]

Mr Q R DYANTYI: I just want to share with the MEC in case he thinks that he has got the freedom to not do anything, we are going to charge you on the following act, MEC... [Interjection.]

†n AGB LID: Bring!

[An HON MEMBER: Bring!]

An HON MEMBER: Charge?

Mr Q R DYANTYI: And which reads: “Any public officer who directly or indirectly accepts or agrees to accept gratification from any other person, whether for the benefit of himself or the benefit of the other person, that amounts to the abuse of a position of authority...”

The SPEAKER: Sorry, hon member Dyantyi, kindly take your seat please.
Minister Fritz? Please take your seat, thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Madam Speaker, I think that the hon member is misleading this House to make that assertion. It is absolutely misleading the House... [Interjections.]

Ms M N GILLION: Sit down! Sit down!

The MINISTER OF SOCIAL DEVELOPMENT: ...and it is in fact, it is casting aspersions on the character of the hon member. [Interjections.]

The SPEAKER: Minister Fritz... [Interjections.]

An HON MEMBER: You must charge the whole ANC Cabinet.
[Interjections.]

The SPEAKER: Hon Premier? [Interjections.] Order please members!

The PREMIER: Madam Speaker, I rise on a point of order on the basis that the speaker is in fact reflecting on the integrity and character of the Minister.

Mr P UYS: What did he say?

Ms M N GILLION: What did he say? [Interjections.]

The SPEAKER: Order please members, if I may, the hon member Dyantyi is

indicating that he or his party is planning to take an action against the Minister based on statements that are made, but you cannot - I must remind you, it needs to come to the House in a substantive motion, but you may proceed.

An HON MEMBER: Thank you. [Interjections.]

Mr Q R DYANTYI: I am not making a motion, let me help you, Madam Speaker. You stopped me when I was saying to you I was quoting for him, Section 4... [Interjection.]

The SPEAKER: Hon member Dyantyi, please speak to me and put your finger away. Thank you.

Mr Q R DYANTYI: I am quoting for him Section 4 of the Prevention and Combating of Corrupt Activities Act 12 of 2004 that provides the following: "Any public officer..."

An HON MEMBER: Including yourself.

Mr Q R DYANTYI: "...who directly or indirectly accepts or agrees to accept gratification from any other person whether for the benefit of himself or to the benefit of the other person, that amounts to abuse of a position of authority, a breach of trust and a violation of a legal duty or set of rules designed to achieve an unjustified result or that amounts to any other

unauthorised or improper inducement to do or not to do anything, is guilty of the offence of corrupt activities relating to public officers.”

An HON MEMBER: Exactly!

Mr Q R DYANTYI: They were not listening but you can understand, †as Mmusi so deurmekaar is, wat van hulle; daai is mos deurmekaar. [if Mmusi is so confused, what about them, that is now confused.] So you cannot blame them. The problem is up there. It tells when you are here, so I am saying to you MEC...

An HON MEMBER: Eish, Mmusi man!

Mr Q R DYANTYI: ...you for not acting, you are not going to be left scot-free. We are going to have to pursue these issues because he is now in a dereliction of duty for not doing anything about cases in front of him, not one, and I have mentioned two already here, that he is not acting. He has not even responded to these municipalities and said: “having received these four months ago, this is what I am doing...” and I am saying you are being partisan. You are playing politics with governance in this province. [Time expired.]

The SPEAKER: Hon member Dyantyi, your time has expired.

†n AGB LID: Ai jene! Van die ANC nogal.

[An HON MEMBER: Oh my. From the ANC of all people.]

The SPEAKER: Kindly take your seat please. I see the hon, the Minister.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, the ANC has perfected stealing so much they are even writing books on it: “How to steal a City”, Nelson Mandela Bay City, which the ANC is governing. [Interjections.]

Ms N D NKONDLO: Yes, and you have not even backed that... [Inaudible.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, it is a shocker that the ex-MEC does not understand the rule of law. [Interjections.]

The SPEAKER: Order please!

Mr Q R DYANTYI: You do not take four months!

The SPEAKER: Order, hon member Dyantyi, you had an opportunity to speak. Thank you.

Mr Q R DYANTYI: I am just interjecting!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS

AND DEVELOPMENT PLANNING: It is absolutely not true that we have not responded to the Municipality.

Mr Q R DYANTYI: You have not acted, MEC.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: In fact the member has received his letter. There is a process within the rule of law... [Interjections.]

Mr Q R DYANTYI: Or even considered... [Inaudible.]

The SPEAKER: Order please, hon member Dyantyi. [Interjections.]

An HON MEMBER: Okay, only after receiving the question. [Interjections.]

Mr Q R DYANTYI: Exactly!

The SPEAKER: Sorry, Minister, kindly take your seat.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I would like to respond.

The SPEAKER: Sorry.

Mr Q R DYANTYI: No, you are not the Minister...

The SPEAKER: Hon member Dyantyi, kindly take your seat please!
[Interjections.] Sorry, I wanted to make a point. When you spoke, you were afforded the time to speak. The Minister is now responding. Listen to the response and then engage. Thank you. [Interjections.]

An HON MEMBER: From that side, people are... [Interjections.]

The SPEAKER: You may proceed, Minister. [Interjections.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: Madam Speaker, we followed the rule of law, so when - and I have said it from day one of my term of office that we will treat people fairly so when we get the recommendations from the municipality, we as the province do our own investigation and our own research and part of it is we need to transcribe the whole hearing
[Interjections.]

†Mnr Q R DYANTYI: In vyf maande het jy niks gedoen nie.

[Mr Q R DYANTYI: In five months you have done nothing.]

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: The whole hearing.

The SPEAKER: Order please.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: We fired a lot of people... [Interjection.]

Ms N D NKONDLO: We have no patience for your explanations, we want action.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: ...and I can tell you through all political parties there was never a bias from our side or anything else. [Interjections.]

The whole Langeberg issue which the Hawks have now raided will point a finger back to ANC councillors who sold houses. [Interjections.]

Mr Q R DYANTYI: [Inaudible.] At least we had nothing to do with the Hawks.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: It is those kinds of things we will investigate. The Hawks and the timeframe on the Hawks, I cannot influence that because that will be political interference. [Interjections.]

Mr Q R DYANTYI: That is on a [Inaudible.] Come, MEC!

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: The disciplinary the person will get

after we have worked through and transcribed all the evidence, we will give the candidate 21 days to respond and then I can promise the hon member...

[Interjection.]

Mr Q R DYANTYI: Only a promise! Nothing! I do not need promises.

The MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING: I will not sit longer than two days with any of these when I receive the final recommendations. [Interjections.]

We deal with this. In his time he had never fired one councillor. This DA has fired a lot of councillors. Thank you.

The SPEAKER: That concludes, that is Interpellation 3. [Interjections.]

[Debate concluded.]

The SPEAKER: Hon member Dyantyi, †bedaar! [Tussenwerpsels.] Nee, maar sy vinger! Minister Winde, bedaar asseblief. [Tussenwerpsels.] [calm down! [Interjections.] No, but his finger! Minister Winde, calm down please. [Interjections.]]

We now go to Interpellation number 1 and it is from the hon Olivier to the hon Minister of Education. I see the Minister, Minister Schäfer.

Learner abductions: safety of learners

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

With reference to the Minister's remarks in the media on 30 August 2018 that her Department is working closely with the police after another schoolgirl was abducted in the city:

(a) What is the role of her Department in the partnership with the police and (b) what steps has she taken to ensure the safety of learners on their way to and from school?

The MINISTER OF EDUCATION: Thank you Madam Speaker, and to the member for the interpellation.

(a) In answer to part (a), I am not certain of the exact remarks the member is referring to because we have not found any reference in the media on 30 August indicating that I would work closely with the police, or in the press statement issued by us on 28 August. I instead urge SAPS to please increase patrols during the mornings and afternoons when learners are travelling to and from schools.

However, on Tuesday 11 September my HOD as well as Chief Director of Districts and I met with Brigadier Sonja Harri, head of the FCS SAPS in the Western Cape. Following this meeting I said that we are committed to

working with SAPS to support them by sharing information that is reported to our Safe Schools Directorate. We are the only province, to my knowledge, to have a Safe Schools Toll Free Helpline. We have encouraged anyone with information or who has been involved in an incident to report the incidents to this Helpline as well as to SAPS. Our role is thus to share that information with the police, to assist with the investigations. We have established a chain of communication to ensure that this happens on a weekly basis and they have also undertaken to give us feedback on their investigations.

(b) As we have responded repeatedly to the member and his party, the safety of learners outside the school premises is beyond the mandate of the Education Department and is the core responsibility of the nationally controlled SAPS.

An HON MEMBER: Hear-hear.

Mr R D MACKENZIE: That is fact!

The MINISTER OF EDUCATION: However, in light of the recent spate in abductions my Head of Department issued communications to schools to remind them to review and update their safety policies particularly around access control and to ensure that procedures are in place to deal with reported abduction cases. Schools have taken steps to ensure that there are safety measures in place at dismissal time i.e. learners who are picked up at their school by parents or caregivers are to remain within the school property until

they have visibly identified their mode of transport. Learners who require public transport are expected to walk to their relevant departure areas, we requested to travel in groups at all times. We also requested that schools ensure that learners are aware of stranger danger. While we do not want to frighten them they must know that they should be weary and immediately seek help if a stranger approaches them. Learners must be taught not to accept any free food, drinks, money or objects from strangers and should report any suspicious characters to an educator or administrator at the school as soon as possible.

However, no amount of advocacy or awareness campaigns in our schools can compensate for the severely under-resourced police service. In 2016 the national average was one to 347, while the Western Cape average was one to 385 and Cape Town one to 439. The average police-to-population ratio for the Western Cape currently stands at one to 509 and for Cape Town even worse at one to 560.

The MINISTER OF SOCIAL DEVELOPMENT: It is a disgrace.

Ms P MAKELENI: No, Fritz do not start!

The MINISTER OF EDUCATION: The under-resourced SAPS as well as the failing criminal justice system send out the message that it is worth the risk to conduct criminal activities such as abducting and sexually assaulting learners as there will simply be no consequence. Thanks to the ANC

Government's abject failure to pay proper attention... [Interjections.]

Mr Q R DYANTYI: Your time is up.

The SPEAKER: Minister, your time has expired... [Interjections.]

The MINISTER OF EDUCATION: ...to appointing the right people in crucial positions such as the National Police Commissioner... [Interjection.]

The SPEAKER: Thank you Minister.

Mr Q R DYANTYI: Your time is up!

The MINISTER OF EDUCATION: ...and playing politics with crucial levers of the criminal justice system. [Time expired.]

Mr R D MACKENZIE: Yes.

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

†Mnr Q R DYANTYI: Die DA se tyd is op. [Tussenwerpsels.]

[Mr Q R DYANTYI: The DA's time is up. [Interjections.]]

†n AGB LID: Jou tyd is ook op. [Tussenwerpsels.]

[An HON MEMBER: Your time is also up. [Interjections.]]

Mr R T OLIVIER: Thank you very much, Madam Speaker. [Interjections.]

Ms P MAKELENI: And you do not stand a chance then... [Interjections.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: When are you holding your congress?

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

Ms P MAKELENI: Do not worry about the ANC processes.

The SPEAKER: Hon member Makeleni, hon member Olivier would want to speak and I am trying to get everyone calm and quiet. The front bench, Minister Winde, please. Thank you. You may proceed.

Mr R T OLIVIER: Thank you Madam Speaker. Let me first congratulate the Mayor here in front of us. Congratulations! [Interjections.]

The SPEAKER: Hon member Dyantyi. [Interjections.]

Mr R T OLIVIER: Because Madam Speaker, this is a huge... [Interjections.]

†Me M N GILLION: Arme Bonginkosi. [Tussenwerpsels.]

[Ms M N GILLION: Poor Bonginkosi. [Interjections.]]

Mr R T OLIVIER: It is a huge struggle. It is a huge struggle to talk.

The SPEAKER: Hon member Olivier, you do know your time is running low, hey?

Mr R T OLIVIER: Yes, yes.

The SPEAKER: Okay. [Interjections.]

Mr R T OLIVIER: I know and hon member Makeleni is not helping.

The SPEAKER: Ja. [Interjections.]

Mr R T OLIVIER: You are not helping. Madam Speaker, thank you very much. This side of the House has been raising the issue of safety of learners for some time now and I must indicate and agree with the MEC that she has been brushing this off to another sphere of government to the police and to everyone else except to say she will consider the increase of the budget of safety with the member Mayor here, of course, the Mayor - the MEC is now going to a new position of the Mayor and I hope the new MEC will really look at the safety budget, you know, of this three alliance...

Mr Q R DYANTYI: Do not worry, they have eight months left. †Ons vat oor!
[Tussenwerpsels.] [We are taking over! [Interjections.]]

Mnr R T OLIVIER: I am not sure whether it is alliance partners, but Madam Speaker, I just want to refer the MEC because she has not seen what she has reported and this is what the MEC said on 30 and 31 August and MEC, let me just show you because you said you had not seen this issue which you have - so you have seen it now, whether where a learner has been snatched... [Interjections.]

An HON MEMBER: Uh-uh, he does not know.

Mr R T OLIVIER: You have said you have now a relationship with the police... [Interjection.]

The SPEAKER: Hon member Olivier, kindly speak to the Chair, thank you.

Mr R T OLIVIER: You have now a relationship with the police and one would really want to see what that relationship entails because so far just from August the past two months, already 13 cases of child abduction and kidnapping, attempting kidnapping has been reported in the Western Cape alone, just the past two months.

Ms P MAKELENI: She is making excuses.

Mr R T OLIVIER: Whatever you have now raised here is that currently the programmes clearly does not work. No-one has said that the Education Department is responsible for learners outside of school premises, but MEC,

if you have taken the Committee serious about looking at the learners' transport which drive past learners who must walk for four kilometre radius, which is exposed to this kind of problems. [Interjections.]

Mr D G MITCHELL: That is a national policy.

Ms P MAKELENI: What is your policy?

Mr R T OLIVIER: So it does not matter whose policy it is. [Interjections.]

The SPEAKER: Order! [Interjections.]

Mr R T OLIVIER: But the Minister has the responsibility to make sure that this policy is being engaged with. [Interjections.]

An HON MEMBER: What is yours?

Ms P MAKELENI: Do not blame it there.

Mr R T OLIVIER: MEC, I also just want to raise that given the above concern... [Interjections.]

The SPEAKER: Order please members, you are drowning out the speaker.

Mr R T OLIVIER: The MEC is now after a long time admitting that this issue

is a problem and I hope your contribution with the police is not going to be a complaint session, because obviously we know what you are doing, you always complain, running to Pretoria because you do not want to take any responsibility in terms of addressing the issue of safety of schools. [Time expired.]

The SPEAKER: Hon member Olivier, your time has expired. Thank you.

An HON MEMBER: National has a policy. What are yours where you govern?

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

Mr B D KIVEDO: Thank you Madam Speaker, fellow colleagues and distinguished guests in the gallery, the safety of our learners in the Western Cape requires collective responsibility of several role players in society. To think or believe that only the educational sector has a part to play in ensuring the safety of our learners would be setting ourselves up for failure.

Ms M N GILLION: Yes.

Mr B D KIVEDO: The DA-led Western Cape Government has implemented programmes and initiatives across several departments and not just the Educational Department in an effort to ensure the safety of our learners.

An HON MEMBER: It does not work... [Inaudible.]

Mr B D KIVEDO: Due to policing not falling under the mandate of Provincial Government...

Mr Q R DYANTYI: Do not go there, do not go there... [Interjections.]

Mr B D KIVEDO: ...we have had to make use of alternative measures to promote the safety of our learners. Amongst the interventions the Government has in place includes the engagement of the youth in diversion programmes that involves their participation in constructive activities.

This is designed to instil a sense of belonging in society and reinforcing a culture of identity and dignity amongst our learners in order to achieve Strategic Goal 2 - that is improving education outcomes and opportunities for youth development, PSG2, it is crucial that our Education Department continues to strengthen relationships between the province and crucial National Departments that have the primary mandate and budget for justice and policing, which are so crucial in maintaining safe and secure school environments. Thank you Madam Speaker.

The SPEAKER: Thank you hon member Kivedo. I see the hon member Olivier. [Interjections.] Hon member Dyantyi!

†UMnu R T OLIVIER: Somlomo, enkosi kakhulu ndicinga ukuba uMphathiswa lo weEducation kudala ndicela and ndiza kuphinda ndicele ukuba ingaba iDA ayinayo na ileadership yokufaka omnye umntu phaya kula

ndawo ngoba kudala siyicela le nto yokuba la mama akayihoyanga indima edibene nabantwana, abantwana bezikolo akabakhathalelanga umzekelo xa ezauthi kum lona ngumqulu kanational uyintoni unguMEC ukwazile ngoku ukusiphathela umthetho wotywala ezikolweni engathanga ngowoRhulumente weSizwe.

Now xa kufuneka ejonge izinto ezibalulekileyo kunzima ukuza nomthetho because ebenokukwazi ukuwu-introdusa siwujonge la mthetho ukuba ebefuna angasixeleli ngonational kula ntlanganiso ibiseOutsh okanye eGoerge kwipublic hearing yeNCOP uMackenzie wayetsiba estage emele uMEC apho uDeputy Minister wayecelile ukuba mabahlale uMphathiswa bobabini bawujonge lo mcimbi wathi †lets meet and engage on the issue so †ukuba ebefuna ebezawukwazi ukujonga lo mqulu awuhlale ukwenzela abantwana bethu bangamane ukuxhwilwa okanye babe kwirisk yokuthathwa zii-transport esingazaziyo avumayo ukuba yingxaki so xa eza kumane ethi ngunational ngabantwana bethu aba beWestern Cape aba bafunda apha ephethwe yiDA.

Inational ayiphathanga apha yiDA ephethe apha, sithi siyacela sizirate payers apha, uDan Plato ngoku sizakubhatala amanzi neerates for abantwana bethu. So siyacela into mabahoye abantwana bethu ayeke ukuba arrogant andiyithandi le nto yalo Mphathiswa akayilungelanga le ndawo. Yintoni ningafuni ukumamela nje? Kunini sicela kwakuthiwe ndiyam-abusa uMphathiswa ngokuba ungumntu ongumama, but noko limnkile ixesha, mabakhe bamfake nakula ndawo uMphathiswa ahamba kuyo yeSafety khe sifumane umntu ongcono. Abantwana bethu basengxakini, abantwana bethu

bazawuxhwilwa bazawudlwengulwa babulawe amane esithi akhomali njalo njalo siyayicela lo nto torho kwinkokheli zeDA mabangalibali ukuthetha kwifoni zakho.

[Translation of isiXhosa paragraphs follow.]

[Thank you very much Speaker. I think the Minister of Education, I have been pleading and am still pleading with you that the DA leadership must try and replace this Minister with somebody else because this mama does not care about anything concerning our children. School children are not her priority at all. For example, she said to me this issue is for National Government but she is the MEC. She managed to bring us the law that governs alcohol in schools but she never said it is for National Government.

When she has to look at important matters she doesn't because she could have introduced this law and we look at it if she was willing to do that. In a meeting we held in Oudtshoorn or in George in a public meeting of the NCOP Mackenzie was all over the place on the stage representing the MEC and the Deputy Minister had asked that they must engage together and said let's meet and engage on the issue so that our kids are protected from being kidnapped and at risk of being snatched by strangers and she admitted that this is a problem. So for her to give the excuse that this is a national issue, these are our kids of the Western Cape and they are studying here where the DA is in the leadership.

We say as ratepayers that Mr Dan Plato we are now going to pay for our water and other services for our kids so please do take care of our kids and stop being so arrogant. I really do not like the attitude of this Minister. She is not fit for this position. Why don't you want to listen? It has been so long since we asked and you always said I am abusing the Minister just because she is a woman but now it is enough it is time now that they maybe put her in another portfolio like that of Safety and Security and give us a better person. Our children are facing a bigger problem here. Our children are facing the risk of being abducted and being raped and killed and she gives an excuse that there is no money and so on and so on so. Please the DA leadership must look into this and stop talking on your phones.]

The SPEAKER: Hon member Olivier, your time has expired, thank you.
[Applause.]

An HON MEMBER: Really man, for the sake of our children. [Interjections.]

The SPEAKER: I see the honourable... [Interjections.] Hon members, there is too much noise.

An HON MEMBER: Really man, for the sake of our children!

The SPEAKER: Hon member Kivedo, it is your opportunity.

Mr Q R DYANTYI: It is because this MEC is failing... [Inaudible.]

Mr B D KIVEDO: Thank you Madam Speaker... [Interjections.]

An HON MEMBER: Can we leave politics aside for the sake of our children.

Mr B D KIVEDO: Thank you, Madam Speaker, on the topic of ensuring the safety of learners to and from schools, initiatives such as the Walking Busses are commendable. [Interjections.] However, it ought not to be expected...

†Mnr Q R DYANTYI: Daai is 'n grappie man.

[Mr Q R DYANTYI: That is a joke man.]

Mr B D KIVEDO: ...that programmes and initiatives implemented by our Government are supposed to replace the work of police in our communities. [Interjections.]

