

MINUTES OF PROCEEDINGS

OF THE

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

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TUESDAY, 1 DECEMBER 2015

1. The House met at 14:15.
2. The Speaker took the Chair and read the prayer.
3. [14:16] The Deputy Chief Whip (ANC) moved without notice: That, notwithstanding Rule 198, precedence be given to the Subject for Discussion.

Motion negatived.
4. [14:25] Interpellations.
5. [14:54] Questions.
6. [15:11] Statements by Members.
7. [15:32] Notice of Motions.
8. [15:35] Mr M G E Wiley moved without notice: That the House expresses its sincere condolence with those who lost their lives and property during the recent fire disaster at Masiphumelele; and thanks the authorities, volunteers and the broader public for their exceptional response.

Agreed to.
9. Ms M N Gillion moved without notice: That the House congratulates the ANC veteran and struggle stalwart, Ahmed Kathrada, as he became an honorary citizen of Cape Town last week.

Agreed to.
10. Ms D Gopie moved without notice: That the House notes that World Aids Day, commemorated each year on this day to urge communities to unite in the fight against HIV and Aids, shows support for people living with HIV and remember those who have died.

Agreed to.

11. Mr R D MacKenzie moved without notice: That the House congratulates the following prize winners on receiving “Afrikaans Onbeperk” prizes for 2016 for their contributions to Afrikaans, art and culture at an event held at Stellenbosch on Sunday 29 November, namely:

- (a) Eduard Greyling, well-known dancer and choreographer in South Africa and abroad: the “Kunste Onbeperk” prize for his lifelong contribution to dance;
- (b) Petra Muller: the “Afrikaans Onbeperk” prize for her lifelong contribution as writer of short stories, novels, children’s stories and poetry;
- (c) Simon Witbooi, as Hemelbesem: the “Kunste Onbeperk Kruispunt” prize for removing boundaries between languages, cultures, genres and sexes;
- (d) Willem Anker, for his latest novel, “Buys”, that is being a warded one prize after another;
- (e) Antoinette Kellerman, honoured for her courage and boldness as actor.

Agreed to.

12. Mr B D Joseph moved without notice: That the House commends the efforts of Grant and Franklyn, two community volunteers in ward 25, Paarl East, for getting the youth involved in sport activities, for forming the Vlakkie Cricket League consisting of 12 teams and for making a difference through their determination by getting the youth involved and taking them off the streets.

Agreed to.

13. Ms P Z Lekker moved without notice: That the House condemns the stabbing of six (6) people – the victims were also robbed of jewellery, money and other belongings – by a group of drunks in the parking lot of the popular Las Vegas Lounge in Westridge, Mitchells Plain.

Agreed to.

14. Mr D Joseph moved without notice: That the House congratulates Tamson October and Elzonia Windvogel of the Oker Primary School with their election as representatives for the South-western District Chess Team.

Agreed to.

15. Ms S W Davids moved without notice: That the House congratulates Mpho Masiu (21), originally from Welkom and currently an intern at the Cape Grace Hotel in Cape Town, for being named the Best Wine Steward in the Cape Legends Inter Hotel Challenge, an annual competition that recognises young talent in the South African hospitality industry.

Agreed to.

16. Mr C M Dugmore moved without notice: That the House welcomes the partnership between the Western Cape Department of Transport and Public Works and Open Streets Cape Town for launching a pedestrian safety awareness campaign called *Streetetiquette* as a step in the right direction; notes that more concerted efforts are needed to deal with pedestrian killings which account for about half of road crash deaths in the province; and notes that this past weekend, out of 13 road deaths, seven were pedestrians.

Agreed to.

17. Mr R T Olivier moved without notice: That the House welcomes and commends the agreements reached by the University of the Western Cape's Council which includes, among others, supporting the outsourced staff and debt relief for the 2013/15 NSFAS-eligible students; that in 2016, academically eligible students will not be excluded based on past debt and that there will be no registration and upfront fees payable by NSFAS-eligible students.
- Agreed to.
18. Ms P Makeleni moved without notice: That the House notes with sadness the passing of ANC comrade Andile Nkuhlu who cut his teeth in the student and youth politics of the Western Cape, successfully leading Sasco before going on to serve as an ANCYL NEC member and serving as a provincial ANC leader for many years.
- Agreed to.
19. Ms D Gopie moved without notice: That the House notes the claims that about 20 women and girls are raped per month in Atlantis; condemns the rapes and calls on the Premier to reinstate the female advocacy function in her office.
- Agreed to.
20. Mr R T Olivier moved without notice: That the House congratulates the Western Cape matric candidates – especially those from Masiphumelele who had been staying in a place of safety, away from home, due to violent protests in that area – who recently finished their final school year examinations.
- Agreed to.
21. Ms S W Davids moved without notice: That the House commends Clive Allie (22) from Mitchells Plain who turned his life around from being a notorious gang hitman to a God-fearing man, ending a killing spree which started when he was 16 years old and being in and out of prison since 2010.
- Agreed to.
22. Ms P Z Lekker moved without notice: That the House notes the brutality caught on CCTV camera when a young man was tortured by the police inside his Elsie's River home; noting further that it is alleged that the police had raided the property more than 20 times over the past two years and did not get anything illegal on the premises; and, therefore, calls on IPID to accelerate its investigation into the case.
- Agreed to.
23. Ms P Makeleni moved without notice: That the House welcomes the opening of a sports centre in Scottsdene; recommends that this programme be expanded to other communities like Masiphumelele, Mandlenkosi and Atlantis where many young people are involved with crime and gangsterism; and calls on the Premier to reinstate a youth advocacy function in her office.
- Agreed to.
24. [15:49] FIRST ORDER
- Consideration of principle of *Western Cape Adjustments Appropriation Bill* [B 4 – 2015] (Minister of Finance).
- Debate concluded.
- Principle of Bill approved.

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25. [17:50] The Deputy Speaker made a ruling on the remark made by the Hon Leader of the Opposition, Mr M L Fransman during the debate on 26 November 2015 and directed him to withdraw the remark.

Whereupon the Member withdrew the remark.

26. [17:51] SECOND ORDER

Finalisation of the *Western Cape Liquor Amendment Bill* [B 3B - 2015] (Minister of Finance).

Debate concluded.

Bill finalised (ACDP dissenting).

BUSINESS SUSPENDED AT 17:57 AND RESUMED AT 18:45.

27. [18:45] Draft Resolution.

Mr M L Fransman moved:

- (i) that the Premier has allegedly breached the handbook for the Provincial Cabinet, particularly section 3 that deals with Security Analysis;
- (ii) further that the Premier has allegedly also violated the Constitution of the Republic of South Africa of 1996, section 130(3)(a) and(b);

therefore resolves that the Premier of the Western Cape be removed from Office in accordance with section 130 (3) of the Constitution.

Mr M G E Wiley moved as an amendment to the draft resolution:

“The House fully endorses the outstanding leadership of the Premier of the Western Cape, Ms Helen Zille.”

Debate concluded.

Amendment moved by Mr M G E Wiley.

Amendment agreed to (ANC and EFF dissenting).

Motion as amended, agreed to (ANC and EFF dissenting).

28. The House adjourned at 20:00.

Secretary