
TUESDAY, 21 MAY 2024

PROCEEDINGS OF THE WESTERN CAPE PROVINCIAL PARLIAMENT

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

[Virtual Sitting held through Microsoft Teams]

The House met at 10:00.

The Speaker took the Chair and read the prayer.

BUSINESS OF THE HOUSE

The DEPUTY SPEAKER: You may be seated. A very good morning to everyone here that is online for the Sitting for today. Before we begin I have to announce that due to the resignation of membership of Mr TM Klaas of the EFF party, a vacancy occurred in the representation of the EFF party in the Western Cape Provincial Parliament. This vacancy has since been filled by the nomination of Mr G W Kasibe with effect from 12 April 2024. Mr G W Kasibe was sworn in, in the Speaker's Office on 12 April 2024, and a very warm welcome.

Hon members, before we begin the actual Sitting I would just like to go

through some of the important processes. We do know that the media have been granted access to the MS Teams meeting as guests and please, any guests online, to have their microphones muted. They may not put their video cameras on either and any individual that does so will be exited from the Sitting.

Hon members are also reminded that no interjections are permitted during these virtual Sittings and to this end I draw the hon members' attention to Rule 40 of our Standing Rules. I now recognise the Chief Whip.

(Motion)

The CHIEF WHIP: Thank you, hon Speaker, I move without notice:

That notwithstanding the provisions of Rule 18 that the hours of the Sitting for today, 21 May 2024, shall be from 10:00 until adjournment.

I so move, Deputy Speaker.

The SPEAKER: Thank you very much, hon Chief Whip. Any objections?

No objections? Agreed to.

I will now ask that the Secretary read the First Order of the Day.

ORDERS OF THE DAY

Mr A POGGENPOEL: Consideration of Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Upstream Petroleum Resource Development Bill [*B 13B-2021*]

The DEPUTY SPEAKER: Thank you very much, Mr Poggenpoel. The House received the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Upstream Petroleum Resource Development Bill conferring authority on the Western Cape Delegation in the NCOP not to support this Bill. This mandate has been sent to the NCOP.

I will now afford parties an opportunity to make a declaration, if they so wish. I recognise the ANC.

Ms N D NKONDLO: Good morning, Madam Deputy Speaker, and thank you very much for the opportunity. Hon Deputy Speaker and members of the House, as we gather to deliberate on the Upstream Petroleum Resource Development Bill, the Bill's objectives are grounded in the governing party, the ANC's commitment to uphold the sovereignty of the Republic over its natural resources, ensure equitable access and foster inclusive economic growth. It is our duty to recognise the vast potential this sector holds for economic opportunities, financial prosperity and tourism development within our borders.

Deputy Speaker, we must understand the Upstream Petroleum Development to

encompass the exploration and production of oil and gas which is currently regulated under Chapter 6 of the Mineral and Petroleum Resources Development Act. The existing provisions fall short in addressing the critical aspects required for the growth of the sector. Part of this critical aspect which this piece of legislation seeks to affirm is that the Bill reaffirms the State's internationally recognised right to exercise sovereignty over all petroleum resources within the Republic by cementing the State's rule as the custodian of these resources. The Bill ensures that their development and utilisation are aligned with national interest. This custodianship is crucial for managing resources sustainably and transparently, fostering a stable environment for investment and growth.

Deputy Speaker, the Upstream Petroleum sector holds immense potential for driving economic growth through this Bill that will be passed. It will promote exploration and production activities. The Bill is designed to stimulate economic activity, generate employment and significantly boost national revenue. A robust regulatory framework will attract both domestic and international investment, facilitating technological advancements and infrastructure development which are essential for a thriving petroleum industry. A key objective of the Bill is to ensure equitable access to the nation's petroleum resources for all South Africans. It aims to create opportunities for historically disadvantaged communities to engage in the petroleum sector, thus fostering inclusive economic growth.