†Me M N GILLION: Ek wens ook [Onhoorbaar.] Bonteheuwel toe gaan.

[Ms M N GILLION: I wish also [Inaudible.] to go to Bonteheuwel.]

Mr B D KIVEDO: That policing in our province is so severely under-resourced is a serious cause for concern. The SAPS themselves have openly admitted that increasing Vispol policing goes a long way to ensuring that criminals think twice about committing acts of crime not only on our children, but all members of society. The police number are said to be cut over time, will inevitably not help to fight this battle... [Interjections.]

†Luister pragtig en mooi – [Listen well and good] - as more pressure will be

placed on our already crippling criminal justice system. On the final point...

[Interjections.]

The SPEAKER: Hon member Kivedo, finish up please, hon member Kivedo.

Mr B D KIVEDO: ...every school forms part of its community that is inevitably affected by challenges facing the community and finally...

The SPEAKER: Your time has expired, thank you, hon member Kivedo.

Mr B D KIVEDO: This is a complex... Thank you, Madam Speaker. [Time expired.]

The SPEAKER: Members, please be guided by the speaking times. It is three minutes, two minutes and there is even a one minute in between. Hon member Olivier, you have two minutes, thank you. [Interjections.]

Mr Q R DYANTYI: Wait here on this side I am going to start [Inaudible.]

Mr R T OLIVIER: Madam Speaker...

The SPEAKER: If you were just to be calm we will get through it, thank you.

†Mnr R T OLIVIER: Madam Speaker, na aanleiding van wat ek gesê het wil ek 'n aanbeveling maak. Ek wil nou nie net kla nie, maar ek wil ook

aanbevelings maak, dat die Minister ernstig moet kyk om met die nasionale Minister 'n gesprek te voer om te kyk om die beleid vir die vervoer van kinders na skole toe te kan bespreek en te kyk of ons die kilometers *issue*, die radius kan verander sodat kinders, en meer spesifiek kinders wat op plaasskole is, dat daai kinders op die vervoer of busse gelaai kan word om die risiko te verminder. Dit is die eerste aanbeveling.

Die tweede aanbeveling wat ek wil maak is dat u ernstig moet kyk, saam met die Minister, met die MEC vir Veiligheid om die *safety*-begroting aan te pas, dat daai begroting nie 'n bietjie aangepas kan word sodat hulle meer programme kan hê om kinders veiliger naby die skole te kry nie, en dit is die tweede aanbeveling wat ons kan maak. En die derde aanbeveling wat ek wil maak aan die DA is om te kyk om ernstig te oorweeg om miskien die Minister, die MEC van Onderwys 'n bietjie te skuif en miskien iemand anders daai geleentheid te gee om te kyk of hulle iets kan doen. Dankie.

[Translation of Afrikaans paragraphs follow.]

[Mr R T OLIVIER: Madam Speaker, with regard to what I have said I also want to make a recommendation. I do not want to only complain, but I also want to make recommendations, that the Minister should seriously look at having a discussion with the national Minister, to see if they can discuss the policy to transport of children to schools and to see if the issue of kilometres, the radius can be changed, so that children, and more specifically children at farms schools, that those children can be taken on board the transport or

busses to reduce the risk. That is the first recommendation.

The second recommendation I want to make is that you with the Minister, with the MEC of Security, seriously look at adjusting the safety budget, that that budget should be aimed at having more programmes to ensure that children can get nearer to schools safer, and that is the second recommendation that we can make. And the third recommendation I want to make is that the DA looks at seriously considering to shift the Minister, the MEC and perhaps give someone else that opportunity to see if they can do something. Thank you.]

The SPEAKER: Thank you hon member Olivier. Thank you.

†Mnr R T OLIVIER: Dankie. [Tyd verstreke.]

[Mr R T OLIVIER: Thank you. [Time expired.]]

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

The MINISTER OF EDUCATION: Thank you Madam Speaker. Thank you hon member Kivedo for those constructive comments; as usual unfortunately I cannot say the same about hon member Olivier.

Mr Q R DYANTYI: Why?

The MINISTER OF EDUCATION: It seems that the ANC does not listen to

the numerous inputs that I have made in this House regarding what we are doing about learner safety which we should not have to do if the police were doing their job. [Interjections.]

The SPEAKER: Order members, there is too much noise.

The MINISTER OF EDUCATION: Now as far as the article is concerned that you referred to, there is nothing in here about what you mentioned in the question, but as I said we do have a relationship with SAPS and we will continue to do so but they must actually get on and do their job. The fact of the matter is we are the ones who care about children and just as the ANC who is not accepting any responsibility for helping us with this chart and also politicising safety. Just yesterday we saw the politicisation of a meeting...

Mr Q R DYANTYI: Just blame the ANC.

Ms M N GILLION: Just blame the ANC. [Interjections.]

†Mnr Q R DYANTYI: Gooi!

[Mr Q R DYANTYI: Throw!]

The MINISTER OF EDUCATION: ...of the National Police Minister, with the Bonteheuwel Community... [Interjections.]

The SPEAKER: Order please.

The MINISTER OF EDUCATION: ...with the political head of the SAPS in acting in this manner it shows what games are being played with the lives of our people. This very Police Minister was accused of tender irregularities in the Police lease saga in 2012. [Interjections.] Needless to say no action was taken against him and now he has been promoted to the political head of the very body that should be investigating him. [Interjections.] So the fact of the matter is we care about our children, it is the ANC that is politicising safety. [Interjections.]

As far as LTS is concerned... [Interjections.] Madam Speaker, I cannot speak like this. [Interjections.]

The SPEAKER: I am sorry. Minister Schäfer, kindly take your seat please. Members, interjections are allowed, but when it becomes a running commentary and it drowns out the speaker on the floor I am going to appeal to you to please allow the Minister to continue. You may proceed, Minister, you are protected.

The MINISTER OF SOCIAL DEVELOPMENT: Hear the truth!

The MINISTER OF EDUCATION: Thank you Madam Speaker. They do not like hearing the truth, because it hurts. The fact of the matter is we have spoken to the National Minister on many occasions about learner transport policy, about the quintile system which is iniquitous and needs to change. The answer comes back all the time there is no money. If the ANC had

stopped wasting and stealing the money there would have been plenty of money to do all of these things and we are doing an unbelievably good job in trying to compensate in the Education Department for things that should be done by National Government. Thank you. [Interjections.]

[Debate concluded.]

An HON MEMBER: People see you, what you are doing with that, and your ignorance. [Interjections.]

The SPEAKER: Hon member Makeleni, hon member Makeleni [Laughter.] We are all hon members in this House, please. We now move to Interpellation number 2. [Interjections.]

†Me M N GILLION: Daai is jou kamerade. Dit is jou kamerade. [Tussenwerpsels.]

[Ms M N GILLION: Those are your comrades. They are your comrades. [Interjections.]]

The SPEAKER: Okay, no when they are done, then we may proceed.

Mr Q R DYANTYI: Ja, we are waiting for the upcoming Premier.

The SPEAKER: We cannot have a debate across the floor. It just does not work that way. You may proceed. I recognise the Minister of Economic

Opportunities, I see Minister Winde.

Farm evictions

2. Mr S G Tyatyam asked the Minister of Agriculture, Economic Development and Tourism:

(a) What role has his Department played in farm evictions and (b) what support is he and his Department giving victims of evictions?

The MINISTER OF THE MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much Madam Speaker, and thank you very much to the hon member Tyatyam for the question.
[Interjections.]

The SPEAKER: Sorry, Minister Winde, kindly take your seat please. Hon member Dyantyi.

Mr Q R DYANTYI: Can I please ask the MEC a question, please?

The SPEAKER: Kindly take your seat please.

Mr Q R DYANTYI: Just a question before he starts.

The SPEAKER: Hon member Dyantyi, take your seat please. Minister Winde,

will you take a question? [Interjections.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: No. The last time I eventually gave him a question he did not even have a question. [Interjections.]

The SPEAKER: Okay, thank you.

Mr Q R DYANTYI: Oh, the pretending Premier is not going to take a question. Really!

The SPEAKER: Hon member Dyantyi, the Minister has said no. Accept that now and behave. [Interjection.]

Mr Q R DYANTYI: Thank you, I am with you.

The SPEAKER: Thank you.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Madam Speaker, the question from the hon member Tyatyam, thank you very much. [Interjections.]

Mr Q R DYANTYI: I want to put a question to the candidate; not you.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: If I had to answer the question directly what role has my Department played in farm evictions, I would just say none.

Ms B A SCHÄFER: Exactly! [Interjections.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: But it is a very serious issue so I thank him for bringing this issue and I am going to answer it differently because first of all:

(a) All legal and illegal evictions are dealt with in accordance with specific processes per the Extension of Security of Tenure Act (ESTA)... [Interjection.]

Mr Q R DYANTYI: That is a shame!

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Act 62 of 1997. [Interjection.] These processes are the mandate of the National Department of Rural Development and Land Reform and administered as such by them.

Mr Q R DYANTYI: They are using him.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: This Department maintains the database of all evictions pertaining to agri-workers and farm dwellers.

b) The Western Cape Department of Agriculture's sub-programme: Farm Worker Development assists evicted farm-workers through the facilitation of access to appropriate departments and municipalities through its referral system. This process, as and when my Department is made aware of such cases, this subprogramme also focuses on various strategic projects geared towards social upliftment and the development of agri-workers, but perhaps, Madam Speaker, to go a little bit further, and maybe just a word of caution to the hon member Tyatyam. The last time we went into election there was a different spokesperson on agriculture within the ANC and he has been given this job. [Interjections.]

Mr Q R DYANTYI: Just answer the question. It has nothing to do with the ANC.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: My word of caution is we are moving into an election and I would not make this an election campaign or election process... [Interjection.]

Mr Q R DYANTYI: [Inaudible.] You want to be a Premier.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: ...because the last time we tried to make it an election campaign and the President, the current President was the Deputy President there, he ordered this investigation. You know this investigation, the documents came

out and guess what happened after the documents came out, we held meetings in De Doorns and in Drakenstein and then they buried this document.

An HON MEMBER: Yes.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: They buried it very deep, because quite frankly when you start looking at the top ten eviction hotspots by municipality across province, guess which province is the top in the country: the Free State. Guess which province is the second in the country: KwaZulu Natal. Who runs these provinces?

The SPEAKER: Minister Winde, your time has expired.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Of course when we started to look at these numbers then it became a big issue but this is a serious report... [Interjections.]

Mr Q R DYANTYI: Your time is up.

The SPEAKER: Minister Winde, sorry.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: The preliminary report for the ministerial fact-finding mission. [Time expired.]

The SPEAKER: Thank you, your time has expired.

Mr Q R DYANTYI: Your time is up, sit!

The SPEAKER: Thank you.

Mr K E MAGAXA: And you want to be a Premier.

Mr Q R DYANTYI: Yes.

The SPEAKER: Hon member Dyantyi, allow me to be the Presiding Officer, †asseblief, [please,] if you do not mind. [Interjections.]

An HON MEMBER: You cannot even preside in this province [Inaudible.]

Ms B A SCHÄFER: That is enough now! [Interjections.]

Mr S G TYATYAM: Madam Speaker.

The SPEAKER: Sorry, hon member Tyatyam, you have a member speaking, if you could just help me.

Mr S G TYATYAM: Are you speaking about Donald Trump?

An HON MEMBER: Your friend.

An HON MEMBER: An understatement.

The SPEAKER: You may proceed, hon member Tyatyam.

Mr S G TYATYAM: Madam Speaker, I think for today we would want really the MEC to prove his worth.

An HON MEMBER: Ja.

Mr S G TYATYAM: If he really wants to be... [Interjections.]

Mr Q R DYANTYI: The Premier.

Mr S G TYATYAM: ...the Premier, it is not the first time... [Interjection.]

Mr Q R DYANTYI: At the expense of Madikizela. I must make that point.

Mr S G TYATYAM: Premier candidate, that you said, let us give...
[Interjections.]

An HON MEMBER: I would go in exile.

The MINISTER OF HUMAN SETTLEMENTS: You are already there.

Mr S G TYATYAM: Let us give up the names.

The SPEAKER: Order please.

Mr S G TYATYAM: Hon member Nkondlo gave you the name of Simondium of people that were evicted here in this House. We are expecting you to say what have you done for those people?

Ms S W DAVIDS: Yes.

Mr Q R DYANTYI: You have missed an opportunity as the Democratic Alliance and you as the Premier. [Interjections.]

The SPEAKER: Hon member Dyantyi.

Mr S G TYATYAM: I know that you have challenges of even accounting about your Agriculture Department.

An HON MEMBER: Exactly!

Mr S G TYATYAM: We know that is your challenge but let us today say we are giving you a chance to prove your worth to be a Premier.

An HON MEMBER: There is an opportunity.

Mr S G TYATYAM: You know, today I am giving you another one, another farm, Leeuwkop Farm in De Doorns, Normandy Farm in De Doorns, and we

have raised these things before the fight happened on Tuesday.

An HON MEMBER: Uh-huh, that is right.

Mr S G TYATYAM: And the violence on Tuesday is because of this.

An HON MEMBER: No, that is the thing.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Who owns the farm?

An HON MEMBER: You will know.

Mr S G TYATYAM: It is because of this - of course you know who owns the farm. That is why you were asking, that is why you were asking me when I spoke to you on Tuesday, "Member Siyazi, can you help me to intervene here?" We will help you! [Interjections.]

Okay no, that is fine. Yes, play it here. That is fine. Play it here. The point what we are raising, what we are raising, MEC, the lives of people and the children... [Interjection.]

Mr Q R DYANTYI: That is supposed to be your candidate, DA, for the Province. [Interjections.]

Mr S G TYATYAM: ...women in particular are in danger. We cannot be taking this and say in this issue national must intervene. [Interjection.] What is your programme to assist our people, particularly now in this cold wet weather, you know, our people need assistance? Even if they do not vote for you at some stage or if they vote for you at some stage, it is our people, it is Government, Government must lead. Show us your worth if you want to be the Premier. I continue, MEC your help, for instance, in Normandy Farm, where people are being chucked out because of not paying R200.00 of the rental.

An HON MEMBER: They denied this?

Mr S G TYATYAM: And yet the condition of those houses are not worth that R200.00 and what do they do? They evict people and then employ foreign nationals.

The SPEAKER: Hon member Tyatyam your time has expired.

Mr S G TYATYAM: And this puts in danger the foreign nationals that are here to improve their lives. [Time expired.]

The SPEAKER: Thank you hon member Tyatyam. I now see the hon member Schäfer.

Ms B A SCHÄFER: Thank you Madam Speaker. I really think my colleague

on the other side as uncomfortable as it is, we cannot deny that evictions have a devastating consequence for families involved, so let us just put that aside. It is not a pretty state of affairs and I think that we have to really acknowledge what the real problems are and the Minister has highlighted this, hon member Tyatyam.

Mr Q R DYANTYI: You are thinking about rugby now. What did he say?

Ms B A SCHÄFER: Firstly, it is failed Government policy, because the extension of security of tenure... [Interjection.]

An HON MEMBER: That is the same narrative. That is all that you can say [Inaudible.]

Ms B A SCHÄFER: Do not say it is a secondary issue. The security, the Extension of Security of Tenure Act and the Labour Tenants Act aim to provide a framework to deal with evictions and of Land Tenure Reform programme... [Interjection.]

An HON MEMBER: The same narrative. [Interjections.]

Ms B A SCHÄFER: The rights of farm dwellers are not protected by the law in this country.

Mr Q R DYANTYI: We are hopeful, MEC.

Ms B A SCHÄFER: Why, because while the policies have had good intentions they failed to articulate the strategy around the long-term security for farm dwellers in the long term... [Interjections.]

The SPEAKER: Order please! [Interjections.]

Ms B A SCHÄFER: So tenure legislation in this country is weak. [Interjections.] You fail to enforce it, you fail to follow up on issues. That is where the problem starts. [Interjections.]

The SPEAKER: Hon member Schäfer, kindly take your seat please. Hon member Dyantyi?

Mr Q R DYANTYI: Can you ask the member to speak through you, that member that is speaking, can she speak through you?

The SPEAKER: I will ask every member to speak...

Ms B A SCHÄFER: Oh sit down!

The SPEAKER: Hon member Mngqasela, sorry, just allow me to get my...

An HON MEMBER: That is nonsense, you say, it was pure nonsense MEC.

The MINISTER OF SOCIAL DEVELOPMENT: No that is true.

The SPEAKER: It is now - are you rising on a point of order?

Mr M MNQASELA: On a point of order, Madam Speaker. I would like to request your ruling here. A member must not point at us. It is wrong. We are honourable members and he cannot be doing this to us. We are not fighting here. [Interjections.]

The SPEAKER: Okay. [Interjections.]

Mr Q R DYANTYI: Just to that member next to you. [Interjections - speaking in vernacular.] [Interjections.]

The SPEAKER: If you could only just reflect on yourselves and the way in which you manage yourselves. This is actually quite scary. Maybe now proceed, members? Thank you. Please keep your fingers in your pockets. No finger-pointing and we are all hon members in this House, and hon member Dyantyi, I am the Presiding Officer. You can understudy but do not take over my role. Thank you, you may proceed. [Interjections.]

An HON MEMBER: He is going to trump the Speaker in the House now.

Ms B A SCHÄFER: So Madam Speaker, let us take from the act really the reality. We have 124 000 agricultural workers in this province. This is the only province that has an agriculture worker household census that successfully went around and actually talked to people to find out what their

living conditions are. [Interjection.]

†Mnr Q R DYANTYI: Daai is 'n droom. Dit is 'n nagmerrie daai. Daai is 'n droom.

[Mr Q R DYANTYI: That is a dream. That is a nightmare. That is a dream.]

Ms B A SCHÄFER: Follow the Rules.

†Mnr Q R DYANTYI: Daai is 'n droom.

[Mr Q R DYANTYI: That is a dream.]

The SPEAKER: Hon member Schäfer, speak to me please, thank you.

[Interjections.]

Ms B A SCHÄFER: So really Madam Speaker, the point of the matter is that the law is there but it is not actually being enforced. If there are illegal evictions they must be enforced. That is what we always said. We have never defended illegal evictions but the point of the matter is the law is there and it is not being enforced. That is where the problem is. [Interjections.] This province has much more support services than any other province in this country. [Applause.]

Ms S W DAVIDS: It is not about the law is not good. The farm owners are not caring. It is about the farm owners not caring; not about the law.

The SPEAKER: Thank you. [Interjections.]

An HON MEMBER: Keep your hands in your pocket.

Ms S W DAVIDS: [Inaudible.] ...they are kicked in the streets.

Mr S G TYATYAM: Thank you, Madam Speaker. [Interjections.]

Ms B A SCHÄFER: Who are you kicking in the streets? Who are you kicking in the streets?

Ms S W DAVIDS: The farm owners.

Mr S G TYATYAM: I just want to... [Interjections.]

Ms B A SCHÄFER: Who are you kicking in the streets? [Interjection.]

The SPEAKER: Excuse me. Sorry, take your seat please hon member Tyatyam. Sorry hon member Schäfer?

Ms B A SCHÄFER: Madam Speaker, I just heard the words: "kicking in the streets." I would like clarification exactly what member Davids have said there. [Interjections.]

An HON MEMBER: [Inaudible.] rumours now.

The SPEAKER: Sorry, members, can I? We are all honourable members...

[Interjections.]

An HON MEMBER: You are taking to the streets again.

The SPEAKER: Let us act honourably.

Mr K E MAGAXA: They are saying you [Inaudible.] to kick me on the street.

[Laughter.] [Interjections.]

The SPEAKER: You know it is deeply disturbing that at the highest level we have fun and games. We are supposed to be leading this province - every single person in this Chamber is a leader and the behaviour is appalling quite frankly. You make jokes of something that is so serious. Now I am going to ask you all to manage yourselves with dignity and respect the House and the speakers when they speak. We cannot simply carry on like this. It is unacceptable behaviour. So I am speaking to both sides of the House and I am asking you for your cooperation please. We have guests in the gallery. What do you think they believe and think when they leave here? This is not leadership! Please members. Manage yourselves. Thank you. You may proceed, hon member Tyatyam.

Mr S G TYATYAM: Thank you very much, Madam Speaker. I think, Madam Speaker, it is important to again remind hon member Schäfer that our Government here has three spheres. We are talking about local, province and

national... [Interjection.]

An HON MEMBER: They forget that.

Mr S G TYATYAM: And all those spheres must take responsibility.

Ms N D NKONDLO: It is in the Constitution.

Mr S G TYATYAM: Unless they do not understand cooperative governance.

Ms N D NKONDLO: That is what they want.

Mr S G TYATYAM: And then maybe I must meet with them outside to really workshop on this point. [Interjections.]

An HON MEMBER: Ja, workshop!

Mr S G TYATYAM: So that they take responsibility of what they need to do, Madam Speaker, because they know that there are processes where national speaks to province and there are concurrencies that takes place and what we are saying there, that the Minister, the MEC must take that responsibility. We cannot point up when we have problems here. You are part of the Minmec there, go and attempt, deal with those issues at that level, but let us service our people in a manner that is dignified. You have a family there of Rose van Wylen. They are about sixteen with their children in Leeuwkop Farm. They

are being evicted, all of them, with their children. Do we go now and go to Pretoria when we have a challenge here? We say no, we cannot go to Pretoria, let us resolve and make sure our people particularly in this cold weather of Cape Town and province in particular, let us just make sure that we assist our people...

