MINUTES OF PROCEEDINGS

OF THE

PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

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THURSDAY, 14 SEPTEMBER 2023

1. The House met at 14:15.

2. The Speaker took the Chair and read the prayer.

3. [14:16] The Speaker made a general announcement regarding the sitting of the Western Cape Provincial Parliament in accordance with Rule 1A of the Standing Rules pertaining to Members in remote attendance by electronic means.

4. [14:19] The Chief Whip of the Majority Party (Ms W F Kaizer-Philander) moved: That, notwithstanding the provisions of Rule 18, the hours of sitting on Thursday, 21 September 2023, shall be: 10:00 to adjournment.

   Agreed to.

5. [14:20] Interpellations.

   BUSINESS WAS SUSPENDED AT 14:25 AND RESUMED AT 14:30.

6. [15:17] Questions.

7. [16:18] Questions to the Premier without notice.

8. [16:40] Statements by Members.

9. [17:03] Response to statements by Members by Mr A R Winde, Premier, Mr T A Simmers, Minister of Infrastructure and Mr R D Mackenzie, Minister of Mobility.

10. [17:07] Motions with Notice *(in accordance with Standing Rule 151).*

    The Speaker made an announcement in accordance with the Standing Rule 151, all Notices of Motion by Members are required to be delivered to the Secretary for placing on the Order Paper. These motions, duly submitted, will be published on the Order Paper.

11. [17:08] Motions without Notice *(in accordance with Standing Rule 150).*

12. Mr G Bosman moved without notice: That the House sends its condolences to the friends and family of Kyle Smith; notes that he unfortunately died of natural causes in hospital last weekend; notes that Kyle was the double bassist of the Cape Philharmonic Orchestra; notes that Smith was a soloist in last year's Classical Music Concert, presented by the CPO and the Artscape Theatre when he performed the Burlesque for Double Bass and Orchestra by Allan Stephenson; notes that he was a student of CPO principal double bassist Roxane Steffen and was doing his post-graduate performance diploma at UCT,

where he graduated with a Diploma in Music Performance; notes that he was also selected to play as a member of the German Youth Orchestra; notes that the much-loved musician began his musical journey when he was six years old at the New Apostolic Church, where he first played the recorder and then moved on to the violin, without formal lessons; notes that, in 2014, he started playing the double bass at Beau Soleil Music Centre, with Dorothy Holder; notes that, after Grade 12, he was accepted to do a certificate programme at the Stellenbosch University under the tutelage of Steffen in 2017 and 2018; notes that, in 2019, he applied for his Diploma in Music Performance at UCT and graduated in 2022; notes that he had played for many orchestral ensembles, in which he held principal bass positions, including the Cape Philharmonic Youth Orchestra; and may he forever rest in peace.

Agreed to.

13. Mr G Bosman moved without notice: That the House sends its condolences to the friends and families of Spencer Mbadu; notes that Spencer was born in 1955 in Kensington and his family was later forcefully removed to Guguletu; notes that, from the age of four he tried his hand at a number of musical instruments (guitar, voice, drums and piano) before he chose the bass as an instrument of choice in 1972; further notes that Spencer Mbadu was a giant of a musician and bass guitar and he was a generous soul, always willing to pass on his knowledge to emerging bassists; notes that he has influenced a generation of bass guitarists who followed in his footsteps; and may he forever rest in peace.

Agreed to.

14. Mr F C Christians moved without notice: That the House expresses condolences and our heartfelt sympathies with the Ackerman family on the passing away of Raymond Ackerman who died at the age of 92; notes that his passing away leaves a massive void in the retail industry (Georgina Crouth in *Daily Maverick* of 7 September 2023); notes that Ackerman was the founder of the retail giant, Pick n Pay; notes that he took the company that he founded in 1967 to a billion rand business; notes that today Pick n Pay has more than 2 000 branches across South Africa and Southern Africa and salutes his entrepreneurial vision and humanitarian spirit; notes that he was a man who inspired many to rise above their circumstances; and our prayers are with his wife, Wendy, daughters, Suzanne and Kathryn, and sons, Jonathan and Gareth, and the extended family.

Agreed to.