By implementing policies that promote equitable access we can ensure that

the benefits of resource development are widely shared, reducing inequality and promoting social cohesion.

The Bill is particularly focused on empowering Black South Africans, addressing historical injustices and promoting economic inclusivity, by expanding opportunities for Black individuals to enter and actively participate in the Upstream Petroleum sector. The legislation aims to create a more equitable economic landscape. This empowerment is not just a moral imperative but a strategic necessity to harness the full potential of our nation's human capital, ensuring that Black South Africans have a substantial and meaningful participation in the petroleum industry and drive broader economic growth and reduce inequality and social cohesion.

The DEPUTY SPEAKER: Thank you.

Ms N D NKONDLO: In conclusion, as we move forward it is imperative that we implement the legislation with diligence and commitment ensuring that its benefits are realised by all South Africans, and as the ANC we support the Bill. Thank you, Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Nkondlo. I move over to the EFF.

Mr W KASIBE: Thank you very much, Deputy Speaker.

Greetings to everyone. Greetings to hon members. Speaker, I am a doctor, I

have a PhD in Sociology. So I would have preferred if I had been introduced as a doctor as well, Speaker, but I understand under the circumstances. Thank you very much.

Our people, the poorest of the poor, I appreciate the fact that petroleum, like all mineral resources, remains a common heritage for all and should be under the custodianship of the State on behalf of the people. Our people can see that there is a deliberate and relentless effort to reduce the role of the State to that of a mere administrator in the mining rights, whilst the beneficiaries of colonialism and apartheid continue to benefit even in the post-apartheid South Africa.

Deputy Speaker, it is important from the onset to mention that the Minerals and Petroleum Resources Development Act of 2002 transferred all minerals to the custodianship of the State on behalf of South Africans, however only less than seven or five million of the 62 million South Africans remain the only beneficiaries of our minerals, which is unacceptable, because the majority of our people continue to be excluded from benefiting economically from the resources of this country.

Deputy Speaker, South Africa does not need an additional legislation to separate the petroleum from the Mineral and Petroleum Resources Development Act. If any, we should be capacitating petrol, PetroSA, a State-owned petroleum company with a rich history of more than 50 years in the industry and give it a more strategic role instead of advancing the interest

of foreign multinational companies such as Total, which continues to enrich themselves with our resources and move capital out of this country.

Deputy Speaker it is a fact that multinational companies that will be given rights to extract our national resources are not interested in the transformation of the South African economy. The Western imperialists, particularly the United States, Britain and Western Europe are only interested in their neo-colonial project to keep Africa and the rest of South Africa poor. Furthermore the Bill is too vague in many areas. It failed to put the threshold that 50% of all oil and natural gas must be produced and processed in South Africa to build industrialisation.

Deputy Speaker, it is for these reasons and many similar to this that the EFF vehemently rejects the proposed Upstream Petroleum Resources Development Bill. Thank you, Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon member. For the record I recognise that GOOD and the Freedom Front Plus have tendered their apologies. We will move straight over to the ACDP. ACDP? Okay, I am going to then move over to Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much, hon Deputy Speaker, and good morning to you, good morning to all the colleagues again. Hon Deputy Speaker, the Al Jama-Ah, we support this Bill, this Petroleum Upstream Bill of the ANC and we make do. We pray to *Allah Subhanahu wa ta'ala* that the

ANC political party, they stay in power nationally and we also pray and we make *dua* to *Allah Subhanahu wa ta'ala* that the ANC takes the lead here in the Western Cape after the elections are over, and they keep up the good work. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much hon member. I now recognise the Democratic Alliance.

Ms C MURRAY: Madam Deputy Speaker, the DA cannot support the Upstream Petroleum Resource Development Bill. After thorough consideration by the Committee, we have concluded that this Bill, as it stands, is deeply flawed, both procedurally and substantively, requiring a complete redraft. Firstly we identified significant procedural concerns. The Socio-Economic Impact Assessment, or otherwise known as the SEIAS Report provided up to us in draft from December 2019 is outdated and fails to reflect the current socio-economic context and suggests improper legislative processes.