The SPEAKER: Your time has expired, hon member Tyatyam. Kindly take your seat please. I see the hon member Schäfer.

Ms B A SCHÄFER: Madam Speaker, I think the hon member Tyatyam has workshopped himself out of Deputy Chief Whip, but really the point of the matter, he did not hear that... [Interjection.]

Ms M N GILLION: The new MEC speaker.

Ms B A SCHÄFER: But the point is really, I would like to ask the Minister the following question: does the Minister know whether there has been any ANC or EFF interference and encouragement of farmworker evictions? [Interjections.]

The SPEAKER: Thank you. I see the hon member Tyatyam. Your final shot, hon member Tyatyam. [Interjections.]

An HON MEMBER: This is not from the ANC. [Interjections.]

Mr S G TYATYAM: Madam Speaker, I just want to say for now or maybe I must ask also hon member Schäfer, if she knows these farms, she is the Chairperson of the Committee.

Ms S W DAVIDS: No, she does not.

The SPEAKER: Sorry hon member Davids, the question was to hon member Schäfer.

Mr S G TYATYAM: Has she spent her time visiting some of these farms...
[Interjection.]

An HON MEMBER: She does not have the time.

Mr S G TYATYAM: ...some of the families that we are talking about, because since we have been raising this issue and also in the Committee we have raised some of them, but has she planned the programme to do that?
[Interjections.] She does plan the programme to call the banks and national and to try and see if the banks will support their issues against Section 25. The banks are not supporting that.

Mr Q R DYANTYI: She wants to be an MEC *mos*.

Mr S G TYATYAM: The banks are clear and hence we are clear here that let us deal with problems of our people, engage with the farmers to stop

retrenching and evicting our people, because as I said to you the other day this is a time bomb, one foreign national has been murdered now. How many, if this problem persists, are going to be murdered? Let us try and resolve those problems and I am not raising this because I am opposition. I am raising this because let us be human.

An HON MEMBER: Exactly!

Mr S G TYATYAM: We have all signed an oath to serve our people here. Thanks.

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

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Thank you very much Madam Speaker, and thank you very much again for the hon member Tyatyam for raising this issue, and I too assure you that I take this very, very seriously. I would like to follow up, and I know you have raised two issues here, the Normandy Farm and sixteen family members evicted from a farm; could I ask you to perhaps just send me the details because I know that normally when they get raised in the House I then follow up immediately, ask for the detail, and I do not always get the detail, but I will get to that in a moment.

So farm evictions are a very serious thing, so let us deal with what happens

in the media. So the other day we saw lots of hype in the media around women on farms, so I went to their meeting in Simondium, where there are issues. I sat at that meeting, I made notes of everything that happened at the meeting. I made notes of their survey where 75% of female seasonal workers are not paid minimum wage, 72% of female seasonal workers have not had or do not have access to ablution facilities and 60% of female seasonal workers have been having contact with pesticides.

And then I have not got time, obviously, with my two minutes to go through this whole report. I then met at that meeting with Ms Warriess, with her issues, with Bellevue Farm people and their issues, with Mallinick Farm and their issues, and then of course I took it back to my Farmworker Support Unit and asked them to intervene and wrote three letters to Women on Farms, to say I attended your meeting; I made a note of all these things, please give me details of first of all how you get to these numbers so that we can actually put a programme of action into place to deal with this. To date not one answer, not one!

Then let us get to this Legislature and people raising issues. I can assure you I take this seriously. The other day we get raised in a debate an issue about farmworkers and it was raised by the hon Davids. I take the issue. I also sent her an email and said: "Please will you give me further information." I get no reply, but I take what I picked up from Hansard, I take the name of the farm and then I send the unit there. They go and do this. Here is the report of on-farm; here are the people they interviewed on the farm; here is the script of

every interview of every person on the farm. This is what the Farm Workers' Support Unit does. Here is the highlight of the issues raised at the end of it. Here are the photographs of what the farm used to look like and here are the photographs of what the farm looks like now – ablution facilities, this is the kind of stuff.

Now this is what you raised. I then emailed this report to you, along with your Chief Whip. To date I still have not had a reply that you have received this report. You raised the issue, we investigated it.

The SPEAKER: Hon Minister Winde, your time has expired.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: This is what we found. Where are the issues that you raised in this House ... [Interjections.] because you raised them in the House for political reasons. I take this job, hon Tyatyam, very, very seriously.

The SPEAKER: Thank you, hon Minister.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: My Department takes it very, very seriously.

Ms S W DAVIDS: There is still no clean water there.

The SPEAKER: Hon member Davids ... [Interjections.] Order. Hon Minister

Winde ...

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM:: I have just heard a further accusation in this House. I will send ... [Interjections.]

The SPEAKER: Order, please.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM:... them back again to this farm but I ask the hon member to please highlight for me where this no clean water is, because read this report. It talks about clean water ... [Interjections.]

Ms S W DAVIDS: Go there yourself.

The SPEAKER: Hon Minister Winde, your time has expired. Kindly ... [Interjection.]

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND TOURISM: Madam Speaker, on this issue, I cannot deal with that kind of seriousness of this issue because that is pathetic.

An HON MEMBER: Ja.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: But I will say to the hon member Tyatyam, I take this very seriously and so does my Department ... [Interjections.]

The SPEAKER: Thank you, hon Minister Winde.

The MINISTER OF AGRICULTURE, ECONOMIC DEVELOPMENT AND

TOURISM: And we will investigate every issue that is raised here with us.

[Applause.]

The SPEAKER: Thank you. Hon member Davids, may I ask, if you wish to engage the hon Minister that you do so after the sitting but we cannot continue a dialogue whilst we have a programme. That concludes Interpellations.

[Debate concluded.]

The SPEAKER: We now move to Questions to the Premier. So we have 20 minutes for Questions. There are two questions. I now recognise the hon the Premier.

QUESTIONS FOR ORAL REPLY

New Questions to the Premier:

Broadband infrastructure: delays in delivery of

1. Mr K E Magaxa asked the Premier:

Whether her Department has resolved the challenges that caused delays in the delivery of broadband infrastructure in the province; if not, why not; if so, what are the relevant details?

The PREMIER: Thank you very much indeed, Madam Speaker.

Firstly, I would like it noted that the Province has rolled out broadband services to 1 895 sites so far. These sites include schools, hospitals, clinics, rural libraries, Cape Access Centres and corporate administration offices.

The hon member will be reassured to know that we have managed to achieve our 100% milestone delivery target for Phase 1 of the Broadband Project, despite the fact that the broadband rollout has been affected by delays in obtaining wayleaves and building plan approvals from some municipalities, and also delays in the installation of municipal power at regional broadband points of presence.

But, the most serious delay, that we cannot resolve, is the constant theft of infrastructure and technology and even though fibre optic cable has no resale value, in some areas it gets dug out as fast as we can put it in.

Another major obstacle is that in certain areas gang leaders have established

some kind of feudal fiefdom over those areas, control those areas and demand protection money from our contractors before our contractors can put in infrastructure. And of course we will not be blackmailed in that way, that is a criminal offence and we have to be assisted by the South African Police Service.

Despite this, and these latter problems are problems we cannot resolve, but, despite this we have reached 100% of our targets.

The Province commenced with Phase 2 of the Broadband Project on 1 October 2017 and, during this phase of the project, the sites initially included in the broadband master list will be upgraded to network speeds which are ten times higher than the network speeds delivered during Phase 1 of the project, which means that all sites will eventually have 100 megs speed as compared to the current 10 megs for many, and the 50% milestone delivery target of 957 of these sites for Phase 2, that is 100 megs, is set to be achieved by 30 June 2019 and we have already upgraded 617 of the 957 sites to the higher network speed.

Consequently, the Broadband Project is on track to achieve its first milestone delivery target for Phase 2, despite the delays. Thank you, Madam Speaker.

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

Mr K E MAGAXA: Thank you, hon Premier. I just want to check because you

have raised a very important point here about the constraints that are confronting this development, which is the theft of cables and the gangster-related kind of theft.

I just want to check because you have already identified the problem, what are you intending to do or what are you doing to deal with this problem because it cannot just be allowed to continue, because if it is allowed to continue there is no development which can be done by the Department or by the Government anyway. What are you intending to do? What is it that you are doing to do to deal with this theft and the gangster-related matters?

The PREMIER: Well, the two are related but not entirely synonymous, Madam Speaker. Firstly, in places where we have had chronic theft of the infrastructure and the cabling we have had to resort to WiFi, that is wireless connections. Now wireless connections are all right, but if you want to have entire classes on the internet at the same time and if you want to be doing live streaming or videos or things like that, you cannot do them sufficiently reliably on WiFi. So we do have some connectivity on WiFi but certainly that is not enough for what we envisage for e-Learning. So that is a partial solution.

The solution that is working quite well for our devices, because in our model schools every child has a device, and the solution to the theft of the infrastructure in those schools, Madam Speaker, is to brand the devices so thoroughly that no-one can scratch off or take off the branding. It is burnt in

and embedded into the device.

The other strategy that we have used to curb theft of devices is the capacity to switch it off and lock it down permanently at a distance, so that if a device is stolen, not only is it very clearly branded but the minute we establish that it has gone, we switch it off and it is useless forever. So it has no resale value whatsoever and no use value at all. And what we have been doing is holding parent meetings at every school to explain that these devices are useless, effectively useless when they leave the school premises because we will close them down remotely and they will have no resale value and no value at all.

Where we have a much bigger challenge is where the cabling gets stolen and where gangs start threatening the infrastructure installers. There are some places that the infrastructure installers just simply refuse to work in now because they say it is too dangerous and their lives are not worth the risk. And I have a lot of sympathy with them and for a long time we used to ask the South African Police Service to go out and in fact ensure that they were protected in the installation of services.

Now if every single service team, from emergency medical services to broadband installers, to the refuse removers, that go into certain areas have to have police protection, we will have police doing nothing else in this province, given the police-to-population ratios that have already been discussed, Madam Speaker.

So it is time for a culture of accountability to get right into our communities. I was in Lavender Hill the other day where, together with the police, we have put a base camp in the middle of that community to deal with gangsterism. And as I am speaking to the community there, I say: You know who the gangsters are; you know who – Bogart and Charra are the names of the two big gangsters there – I said you know who Bogart and Charra are, you even know where they are, why don't you help the police get them? And the people say: We are not helping the police, that is not our job, we are not doing your job for you. Just like the hon Davids said right now when she said she was not going to do Minister Winde's job by answering the letters that he writes to her. [Interjections.]

So it is the whole attitude of unaccountability.

The SPEAKER: Order.

The PREMIER: It is the entire attitude of unaccountability; it is not my problem and therefore when we cannot lay broadband cabling in those communities because we cannot get past these gangsters, the community is not helping us, Madam Speaker, to track them down and to deal with it.

So in absence of a culture of accountability of every individual in this society, it will be impossible for us to overcome these problems permanently. Thank you.

The SPEAKER: Thank you, hon Premier. Hon member Magaxa, your second follow-up?

Mr K E MAGAXA: Yes, Madam Speaker. I just want to check with the hon Premier if they have a record – for example on Phase 1, do you have records of the exact institutions where you have put in that infrastructure and is it operational? Because at some point this year, I do not know whether the hon Kivedo was present, we went to one of the schools on the West Coast that was supposed to have that infrastructure but the principal and the staff of the school were not aware of any of that and we could not even pick up if there was anything. Do you have a sort of list?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: Thank you, Mr Deputy Speaker. Yes, of course we keep very close lists of every place where we install and we have even put a lot of money into backup systems that can enable us to see from here remotely, from the Centre for e-Innovation, exactly which systems are down and which systems are up on any particular day. We have spent a lot of money seeing where the people are on the devices, what the speed is of the connectivity going through and various other things. So we normally pick up, and sometimes people even get called by the helpdesk before they realise that their own systems are down.

I have also been to schools and I have gone to schools roughly every week

for many, many weeks now to go and look at how the system is working on the ground and I also went to a school on the West Coast which was supposed to have the connectivity and did not. And I went in there to take a very close look at why and what the problem was and there were several problems, including cable theft, including line of sight problems and various others, but I am grateful to say they have been fixed.

And if the hon Magaxa goes to any schools or any places and finds that people think they should have connectivity but do not, or should have connectivity but do not know about it, could he please let me know immediately and I will take instant action. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. Can we move on to the next question?
Second question, hon Magaxa again to the hon Premier.

Better Living Model Game-Changer

Red tape related challenges

2. Mr K E Magaxa asked the Premier:

With reference to the red-tape-related challenges with the implementation of the Better Living Model Game-changer project about which she informed the Standing Committee in the past:

What action has she taken to ensure progress is made to address those

challenges and to accelerate the building of houses on the site of the former Conradie Hospital, which has been identified for that purpose?

The DEPUTY SPEAKER: I see the hon Premier.

The PREMIER: Thank you, Mr Deputy Speaker. The Conradie Better Living Model Game-Changer is pioneering a new method of housing delivery where the State is enabling its land, in this case a 22-hectare site close to the Cape Town CBD, to be utilised for integrated mixed use development, of which 1 800 will be subsidised units to make them more affordable to people who otherwise would not be able to buy any residential unit in that location. The total construction cost will come to R3,4 billion and will catalyse the upgrading of the surrounding roads infrastructure and public transport, and bring new social services to the neighbouring communities.

The Western Cape Government has had a dedicated team working hard to ensure that we break ground on this project still in 2018. The primary focus has been going through the required legal steps to ensure the site can be developed. This includes having to comply with onerous rezoning requirements and following lengthy public participation processes at various stages of the project. At the same time the team has also focused on securing adequate subsidy funding and compiling the exhaustive procurement documentation required to release the site for development by the private sector.

In reality, it is actually more difficult for the State to deliver development projects than it is for the private sector, yet the burden is on Government to deliver affordable housing.

Despite all of these complexities, the development is on track to break ground at the end of 2018 and we believe the Conradie Better Living Model can serve as a blueprint for future Government housing projects. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member Dugmore?

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. I would like to ask a follow-up question. This is not the first time, hon Premier, that commitments have been made that ground will be broken. MEC Madikizela as well as MEC Grant announced that ground would be broken in 2017, that did not happen. You have now once again announced publicly that ground will be broken before the end of this year. Can you be much more specific? What are the specific steps that need to be completed that construction will physically start? You refer to a process of objectives but can you outline to this House what needs to happen from now until the end of the year so that indeed ground can be broken? [Interjections.]

Mr M G E WILEY: You pick up a spade and [Inaudible.]

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: Mr Deputy Speaker, I do not generally regard the hon Dugmore as a reliable source of what my colleagues on this side of the House have said and when they have said it. [Interjections.]

If the hon Grant and the hon Madikizela said any such thing, I would like to see it in writing before I accept the word of the hon Dugmore. [Interjections.]

The DEPUTY SPEAKER: Order. Order. Hon member Gillion. Just one second, hon Premier. Hon member Gillion?

Ms M N GILLION: Mr Deputy Speaker, what is the hon Premier trying to do, to cast aspersions on a member here?

The DEPUTY SPEAKER: I will have a look at that but the Premier can continue with the reply.

The PREMIER: All I was doing was, I say I am not regarding the hon Dugmore as a reliable source of quotes of my colleagues.

The DEPUTY SPEAKER: You may proceed, hon Premier.

The PREMIER: Good. Thank you very much, Mr Deputy Speaker. [Interjections.] There has been one delay and that was from the middle of this year to the end of this year and that arose out of highly complex technical problems in terms of the requirements for the rezoning and the repeated

public participation processes and we had to go out again for a call for proposals around those details. So those have all been done and looked at very carefully and we are planning to break ground towards the end of the year, before the end of the year.

The hon Dugmore expects me to go through a list of what can go wrong so that the hon ANC can make sure they do go wrong. I absolutely know what goes on on the other side.

Mr Q R DYANTYI: What do you mean by ... [Interjections.]

The PREMIER: So let me say, Mr Deputy Speaker ... [Interjections.] that I can give a couple of things that could still go wrong, but I am not going to tempt fate by giving that checklist to the hon the Opposition in this House. Thank you.

The DEPUTY SPEAKER: Thank you. Can we proceed, hon Dugmore, second opportunity?

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. Could I ask, if the hon Premier was provided with the information where her MECs have actually committed to certain dates and have not achieved these dates, what will the action be that she will actually take in regard to broken promises? You yourself, if I can remind – promised a Children's Commissioner in 2009, we still do not have one. Your MECs have promised ... [Interjections.] so can

you please say what action you will take?

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: I think, Mr Deputy Speaker ... [Interjection.]

Mr Q R DYANTYI: Just blame national.

The DEPUTY SPEAKER: Order.

The PREMIER: I think, Mr Deputy Speaker, the intervention by the hon Dugmore now makes it very clear why I do not take his accounts of who promised what, seriously. Because I have answered the question in this House repeatedly about how circumstances have changed since 2009 relating to the Children's Commissioner.

Mr C M DUGMORE: Excuses, excuses.

Mr Q R DYANTYI: Ja.

The PREMIER: There are no excuses.

Mr C M DUGMORE: There are many.

The PREMIER: There are no excuses. [Interjection.] When the circumstances

and the facts change, sensible, rational people change their position and there are no excuses. Things change and people who are rational do not stick to positions that become obsolete with changing circumstances.

Mr C M DUGMORE: You broke the promises that [Inaudible.]

The DEPUTY SPEAKER: Order.

The PREMIER: Mr Deputy Speaker, if the hon Dugmore submits those quotes to me, I will study the context and I will study the context in which they were made and I will study how circumstances changed and why they changed, and if indeed they did make those statements there may be an entirely rational explanation that has got nothing to do with broken promises and the spin that the hon the Opposition is trying to put onto this.

The DEPUTY SPEAKER: Hon member Dugmore, your second opportunity.

Mr C M DUGMORE: Thank you, Mr Deputy Speaker. Is the hon Premier happy with the black empowerment set-asides for this particular Conradie Project in regard to the project team as well as in regard to the procurement of services of the construction companies? Are you satisfied with that?

The PREMIER: Like Deng Xiaoping, Mr Deputy Speaker, I do not mind if a cat is black or white, as long as it catches mice. [Laughter.]

Mr Q R DYANTYI: That is very good.

The PREMIER: And if, for example, the hon Dugmore is trying to raise quibbles now that will cause an extra delay so that he can accuse us again of breaking promises or pushing out deadlines, it is not going to work.

My answer to him is that I do not get involved in procurement processes. I know the procurement process, stick with the law and I know that the law will have been complied with and I have not gone to look as to who has got those contracts and what is happening. We follow due process of procurement in this Government. Thank you.

The DEPUTY SPEAKER: Your last opportunity, hon member Dugmore?

Mr C M DUGMORE: Thank you. Is that an admission that the hon Premier does not actually care whether there is black economic empowerment in this Conradie Development? [Interjections.] Is that an admission, that she does not actually care whether or not black contractors have been empowered?

Ms S W DAVIDS: She does not care.

The DEPUTY SPEAKER: Order, order.

The PREMIER: I will tell you what I do care about, Mr Deputy Speaker ...
[Interjections.]

The DEPUTY SPEAKER: Order. Allow the hon Premier to proceed.
[Interjections.]

The PREMIER: I wonder when the hon the Opposition is going to hold their congress and whether they will elect a black cat or a white cat to lead them.
[Interjections.] I hope they are going to elect someone who can actually lead them for a change, that might help. [Interjections.]

The DEPUTY SPEAKER: Order. [Interjections.] Order, order! Allow the hon Premier now to continue, to finish off. [Interjections.]

The PREMIER: Good luck to the white cat Dugmore in that particular caucus because the white cat – the white hon Dugmore ... [Interjections.]

The DEPUTY SPEAKER: Order! Order!

The PREMIER: The hon white cat Dugmore is trying to polish his black marble to give himself a chance at the congress of the ANC. [Interjections.] That is why he is doing this, that is why he is raising these questions.
[Interjections.]

The DEPUTY SPEAKER: Order! Order! Hon Makeleni. [Interjections.] Order! I take it that ... order! I take it that black cat is somewhere on the grounds of Conradie Hospital.

The PREMIER: No, it is in the peanut butter. [Laughter.]

The DEPUTY SPEAKER: Hon Premier, you may proceed. [Interjections.]

Order, order!

The PREMIER: Mr Deputy Speaker, in all seriousness now, I care very deeply about getting affordable housing for poor people and that is what we are aiming to do through this project and we will not have goal deflection. [Interjections.]

The DEPUTY SPEAKER: Thank you. We then move on to the next question.

Questions standing over from Thursday 13 September 2018, as agreed to by the House:

Sexual assault of learners by teachers or members of staff

1. Mr F C Christians asked the Minister of Education:

(a) How many cases of sexual assault of learners by teachers or members of staff at schools were recorded in (i) 2016/17 and (ii) 2017/18, and (b) what steps have been taken against the teachers or members of staff?