15. Ms A P Bans moved without notice: That the House notes and expresses dismay at the recent wave of attacks on law enforcement officers; notes that in the last six weeks there has been an increase in attacks on law enforcement officers, including on members of the South African Police Service (SAPS) in the Western Cape; and strongly condemns these attacks and urges all policing bodies, including the SAPS, to prioritise the collection of illegal firearms as part of their efforts to ensure officers' safety.

Agreed to.

16. Mr C M Dugmore moved without notice: That the House notes with great grief the passing away of veteran activist, Comrade Amy Thornton, at the age of 91, on the morning of 6 September 2023; notes that Comrade Amy began her struggle against injustice at a young age and in 2016 she received the National Order of Luthuli in recognition of her outstanding contributions, unwavering dedication to the cause of equality and liberation for all South Africans, and heroic bravery in the face of an oppressive regime; notes that she was a guiding light and a pillar of strength in both the political battles and personal lives of those around her; notes that her legacy will be carved in the annals of our struggle for eternity, and her contributions will continue to lead us as we work ceaselessly for a better South Africa; and expresses deep condolences

to the family, friends and comrades of the late activist. Hamba kahle, Comrade Amy Thornton.

Agreed to.

17. Ms N D Nkondlo moved without notice: That the House notes with sadness the passing away of Raymond Ackerman, the founder of Pick n Pay, at the age of 92 on Wednesday evening; notes that Ackerman made a significant impact on the industry and the South African economy; and extends its condolences and sends message of strength to his family and friends.

Agreed to.

18. [17:30] FIRST ORDER

Consideration of report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Performers' Protection Amendment Bill [B 24F–2016] (NCOP), dated 1 September 2023 (see Announcements, Tablings and Committee Reports, no 93, dated 7 September 2023, p 351). (Ratification of final mandate.)

Declarations of vote made on behalf of the ANC, EFF and DA.

Question put: That the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Performers' Protection Amendment Bill [B 24F–2016] (NCOP) be adopted.

Question agreed to.

The Report accordingly adopted.

The mandate conferring authority on the Western Cape Provincial Parliament's delegation in the NCOP to support the Bill was ratified.

19. [17:39] SECOND ORDER

Consideration of report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Copyright Amendment Bill [B 13F–2017] (NCOP), dated 1 September 2023 (see Announcements, Tablings and Committee Reports, no 93, dated 7 September 2023, p 351). (Ratification of final mandate.)

Declarations of vote made on behalf of the ANC, EFF and DA.

Question put: That the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Copyright Amendment Bill [B 13F–2017] (NCOP) be adopted.

Question agreed to.

The Report accordingly adopted.

The mandate conferring authority on the Western Cape Provincial Parliament's delegation in the NCOP to support the Bill was ratified.

20. The House adjourned at 17:48.

Digitally signed by Romeo Adams
Date: 2023.09.29 14:09:47 +02'00'

ROMEO ADAMS
Secretary to Provincial Parliament

NOTULE VAN VERRIGTINGE

VAN DIE

PARLEMENT VAN DIE PROVINSIE WES-KAAP

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DONDERDAG, 14 SEPTEMBER 2023

1. Die Huis kom om 14:15 byeen.

2. Die Speaker neem die Stoel in en lees die gebed voor.

3. [14:16] Die Speaker doen ’n algemene aankondiging met betrekking tot die sitting van die Wes-Kaapse Provinsiale Parlement in ooreenstemming met Reël 1A van die Staande Reëls van toepassing op Lede wat op afstand teenwoordig is met behulp van elektroniese middele.

4. [14:19] Die Hoofsweep van die meerderheidsparty (me W F Kaizer-Philander) stel voor: Dat, ondanks die bepalings van Reël 18, die sittingsure op Donderdag, 21 September 2023, soos volg is: 10:00 tot verdaging.

5. [14:20] Interpellasies.

   WERKSAAMHEDE OPGESKORT OM 14:25 EN HERVAT OM 14:30.

6. [15:17] Vrae.

7. [16:18] Vrae aan die Premier sonder kennisgewing.

8. [16:40] Verklarings deur Lede.

9. [17:03] Reaksie op verklarings deur Lede deur mnr A R Winde, Premier, mnr T A Simmers, Minister van Infrastruktuur en mnr R D Mackensie, Minister van Mobiliteit.