The Department of Mineral Resources and Energy must ensure that the SEIAS is updated and publicly available providing an in-depth analysis of the Bill's impact. Procedurally the Bill also falls short of clearly defining numerous terms, for instance it is not clear whether the definition of "development" is inclusive of upstream petroleum infrastructure. The relationship between these two terms should be clarified in the Bill.

While the Department's response to the Committee indicated that the term

"development" inherently includes upstream petroleum infrastructure, clarity is needed to eliminate ambiguity around the Bill of such significant repercussions. Substantively the Bill lacks clarity and comprehensive definitions and this has been clearly demonstrated. Moreover the Bill does not incorporate essential climate change mitigation measures. It must be embedded particularly around provisions with carbon-reduction targets and align South Africa's international commitments emphasising sustainable development. The proposed State Petroleum Company Framework and the 20% carried interest for the State in petroleum rights are also problematic.

These provisions may deter potential investors and do not ensure the necessary transparency and accountability, particularly when compared with nations such as Namibia. While ensuring the country's mineral wealth directly benefits South Africa is an important policy objective, these provisions could deter investors with stipulations that every company applying for mining rights must be owned by a BEE partner. The Bill must reassess these provisions to balance empowerment with investment and attractiveness.

Given these substantive and procedural issues the DA cannot support the Bill in its current form. We recommend a complete redraft to address these concerns ensuring the Bill promotes environmental sustainability, economic viability and equitable benefits for all South Africans. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon member. I have to

announce that there are currently 30 hon members ...[Interjection]

An HON MEMBER: South Africans are the White minority.

The DEPUTY SPEAKER: Order please! Order members, if you can just mute your microphones. I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Finance, Economic Opportunities and Tourism on the Upstream Petroleum Resource Development Bill conferring authority on the Western Cape Delegation in the NCOP not to support this Bill be ratified and adopted. Any objections?

Mr P J MARAIS: No.

HON MEMBERS: Objection, Chair. Object! Object!

An HON MEMBER: No objections.

The DEPUTY SPEAKER: There are objections. They will be recorded. I would imagine that if we have the ayes or the nays, if we are in favour of the report, can we please say aye or nay.

HON MEMBERS: Aye.

Mr P MARRAN: Uh-uh!

The DEPUTY SPEAKER: I think the ayes have it. Thank you very much.
The question is approved.

Mr P MARRAN: How do we know that the ayes have it?

The DEPUTY SPEAKER: We have 30 members hon member, so I am taking it that there is a majority support for not supporting the Bill. We have recognised the ANC's opposition vote. Thank you very much. So the Report on the Standing Committee on Finance, Economic Opportunities and Tourism on the Upstream Petroleum Resource Development Bill has therefore been adopted. Thank you.

Mr Poggenpoel, please read the Second Order of the Day.

Mr A POGGENPOEL: Consideration of Report of the Standing Committee
on Finance, Economic Opportunities and Tourism on the National
Small Enterprise Amendment Bill [*B 16B-2023*]

The DEPUTY SPEAKER: Thank you very much. The House received the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the National Small Enterprise Amendment Bill conferring authority on the Western Cape Delegation in the NCOP to support this Bill. This mandate has been sent to the NCOP.

I will now afford parties an opportunity to make a declaration if they so wish.

I recognise the ANC.

Ms N D NKONDLO: Thank you, Deputy Speaker, and hon members of the House. The ANC in the House declares its support for the National Small Enterprise Amendment Bill. This Bill represents a critical advancement in the legislative framework governing small enterprises in South Africa. By amending the National Small Enterprise Act of 1996, which seeks to provide a more robust support system for small businesses, fostering an environment conducive to their growth and sustainability. The Bill seeks to streamline and integrate various support agencies to create a cohesive support system for small enterprises. By establishing the Small Enterprise Development Finance Agency the Bill aims to consolidate resources and services making it easier for small enterprises to access the support they need.