The DEPUTY SPEAKER: I see hon Minister Schäfer. Order, order! Please

come to order now.

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker, and to the hon member for the question. The answer to part (a) is that in 2016/17 there were 11 cases reported and the second part, 2017/18, there were 15 cases reported.

Question part (b), 2016/17, eight employees were formally charged with misconduct; all eight were dismissed. In three cases there was insufficient evidence to charge. And in 2017/18 five employees were formally charged; three were dismissed, one received a final written warning and one matter is still pending.

In the remainder of cases there was either insufficient evidence to charge or the employees resigned before disciplinary steps could be instituted. Thank you.

The DEPUTY SPEAKER: Hon member Christians?

Mr F C CHRISTIANS: Thank you, hon Minister. Just a follow-up question on that: Were any of those staff members or those people that were not dismissed, a second offender in any of these cases?

The MINISTER OF EDUCATION: I honestly cannot tell you the answer to that question. That is a new question. [Interjections.]

The DEPUTY SPEAKER: Hon member Christians, your second opportunity?

Mr Q R DYANYTI: Just say you do not know.

Mr F C CHRISTIANS: Because if there were second offenders why were they not removed the first time? But the other question is: Those learners, what counselling were they offered, if any?

Mr Q R DYANYTI: She will not know.

The MINISTER OF EDUCATION: All learners who report sexual abuse are given access to counselling in the Department. They can contact the Safe Schools Helpline. If the matters are dealt with at schools there is a process that needs to be followed in terms of the Abuse No More protocol, which should have happened in all those cases.

The DEPUTY SPEAKER: Can we proceed? We proceed to the next question, Question 5 standing over. Hon Gopie to hon Minister Schäfer.

Vooruitsig Primary School: new library

5. Ms D Gopie asked Minister of Education:

Whether her Department has plans to build a library for the Vooruitsig Primary School in Darling, after the existing library was converted into

a classroom; if not, why not; if so, what are the relevant details?

The DEPUTY SPEAKER: I see hon Minister Schäfer.

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker, and to the hon member for the question again. The answer to the question is that the Vooruitsig Primary School is a new school with a purposed multimedia centre library classroom. The WCED therefore does not have plans to build a new library because there is already one there. An ordinary classroom, currently used for learners with special needs, will be made available to the Grade 3 learners currently occupying the media centre or library. They are using that at the moment.

At the start of 2019 the Elsen Programme will be relocated to a suitable facility at Darling Laerskool, as the school does not have a purposed Elsen facility. The media centre library will then be used as a library.

The DEPUTY SPEAKER: Hon member Gopie?

Ms D GOPIE: So the hon Minister realised that that school was built too small for that community and for those reasons that committee had to make a plan to accommodate, since the next Elsen is in Malmesbury, which is 40 kilometres away from them.

The MINISTER OF EDUCATION: Thank you, Mr Deputy Speaker. The

school was built without an Elsen unit when an Elsen unit was needed and it was also built without a hall because it was part of the National Government's DBE's Asidi Programme, who refused to include those items in the building of a school so the WCED had to build a hall, which we have done and unfortunately we could not also build the Elsen centre. But it is not a standard item in the DBE's Asidi programme, unfortunately.

The DEPUTY SPEAKER: Hon member Gopie, your second opportunity?

Ms D GOPIE: Mr Deputy Speaker, and when is the plan to build a high school for Darling?

The MINISTER OF EDUCATION: It is a new question, Mr Deputy Speaker. Can it please be submitted separately? [Interjections.]

Ms D GOPIE: The reason, Mr Deputy Speaker ... [Interjections.]

The DEPUTY SPEAKER: Order.

Ms D GOPIE: The reason, Mr Deputy Speaker, is that if the hon Minister realised that they also accommodate high school kids there, now when the Department noticed that there was a need, did the Department discuss when they are going to provide them with a high school?

The DEPUTY SPEAKER: Thank you. The question is clear. Hon Minister, do

you want to respond? [Interjections.]

Mr Q R DYANTYI: That is a new question.

The MINISTER OF EDUCATION: That is a new question but I will answer the question in general. [Interjections.]

As the ANC would know, because we have been raising this at a national level for the last four years, the money that comes into the Western Cape is nowhere near sufficient to provide for the needs of the learners in the Western Cape. [Interjections.] Just this year alone we have 25 000 additional learners in the system, where the money does not follow them into the province. So we make many plans and we have ... [Interjections.]

So we make many plans to accommodate learners and unfortunately those plans often have to be changed because we simply do not have sufficient resources as part of the provincial equitable share to provide for all the needs in the province.

We have raised this many, many times. We raised it, in fact, with the President last week and unless we get more money we are not going to be able to provide all the needs for all the learners at the time we would like to.

Mr Q R DYANTYI: Just say you do not know.

The DEPUTY SPEAKER: Thank you. Can we move on to the next question, Question 10? Hon Uys to Minister Meyer.

Municipalities: underspending

***10. Mr P Uys asked the Minister of Finance:**

(a) Which municipalities in the province underspent on their capital budgets in the 2017/18 financial year, (b) (i) how much was underspent and (ii) on what was the underspending and (c) how is the underspending being dealt with?

The DEPUTY SPEAKER: Hon Minister Meyer?

The MINISTER OF FINANCE: Thank you, Mr Deputy Speaker, and thank you to the hon member for this question.

As at 30 June 2018, published in *Provincial Gazette*, it was an *Extraordinary Gazette* dated 30 July 2018, the aggregate capital expenditure amounted to R8,07 billion or 69,5% of the adjusted capital budget of R11,61 billion. The preliminary outcome suggests spending trends across all municipalities in the province, however these outcomes are subject to change with the year-end accruals and the finalisation of the audited financial statements.

I have before me a table of the breakdown of the underspending of the capital

budget as to 30 June 2018 based on the preliminary outcomes of the respective municipalities.

Mr Deputy Speaker, it is worth mentioning that three of them have expenditure on capital expenditure above 90%, that is the Cape Winelands Municipality, Witzenberg Municipality and Beaufort West Municipality. In addition there are eight of these municipalities across the Western Cape that have capital expenditure above 80%. There is a further nine of these municipalities that have spent above 70% on their capital budget.

Also the table which I am happy to submit to the hon member, indicates the various spendings on the various specific projects detailing the underspending in certain specific municipalities which I have to mention is still subject to the annual audit outcome process.

The second part of the question, Mr Deputy Speaker: it is important to note that Provincial Treasury and my colleague, the Minister of Local Government, have put together part of our oversight responsibility, also monitoring the capital performance of the budget through the Section 71 reports of the municipalities.

In addition, we have also put measures in place to monitor the top ten infrastructure projects in every single municipality in this province. Also, in order to improve the capital expenditure on municipalities, both my Department and the Provincial Treasury have now also agreed to set up a

Municipal Capital Finance Expenditure Forum to establish a process to plan and how to assist further particularly struggling municipalities in effecting their capital programmes. This forum to monitor the capital expenditure will meet also tomorrow.

Mr Deputy Speaker, I think also subsequent to this, we also know that whenever there is an underspending on any capital projects there are a number of reasons for that, one is the roll-over because capital projects are multi-year projects. We also know that many of these projects that are funded through the National Conditional Grants are also multi-year projects.

It always starts with the first phase, with the conceptualisation phase and then that particular phase you do not automatically spend because you are busy with the conceptual designs. Beyond that, and the capital outline of a project, you also then subsequently look at the development when architects and quantity surveyors and constructors are looking at the further design ... [Interjection.] and the feasibility studies that lead up to that. Thirdly, unlike the ANC that spends all the money up front ...

Mr Q R DYANTYI: You are not answering the question.

The MINISTER OF FINANCE: ... they spent the capital budget ...

Mr Q R DYANTYI: Sit down. [Inaudible.]

The MINISTER OF FINANCE: ... when people are still thinking about the project and there is nothing left. This Government does proper conceptual design, proper feasibility studies ... [Interjection.] proper design and then we spend the infrastructure. [Interjections.].

So, Mr Deputy Speaker, I am happy that when there is particular underspending in some of these municipalities, they have approached the Provincial Treasury and we are in the process of considering whether these projects need to be further rolled out in terms of the application for rolling over spending, especially since capital projects are multi-year projects. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Thank you, Mr Deputy Speaker. The MEC referred to the R8 billion that has been spent in the last financial year on capital by municipalities. The question was very clear, what did they not spend, what was the underspend? And, Mr Deputy Speaker, the underspending was R3,6 billion in one year by 30 municipalities ... [Interjection.] and the question is really what did they not do? There are no houses, there is no infrastructure, there is no sewerage, there is nothing happening for the poorest of the poor. And I ask again, MEC, what was the R3,6 billion supposed to buy for the people of the Western Cape?

Mr Q R DYANTYI: Please answer this time now.

The MINISTER OF FINANCE: Mr Deputy Speaker, we know, as I have indicated in my answer, that 69% of that particular budget was spent. I have also indicated ... [Interjections.] he should know what is the under expenditure in that particular ... [Interjections.] but we know, you have answered it yourself.

Mr P UYS: You are not going to say.

The MINISTER OF FINANCE: You have answered it.

Mr P UYS: You are not going to say.

The MINISTER OF FINANCE: ... and I am not going to ... [Interjection.] I am not going to entertain you. [Interjections.]

The DEPUTY SPEAKER: Order.

The MINISTER OF FINANCE: ... and so, Mr Deputy Speaker, what really matters here ... [Interjection.]

Mr Q R DYANTYI: To you!

The MINISTER OF FINANCE: is do we have systems in place to monitor expenditure on infrastructure and the answer is yes. [Interjections.]

Mr Deputy Speaker, what also matters is that there are eight municipalities

above 80% of their expenditure. [Interjections.] They are West Coast, spending trail of 86%; Berg River 83%; Overstrand 86%; Swellendam 81%; Mossel Bay 85% of the capital budget has been spent; Oudtshoorn 83%; Bitou 82%; Central Karoo 80%. Mr Deputy Speaker there are nine of the various municipalities that have spent therefore above 70%.

What we are seeing here, Mr Deputy Speaker, in terms of the various trends across the Western Cape, 20 out of the 30 municipalities in the Western Cape have spent more than 70% on their budget on capital expenditure. That is what matters in this particular case.

The DEPUTY SPEAKER: Order. Hon member Dyantyi?

Mr Q R DYANTYI: I will come back, Mr Deputy Speaker. Just answer the question, which municipalities underspent, please name these municipalities that underspent. That is the first part of the question. Do not be all over.

The MINISTER OF FINANCE: There are no ANC municipalities left here ...
[Interjections.]

The DEPUTY SPEAKER: Order.

The MINISTER OF FINANCE: Mr Deputy Speaker, I am disappointed in both of them because both of them ... [Interjections.]

An HON MEMBER: Because you cannot answer.

The MINISTER OF FINANCE: ... because both of them were MECs but they have no clue how the expenditure budget of a municipality works. [Interjections.] Mr Deputy Speaker, there is a reason why they ask this question here ...

Mr P UYS: We want the answer.

The MINISTER OF FINANCE: There is a reason why they ask that question here because they have failed in the oversight in the municipalities where they should ask the questions in the first place. [Interjections.]

The DEPUTY SPEAKER: Order.

The MINISTER OF FINANCE: That is why they are asking it. Mr Deputy Speaker, where there was underspending. Hon Deputy Speaker ...

Ms P MAKELENI: Which municipalities? That is the question,

The MINISTER OF FINANCE: Right – lecture. Workshop cha cha.

The DEPUTY SPEAKER: Order, order. [Interjections.]

The MINISTER OF FINANCE: No, it is not arrogance, it is workshop.

Mr Deputy Speaker ...

The DEPUTY SPEAKER: Order, hon member Makeleni.

The MINISTER OF FINANCE: ... the workshop is clear. [Interjections.] We have tabled in this House, Mr Deputy Speaker ... [Interjections.] I am answering your question.

The DEPUTY SPEAKER: Order. Hon Minister, just one second. Order. Before I see hon Dyantyi the voice noise level in the House is too high. Hon member Dyantyi, is it a point of order?

Mr Q R DYANTYI: I rise on relevance here, Mr Deputy Speaker. I have asked a very simple, specific question which should not take three minutes to answer or to get to, it is very simple.

The DEPUTY SPEAKER: Your point is clear. The Chair cannot interfere in a Minister's response. But the Minister will hopefully get to the reply that you are looking for. Minister you may proceed. [Interjections.]

The MINISTER OF FINANCE: I have got a list. I am happy to supply the list in this House and I will table this list of those underspending because Mr Deputy Speaker, these two hon members were MECs and they failed in their duties and that is why they were unelected. [Interjections.]

Where this matters, the underspending of the various municipalities, was tabled in the *Gazette* in this House and each one of you have received a copy. So I am not going to do your reading work. That is the purpose of the workshop. [Interjections.].

The DEPUTY SPEAKER: Order, order. I saw the hon member Uys first. Hon Uys?

Mr P UYS: Mr Deputy Speaker, it is very clear the MEC does not want to account. Like yesterday he did not attend the Standing Committee on Finance, that is why we must ask it here. But, let the MEC answer us. Let the MEC tell us why there were no desalination plants built, why the Cape Flats aquifer was not done. Tell us why Zandvliet was not done, tell us why the R87 million for landfill sites was not spent, tell us why R100 million in George Municipality was not spent, tell us why the infrastructure for the MyCiti extension was not done? That is under your watch, hon MEC, and you are ducking and diving and not taking accountability.

The DEPUTY SPEAKER: Order. Order.

The MINISTER OF FINANCE: Mr Deputy Speaker, the answers for the underspending was tabled in the *Gazette* in this House and I am happy, in the spirit of accountability to submit the full report that was submitted in this House in terms of this. But I will answer the question. [Interjections.]

The DEPUTY SPEAKER: Order.

The MINISTER OF FINANCE: I am happy to do so. Mr Deputy Speaker, there was only a 48% spending in Laingsburg, there was also underspending of 46% in Overstrand. So, I have the figures and I am happy to table the report in this House which, as the hon member knows, was tabled in the *Gazette* and I am happy, Mr Deputy Speaker, in the spirit of accountability, to supply the member a full list of the underspending.

The DEPUTY SPEAKER: Thank you. We move on then to the next question which is Question 3 of the New Questions. Hon Uys to Minister Grant.

New Questions

Huguenot Tunnel: maintenance work

***3. Mr P Uys asked the Minister of Transport and Public Works:**

Whether maintenance work is going to be done on the Huguenot Tunnel; if so, what measures are going to be introduced to ensure the traffic flow?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, thank you for the question from hon member Uys. The reply is that the South African National Roads Agency, Sanral, is the road authority of the

Huguenot Tunnel. Sanral indicated in conversations with my Department that they planned to do maintenance work to the tunnel. No formal indications have been given by Sanral as to what measures they are going to introduce to ensure traffic flow during their maintenance contract.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Mr Deputy Speaker, hon MEC. As the MEC for Transport and Public Works, is it not your responsibility when you learned of this in July this year, to actually say to Sanral, to say to the National Minister: Minister, there is a possibility of a crises emerging in the Western Cape. So let us sit around the table and let us solve this problem. What did you do as MEC of Transport and Public Works in this province? [Interjections.]

Mr Q R DYANTYI: Fundamental point.

The DEPUTY SPEAKER: Minister Grant?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, as I said, we are aware that obviously the road authority which is Sanral, in the area, has been involved in discussions with my officials and we need them to seek the solutions. This is their part of the road and obviously there are going to be implications for the roads around, but we have no plan yet from Sanral. We need to plan around their plan. [Interjection.]. So until such time as we know what their plans are, then we will respond. There is no

crisis! [Interjections.].

Mr Q R DYANTYI: Oh!

Ms M N GILLION: Okay.

The DEPUTY SPEAKER: Can we move on hon member Uys? Order, order.
Hon member Uys, second question?

Mr P UYS: Mr Deputy Speaker, hon MEC, why are you following the same trend as all your colleagues, including the Premier in front here. Once there is a crisis, whether it is a crime crisis, whether it is any other problem in the Western Cape, you sit back, you say let them come with the answers. You are the MEC for the Western Cape. You said yourself and now you must answer on this one, did you not say the traffic will come to a stand-still? You said that, in the Western Cape, if it does happen. But now you sit back, I hear that hon member saying oh, it is only next year. [Interjections.].

The DEPUTY SPEAKER: Order.

Mr P UYS: You cannot do that and I am asking you now, do you commit yourself that you will engage and do something to rectify and remedy this problem?

The DEPUTY SPEAKER: Thank you member. Hon Minister Grant?

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, once we know what their plan is, we will plan around it. The traffic may come to a stand-still in the tunnel but obviously there has got to be a plan B to re-route that traffic and then we will put that into play.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Mr Deputy Speaker, I cannot understand this. We have a political office bearer that is responsible. Let us engage him with the national Minister, Now you say my officials are leading the discussions. This is not building a pavement in front of a house, this is a major problem. You as a politician must be involved and we want that commitment from you today.
[Interjections.]

The DEPUTY SPEAKER: Minister Grant, if you want to respond to that.

The MINISTER OF TRANSPORT AND PUBLIC WORKS: Mr Deputy Speaker, not particularly.

The DEPUTY SPEAKER: We move on then to the next question, which is Question 4. Hon Uys to Minister Meyer, Minister of Finance.

Municipalities: amounts owed for services and taxes by businesses

***4. Mr P Uys asked the Minister of Finance:**

(a) What amount did businesses owe municipalities in the province for services and taxes at the end of June 2018, (b) what caused this and (c) what measures have been introduced to resolve this?

The MINISTER OF FINANCE: Mr Deputy Speaker, thank you. As again at 30 June this year, published in a *Provincial Gazette* 7964, dated 30 July, the total outstanding business debtors, that is commercial consumers, owed to municipalities in the province amounts to R2,31 billion.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Mr Deputy Speaker, I would have expected the MEC to really follow this through. There is number (b), what caused this and what measures has he introduced to resolve this. He cannot stand up only and say there is a debt of R2,3 billion to municipalities, bankrupting municipalities, undermining service delivery and he is not saying what he is doing. So please MEC, answer.

The DEPUTY SPEAKER: Minister?

The MINISTER OF FINANCE: Thank you, hon member Uys, for that second part of the question. Firstly the R2,3 billion is out of a total of R11,8 billion, total indebtedness and this is certainly a very serious matter that also needs the attention of this Government.

Mr Deputy Speaker, out of this R2,3 billion we have 58,7 that falls within the 0 to 30 day category which is the current debtors and 5,3% falls within the 31 to 60 days category and 2,9% falls within the 30 to 90 day categories.

Also, in terms of what we are currently doing and what has caused this particular matter, I think it is important to note that the most significant income sources contributing to the total debt are water services and property rates and electricity. An amount of R4 billion is owed to water services with debt owed for property rates also constitute 2,13 billion of the total debt.

Now, Mr Deputy Speaker, in terms of what are the reasons for some of this. We know that there is a constrained fiscal environment as expressed by both the national and the provincial medium-term budget policy statements, also the implementation of the drought and punitive tariffs, coupled with the increased high unemployment levels and the rise in poor households and indigents, as you will know, is on the increase, not only here, but country-wide.

When there is a negative implication on consumer demand, it has an impact on the local businesses and there are many of these businesses also experiencing some trouble.

In the context of what we are trying to do: we try, in addition, to provide on-going support to municipalities both in terms of the Revenue Master Class, the Domestic Resource Mobilisation, which includes improving the socio-

economic intelligence via the MERO and PERO and we also provide the socio-economic profiles to each municipality.

In addition to what we are doing to support municipalities with this debt, is also on-site support, particularly with tariff modelling and annual Revenue Master Class to empower municipalities with practical and operational information on how best to perform the local government revenues to cushion the financial constraints.

What are we doing to deal with this huge outstanding debt from, particularly, businesses to municipalities? We are currently busy with debt agreements between municipalities and businesses. We are also supporting, through the Department of Local Government and Provincial Treasury, municipalities with debt policies and debt agreements and in some places we have been supporting municipalities in terms of facilitating debt agreements to some of these business institutions.

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Mr Deputy Speaker, what we heard here today is very shocking. We heard about debt agreements and we heard about a constrained fiscal environment, so what the MEC is actually saying is business cannot pay and let us just accept that, and this is unacceptable.

The normal households, the normal people out there, their electricity gets

cut, their water gets cut but you say let us find an agreement with business. It is unacceptable MEC and it is not good enough. Tell us please, who are the big companies and let us take, for arguments sake, the City of Cape Town, that is not paying what they are supposed to, to the municipalities. If business does not pay where is the burden going to be, it is going to be on households and it is unacceptable that you give the excuse of fiscal constraints for businesses not to pay. [Interjections.]

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF FINANCE: Mr Deputy Speaker, I think it is important to note that there are households experiencing severe stress and that is absolutely correct but similarly, businesses also experience some stress and in both cases, we are facilitating and support agreements. [Interjections.]

We are supporting these municipalities with tariff settings, we are supporting these municipalities but also it is not only businesses and individuals, we are also monitoring organs of state, that also have a negative impact on the debt of municipalities. In that particular regard, we have also established a Debt Management Committee to co-ordinate the debt that we owe as a government and other government institutions to the various municipalities. There are also individual efforts done by these various municipalities in order to collect these particular monies from these commercial institutions. [Interjections.]