10. [17:07] Voorstelle met kennisgewing *(ooreenkomstig Staande Reël 151).*

    Die Speaker doen ’n aankondiging ooreenkomstig die Staande Reël 151 dat daar vereis word dat alle voorstelle met kennisgewing deur Lede by die Sekretaris ingedien moet word om op die Ordelys geplaas te word. Hierdie voorstelle, behoorlik ingedien, sal op die Ordelys gepubliseer word.

11. [17:08] Voorstelle sonder kennisgewing *(ooreenkomstig Staande Reël 150).*

12. Mnr G Bosman stel sonder kennisgewing voor: Dat die Huis meegevoel betuig met die vriende en familie van Kyle Smith; kennis neem dat hy ongelukkig verlede naweek in die hospitaal aan natuurlike oorsake gesterf het; kennis neem dat Kyle die kontrabasspeler van die Kaapse Filharmoniese Orkes (KFO) was; kennis neem dat Smith ’n solis was by verlede jaar se Klassiekemusiekkonsert, aangebied deur die KFO en die Kunstekaap-teater toe hy die Burleske vir Kontrabas en Orkes deur Allan Stephenson uitgevoer het; kennis neem dat hy ’n student van KFO se hoofkontrabasspeler Roxane Steffen was en

besig was met sy nagraadse prestasiediploma aan die UK, waar hy met ŉ Diploma in Musiekuitvoering gegradueer het; kennis neem dat hy ook gekies is om as lid van die Duitse Jeugorkes op te tree; kennis neem dat die baie geliefde musikant sy musikale reis begin het toe hy ses jaar oud was by die Nuwe Apostoliese Kerk, waar hy eers blokfluit gespeel het en toe oorgeskakel het na die viool, sonder formele lesse; kennis neem dat hy in 2014 kontrabas by die Beau Soleil-musieksentrum saam met Dorothy Holder begin speel het; kennis neem dat hy ná graad 12 aanvaar is om ŉ sertifikaatprogram aan die Universiteit Stellenbosch onder leiding van Steffen in 2017 en 2018 te volg; kennis neem dat hy in 2019 aansoek gedoen het vir sy Diploma in Musiekuitvoering aan die UK en in 2022 gegradueer het; kennis neem dat hy vir baie orkesensembles gespeel het, waarin hy hoofkontrabasposisies beklee het, insluitende die Kaapse Filharmoniese Jeugorkes; en mag hy vir ewig in vrede rus.

Goedgekeur.

13. Mnr G Bosman stel sonder kennisgewing voor: Dat die Huis meegevoel betuig met die vriende en families van Spencer Mbadu; kennis neem dat Spencer in 1955 in Kensington gebore is en sy gesin later met geweld na Guguletu verwyder is; kennis neem dat hy vanaf die ouderdom van vier ŉ aantal musiekinstrumente (kitaar, stem, tromme en klavier) begin speel het voordat hy die baskitaar as voorkeurinstrument in 1972 gekies het; verder kennis neem dat Spencer Mbadu ŉ reus van ŉ musikant en baskitaarspeler was en dat hy ook ŉ vrygewige siel was, wat altyd bereid was om sy kennis met opkomende baskitaarspelers te deel; kennis neem dat hy ŉ generasie baskitaarspelers beïnvloed het wat in sy voetspore gevolg het; en mag hy vir ewig in vrede rus.

Goedgekeur.

14. Mnr F C Christians stel sonder kennisgewing voor: Dat die Huis meegevoel en innige simpatie betuig met die Ackerman-familie ná die dood van Raymond Ackerman wat in die ouderdom van 92 oorlede is; kennis neem dat sy afsterwe ŉ groot leemte in die kleinhandelbedryf laat (Georgina Crouth in *Daily Maverick* van 7 September 2023); kennis neem dat Ackerman die stigter van die kleinhandelreus, Pick n Pay, was; kennis neem dat hy die maatskappy, wat hy in 1967 gestig het, in ŉ miljardrandonderneming omskep het; kennis neem dat Pick n Pay vandag meer as 2 000 takke regoor Suid-Afrika en Suider-Afrika het en sy entrepreneursvisie en humanitêre gees vereer; kennis neem dat hy ŉ man was wat baie geïnspireer het om bo hul omstandighede uit te styg; en sy vrou, Wendy, dogters, Suzanne en Kathryn, en seuns, Jonathan en Gareth, en die uitgebreide familie is in ons gebede.

Goedgekeur.