A significant highlight of the Bill is the creation of a One Stop Shop that will serve as a central hub for Small Enterprises Development and Financial Services. This initiative is designed to simplify the process for small enterprises reducing bureaucratic hurdles and providing a comprehensive suite of services in a single location, to ensure a fair business environment. The Bill includes measures to address unfair trading practices. We must understand that while the Bill grants powers to declare certain practices as unfair, there are stringent checks and balances in place to regulate these powers. This ensures that the declaration of unfair trading practices is both fair and justified.

The establishment of the Office of the Small Enterprise Ombud is a

cornerstone of the Bill. This office will play a critical role in ensuring accountability, addressing issues such as late payments and unfair business practices. The Ombud will provide a platform for small enterprises to resolve disputes effectively and affordably. The Bill is specifically designed to empower small, micro and medium enterprises and cooperatives by providing targeted financial and non-financial support. The Bill aims to create an enabling environment to these enterprises to thrive and contribute to the broader economy; the Bill is significant in addressing economic challenges and promoting entrepreneurship.

In conclusion, the National Small Enterprises, I mean the Bill *B 16B-2023* represents a significant step forward in supporting and empowering small enterprises in South Africa, and as the ANC we do support the Bill.

The DEPUTY SPEAKER: Thank you very much, hon member. I recognise the EFF.

Mr W KASIBE: Thank you once again, Deputy Speaker. The EFF supports the National Small Enterprises Amendment Bill. This Bill aims to reduce and minimise bureaucratic hurdles and obstacles that quite often obstruct small businesses from accessing financial support in order to grow their businesses. The proposed measure of SEFA (Small Enterprise Finance Agency), SEDA (Small Enterprise Development Agency) and Cooperative Bank into Small Enterprise Development Financial Agency is a step in the right direction, in that it rectifies the deficiencies of the Department of Small Business,

indirectly supporting small enterprises.

Deputy Speaker, it is our position as the EFF that the proposed Section 3A and the amendment of Section 20 which empower the Minister to regulate unfair trading and categorise business, are concerning. Centralising such power risks misuse and discrimination against certain small businesses, and we propose replacing these sections with Section 3(1) defining a small, medium and micro enterprise business as one that trades products and skills of their choice, and revise Section 20(1) establishing clear rules against unfair trading practices. Our disagreement with a centralised ministerial power is fuelled by the adverse impact we have observed in key sections like Eskom, SA Airways, Denel, Transnet and Railways, where such power is misused.

Deputy Speaker, as things stand, the Western Cape Government's hostile treatment of the taxi industry leaves a lot to be desired. We must strongly condemn the manner in which the racist Zionist DA-led Government treats the taxi industry in this province, for, whilst the taxi industry is domestically recognised as a successful business sector, it nevertheless faces continuous challenges such as frequent frivolous impoundment of minibus taxis by the Government in the Western Cape that wants to liquidate this Black-owned business.

Deputy Speaker, whilst the National Small Business Enterprise Amendment Bill is a step in the right direction, it requires significant adjustments; these

include preventing corruption, decentralising power, acknowledging the importance of land ownership, supporting the taxi industry, and addressing the complexities involving foreign nationals in our economy.

Deputy Speaker, another fact which is worth mentioning, SMME's must be paid on time when they have delivered services to Government and in State-owned entities because Government is killing small and medium enterprises, (SMMEs) by delaying payments. Deputy Speaker, in conclusion SMMEs are a business which creates jobs, we need to agree that certain SMMEs must be protected and given resources with a condition that they provide sustainable jobs with a living wage and not give this responsibility to only big businesses. I thank you, Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon member. I now recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker the Al Jama-Ah, we support the Small Enterprise Amendment Bill by the ANC. It is because of such a beautiful legislation from the ANC that the ANC will be winning the upcoming elections nationally and provincially in the Western Cape also, and I have in the holy month of Ramadan on the night of *Laylat al-Qadr* prayed and I made a special prayer in a *dua* that the ANC will win this upcoming election nationally and provincially *In shaa Allah Sukran*. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon member. I now recognise the Democratic Alliance.