The DEPUTY SPEAKER: Hon member Uys?

Mr P UYS: Mr Deputy Speaker, I do not understand. The question was businesses. The hon MEC is jumping to households and that is fine, he can do that, but what we asked is, 2.3 ...

The DEPUTY SPEAKER: Order, order.

Mr P UYS: Mr Deputy Speaker, R2,3 billion outstanding by businesses and he is not coming up with one single solution by saying well let us sit back. They are going to bankrupt municipalities. They are really going to let municipalities not deliver even to households and themselves. It is not good enough hon MEC. MEC, please tell us who are the biggest companies and what are you doing to address it?

The DEPUTY SPEAKER: Thank you, hon member Uys. Hon Minister?

The MINISTER OF FINANCE: Mr Deputy Speaker, in terms of who are the biggest companies, that information I do not have with me now but I am happy to bring it to the House. [Interjections.]

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

Mr P UYS: Mr Deputy Speaker, what the MEC was saying here and also in the previous question that they are doing something, they are not doing

anything. The Department is really in a major collapse.

Mr Q R DYANTYI: It is shocking!

Mr P UYS: And I want to know if you want to address this hon MEC, at least you must know who are the biggest companies in default. At least the 1, 2, 3, 4, 5 ...

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

Mr P UYS: ... but you cannot tell us. You do not want to tell us, that is the reason.

The DEPUTY SPEAKER: Order. There is no reply necessary for that. We move onto the next one.

Mr Q R DYANTYI: Shocking!

The DEPUTY SPEAKER: Question 5, hon Kivedo to Minister Plato. I see Minister Plato.

Gun smuggling: progress of case

5. Mr B D Kivedo asked the Minister of Community Safety:

What progress has been made with the case against certain persons, whose names have been furnished to his Department for the purpose of his reply, who are the accomplices of a convicted gun smuggler?

The MINISTER OF COMMUNITY SAFETY: Thank you, Mr Deputy Speaker and also to the member, thank you for the question. The case will appear in court on 12 October. Thank you. [Interjections.]

The DEPUTY SPEAKER: Order.

Mr B D KIVEDO: Thank you, MEC Plato. Would you be so kind to provide me with the names of the suspects please?

The MINISTER OF COMMUNITY SAFETY: I can do that, Mr Deputy Speaker, the names did appear in the newspapers already. Mr Raves, Mr Laher and Mr Prinsloo.

The DEPUTY SPEAKER: Hon member Kivedo?

Mr B D KIVEDO: Thank you, MEC Plato. The murders and shootings related to those guns smuggled by Colonel Chris Prinsloo, at this very moment, as we are sitting here, are standing on 1 029. With two suspects still at large, can we safely assume, or pre-empt that we are dealing here with a Mafia-style criminal syndicate?

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF COMMUNITY SAFETY: It sounds like it, Mr Deputy Speaker, but with a court case around the corner, I think it would be advisable to wait for the outcome and for the deliberations at court. My Department's Watching Briefs team will be at court to follow the proceedings. Maybe some other information might come to light during the court hearing as well.

The DEPUTY SPEAKER: Hon member Kivedo?

Mr B D KIVEDO: Thank you, MEC. Colonel Chris Prinsloo, before he was sentenced, entered into a plea bargain and he was handed down a 12-year sentence. Given the circumstances around this whole case, can we assume that he may be freed on parole at a certain stage, sooner or later?

The MINISTER OF COMMUNITY SAFETY: I cannot tell that, but that is how the system works. You serve a portion of your term in jail, in his case 12 years, he might serve six, seven years and then come up for parole. That might happen.

The DEPUTY SPEAKER: Thank you. We move onto the next question. Question 6 and 7 will stand over in the absence of Minister Bredell. We move onto Question 8, hon member Lekker to Minister Plato again.

[Questions 6 and 7 stand over]

Gang violence: programmes to avert

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

What programmes has his Department put in place in the past six months to avert gang violence?

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, thank you and also to the member for the question. The Head of Department chairs the ProvJoints Anti-Gangs Priority Committee which was established to develop and coordinate a provincial response to the National Anti-Gangsterism Strategy.

The following Government departments are represented on ProvJoints: the Department of Community Safety, the City of Cape Town, the Department of Correctional Services, the Department of Social Development, the Department of Justice and Constitutional Development, the National Prosecuting Authority, the South African Police Service, the State Security Agency and the Western Cape Education Department, and also the Western Cape Department of Culture, Sports and Arts.

The Department has prioritised the accreditation and support of Neighbourhood Watches in gang affected areas. We provide them with

additional training and resources.

The Department of Community Safety conducts its Youth Safety and Religious Partnership Programme in conjunction with faith-based organisations during the June, July and December, January holiday period. This initiative of the Department was established to create a safe environment for children and youth during school holidays. Priority is given to areas with a high prevalence of gang activity and violence.

During the June, July 2018 school holidays the Department funded 146 projects with a total investment of R2,2 million. The total number of youth reached was in the region of 10 000. Key to the implementation of the gang strategy is the effective functioning of CPFs which the Department continues to support through the Extended Partnership Programme. The Department collates all relevant information about the functionality of CPFs in gang-ridden areas and forwards this information to the Provincial Commissioner of Police on a monthly basis.

The Department's Court Watching Briefs Programme prioritises the monitoring of court cases, specifically gangster and drug related court cases. The most common reasons for cases being removed from the court roll are the failure by SAPS to secure the docket at court; failure to timeously finalise the investigations; failure to finalise the investigation within a reasonable timeframe where post mortem reports, forensic drug reports and blood alcohol reports are outstanding; and failure to subpoena witnesses to court

timeously.

At gang stations, in the 2017/18 financial year, cases for the following offences were removed from the court roll: murder, attempted murder, possession of unlicensed firearms, dealing in drugs and possession of drugs and through the Court Watching Briefs, many, many of these cases were put back onto the court roll.

We continue to support our Neighbourhood Watches, we continue to structure Walking Busses. In this case we up-command parents to walk in the morning with the children from the community to school and in the afternoon from the school gate back into the communities.

Our partnerships with the FET Colleges continue, thousands of youth from violent stricken communities registered through the Department to the institutions, and the aim is to provide the vulnerable youth with a viable alternative. Thank you.

The DEPUTY SPEAKER: Hon member Lekker?

Ms P Z LEKKER: Mr Deputy Speaker, in the past six months we have seen that children have repeatedly been caught up in criminal battles. The fact that children are maimed and murdered is a cause for concern. We have seen a four-year old in Uitsig that was killed, a nine-year old from Mitchells Plain that was killed, a six-month old from Ocean View that was hit by a stray

bullet and I want to get an understanding from the MEC, if he were to be granted an opportunity to canvas and ensure that a Children's Commissioner is appointed in the Western Cape, what would be his role in ensuring that it becomes a reality and that children that are killed unabated, are protected from such deaths? I thank you.

The DEPUTY SPEAKER: Hon Minister?

The MINISTER OF COMMUNITY SAFETY: Thank you for the question. The Children's Commissioner issue is in process. I am not going to say much more about that, it was raised but I fully agree with the hon member ... [Interjection.]

The DEPUTY SPEAKER: Just one second, Minister Plato. Hon member Lekker is it a question, point of order?

Ms P Z LEKKER: I have got a point of order, Mr Deputy Speaker. I think we are discussing a very critical issue, which is close to my heart and I would like to request that you caution Minister Fritz to keep his finger to himself and not point at me ... [Interjections.]

The DEPUTY SPEAKER: Yes, I did not see that but in general ... [Interjections.] Order, order. Please do not point fingers at one another, it is not part of the decorum of the House. Hon Minister Plato, you may proceed.

The MINISTER OF COMMUNITY SAFETY: Thank you, Mr Deputy Speaker. I fully agree with the member. The killing of children is a very serious matter. We cannot condone that and that is why my Department and I, we have so many times ... [Interjection.] in the communities to address these topics. I – brother, no man.

In line with what the hon member has asked with the question, yesterday morning I visited many, many of the families specifically where children who have died are involved. It is terribly serious and that is why my message to the police is: please find the illegal guns. Our biggest problem currently today is the availability of so many guns on our streets. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. Hon member Lekker?

Ms P Z LEKKER: Thank you, Mr Deputy Speaker. Our neighbourhoods have been transformed into killing fields. Anyone can end up in the firing line. And with the MEC saying that the Neighbourhood Watch members have been trained, they are tasked out there, 10 000 youth have been reached, about R2,3 million has been spent on the training of Neighbourhood Watch members, I am worried because it looks like ... [Interjection.] †Hou jou mond! Hou jou mond! [Shut your mouth, shut your mouth!]

The DEPUTY SPEAKER: Order, order. Order! [Interjections.] Order, order! Who said †hou jou mond [shut your mouth] there?

Ms P Z LEKKER: I did, Mr Deputy Speaker.

The DEPUTY SPEAKER: Please can you withdraw that.

Ms P Z LEKKER: I do withdraw it.

The DEPUTY SPEAKER: You may proceed, but get to the question. You have got a long introduction but get to the question.

Ms P Z LEKKER: I understand member Wiley is not affected by any killings that are taking place in the townships. [Interjections.] Mr Deputy Speaker, I want to understand: from the monies that have been spent on training the Neighbourhood Watches, are we not creating a perception that members of the Neighbourhood Watch must duck and dive bullets whilst we are not ensuring that the Department of Community Safety participates in ensuring that members of the Metro Police are integrated into the SAPS so that we can have a multiplied force. [Interjection.]

The DEPUTY SPEAKER: Order. I think ...

Ms P Z LEKKER: What would be the perception or the role of the MEC in ensuring that kind of integration?

The DEPUTY SPEAKER: Order. Minister Plato you may respond to that, but that is a very long question and I want members to ask more concise

questions.

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, I will answer the member to the best of my ability.

Mr Q R DYANTYI: Yes please. Thank you, MEC [Inaudible.] goodbye.

The DEPUTY SPEAKER: Order.

The MINISTER OF COMMUNITY SAFETY: Yours is coming my friend. Mr Deputy Speaker, with regard to the Metro Police and integration with Neighbourhood Watches and so on, the entities are working very closely together. There is a very good relationship between SAPS and the Metro Police and Law Enforcement. I have been on raids with them many times and they really complement one another. Neighbourhood Watches are also involved with the Community Policing Forums.

And just a correction, with regard to the R2,3 million, it was not for Neighbourhood Watch training but that was for the new Safety and Religious Programme, but the member is quite correct, there is also a sizeable amount budgeted for the Neighbourhood Watches as well.

The DEPUTY SPEAKER: The time for the question has expired, but we will continue with this question and finish it off. Hon member Lekker?

Ms P Z LEKKER: Thank you, Mr Deputy Speaker. I really accept that MEC Dan Plato has lost the fight on community policing. But I want to get an understanding, seeing that he has now been demoted from being an MEC to the Mayor... [Interjections.] what would be ... [Interjection.]

The DEPUTY SPEAKER: Hon member, order. Hon member Wiley? Just one second.

Mr M G E WILEY: Mr Deputy Speaker, with respect, these question sessions are a right of the members ...[Interjection.]

Ms P Z LEKKER: †Hayi! [No!]. Sit down! Tell your members what they must ask and not me!

The DEPUTY SPEAKER: Order, order. Order!

Mr M G E WILEY: May I address you on this matter please?

The DEPUTY SPEAKER: Allow the member to speak. You may address me.

†Me P Z LEKKER: Ja, praat nie vir my nie.

[Ms P Z LEKKER: Yes, you are not speaking for me.]

Mr M G E WILEY: When we abuse that privilege, of right of questioning the Executive ... [Interjections.]

Ms P Z LEKKER: I do not take instructions from you.

Mr M G E WILEY: ... passing personal remarks instead ...

Ms P Z LEKKER: I do not take instructions from you.

Mr M G E WILEY: ... of just leading up to it. The first two sentences ...
[Interjection.]

Ms P Z LEKKER: Tell the DA members [Inaudible.]. Tell your DA members
... [Interjection.]

The DEPUTY SPEAKER: Order. Order, hon member Lekker! Please contain
yourself. Hon member Uys, just take your seat for a moment.

Mr M G E WILEY: Her first two sentences are to cast aspersions. That is not
even a lead-up to a question ... [Interjections.]

The DEPUTY SPEAKER: Order. [Interjections.] Order. When members ask
supplementary questions, it must be in a concise form related to either the
original question or to the response of the Minister and please refrain from
going off on side-tracks. Hon member Lekker, I will give you a last
opportunity to ask a concise question if you want to.

Ms P Z LEKKER: My question is, and it was, what would be his role in

ensuring that our communities and people feel safe, as the Mayor of Cape Town?

The DEPUTY SPEAKER: Thank you. Minister Plato, you may proceed.

The MINISTER OF COMMUNITY SAFETY: Mr Deputy Speaker, the statement with regard to having lost the fight and that sort of thing, I just want to remind the member ... [Interjection.] the National Minister of Police, when he released the crime stats was quite clear. He said “we have dropped the ball”.

He was quite clear that the police, and his office itself, lost the fight against criminals on our streets. That was a bold statement by him. I applaud him for making that statement. [Interjections.]. It is not excuses, it is a fact because in the Constitution of this country, the Constitution of the country is clear: to fight crime is the responsibility of the police. They are trained to do that, not my office and no Neighbourhood Watch structure. Thank you very much.

The DEPUTY SPEAKER: Thank you. [Interjections.] Order. That is the end of Questions. Order! We will now move onto Questions to the Premier without Notice. Hon member Dyantyi, I am speaking to the whole House, including yourself. We will move onto Questions to the Premier without Notice, the first speaker hon member Magaxa. [Interjections.]

Mr K E MAGAXA: Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Is that a point of order?

Ms M N GILLION: Yes, Mr Deputy Speaker.

The DEPUTY SPEAKER: I am listening.

Ms M N GILLION: Mr Deputy Speaker, can you ask the MEC, Dan Plato, to withdraw what he just said to member Lekker about “pinch your own family, I know about your family.” He is casting aspersions, he is casting aspersions on the integrity of our members on this side and it is unacceptable.

The DEPUTY SPEAKER: Order. I will have a look, order! I did not hear that. Order! I will have a look at Hansard and then I will come back to the House if necessary. [Interjections.] Please proceed hon member Magaxa.

Ms P Z LEKKER: At least I do not [Inaudible.] with gangsters.

The DEPUTY SPEAKER: Order. Hon member Lekker! Hon member Botha, you wanted to address me?

Ms L J BOTHA: Mr Deputy Speaker, also on a point of order, by the same token, member Lekker said to the MEC that he is friends with gangsters. That is also casting aspersion. [Interjections.]

The DEPUTY SPEAKER: Order. [Interjections.] Order! The same applies to

that one. I will study Hansard and if necessary get back to the House on that. [Interjections.]. Hon member Lekker, hon member Dijana next to you, please contain yourselves.

Ms M N GILLION: Mr Deputy Speaker, is this the way that the hon MEC is going to take up his new position, by sticking out his tongue?

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

Ms M N GILLION: No, no. He is sticking out his tongue.

The DEPUTY SPEAKER: Order, order! [Interjections.] Hon Minister Plato, I did not see that, but if you did something like that please do not do it again. I cannot ask you to withdraw it but please do not do it. Let us proceed to the hon member Magaxa to ask the question to the Premier. [Interjections.]

QUESTIONS TO THE PREMIER WITHOUT NOTICE

Mr K E MAGAXA: Thank you, Mr Deputy Speaker. Hon Premier, after our hon Minister Madikizela's birthday party controversy an internal anti-Madikizela faction leaked the pictures and everything about the party to all of us, a DA internal faction. You, Premier, investigated this allegation according to the commitment you made. Can you tell us when you are going to release the report or is it because the report was just intended to prevent Madikizela being Premier?

The DEPUTY SPEAKER: Hon Premier, before you respond to that I am not quite sure if that question relates to party matters or governance matters but if it relates to governance issues, Premier, you are welcome to respond. Is it governance?

Mr K E MAGAXA: [Inaudible.] clarify that. Mr Deputy Speaker, anything that is investigated by the Premier is in the interest ... [Interjection.]

The DEPUTY SPEAKER: Yes, fine I will leave that to the Premier to respond ... [Interjection.]

Mr K E MAGAXA: ... [Inaudible.] jurisdiction of this Government. Thank you.

The DEPUTY SPEAKER: Thank you for the clarity. I will leave it to the Premier to respond in the way she feels fit.

The PREMIER: Thank you, Mr Deputy Speaker. I do not do things for ulterior motives and when allegations are made against Cabinet colleagues of mine, it is important for me to establish whether there is any truth in them or not because I have to decide on the career incidents of Cabinet Ministers and if those allegations would have been potentially true I would have had to take them seriously.

I am very glad the hon Magaxa said that a faction in the DA leaked those

pictures because it tells me now, very clearly, that in the context to the run-up to our provincial leadership elections, where there were two candidates ... [Interjection.] in a closely fought context, I have absolutely no doubt that someone, who is no longer on these benches today, had been mobilising evidence ... [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: ... and had been releasing those things selectively to the hon, the Opposition. So I want to thank the hon Magaxa for confirming that. [Interjections.] Mr Deputy Speaker ... [Interjections.]

The DEPUTY SPEAKER: Order, order!

The PREMIER: ... at the time this became an issue, the succession race for the Premier was not under discussion. What was under discussion was the leadership of this province and that was the reason that that issue was driven and in fact when the information came to me, I spoke to the hon Madikizela, and I said I am going to have to investigate this and he said to me, "Of course, please do".

I went along and I spoke to everybody who had been named or involved or, after my investigation, had been identified as being any sort of contact of Minister Madikizela or a supplier to the Western Cape Government of anything. I interviewed them, I got all the invoices, I traced all the sources, I

spoke to the hotel involved, I did everything. [Interjection.]

An HON MEMBER: Who bought the cake?

The PREMIER: We know who bought the cake. I wrote up a report and it is published for all to see on the internet to which I would like to refer the hon Magaxa. It has been in the public domain for a very long time. I also, when the ANC reported it to the Public Protector, handed all of the invoices, all of the documents and everything to the Public Protector. So everything is on the table, everything is out there and all my colleagues know that I said to them, this is a complete storm in a teacup and it is being used by people against the hon Madikizela and fortunately ...

Mr Q R DYANTYI: [Inaudible.] DA.

The PREMIER: Yes, you are right, it was in the DA but very, very conveniently, one of the individuals, who is not a white liberal, who was driving this, is no longer in our caucus. Thank you. [Interjections.]

The DEPUTY SPEAKER: Order. Order. Hon member Magaxa?

Mr K E MAGAXA: Thank you. Thank you, hon Premier for your reply. My second question is a bit of a follow-up, hon Premier. As part of an investigation, even by the Public Protector, you are expected to provide information, which you have said you sent a number of invoices and so on.

But is it true, Premier, as you have given that information to the Public Protector, you have not named, after your preliminary investigation, the people involved. Even the person you are referring to is not here. You are alleging that he is not here. You have not forwarded the actual names of people involved in this, instead you refer to those people as business people. Now is it true that ... [Interjection.]

The DEPUTY SPEAKER: Hon member Magaxa, get to the question. These are concise questions.

Mr K E MAGAXA: My actual question is: is it true that the Premier did not forward the names of the actual culprits, including the person that she alleges to be the person who did and she referred to those people as business people?

The DEPUTY SPEAKER: Thank you, hon Premier. Just one second, Premier. Order. Hon Minister?

The MINISTER OF EDUCATION: Sorry, Mr Deputy Speaker ...

The DEPUTY SPEAKER: Order! I cannot hear the Minister.

The MINISTER OF EDUCATION: Is it in order to be discussing a matter that is currently before the Conduct Committee in this House? [Interjections.]

The DEPUTY SPEAKER: Yes, *sub judice* would not apply in this case. The

Premier may proceed to reply. [Interjections.]

The PREMIER: Thank you very much, Mr Deputy Speaker. I gave all the details, and as far as I recall, the name of any person associated with providing things to this Government who had contributed financially to the party and I gave that to the Public Protector. I, in my investigation, have found that there was absolutely no malpractice involved in doing that and certainly no favours in return.

The bottom line was that it was a surprise party, that the hon Minister had no knowledge of it whatsoever and our procurement system is hermetically sealed from political involvement. That is why I investigated to see if there had been any kind of breach of it. I found that there was no such breach but when the Public Protector started investigating, I said, "Here, take everything, I will come and answer questions, I will speak to you about everything."

Up till now I have heard nothing further from the Public Protector who has everything and I went into it in depth, including speaking to the hotel to get their figures and to double check all the invoice payments and who they came from and for what purpose. And I am satisfied that there was absolutely no ethical breach here. [Interjections.]

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

Mr M G E WILEY: Where did you get the information from? [Interjections.]

Mr K E MAGAXA: Thank you, hon Premier. But, hon Madam Premier, you did not give the report to this Provincial Legislature but chose to give it to the leader of the DA, Mmusi Maimane, in order to prevent and manage hon Madikizela's ambition.