15. Me A P Bans stel sonder kennisgewing voor: Dat die Huis kennis neem van en ontsteltenis uitspreek oor die onlangse vlaag aanvalle op wetstoepassers; kennis neem dat daar in die afgelope ses weke ŉ toename in aanvalle op wetstoepassingsbeamptes was, insluitende op lede van die Suid-Afrikaanse Polisiediens (SAPD) in die Wes-Kaap; en hierdie aanvalle ten sterkste veroordeel en ŉ beroep op alle polisiëringsliggame, insluitend die SAPD, doen om die invordering van onwettige vuurwapens te prioritiseer as deel van hul pogings om beamptes se veiligheid te verseker.

Goedgekeur.

16. Mnr C M Dugmore stel sonder kennisgewing voor: Dat die Huis met groot hartseer kennis neem van die dood van veteraanaktivis, kameraad Amy Thornton, in die ouderdom van 91, die oggend van 6 September 2023; kennis neem dat kameraad Amy haar stryd teen onreg op ŉ jong ouderdom begin het en in 2016 het sy die Nasionale Orde van Luthuli ontvang ter erkenning van haar uitstaande bydraes, haar onwrikbare toewyding tot die saak van gelykheid en bevryding vir alle Suid-Afrikaners, en haar

heldhaftige dapperheid teenoor ŉ onderdrukkende regime; kennis neem dat sy ŉ rigtinggewende lig en ŉ steunpilaar was in beide die politieke stryd en persoonlike lewens van diegene rondom haar; kennis neem dat haar nalatenskap in die annale van ons stryd vir ewig opgeteken sal word, en haar bydraes sal voortgaan om ons te lei terwyl ons ononderbroke werk vir ŉ beter Suid-Afrika; en innige meegevoel betuig met die familie, vriende en kamerade van die ontslape aktivis. Hamba kahle, kameraad Amy Thornton.

Goedgekeur.

17. Me N D Nkondlo stel sonder kennisgewing voor: Dat die Huis met hartseer kennis neem van die dood van Raymond Ackerman, die stigter van Pick n Pay, Woensdagaand in die ouderdom van 92; kennis neem dat Ackerman ŉ beduidende impak op die bedryf en die Suid-Afrikaanse ekonomie gehad het; en meegevoel betuig met en ŉ boodskap van sterkte aan sy familie en vriende stuur.

Goedgekeur.

18. [17:30] EERSTE ORDER

Oorweging van verslag van die Staande Komitee oor Finansies, Ekonomiese Geleenthede en Toerisme oor die Wysigingswetsontwerp op die Beskerming van Kunstenaars ("Performers' Protection Amendment Bill") [W 24F–2016] (NRVP), gedateer 1 September 2023 (sien Aankondigings, Tertafelleggings en Komiteeverslae, no 93, gedateer 7 September 2023, bl 351) (Bekragtiging van finale mandaat).

Stemverklarings namens die ANC, EFF en DA.

Vraag gestel: Dat die verslag van die Staande Komitee oor Finansies, Ekonomiese Geleenthede en Toerisme oor die Wysigingswetsontwerp op die Beskerming van Kunstenaars ("Performers' Protection Amendment Bill") [W 24F–2016] (NRVP) aangeneem word.

Vraag goedgekeur.

Die verslag is dus aangeneem.

19. [17:39] TWEEDE ORDER

Oorweging van verslag van die Staande Komitee oor Finansies, Ekonomiese Geleenthede en Toerisme oor die Wysigingswetsontwerp op Outeursreg ("Copyright Amendment Bill") [W 13F–2017] (NRVP), gedateer 1 September 2023 (sien Aankondigings, Tertafelleggings en Komiteeverslae, no 93, gedateer 7 September 2023, bl 351) (Bekragtiging van finale mandaat).

Stemverklarings namens die ANC, EEF en DA.

Vraag gestel: Dat die verslag van die die Staande Komitee oor Finansies, Ekonomiese Geleenthede en Toerisme oor die Wysigingswetsontwerp op Outeursreg ("Copyright Amendment Bill") [W 13F–2017] (NRVP), aangeneem word.

Vraag goedgekeur.

Die verslag is dus aangeneem.

20. Die Huis verdaag om 17:48.

Romeo Adams
Sekretaris van die Provinsiale Parlement