Ms C MURRAY: Madam Deputy Speaker, the DA supports the National Small Enterprise Amendment Bill. This legislation addresses several key areas that are crucial for the advancement of small enterprises in South Africa. The DA acknowledges the Bill's primary objective to provide affordable and effective access to justice for small enterprises. The establishment of the small enterprise Ombud service is particularly notable as it offers streamlined process for the adjudication of complaints. This service is designed to be efficient and economical, providing small enterprises with a viable platform to resolve disputes without the high costs associated with formal litigation.

Moreover the Bill aims to enhance the overall ecosystem for the development and growth of small enterprises. Given the high unemployment rates in our country, empowering small businesses is essential. These enterprises are significant drivers of job creation and economic activity at the local level. The Committee believes that the measures proposed in this Bill will support small enterprises in their efforts to contribute more effectively to our economy as well as to grow.

The inclusive approach taken in drafting this Bill is commendable. It also incorporates inputs from a diverse range of stakeholders including the City of Cape Town, the Western Cape Government and various municipalities.

This collaborative effort ensures that the Bill is comprehensive and considers the diverse needs of small enterprises across different regions. While the DA supports the Bill, we also recommend that certain clarifications and amendments to enhance its effectiveness. We seek greater clarity on the powers of the Minister concerning the declaration of unfair trading practices and propose refinements to the language to prevent unintended consequences.

Additionally we suggest a more detailed assessment of external economic risks in its Social Economic Impact Assessment Report. This would help to better prepare for unforeseen disruptions.

In conclusion, Madam Speaker, the DA supports this Bill.

The DEPUTY SPEAKER: Thank you very much, hon member. I have to announce that there are currently 29 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House of the Standing Committee on Finance, Economic Opportunities and Tourism on the National Small Enterprises Amendment Bill conferring authority on the Western Cape Delegation in the NCOP to support this Bill, be ratified and adopted.

No objections? Agreed to.

The Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the National Small Enterprise Amendment Bill has therefore

been adopted.

I will now ask Mr Poggenpoel to please read, I will now ask our Table staff to please read the Third Order of the Day.

Ms L SAAYMAN: Consideration of Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the Climate Change Bill [*B 9B-2022*]

The DEPUTY SPEAKER: Thank you very much. The House has received the Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the Climate Change Bill, conferring authority on the Western Cape Delegation in the NCOP to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish. I recognise the ANC.

Mr P MARRAN: Thanks, Deputy Speaker. Good morning to everyone present. Deputy Speaker, am I audible?

The DEPUTY SPEAKER: You are. You may proceed.

Mr P MARRAN: Thanks, Deputy Speaker's. Deputy Speaker, on behalf of the ANC, the ANC supports the Climate Change Bill. In the words of our National Minister, the hon Creecy, and I quote:

“The Climate Change Bill will provide the much-needed legal framework to regulate activities that contribute to climate change, ensure an effective response in all spheres of government and by the society at large, ensure a just transition, and maximize the opportunities afforded to our economy by the global shift to a green economy.”

The aims of this Bill is to, amongst others, enable the development of an effective climate change response by our country and to ensure a long term just transition to a low carbon and climate resilient economy and society in the context of sustainable development. The Bill sets out to guarantee that climate actions are pursued and planned across the three spheres of Government.

It establishes provincial forums on climate change and municipal forums on climate change, which will be integrated into current institutions and planning processes. The Bill also provides for the development of provincial and municipal climate change needs and response assessment and corresponding Climate Change Response Implementation Plans. At the apex the Bill institutionalises the Presidential Climate Commission established by President Ramaphosa as an independent organ of State to advise on matters of a just transition.