But I just want to ask my last question. Hon Premier do you really think our hon Madikizela can be naïve enough not to realise that this hon Winde project was decided before the One and Only Hotel birthday party? [Interjections.]

The DEPUTY SPEAKER: Order, order! May I just point out to the Leader of the Opposition that he asked the Premier for an opinion, that also is not allowed in terms of the Rules. So, Premier if you want to respond to that you may do so but ... [Interjections.]

The PREMIER: Well, I would actually respond if I knew what the question was but I could not work it out. I absolutely could not work it out. [Interjections.]

The DEPUTY SPEAKER: If the member would want to rephrase the question very quickly. [Interjections.]

Mr K E MAGAXA: Thank you. Please, the Premier wants to hear the

question, sir. [Interjection.] Hon Premier, I am saying here, we as this Legislature, we have not yet received the whole preliminary report, which we think we deserve to have but you have given the report to Mr Mmusi Maimane and I think personally that is a testimony to prevent and manage Madikizela's ambition.

But, my question is, hon Premier, do you really think, hon Madikizela can be naïve enough not to realise that the hon Winde project, this project of being Premier, was actually decided long before the One and Only saga. [Interjections.]

The DEPUTY SPEAKER: Order, order. Hon Premier?

The PREMIER: What I am not ... [Interjections.]

The DEPUTY SPEAKER: Order. Please allow the Premier the opportunity to respond.

Ms P Z LEKKER: It is sad.

Mr Q R DYANTYI: You always had a choice. You wanted [Inaudible.]

The PREMIER: Mr Deputy Speaker, what I am not is naïve enough to believe the conspiracy theories of the hon, the Leader of the Opposition. I have not given that report to anyone. I have published it and it is there for everybody

to see in graphic detail and anybody who wants to read it, is welcome to read it and I stand by it.

Months and months have gone by, if the Public Protector had any sense at all, that I have been trying to mislead or manipulate or leave out critical information, she surely would have come back by now and asked further questions. The fact is, Mr Deputy Speaker, that this matter had nothing to do with the Premier succession issue. [Interjections.]. It had everything to do ... [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: ... with the succession battle for the leadership of the Democratic Alliance in the Western Cape and one of the invitees to the party, as you say, took photographs, gave them to the ANC, consorted in great detail with many members of the ANC and we knew exactly who they are and the former hon leader of the ANC, Marius Fransman, is no more and his co-conspirator in the Democratic Alliance is working for Minister Cele. It is quite extraordinary that a non-issue like this has continued and continued and continued because it shows, the hon the Opposition, has nothing else. And we know that they are trying to drive wedges into our own caucus but it will not work. [Interjections.]. It will not work. [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: The hon Madikizela is courageous and committed to non-racialism ... [Interjections.]

The DEPUTY SPEAKER: Hon member Dyantyi please, you cannot comment on every statement by the Premier.

The PREMIER: ... and he left the ANC because like former President Thabo Mbeki, he saw that the ANC had abandoned its commitment to non-racialism [Interjections.] and you are trying to drive wedges into this party. We have proper candidate ...

The DEPUTY SPEAKER: Order.

The PREMIER: ... selection processes unlike the ANC and they can stop their conspiracy theories and wedge driving right now. [Interjections.]

The DEPUTY SPEAKER: We move onto the next question. Hon Maseko?

Ms L M MASEKO: Thank you very much, Mr Deputy Speaker. Hon Premier, the preamble of the South African Constitution includes the words, and I quote “South Africa belongs to all who live in it ...

Mr Q R DYANTYI: That is the Freedom Charter.

Ms L M MASEKO: ... united in our diversity”. But, every heritage day some

people will feel compelled to criticize how other people celebrate their heritage. Does Government have a role to play in building a common heritage or is our diversity our real strength?

Mr Q R DYANTYI: [Inaudible.] choosing white over black. [Inaudible.]

The DEPUTY SPEAKER: Hon Premier?

The PREMIER: Thank you very much indeed, Mr Deputy Speaker. That is a very important question.

The DEPUTY SPEAKER: Order, order.

The PREMIER: First of all I would like to divert slightly and answer the interjection of the hon Magaxa who claimed that the Constitution is an ANC document. It most emphatically is not. [Interjections.] It most emphatically is not. It is a document that summarises the South African compact.

Mr K E MAGAXA: The clause that South Africa belongs to all those who live in it was designed by the ANC [Inaudible.] for the Freedom Charter.

The PREMIER: It was an abandoned by the ANC. [Interjections.].

The DEPUTY SPEAKER: Order.

The PREMIER: It was an abandoned by the ANC. [Interjections.]

Ms P MAKELENI: Answer the question.

The PREMIER: It was an abandoned by the ANC. Go and read the 30-page document of former President Thabo Mbeki. You will see that that phrase has been abandoned by the ANC, Mr Deputy Speaker.

Mr Q R DYANTYI: Okay. [Inaudible]

The PREMIER: Now on Heritage Day I attended two different events. One on the eve of Heritage Day, the other on Heritage Day and one of them was in Genadendal and it was a very powerful church service that celebrated a huge amount of South Africa's heritage. The first tertiary institution in South Africa was in Genadendal. The first novel published in Afrikaans, for example, was published in the printing press of Genadendal. The first kakebeenwa was constructed in Genadendal and when I was there I learnt all about these extraordinary things. So that little former mission station ... [Interjection.]

Mr Q R DYANTYI: This is going to be a long story I can see.

The PREMIER: ... is rich, very rich in South African heritage and afterwards when we were eating potjiekos, which is also part of South Africa's heritage, people came to me and said previously their children had been able to go to

nursing colleges, to teaching colleges to become apprentices, to do training – all in Afrikaans, and today their kids can go nowhere, they say, because no tertiary institution caters for Afrikaans anymore.

They say that they used to believe South Africa belongs to all who live in it, but they have now been excluded and their children who used to be able to train as teachers and nurses and apprentices and various other things, now are excluded because of their language, because a majority in this country insists that despite ...[Interjection.] the fact that we have all of our official languages, there will only be one official language of tertiary education and that is divide and rule. That is divide and rule, Mr Deputy Speaker.

And it felt to me really heart breaking that a wonderful community that I can only describe as having a quite strong Calvinist work ethic and lovely planted gardens and a whole range of other things happening there, find now that they cannot feed their children into tertiary institutions because their children do not speak English. And I am very determined that we will find a way of doing something about it, because an entire heritage is dying out because of the intolerance of a majority in this society. And most respectable democracies look after minorities, Mr Deputy Speaker.

In this country minorities are demonised, they are even scapegoated and it is totally outrageous that this is often done on the basis of colour or of language, especially on Heritage Day when what we are supposed to be doing is celebrating those different cultures.

There have been some outrageous articles and statements around Heritage Day which do exactly what I have described – scapegoating minorities for South Africa's problems and the critical thing for the Government to do is say that the Constitution represents our national and collective heritage and just as much as we say that we should celebrate our diversity, it is also critical to celebrate what we have in common because there are far too many people in this country who want to use diversity to divide people and to suppress minority cultures. Thank you, Mr Deputy Speaker.

The DEPUTY SPEAKER: Thank you. The time for Questions to the Premier has expired but I will allow the member to ask one question, if she wants to proceed.

Ms L M MASEKO: Thank you very much. Hon Premier, in celebrating Heritage Day, personally embodying its broad meaning, what would your ideal Heritage Day celebration be if, as a Premier, you had to say to the Western Cape, this is what Heritage Day should entail?

The PREMIER: Well it is certainly not for me to dictate to anybody because you know people can celebrate their individual heritage and they can celebrate their collective heritage as long as people are true to themselves. Yes, I come from a German heritage but it is not the important thing to me, the important thing to me is our collective South African heritage and how we have tried to build on it and work on it.

And so what I do want to argue is that I think that preparing food and eating together is a great way of celebrating our collective heritage. That is why a potjiekos was a lovely thing to do, to celebrate that collective heritage, with vegetables that people had planted in their own gardens and harvested and that everybody put in their pot, fantastic. Building our collective heritage around a potjie. I do not think that anyone would argue that a potjie can symbolise any kind of oppressive culture, probably about cultural appropriation because the truth is ... [Interjection.]

Mr C M DUGMORE: [Inaudible.] heritage.

The PREMIER: Another fundamental distortion. South Africa belongs to all who live in it, united in our diversity and we celebrate and respect the contributions of every culture.

But there you have the exact distortion that I have been referring to. Some people did not make a contribution according to the ANC. Some people have a contribution that can be spat on ... [Interjection.]

Mr C M DUGMORE: [Inaudible.]

The PREMIER: I have never, ever done that and that is a complete distortion and it is not only a distortion, it is a fundamental untruth, Mr Deputy Speaker. A fundamental and frankly, considered untruth ... [Interjection.]

You know what? I am famous for having my words distorted and manipulated for the purpose of manufacturing outrage. That is what I am famous for [Interjections.].

The DEPUTY SPEAKER: Order, order.

Mr C M DUGMORE: You support colonialism.

The PREMIER: I do not support colonialism. I never have and I never will and I have done far more to fight it than most other people. [Interjection.] I said the legacy is not only negative which is what our text books say which is what Mandela said, which is what 99% of respecting historians and authorities on the subject say. History 101. [Interjections.]

The DEPUTY SPEAKER: Order.

The PREMIER: The bottom line Mr Deputy Speaker, is that people can celebrate Heritage Day in whatever way they like. But I think it makes all kinds of sense to prepare food and eat it together so that we can celebrate our common culture.

The DEPUTY SPEAKER: Thank you Premier. That brings us to the end of Questions to the Premier, we move onto Statements. I see the DA first.

STATEMENTS BY MEMBERS

[The Speaker takes the Chair.]

Mr M G E WILEY (DA): Thank you, Mr Deputy Speaker. Yesterday was a sad day for the South African Police Service in the Western Cape. Not because the hardworking men in blue did anything wrong, on the contrary, they acquitted themselves well with the task given to them.

But it was a day of betrayal by the ANC National Government – where the naked truth that the ANC sees the police as an extension of itself became apparent. It was a day that they demonstrated to the public that they simply do not care for the residents of the Western Cape but continue to use them as cannon fodder in their daily battle against crime.

The following happened:

In its report to SAPS, railway police has no MOU with either Metrorail or Prasa after seven years. In other words no political commitment to capacitate the departments to combat crime.

In the Annual Provincial Crime Report the reasons given for non-performance were essentially a socio-political commentary with a not so well veiled attempt to blame the City and the Province for unacceptable affairs.

Not a word about the dire police under resourcing of the province that is

placing dedicated officers under inhuman levels of stress and workload and danger. But the clincher came from none other than the National Minister himself.

He first instructs the Provincial Commissioner to accompany him to a community meeting instead of being in the Provincial Legislature to present the crime report. That is clear evidence that policing is a national function. Then he stands idly by when some ANC activists demand that the Mayco member tasked with Metro Police and the ward councillor get evicted from the meeting. Instead of standing up for constitutionally elected public office bearers, he becomes part of the howling mob. Shades of Zuma indeed.

When I was Minister of Community Safety, some 20 years ago ... [Interjections.], President Mandela always, unfailingly, welcomed me in my capacity and invited me to participate in his common objective and that was to create a united and peaceful South Africa. He led by example. [Interjections.]

The SPEAKER: Thank you. I see the ANC.

Mr R D MACKENZIE: Madam Speaker, can I call a point of order?

The SPEAKER: Sorry. Hon Magaxa, kindly take your seat please.

Mr R D MACKENZIE: Madam Speaker, I just want to bring this to your

attention, you might just give guidance on this matter. I just switched on my Wi-Fi to my laptop and I found member Schäfer which is here and then member Marius Fransman. Where is he because his Bluetooth is here? [Interjections.]

Ms M N GILLION: Ag please just sit down.

The SPEAKER: Sorry, that is not a point of order hon Mackenzie but ... [Interjections.] I will – Hon member Magaxa?

Mr K E MAGAXA (ANC): Thank you, Madam Speaker. Our country has a representative and diplomat of note in our current president, Cyril Ramaphosa, who is growing exponentially as the face of brand South Africa.

This week the President represented this country at the United Nations General Assembly in New York where he stood out head and shoulders.

Investor confidence, economic trust and hope increases daily to let South Africa take its rightful place in the world economy. [Interjections.] One of the latest steps was a policy reform and growth plan to stimulate business and bring relief over a shorter period ... [Interjections.]

The SPEAKER: Order please.

Mr K E MAGAXA: ... to ordinary residents. The re-prioritisation of R45

billion public spending will boost the ailing economy without additional expenses or borrowing. [Interjections.]

The SPEAKER: Order please.

Mr K E MAGAXA: Activities that will benefit are those that have the greatest impact on economic growth, domestic demand and job creation with emphasis on township and rural economies, as well as women and youth. Those who cannot appreciate that are those who belong to the current American president. [Interjection.]

The SPEAKER: Order!

Mr K E MAGAXA: The President also said there are other elements that are investigated to make South Africa more competitive. This includes a review of various administered commodities such as electricity, ports and rail tariffs to reduce the cost of doing business.

The review started around visas and regulations on the travel of minors. I thank you. [Interjections.]

The SPEAKER: Thank you. I see the DA. Order please.

Ms L J BOTHA (DA): Madam Speaker, our heritage promotes Ubuntu. Ubuntu is instilled by mothers, young and old, who are the custodians of our

culture and language. Traditionally, children were raised by their mothers, grandparents, aunts, family friends and many others. Today we live in a more excluded and isolated society.

How can that heritage be passed down if our teen mothers are not educated in their own culture and language?

Having said that, in the West Coast a sense of community prevails. In a recent parliamentary question, it was revealed that between 2014 and 2017, 76,9% of learners from the West Coast who fell pregnant, continued to write matric. This would not be possible without the dedicated *oumas*, family friends and communities who support our young moms.

Madam Speaker, while it is important to uplift teen mothers through education, I must express my concern on the recent spate of abductions, rapes and murders of our girl children which indicate that we are not looking out for the safety of our own.

Sadly, an unchanged part of our heritage is that women, more often than not, are the primary caretakers of their children. Too often are our children raised by their single mothers and grandmothers. Their fathers are absent and not involved.

This perpetuates a vicious cycle. If our young girls become young mothers, receive no support from their partners and do not attain an education, what

will empower their children to make different decisions, what will become of our heritage?

Madam Speaker, I call on all leaders in communities, parents, teachers and religious leaders to promote and educate both our boy and girl children on the importance of practicing safe sex. Without this, we cannot educate our youth and we cannot protect our heritage. I thank you.

†Die MINISTER VAN MAATSKAPLIKE ONTWIKKELING: Mooi!

[The MINISTER OF SOCIAL DEVELOPMENT: Good!]

The SPEAKER: Thank you. In the absence of the EFF I see the DA.

Mr B D KIVEDO (DA): Thank you, Madam Speaker. In the midst of our country falling into economic recession, the rise in general unemployment, the lack of sufficient police resources to ensure that visible policing deters criminals and the neglect by National Government's failure to implement policy, are just a few of the many causes that have led to an increase in the cases of human trafficking being reported in South Africa.

Increasingly we are hearing stories of our beloved children either being nabbed or attempted to being nabbed on their way to and from school.

Human trafficking is not only confined to our shores, it is a global phenomenon but that is having a devastating effect across the entire globe

too.

Furthermore, Madam Speaker, human trafficking is real, hidden in plain sight and tearing at the social fabric of our nation as the demand for cheap labour and sexual services keeps growing. As this demand keeps growing so does the need to increase our efforts to prevent and deter criminals from committing such crimes. The recruiters of human trafficking often come from the same dire social and economic background as their victims.

Therefore in order for us to effectively tackle human trafficking, Madam Speaker, there should be intensified training of police officials and other role players in identification and policing of trafficking. Furthermore, these efforts ought to be supported by awareness campaigns targeted at enabling community members to identify domestic servitude, street begging, selling of drugs, sexual exploitation and work in all sectors that might involve trafficking. I thank you.

†Die MINISTER VAN MAATSKAPLIKE ONTWIKKELING: Mooi!

[The MINISTER OF SOCIAL DEVELOPMENT: Good!]

The SPEAKER: Thank you. I see the ANC.

Ms S W DAVIDS (ANC): Thank you, Madam Speaker. The anointed DA Premier candidate, the hon Alan Winde, is in fact the fly in the ointment.

Big question marks hang over him after various public allegations of corruption and public money abused for tourism purposes, interestingly, in Knysna, his place of birth and home.

Winde, as Tourism MEC is a former agent and operator with some knock-on interest in tourism and Winde is indicated by some pushing for investigations into illegal funding of debt at certain tourism bodies, bribery and a cover-up of sorts. [Interjections.]

The SPEAKER: Order.

Ms S W DAVIDS: Only time will tell what the facts are. The people of the Western Cape are fed DA spin, smoke and mirrors ... [Interjections.] of what a wonderful MEC Winde is, while the vulnerable people and farmworkers are evicted and abused. He does not meet the protestors of De Doorns.

He does not work for agriculture as a whole, food security and labour harmony. His annual reports for 2016/17 and 2017/18 are not submitted. What a bad leader.

The hon snubbed DA provincial leader, MEC Madikizela, must know his political grave is dug by the same liberals who sold him out, leaked information and even the photos of his ill-considered posh hotel birthday bash to make way for Winde as the Premier candidate. [Interjections.]

The SPEAKER: I see the DA.

Mr R D MACKENZIE (DA): Thank you, Madam Speaker. As we approach Heritage Month, I am reminded of the words of our former President Nelson Mandela when he stated:

“When our first democratically-elected government decided to make Heritage Day one of our national days, we did so because we knew that our rich and varied cultural heritage has a profound power to help build our new nation.”

Madam Speaker, Section 30 of the Bill of Rights states the following:

“Everyone has the right to use the language and to participate in the cultural life of their choice.”

I would further argue that cultural life means things that enrich your normal life like dance, music, food, art traditions, festivals and other things that bring people together including braaing at your home.

It is up to us as South Africans to ensure that our joint heritage is preserved which, Madam Speaker, makes the Draft National Museum Policy so important.

I brought an interpellation to this House weeks ago where we debated about

this policy and sadly nothing has been done by the National Department of Arts and Culture. I call on members of the ANC to urgently write to their national colleagues to ensure the National Museum Policy is finalised to avoid us having another #RhodesMustFall or give Fallists opportunities to attack buildings, they deem offensive, as we approach #Elections2019.

The vacuum of policy is allowing this to happen and I can only presume is being done deliberately by the ANC National Government as we head into Elections 2019.

Madam Speaker, it is incumbent on all of us, citizens, leaders, parents, friends and family, to build one South Africa for all. A South Africa where all are treated equally and enjoy the same rights, where we are not defined by whether we are black or white, coloured or Indian, where opportunities are not attached to a person's ethnicity, gender or sexuality.

It is far easier to divide people racially, however we on this side of the House are more than willing to take up this challenge to build one South Africa for all. We understand that South Africa's strength lies in its diversity, that our heritage defines our shared values and our insatiable desire for prosperity is mirrored by our passion to build one South Africa for all. I thank you.

The SPEAKER: Thank you. Hon Dyantyi you have just arrived, †asseblief [please.] I see the hon, the ACDP.

Mr F C CHRISTIANS (ACDP): Madam Speaker, the total shutdown that happened on Tuesday is a desperate outcry by the Western Cape communities for the DA Government to intervene in the troubles they live in.

Mr Q R DYANTYI: Yes, that is it.

Mr F C CHRISTIANS: I want to go further to say we do not only need change but we need a political change in 2019 and that will change the quality of life of our people.

Madam Speaker, two weeks ago I went to watch a movie called *Ellen Pakkies* and this is a true life story of a Lavender Hill lady that killed her own son and you know the magistrate came and she said “I am not sending this lady to prison because the system has failed her.”

This story, Madam Speaker, is prevalent in all our communities on a daily basis and the DA Government must take responsibility. [Interjections.] They need to take responsibility because they have failed our communities. We need change and we need political change in 2019. Communities are not safe, they are not safe in their homes. Schools are not safe, youngsters are roaming the streets with no purpose in life because they cannot find jobs.

†Mnr Q R DYANTYI: Daarsy!

[Mr Q R DYANTYI: There you go!]

Mr F C CHRISTIANS: The Western Cape Government must intervene, must intervene in our schools, must intervene in the communities. We do not need superficial change. Superficial change is demoting Dan Plato to Mayor, that is called superficial change. [Interjections.] Superficial change, we need real change. Superficial change is making Minister Alan Winde the DA candidate. They know it is not going to work, that is superficial change. We need real change. The DA Government, for ten years ... [Interjections.]

The SPEAKER: Order.

Mr F C CHRISTIANS: ... has failed the people of the Western Cape and 2019 we will see a new government. I thank you. [Applause.] [Interjections.]

The SPEAKER: Thank you. I see ANC. [Interjections.] Order please members, order.

Ms P Z LEKKER (ANC): Even DA friends say if the hon member Dan Plato is the candidate to take over from overthrown Cape Town Mayor, Patricia de Lille, then the DA is scraping the bottom of the barrel. [Interjections.] And Plato is an extremely weak choice as he could not make the grade the first time. He had his place filled up after the hon Helen Zille ... [Interjections.]