The Bill provides a clear framework for mitigation, adaptation and mechanisms to support and finance the country's climate change response. Deputy Speaker, the consistent failure of this Provincial Government here in

the Western Cape to establish a Provincial Environmental Commissioner allows for the ANC to welcome such instruments such as this Bill by National Government. How we leave the people of the Western Cape could have been to know that the matter of climate change – it affects all of us adversely, but the poorest of the poor the most – is taken seriously by the Provincial Government. Sadly climate change has not been taken seriously by this DA-led Government. We have seen consistent cuts in the climate change budget in the Department responsible and it is in this light that the ANC supports this Bill.

Lastly, Deputy Speaker, I am glad to announce that the ANC-aligned Coalition Government, coming in after 29 May, will definitely appoint the Environmental Commissioner. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon member. I recognise the EFF.

†Mr W KASIBE: Enkosi kakhulu esekela sihlalo yalendlu yowiso mthetho ye phond. [Thank you very much Chairman of the Provincial Legislature.]

Those who are most vulnerable socio-economically bear the brunt of the impact of extreme weather patterns as witnessed in many places. Yet they are part of a continent that is home to 18% of the world population but contributes a mere 4% to the global emissions that lead to climate change.

Deputy Speaker, the EFF agrees that we need to develop policies that will ensure that we respond effectively to mitigate climate change disasters in a manner that will lessen the impact on people, but the Government has dismally failed to use the available mechanisms already in place to protect the lives of the poorest of the poor during natural disasters. Given the inevitability of these climate-induced disasters we need to have effective adaptation measures to climate change.

Deputy Speaker, it is worth mentioning that the incentive to finalise the Bill in question as quickly as possible was as a result of the Just Energy Transition Investment Plan where the funding commitment was increased from \$18.5 billion US dollars to \$11.8 billion.

The Just Energy Transition Investment Plan gives effect to Just Energy Transition partnership signed at COP26 in Glasgow, Scotland, a few years ago. Wealthy developed nations are pledging \$11,8 billion to South Africa to transition from coal-based energy generation to renewable energy. Wealthy nations, hon Deputy Speaker, have developed their economies using coal to the detriment of the environment. Developing nations now have to bear the brunt of that advancement and are told that they need to transition from carbon-based energy sources to renewable energy sources.

Hon Deputy Speaker, we find ourselves being dictated to through the power of money from using coal-based energy and switch to renewable energy and

in turn, export our coal to the very countries which dictate us to go green.

Hon Deputy Speaker, as the EFF, we are not opposed. I must reiterate, hon Deputy Speaker, we are not opposed to the notion of clean environment and the reduction of emissions. However, hon Deputy Speaker, we are opposed to imperialism and we, therefore, reject this Bill. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Kasibe. I now recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much again, hon Deputy Speaker. Hon Deputy Speaker, the Al Jama-Ah, we support the Bill and we are very confident that after 29 May, the ANC will lead here in the Western Cape as well as the country, and that the ANC will appoint an Environmental Commissioner. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon member. I recognise the Democratic Alliance.

†Mnr A P VAN DER WESTHUIZEN (DA): Agb Adjunkspeaker, na baie jare van ontkenning word die wetenskaplike bewyse dat die aarde se temperatuur besig is om te styg, nou wyd aanvaar. Waaroor daar wel nog verskil word, is die presiese aard van die klimaatsveranderinge wat op ons wag. Sommige dele op aarde kan meer reën verwag, baie dele en dit sluit waarskynlik groot

dele van die Wes-Kaap en veral die winterreënstreke in, kan 'n vermindering in reënval verwag.