The SPEAKER: Hon member Lekker, kindly take your seat please. Minister Madikizela?

The MINISTER OF HUMAN SETTLEMENTS: Madam Speaker, the member is casting aspersion on another member and I do not think that is parliamentary. [Interjections.].

The SPEAKER: Chief Whip?

Mr M G E WILEY: May I address you on another matter in this regard. When you are going make a personal attack on a member, it is a conventional to have the courtesy to invite that member to be in the House ... [Interjections.] so that at least they are able to confront their accusers. [Interjections.]

The SPEAKER: Thank you. Order please members. Sorry, hon member Lekker, kindly take your seat. We are sailing close to the wind here because we are using statements to cast aspersions and as the Speaker I do have the right, in consultation with the member, to expunge anything from the record, if it is not presented as a substantive motion. So I am going to appeal to both sides of the House, please do not use your two-minute statements ... [Interjections.]

Mr K E MAGAXA: I was not here.

The SPEAKER: ... sorry I am not. Hon Magaxa, sorry I. Please hon member Magaxa, take your seat please [Interjections.]. Take your seat please! I am speaking.

Mr K E MAGAXA: [Inaudible.] I am standing ... You are talking nonsense, you were sitting there ... [Interjections.]

The SPEAKER: Hon member Magaxa, I am so sorry. Hon member Magaxa ... [Interjection.]

Mr K E MAGAXA: Nobody can hear him talk ... [Interjection.]

The SPEAKER: Order please! Take your seat! [Interjections.] Minister Fritz?

The MINISTER OF SOCIAL DEVELOPMENT: Can you please keep – Madam Speaker, you must address the situation.

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

The MINISTER OF SOCIAL DEVELOPMENT: This is like gangsterism.

The SPEAKER: I am not – members kindly take your seats please! Kindly all of you take your seats please. [Interjections.] We are all equal members. Hon member Tyatyam take your seat! [Interjections.] I was busy speaking when hon Magaxa ... [Interjections.] Take your seat! Take your seat please! Take your seat.

I was explaining that statements are being used ... [Interjection.] Yes. I did not refer to Minister Plato because there were two statements made. Member

Davids made a statement and then member Lekker also made a statement. So I am talking to two statements, but your outbursts and your blatant disrespect of the Chair leaves me with no option but to ask you to leave the Chamber for the rest of the day. [Interjections.]. I thank you. You need to leave. I will not have you disrespect the authority of the Chair in the way that you did, kindly leave please. [Interjections.].

Mr K E MAGAXA: If you want to ... [Interjection.]

The SPEAKER: Hon member Magaxa, please leave. Thank you. [Interjections.]. Please leave. I have asked you to leave. [Interjections.]. Thank you. Take your seats please members.

[Hon member Magaxa leaves the Chamber.]

Mr P UYS: Madam Speaker why are you treating the ANC like this?

The SPEAKER: We cannot have – no, no I am sorry.

Mr P UYS: Why are you treating the ANC like this?

The SPEAKER: Take your seats please. [Interjections.]. Hon member Uys, I was in the middle of explaining something when the hon Magaxa launched into me. [Interjections.]. That is completely unacceptable ... [Interjection.]

Ms N D NKONDLO: You are taking it out on all of us.

The SPEAKER: He could have allowed me to finish what I was saying and then stood up, instead he threatened, virtually pointing at me and having a go at me. It is a blatant disregard and disrespect of the Chair so I have asked him to leave. [Interjections.] I am sorry, thank you. [Interjections.] I was not, members. Member Davids, if you look at a replay at what happens in any sitting, you always accuse me of having a go at the ANC ... [Interjections.] but no, maybe you should go and reflect on your behaviour after a sitting and see how you manage yourselves. You hardly manage yourselves with dignity and decorum which is why any presiding officer will have to call you to order ... [Interjections.]

Ms P Z LEKKER: [Inaudible.] other side to keep quiet.

The SPEAKER: ... and that is exactly what I have done now. I have tried to point out that you cannot ... [Interjections.]

Ms P Z LEKKER: We are not kids here. This is not your House. Every time under you, it is your House.

Mr S G TYATYAM: Under you decorum collapses in this House, under you.

The SPEAKER: Hon member Tyatyam, it is my duty to maintain order ... [Interjection.]

Mr S G TYATYAM: You are biased!

The SPEAKER: Well if you feel I am biased, hon member Tyatyam, you can bring a substantive motion against me, until then I will stay in this Chair and I will manage this House.

Mr S G TYATYAM: It makes no difference. I have done it in the past.

The SPEAKER: Take your seat please. I am not entertaining that, I am sorry. It is my duty to maintain dignity and decorum of this House. [Interjections.]. Sorry we simply cannot ... [Interjections.] Dignity belongs to every single member, every single member of this House must manage with dignity. [Interjection.]

No, I am sorry I am not. You need to reflect. As the Official Opposition, you need to reflect on your behaviour and how you manage yourselves. I am sorry. That is the bottom line. Member Uys?

Mr P UYS: Sorry, Madam Speaker, you let this fall into disarray. You are shouting at members here.

The SPEAKER: No, hon member Magaxa shouted at me.

Mr P UYS: You are setting a bad example, Madam Speaker. Why are you doing it? Do you want us not to be here when the Mero and Pero are being

presented?

The SPEAKER: That is not the point.

Mr P UYS: You chased the Leader of the Opposition out. You do not treat political parties equally. You do not do it. There are ...

The SPEAKER: Member Uys ...

Mr P UYS: ... lies spread here but you do not care about that, Madam Speaker.

The SPEAKER: Member Uys, as the Chief Whip, you know what it is to manage your caucus and there are times when they are completely unruly and no, no hold on. Do you see screaming and shouting? Do you see who is screaming and shouting? [Interjections.] So the point I am trying to make, I understand your role. I was speaking when hon member Magaxa just launched into me, I am so sorry. [Interjections.] I am not defending ... members ... [Interjections.]. Take your seat please, Chief Whip.

Mr P UYS: Madam Speaker, the DA was shouting all the time here, but you did nothing, nothing at all to them. We have been saying this right through the whole of the sitting. But you are not treating the ANC and the DA equally.

The SPEAKER: Hon member Uys ...

Mr P UYS: ... you are not doing it, Madam Speaker.

The SPEAKER: Hon member Uys, I try my best to manage this House ...

Mr P UYS: You are not.

The SPEAKER: I do. What triggered this action now was the fact that I was speaking and the hon member Magaxa just started shouting at me and pointing his finger at me. Now that is completely unacceptable. We cannot allow that [Interjections.]. I mean throughout the day I have asked people, manage yourself, do not point fingers, talk to the Chair. I mean every week we go through the same process.

Mr P UYS: But, Madam Speaker, do you not understand the frustration of the ANC when you do not treat us equally?

The SPEAKER: I try. Hon member Uys, I try my best to be impartial and fair and I am sorry I am going to stay in this seat and we are going to continue with proceedings. Chief Whip? Sorry, the Chief Whip is on his feet, kindly take your seat please.

Mr M G E WILEY: Madam Speaker, this is obviously an orchestrated effort ... [Interjections.]. I would like ... [Interjections.]. When the ANC have

turned the House into grave disorder which is Rule 49, I would like to ask that the whole recording of this sitting be reviewed by a panel of members with a view to determining exactly how this situation has evolved. [Interjections.]

The SPEAKER: Hon Chief Whip. Thank you, that is not a point of order. Sorry. No. [Interjection.] You can. Yes, sorry.

Mr M G E WILEY: I asked to address you [Inaudible.] Madam Speaker.

The SPEAKER: Yes, sorry you have thank you. And hon Uys, hon Wiley has indicated he cannot do a motion as you said, but he can, after the proceedings determine a route that needs to be followed. There is a trend though that has emerged over a period of time, and I do not know whether any of you do, but I watch every sitting afterwards and I play it on my computer and I use it to educate myself to make sure that I am fair and that I am impartial. [Interjections.]. But we have the usual suspects. Again here we go. You have no respect even while someone is speaking ... [Interjection.]

Ms M N GILLION: How can you say you [Inaudible.].

The SPEAKER: ... and that is, that is exactly my point.

Ms M N GILLION: On a point of order, Madam Speaker.

The SPEAKER: Minister Madikizela.

Ms M N GILLION: Your language is not good for a Speaker and I want to plead with you. When member Magaxa was attacked through Motions and Statements and all of that, he was not in the House. You did not call the DA to order, like you did now. The whole time when all those MEC's were making a noise, you did not call them to order.

The SPEAKER: Member Gillion ... [Interjection.]

Ms M N GILLION: You are biased, Madam Speaker. [Interjections.]

The SPEAKER: Sorry. Hon member Gillion, that is your opinion which you are entitled to. [Interjections.] I remember calling Minister Winde to order, Minister Madikizela to order. So please do not say that I have not called them to order. Earlier in the proceedings I actually called the Ministers to order. [Interjections.] So, to say that I did not call them to order is an unfair statement. Yes?

Mr C M DUGMORE: Madam Speaker, you will recall that it was the Chief Whip Mark Wiley who was indicating a procedure to be followed when there was a personal attack on members, that there should be notice given. You were in the Chair when members from that side of the House held up posters a couple of weeks ago, statements, basically to the effect that ... [Interjection.] No, she was there in the beginning part when people held up

... [Interjection.] posters defaming Khaya Magaxa, the hon Leader of the Opposition.

So when either the Speaker or the Deputy Speaker treats our members in such a biased fashion and allows other members clearly to do things which are against the Rules, the perception of bias moves beyond simply a perception. [Interjections.] It is biased and I think the fact that you have made a ruling where you have singled out hon member Magaxa, whereas the Speaker or the Deputy Speaker could have acted against members who for instance, defamed our member by holding up posters.

I want you to urgently reconsider calling hon member Magaxa back, so that we can continue with this session, because otherwise the way that you have singled him out is an indication of bias in comparison to how you have dealt with previous matters. [Interjections.]

The SPEAKER: Hon member Dugmore, your point will not be sustained. I stand firm that the manner in which hon member Magaxa shouted at me and pointed his finger is disrespectful ... [Interjection.] and I will not allow that precedent to be set, unfortunately. I tried to be fair as I say, in everything I do and I have appealed to both sides of the House and you touch on the situation of placards.

Earlier on in the year or last year ... [Interjections.] It is situational, because we have rulings and the rulings said, as long as the placard does not disrupt

the proceedings of the House or impact the dignity and decorum and after two requests from this side of the bench, I indicated to the DA, please do not display your placards. So, to make it seem as if it was allowed without any interference on my part or any caution on my part, is being untruthful, to say the least. Member Beerwinkel?

Ms C F BEERWINKEL: Thank you, Madam Speaker. I would like to point out, and I am giving you the right to call me to order if I am wrong; you left the Chair, just before the placard brigade started. The Deputy Chair was in the seat when the issues were raised about comrade, our Leader of the Opposition. Now you also said, Madam Speaker, that you watch the proceedings every time. So, having watched that, you should have seen how this whole House erupted into chaos, to an extent that we left.

Bearing that in mind, when you mention that one of our members this side was casting aspersions, in the back of your mind you should have seen that picture and how that was dealt with, to use that same principle, how this is being dealt with. None of us here have placards. None of us are disrupting the House. None of us are causing raucous behaviour that the whole of the DA needs to walk out.

I think our Leader of the Opposition, in absolute disgust and frustration felt, why is it okay for them, each one to make a different motion about him and nothing was done? Yet, now one person makes a statement and this whole disruption is happening now and you call him to order to the extent that he is

out. So it is the principle of the issue, Madam Speaker, that we are addressing [Interjections.].

The SPEAKER: Thank you, hon member Beerwinkel. You talk to a principle and you by your own admission said that those were motions. My comment was based on the fact that there are ten Members' Statements of two minutes each and the trend is now developing that Statements are being used as substantive motions as if it were.

So, I am very mindful of the fact that those were Motions and at the time you left, I was not in the Chair, but I do undertake that I strive to act with fairness in everything I do, but unfortunately, if you watch a re-run and you see how events start, every event is situational and I try to read the mood of the House and I try and give members the benefit of the doubt, but we cannot have what happened here now, be a precedent for further sittings. It just cannot be.

So, I am appealing not only to the ANC bench. I am appealing to all parties in the House that when you come into the Chamber, bring a little bit of tolerance and respect because what is happening now, I can understand that it is an election period and people want to make their point ... [Interjections.] but we cannot ... [Interjections.] No, no, what I am saying, use the instruments available to you for its intended purpose. That is why we have interpellations, debates, statements, questions, motions. We are sailing close to the wind and I needed to just make that caution. Thank you. Hon member

Tyatyam, if you know the Rules ... [Interjection.] Sorry, you would understand ... [Interjection.]

Mr S G TYATYAM: Can I ask an order or not?

The SPEAKER: ...that whilst the Speaker is speaking ... [Interjection.]

Mr S G TYATYAM: Yes!

The SPEAKER: ...you should take your seat. You have stood through all the time that I have been speaking. That is a very basic tenant of managing yourself in the Chamber ... [Interjection.]

Mr S G TYATYAM: I will ... [Interjection.]

The SPEAKER: ... when someone speaks, to take your seat, please. [Interjections.]

Mr S G TYATYAM: Next time. You always stand – that one. I learnt from him!

The SPEAKER: But hon member Wiley is sitting now!

Mr S G TYATYAM: I learnt from him! He was standing!

The SPEAKER: Hon Tyatyam, two wrongs do not make a right.

[Interjections.]

Mr S G TYATYAM: Can I ask an order on you, Madam Speaker?

Ms P MAKELENI: Through the DA lenses!

Mr S G TYATYAM: Madam Speaker, the whole issue was forecast that started that day. It did not start with the Motions.

Ms M N GILLION: It started with the Statements.

Mr S G TYATYAM: It started with the Statements. Here. Made by two members ... [Interjections.]

Ms P MAKELENI: Hon Maseko.

Mr S G TYATYAM: Maseko.

Mr S G TYATYAM: Here. And there was nothing said and at that time already the placards were up ...

The SPEAKER: Okay, but now here.

Mr S G TYATYAM: ... and from there it went to the Statements.

Ms P Z LEKKER: To Motions.

Mr S G TYATYAM: To Motions.

The SPEAKER: No, from Statements to Motions.

Mr S G TYATYAM: To Motions, yes.

The SPEAKER: But hon Tyatyam ... [Interjection.]

Mr S G TYATYAM: So, the point, Madam Speaker, particularly if you are saying you are watching this after ... [Interjection.]

The SPEAKER: I do!

Mr S G TYATYAM: You should know where this process started and how they tried to humiliate ... [Interjection.]

The SPEAKER: Okay.

Mr S G TYATYAM: ... the Leader of the Opposition.

The SPEAKER: Okay.

Mr S G TYATYAM: So, the point, Madam Speaker, let us be human.

The SPEAKER: Okay.

Mr S G TYATYAM: Let us be human, because things said about you, they would affect you.

The SPEAKER: I am sure they do.

Mr S G TYATYAM: They will affect you, so, therefore it is important and sometimes the frustrations can make you shout and do all the things.

The SPEAKER: Okay.

Mr S G TYATYAM: As we have seen sometime that side.

The SPEAKER: Okay. [Interjections.] Order.

Mr S G TYATYAM: The point, Madam Speaker, that I am raising ... [Interjection.] is we cannot just chuck out the member, particularly, as this issue affects him in particular.

The SPEAKER: Well, unfortunately I am not going to change my ruling. The member has left the House and I will endeavour ... [Interjection.] in every way to be fair but every sitting is a new sitting, hon member Tyatyam. We do not bring two weeks ago in, but we have the rulings to guide us. [Interjections.] Alright. [Interjections.]

An HON MEMBER: Hayibo! [No ways!]

An HON MEMBER: No. [Interjections.]

The SPEAKER: Yes, I do. I have it right here with me. [Interjection.] Chief Whip, take your seat please. Take your seat. Let me just finish. [Interjections.] Hon member Tyatyam, sorry, I hear what you are saying, and I understand the Rules, but I am saying when we come in at quarter past two, we start a fresh sitting. Our rules over time guide us. [Interjections.] Okay? [Interjections.] Thank you. Hon member Uys, kindly take your seat. The Chief Whip was on his feet before you. [Interjections.] No-no, sorry, I saw the Chief Whip and then I see you. Sorry, take your seat please, hon member Tyatyam. [Interjections.]

Mr S G TYATYAM: When we started here ... [Interjection.]

The SPEAKER: Take your seat please.

Mr S G TYATYAM: When we started with the Fifth Parliament, we had cases ... [Interjection.]

Mr Q R DYANTYI: Can Wiley sit down please?

Mr S G TYATYAM: ...of the Fourth Parliament that we were forced to discuss here.,

The SPEAKER: Alright. Okay. Hon member Tyatyam ... [Interjection.]

Mr S G TYATYAM: So the issue that are starting anew does not hold any water because the Rules are very clear ...

The SPEAKER: Chief Whip, will you care to take your seat please.

Mr S G TYATYAM: ...on how we proceed.

The SPEAKER: Hon Tyatyam ... [Interjection.]

Mr S G TYATYAM: There is a Rule Book.

The SPEAKER: ... you have the option of bringing a substantive motion. For you to stand there and accuse me of being biased is, as I said, an opinion. So I am not ... [Interjection.]

An HON MEMBER: Are you making your case [Inaudible.]?

The SPEAKER: No-no, no. I am not making a case. All I am saying to you is, I have tried to be fair, I have tried to sustain your point and I have made an explanation. I am not going to entertain this. I have made a ruling. Hon member Magaxa has left, and we will now move on with the rest of the day's proceedings and I will try and be fair and I will give the hon member Uys an opportunity to address me at this stage.

Mr P UYS: Thank you, Madam Speaker. Let us take it back where everything started while hon Lekker was speaking. Now please help this House. What did she say that was wrong? Please help me.

The SPEAKER: Hon member Uys, I am not. I have just made a ruling.
[Interjection.]

Mr P UYS: No, but you made a ruling there!

The SPEAKER: I am not, I am not going to ... [Interjection.]

Mr P UYS: I am not talking about the hon Leader of the Opposition. She was on the floor ... [Interjections.] No-no-no, no-no.

The SPEAKER: Chief Whip, take your seat please.

Mr P UYS: No, no ... [Interjections.]

The SPEAKER: Okay.

Mr P UYS: No, Madam Speaker ... [Interjections.] There was a statement by the ANC. The was the third statement. Now what did the hon Lekker say that was wrong?

The SPEAKER: Hon member Uys, I am not talking specifically to hon

Lekker's statement. I said there is a tendency that statements are being used.

[Interjection.]

Mr P UYS: No.

The SPEAKER: I also said to you, I have made a ruling and I am not going to go back.

Mr P UYS: No.

The SPEAKER: I will give you the undertaking that I will go and review Hansard and I will invite you to ... [Interjection.]

Mr P UYS: No, but ... [Interjection.]

The SPEAKER: ...come and have a conversation with me once I have reviewed the record, but I am not entertaining this discussion. The ... [Interjection.]

Mr P UYS: I am not talking about the Leader of the Opposition now. [Interjection.]

The SPEAKER: ...ruling has been made.

Mr P UYS: That was the second part of it.

The SPEAKER: No.

Mr P UYS: I am talking about, you said there must be a substantive motion.

The SPEAKER: Correct.

Mr P UYS: Now, please help, why did you say that, because that triggered everything. Why did you say that? Just help me. That is all.

The SPEAKER: Now, shall we ask the hon Lekker to repeat what she said?

Mr P UYS: No, you ... [Interjection.]

An HON MEMBER: No!

Mr P UYS: ... made the ruling, Madam Speaker. [Interjection.]

The SPEAKER: Okay, thank you.

Mr P UYS: You have made the ruling!

The SPEAKER: I made the ruling.

Mr P UYS: Now, Speaker you do not know even why you made the own ruling because you were just copying the DA and [Inaudible.]

The SPEAKER: Hon member Uys, please. Chief Whip Wiley?

Mr M G E WILEY: Madam Speaker, this is the second time you have recognised me, but it is the first time I am allowed to speak.

The SPEAKER: Okay.

Mr M G E WILEY: I hope that ... [Interjection.]

The SPEAKER: Hon member Olivier, kindly take your seat please.

Mr M G E WILEY: First, I would like to know under what Rule ...
[Interjection.]

Mr R T OLIVIER: Point of order, Madam Speaker.

Mr M G E WILEY: ...has this whole diatribe from the other side of the House
... [Interjections.]

Mr R T OLIVIER: Madam Speaker, Madam Speaker ... [Interjections.]

Ms M N GILLION: The dying tribes!

Mr M G E WILEY: There is nothing in the Rules that has allowed ... the ANC
... [Interjections.]

The SPEAKER: Order please.

Mr M G E WILEY: ...to stand there and try and do a court of public opinion. There is nothing in the Rules for this. [Interjections.]

The SPEAKER: Sorry ... [Interjection.]

Mr M G E WILEY: So, I would ask that we get back to the agenda and to the business of the House, please. [Interjections.]

Ms P MAKELENI: Now what Rule are you rising on?

Mr P UYS: Madam Speaker, please ... [Interjection.] The business of ... [Interjection.] Madam Speaker, the business of the House is the Statements we are busy with.

The SPEAKER: Correct.

An HON MEMBER: Exactly!

Mr M G E WILEY: So, let us proceed.

Mr P UYS: Now you ruled hon Lekker out of order. Now, please help this meeting, this House. Just help us, why did you rule hon Lekker out of order?

The SPEAKER: No.

Mr P UYS: Please help us!

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

Mr P UYS: We want to continue, but you do not allow us!

The SPEAKER: We will continue, and I have said that there is a tendency for statements to be used to cast aspersions. [Interjection.]

Mr P UYS: But, did she say ...

The SPEAKER: So, now hold on ...

Mr P UYS: ...to do that?

The SPEAKER: When member Davids made her statement it was at Minister Winde. Okay? When member Lekker got up it was talking to Minister Plato.

Mr P UYS: What did she say?

The SPEAKER: No.

An HON MEMBER: What did she say that was wrong?

The SPEAKER: I cannot repeat that word for you right now, but what I am saying is, we are getting stuck in casting aspersions on people ... [Interjections.] when we should be using Statements for its intended purpose. I have ruled. We are going to continue with Statements. Member Lekker, who was on the floor, will continue. Minister Madikizela ... [Interjections.]

Mr P UYS: But, Madam Speaker, you ruled against hon Lekker and that triggered everything.

The SPEAKER: Okay.

Mr P UYS: Help us, why and what did you rule on? Then we can understand, then you can take the process forward.

The SPEAKER: Hon member Uys, you know that ... [Interjection.]

Mr P UYS: Help us!

The SPEAKER: ...once a ruling has been made ...

Mr P UYS: You cannot come back to ...

The SPEAKER: You do know that ...

Mr P UYS: ...member Davids

The SPEAKER: ...once a ruling has been made, you do not have to elaborate and do the whole thing.

Mr P UYS: But ...

The SPEAKER: I am not going to do that, member Uys. We are going to move on with these proceedings. [Interjection.]

Mr P UYS: Madam Speaker, do you not know why you made the ruling!?

The SPEAKER: I know exactly why, thank you.

Mr P UYS: But help me, tell me then why!

An HON MEMBER: Moving on!

Mr M G E WILEY: Madam Speaker, may I refer you to Rule 49?
[Interjections.]

“In the event of grave disorder at the meeting the Presiding Officer may adjourn the meeting or may suspend proceedings for a period of time to be stated by him or her.”

May I suggest that this House suspend for a minute please?

Ms P MAKELENI: So you are now Acting Officer now?

Mr M G E WILEY: I would urge that you call the Whips to count.

[Interjections.]

The SPEAKER: Thank you. Hon members, I am willing to proceed with this sitting, provided that we move forward. I will revert to Hansard. I will act with integrity. I will try, strive to be impartial but it can only be done if there is cooperation from both sides of the House. Thank you, member Gillion.

Ms M N GILLION: Madam Speaker, I want to repeat the question of our Chief Whip. What was the ruling and why did you make a ruling on member Lekker's statement?

Mr P UYS: Ja.

Ms M N GILLION: Because it started there!

Mr P UYS: Ja.

Ms M N GILLION: That is where it started and Madam Speaker you must answer us. [Interjection.] We do not need Hansard for that. You have got a Table that can assist you.

The SPEAKER: But the Table ... [Interjection.]

Ms M N GILLION: Why did you make a ruling!?

Mr M G E WILEY: Aspersions.

The SPEAKER: Hon Gillion ... [Interjection.]

Ms M N GILLION: No-no-no, it is not casting aspersions. †Wanneer julle dit doen is dit niks! [When you do it, it is nothing!]

Mr S G TYATYAM: You are casting aspersions!

Ms M N GILLION: You are casting aspersions! The Premier was doing it to Cameron also. Nobody called the Premier to order.

Ms P MAKELENI: Ja!

Mr D G MITCHELL: It is “member Dugmore”.

The SPEAKER: Hon member Gillion, I have made a ruling. We are going to move forward. We are not going to continue in this way. Alternatively, I am going to have to adjourn the House, if that is what you so wish. [Interjections.] I have asked for your cooperation. Do we continue with Statements?

An HON MEMBER: You must answer us.

The SPEAKER: I have told you exactly why. I am not going to entertain this. Hon Olivier, if it is anything relative to this ... [Interjection.]

Mr R T OLIVIER: Madam Speaker, ...

The SPEAKER: ... I am not going to entertain your point of order.

Mr R T OLIVIER: Madam Speaker, it is relative to the last part, what you have now said. You want to continue ... [Interjection.]

The SPEAKER: I would like to continue.

Mr R T OLIVIER: We also want to continue on the basis that you answer the question, because member Lekker must continue, but she was ruled on and she must be clear what to do with her statement now, because she was reading a statement and what she said, it is contained in the content of her statement. Now, when you ruled that part that you have ruled she must then be clear how she continues forward.

An HON MEMBER: Ja.

Mr R T OLIVIER: Unless you respond to that, what you have ruled on and what is the reason for that ruling – so that she can continue ... [Interjection.]

The SPEAKER: Okay. So, hon member Olivier, in case you never heard me or anyone else, at the beginning I said that Statements are being used to cast aspersions. [Interjections.] Those were the words that I used. Thank you. Okay, I am going to adjourn. [Interjections.] Order, please.

Mr P UYS: Madam Speaker, you cannot rule against hon Lekker because it is a general statement from yourself that Statements are not used properly. All we ask is, for us to continue, what was the wrong doing on the side that you ruled against on hon Lekker? What, what ... [Interjection.]

The SPEAKER: It was for casting aspersions.

Mr P UYS: ...did she do wrong? What did she say, Madam Speaker?

The SPEAKER: Well, let member Lekker proceed.

Mr P UYS: She did not. But she did not. Tell us why?

The SPEAKER: I believe it was casting aspersions.

Mr P UYS: But, Madam Speaker, I am asking you really nicely, what did she say that was wrong?

The SPEAKER: I cannot give you the word for word at this point, hon

member Uys. [Interjections.] So, I will go back to Hansard and I will revert.

Ms P MAKELENI: She does not know what!

The SPEAKER: I have indicated, I will go to Hansard and I will revert.

[Interjections.] Thank you. Hon Makeleni?

Ms P MAKELENI: Madam Speaker, may I address you?

The SPEAKER: Yes.

Ms P MAKELENI: Two weeks ago, Madam Speaker, I rose in this Chamber ... [Interjection.]

The SPEAKER: So, here we go again. [Interjections.] Order please!
[Interjections.] Order please!

Ms P MAKELENI: When, Madam Speaker ... [Interjections.]

The SPEAKER: Sorry. Sorry. [Interjections.] Okay. Members, it is quite evident that this is not - I think you do need some time out. I am now going to adjourn the House and I am going to ask that the Chief Whips and member Christians come and meet with me so that we can make progress going forward, because we are not going anywhere in this way. Sorry.

Ms P MAKELENI: I have not been heard while I am given the platform.

[Interjection.]

[Business of the House suspended at 17:34 and resumed at 17:39]

The SPEAKER: Hon members, kindly take your seats please. Member Joseph, are you coming? Thank you. I have attempted to resolve this impasse. I called the Chief Whips and all parties. The Chief Whip of the ANC made it his business to say †“hy is nie gek nie”. [“he is not mad”.] He did not participate in the discussion that we have had.

However, the ANC have left the House, as is evident, and we now have the option to proceed. The Minister can read his Pero and Mero. Alternatively he could table it, but I am not going to renege on blatant disrespect as happened here with hon member Magaxa. And similarly, to call the Speaker in question, I do not owe any explanation to anyone for a ruling.

So, I stand by my ruling and I wish to thank you for being patient, but we will now proceed. We were at Statements and I think the last statement at that time was the hon Lekker, who has since left. So the final statement is for a member of the DA and we will proceed without fear and favour and get on with the business of the day. I see the DA.

Mr N E HINANA (DA): Thank you, Madam Speaker. The Democratic Alliance in the Western Cape is at the forefront of investigating

mismanagement and driving safety and service delivery throughout the chaos that is the Metrorail crisis.

After I wrote to the Public Protector's office to investigate the Metrorail crisis, the office agreed to investigate the mismanagement of Metrorail in the Western Cape and we are going to be kept abreast with all the investigations on a twice-weekly basis.

Madam Speaker, this investigation is supported by both the Western Cape Premier, Helen Zille, and the communities who are most affected by the Metrorail crisis on a daily basis.

This level of cooperation is necessary to address the mismanagement causing the crisis in Metrorail. Madam Speaker, the degree of rot in Metrorail was demonstrated to the Standing Committee on Community Safety just yesterday, where SAPS revealed that Metrorail in the Western Cape has not had functional CCTV cameras since 2015.

The question is, how do you expect Metrorail to operate when the safety of the commuters and the infrastructure is not guaranteed, if they have had such bad mismanagement of the CCTV cameras since 2015?

SAPS further explained that there has been an increase over the past three years in incidents of theft and a decline in arrests and confiscations because of poor policing on trains during the peak hours, limited communication

between Metrorail and Transnet's operation rooms regarding train arson, poor commuter behaviour, cancellations and delays, these all affect our rail services.

Therefore, Madam Speaker, the Democratic Alliance in the Western Cape remains committed to stabilising Metrorail in the province and ensures that the convenience of the commuters and the safety of the infrastructure is always guaranteed. I thank you.

The DEPUTY SPEAKER: Thank you. That concludes Statements. We now move to Notices of Motions. I see the hon member Joseph.

MOTIONS WITH NOTICE

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

That the House debates the economic recovery plan as announced by President Ramaphosa and the impact it will have on the Western Cape. I so move. Thank you.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. Any further Notices of Motion? No? We now move to Motions Without Notice.

An HON MEMBER: No!

The SPEAKER: Sorry, are you ... [Interjections.] Are you still with Notices of Motion, hon member Hinana?

Mr N E HINANA: Yes, thank you, Madam Speaker. I give notice that I shall move:

That the House debates the failure of Metrorail in the Western Cape under the mismanagement of Prasa to provide quality service delivery and security to the rail infrastructure and commuters. I so move.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. Hon member Kivedo?

Mr B D KIVEDO: Thank you, Madam Speaker. I give notice that I shall move:

That the House debates the stalking and abduction of our learners at schools, whether it is on the premises or outside.

[Notice of motion as moved by Member.]

The SPEAKER: Notice taken. Any further Notices of Motion? No further

notices. That concludes that section. We now move to Motions Without Notice. I see hon member Botha.

MOTIONS WITHOUT NOTICE

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

That the House commends the ruling by the Constitutional Court today that the former Minister of Social Development, Bathabile Dlamini, is personally liable for 20% of the costs related to a case brought forward by the Black Sash and Freedom Under Law; the inquiry probed Minister Dlamini's appointment of individuals to lead the work streams within SASSA, reporting directly to her; today's findings vindicate the 1,5 million Western Cape residents dependent on SASSA grants in the Western Cape. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? No objections. I see the hon member Hinana after which I see member Joseph.

Mr N E HINANA: Thank you, Madam Speaker. I move without notice:

That the House calls on Metrorail in the Western Cape, under the mismanagement of PRASA, to improve the functionality of CCTV

cameras which have not worked since 2015. The security of both commuters and the infrastructure must be guaranteed. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see the hon Joseph, after which it is hon member Mnqasela.

†Mnr D JOSEPH: Dankie agb Speaker. Ek stel sonder kennisgewing voor:

Dat die Huis mnr Hans Ottervanger bedank vir sy diens van 26 jaar in die Garden Route Distriksmunisipaliteit; as Hoof van die Paaie-afdeling was dit sy verantwoordelikheid om die distrikspaaie van sewe munisipaliteite in stand te hou; ons wil mnr Ottervanger voorspoed toewens met sy aftreejare. Ek stel so voor. Dankie.

[Voorstel soos deur lid voorgestel.]

[Translation of Afrikaans paragraphs follow.]

[Mr D JOSEPH: Thank you, Madam Speaker. I move without notice:

That the House thanks Mr Hans Ottervanger for his service of 26 years in the Garden Route District Municipality; as Head of the Roads Division it was his responsibility to maintain the district roads of seven

municipalities; we would like to wish Mr Ottervanger all the best for his retirement years. I so move. Thank you.]

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved? There are no objections. I see the hon member Mnqasela and then hon member Kivedo.

Mr M MNQASELA: Thank you, Madam Speaker. I move without notice:

That the House welcomes the ruling by the South African Human Rights Commission that the disgraced former ANC Chairperson in the Western Cape, Marius Fransman, must apologise to the Jewish Community for his highly disgraceful and shocking anti-Semitic comments he made in 2013; further notes that he is not the only ANC leader who has spewed anti-Semitic comments against the Jewish community; in February this year, right in this hon House, ANC member Sharon Davids referred to the Jewish community as the “Jewish Mafia”; calls on the House to condemn the ANC for its unrepentant anti-Semitic track record. I so move.

[Motion as moved by Member.]

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

notice? There are no objections. I see the hon member Kivedo.

Mr B D KIVEDO: Thank you, very much, Madam Speaker. I move without notice:

That the House expresses its deepest condolences to the wife, children and grandchildren of ex-Metro councillor, Gordon Thomas, who has passed away on Sunday, 23 September 2018; the late Mr Thomas served his wards in Eerste River and Mfuleni with great fortitude, diligence, loyalty and dedication; he has been a real servant of the people and specifically the marginalised and disadvantaged; he was a loving husband, father and grandfather, institutionalising strong spirituality, morals, ethics, values and principles in all and sundry; we cherish his memories. May his dear soul rest in peace. I so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections? No objections. Any further Motions Without Notice? Okay. That concludes Motions [Interjections.] Is there one more? Sorry. Hon member Mnqasela?

Mr M MNQASELA: I have got a few.

The SPEAKER: And then hon member Kivedo.

Mr M MNQASELA: I will be quick, Madam Speaker. I move without notice:

That the House congratulates Minister Debbie Schäfer for her visit to Overstrand Municipality on 21 September 2018. We spent a full day visiting schools; looking at various issues affecting schools, including emotional trauma and delays in the academic programme, owing to recent riots in Zwelihle, Hermanus. The roll-out of the catch-up programme for the learners and the implementation of a counselling programme for the learners and teachers; further notes that this Parliament acknowledges that the culture of learning and teaching is well on track, with very little concerns to note in some of the following schools we visited,

- a) Kleinmond Primary
- b) Hawston Primary School
- c) Hawston High School
- d) Zwelihle Primary
- e) Lukhanyo Primary
- f) Qhayiya High School
- g) Mount Pleasant Primary School
- h) Pebbles Project Farm School in the Hemel and Aarde Valley.

I so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections? There are no objections. I see the hon member Kivedo. I see the member Schäfer is having a giggle there.

†Mnr B D KIVEDO: Dankie, dankie, agb Speaker. Ek stel sonder kennisgewing voor:

Dat die Huis sy diepste medelye uitspreek teenoor die gesinne, breër families, vriende en kollegas van die 8 slagoffers wie hulle lewens in die Rheinmettal Denel Munition aanleg-ontploffing in Macassar verloor het; ons bede is dat God self vertroosting sal bring; verder sal ons almal hul nagedagtenis eer en hul nalatenskap koester. Ek stel so voor.

[Voorstel soos deur lid voorgestel.]

[Translation of Afrikaans paragraphs follow.]

[Mr B D KIVEDO: Thank you, thank you, Madam Speaker. I move without notice:

That the House expresses its deepest condolences to the families, wider families, friends and colleagues of the eight victims who had lost their lives in the Rheinmettal Denel Munition plant explosion in Macassar; our prayer is that God himself will bring consolation; further we will all honour their memory and cherish their legacy. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see the hon member Mnqasela and then member Joseph.

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

That the House congratulates Minister Alan Winde on his successful nomination as the Democratic Alliance's Premier candidate for the 2019 General Elections; further notes that this Parliament acknowledges Minister Winde's contribution in this Parliament and the Western Cape Province and wish him the best of luck with the election campaign; finally notes that the ANC has not managed to hold a successful elective congress to elect their Provincial Chairperson and sympathises with them as they traverse in the darkest valley of nomination to ensure that they have got their own Premier candidate. I so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections? [Interjections.] There are no objections. I see the hon Joseph after which I see hon Mackenzie.

†Mnr D JOSEPH: Dankie, agb Speaker. Ek stel sonder kennisgewing voor:

Dat die Huis gelukwense aan die twee broers van Delft op die Kaapse Vlakte, Riejaaz en Riejaad Isaacs uitspreek, waar in een geval Riejaad as die top-presteerder aan die Universiteit van Vrystaat se Opvoedkundige Fakulteit bekroon is, en dat sy broer die uitbinker was by Maties. Dit dien as sprekende bewys dat hulle met geloof en deursettingsvermoë onder moeilike omstandighede kan uitstyg; ons bid hulle voorspoed toe. Ek stel so voor.

[Voorstel soos deur lid voorgestel.]

[Translation of Afrikaans paragraphs follow.]

[Mr D JOSEPH: Thank you, Madam Speaker. I move without notice:

That the House conveys its congratulations to the two brothers from Delft on the Cape Flats, Riejaaz and Riejaad Isaacs, where in one instance Riejaad was crowned as the top achiever at the University of the Free State's Educational Faculty, and that his brother was the achiever at Maties. It serves as clear evidence that with faith and determination they can rise above difficult circumstances; we wish them all the best. I so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Any objections? There are no objections. I see

hon member Mackenzie.

Mr R D MACKENZIE: Thank you, Madam Speaker. I hereby move without notice:

That the House sends its condolences to the family of the late Reggie Jantjies, the Cape Town Football legend; Reggie was an attacking midfielder and striker who played for both Hellenic and Cape Town Spurs in the 1980's and the 1990's; further notes that he had also been the head coach of Maties Soccer Club at Stellenbosch and lately a youth development coach at De Beers AFC in Firgrove; Jantjies is survived by his wife Esther and their three children. May his soul rest in peace. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections? There are no objections. I see hon Botha and hon Mnqasela.

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

That the House congratulates the University of Cape Town for retaining its position as the top Higher Education and Training Institution in Africa, following the release of the latest 2019 Times Higher Education World University Rankings; further notes that Africa's premier

institution has also moved up the World Rankings to 156 this year from 171st position in the previous year; calls on the House to congratulate UCT, its commitment to conducting world class research and maintaining its excellent facilities which continue to attract students and academia from across the globe. I so move.

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections? There is no objection. Agreed to. I see hon member Mnqasela.

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

That the House notes with great admiration the successful nomination of Minister Dan Plato as the new Mayor for Cape Town to succeed Mayor Patricia de Lille, further notes that this Parliament congratulates Mr Plato and acknowledges his immense contribution to this House and the people of the Western Cape; finally this House wishes our Mayor-elect, Sir, Mr Plato, well in his role as Mayor of this beautiful Mother City. I thank you. [Applause.]

[Motion as moved by Member.]

The SPEAKER: Thank you. Are there any objections? [Interjections.] There are no objections. Any further Motions Without Notice? I see the hon member

Mackenzie.

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

That the House congratulates General Bheki Cele for implementing DA policy by bringing back the Specialised Gang Units and commiserates with the thousands of people who died during the last many years for the ANC Government's failure to bring back the Gang Units. I so move.

[Motion as moved by Member.]

The SPEAKER: Are there any objections to the motion being moved without notice? Is there an objection? It will be printed on the Order Paper below.

An HON MEMBER: No.

The SPEAKER: No? Okay. Are there any further Motions Without Notice? *[Interjections.]* That concludes Motions Without Notice.

We are now going to deal with the Provincial Economic Review and Outlook and Municipal Economic Review and Outlook. I call upon the Minister of Finance to table, Minister Ivan Meyer. The floor is yours, Sir.

**PROVINCIAL ECONOMIC REVIEW AND OUTLOOK AND
MUNICIPAL ECONOMIC REVIEW AND OUTLOOK**

HON MEMBERS: Hear-hear!

The MINISTER OF FINANCE: Thank you, Madam Speaker. Given what has happened earlier in this House, firstly I want to thank and express my sincere thanks and appreciation to my staff, the various researchers, the economists, policy makers and senior managers for shaping both the research problem and participating substantively in the actual research findings. I would also like to thank all the various departments in this Western Cape Government, and members of this Cabinet for their support during this research process.

Madam Speaker, it is therefore my pleasure to table the 2018 Provincial Economic Review and Outlook, the speech, and the 2018 Municipal Economic Review and Outlook for consideration for this House. I thank you.
[Applause.]

An HON MEMBER: Hear-hear!

[2018 Provincial Economic Review and Outlook and the 2018 Municipal Economic Review and Outlook tabled by the Minister of Finance.]

The SPEAKER: Thank you, Minister Meyer. The Provincial Economic Review and Outlook and Municipal Economic Review and Outlook will now be referred to the relevant committees for consideration. I do not know if there is going to be any impact because I have been told that before we adjourn we need to remind members that the Budget Committee meeting will

commence after the adjournment in the Chamber. That concludes the business of the day. I thank you. The House is adjourned.

The House adjourned at 17:57.