Wat ons wel weet, is dat ons onself moet staal vir verandering, en dat ons waarskynlik al meer uitgelewer sal word aan klimaatsuiterstes, met 'n al groter voorkoms van droogtes en, aan die ander kant, groter en meer gereelde vloede. Dit is dus noodsaaklik dat ook die regsomgewing by hierdie nuwe uitdagings sal aanpas. Die Staande Komitee op Landbou, Omgewingsake en Ontwikkelingsbeplanning het groot erns gemaak met hierdie wetsontwerp. Soveel so dat ons 19 bladsye se insetsels ter oorweging aan die Nasionale Raad van Provinsies deurgestuur het.

Verskeie ander provinsies het ook verbeterings aan die Wetsontwerp voorgestel. Van die grootste punte van kritiek het ingesluit dat die Wet vaag is oor tydsraamwerke en dat daar 'n gebrek aan dringendheid en bindende optrede in die bewoording is. Die Wetsontwerp is ook stil oor die befondsing vir provinsies en munisipaliteite wat deur hierdie wetgewing groter verantwoordelikhede bykry.

Ongelukkig sien ons te veel dat die Sentrale Regering as dit by geldsake kom, soos 'n volstruis sy spreekwoordelike kop in die grond druk. Groot beloftes word gemaak ook oor gesondheidsversekering, voorskoolse onderrig en so meer, en dit terwyl die ANC-regering alreeds ons staatsuitgawes met al groeiende skuld moet befonds. Dit was daarom met groot teleurstelling dat ons andermaal moes hoor dat die Nasionale Raad van Provinsies geen een van die voorgestelde wysigings aan boord geneem het nie.

Soos wat ons nou al herhaalde kere gesien het, 'n rubberstempel geword het van die Nasionale Raad van Provinsies met sy ANC-meerderheid. Hulle rubberstempel eenvoudig alle voorstelle, selfs voorstelle van onkontroversiële taalkundige verbeteringe word van die tafel gevee. Publieke deelname word 'n klug, 'n mors van tyd en geld. Die Staande Komitee moes kies tussen flou afgewaterde wetgewing of geen wetgewing en die Regering se respons op klimaatsverandering is so belangrik dat ons nie anders kon as vir ons verteenwoordigers om die wetsontwerp te laat steun nie.

Ek vra dus hierdie Huis om die Staande Komitee se verslag op die Wetsontwerp op Klimaatsverandering waarin ons die wetgewing steun, positief te oorweeg. Baie dankie.

[Mr A P VAN DER WESTHUIZEN (DA): Hon Deputy Speaker, after many years of denial, the scientific proof that the earth's temperature is rising is now widely accepted. What is still disputed, is the precise nature of the climate change awaiting us. Some parts on earth can expect more rain, and many parts, and it will probably include large parts of the Western Cape and especially the winter rainfall regions, may expect a decrease in rainfall.

What we do know, is that we have to brace ourselves for change and that we will be exposed more and more to climate extremes. With an increasing occurrence of droughts, and on the other side, greater and more frequent floods, it is therefore crucial that the legal environment also adapts to these

new challenges. The Standing Committee on Agriculture, Environmental Affairs and Development Planning has taken this Bill very seriously. So much so that we submitted a 19 page insertion for consideration to the National Council of Provinces.

Several other provinces have also proposed improvements to the Bill. Some of the main points of criticism included that the Act is vague on timeframes and that there is a lack of urgency and binding action in the wording. The Bill is also silent on the funding for provinces and municipalities that acquire greater responsibilities through this legislation.

Unfortunately we see too much that the Central Government, when it comes to money matter, buries its head in the ground like the proverbial ostrich. Great promises are also being made about health insurance, pre-school education and so on, while the ANC Government has to fund our state expenditure with ever-increasing debt. It was therefore with great disappointment that we all had to hear once again that the National Council of Provinces has taken none of the proposed amendments on board.

As we have seen time after time, has become a rubber stamp of the National Council of Provinces [National Government??] with its ANC majority. They simply rubber stamp all proposals, even proposals of uncontroversial grammatical improvements are wiped off the table. Public participation becomes a farce, a waste of time and money. The Standing Committee had to choose between weak, diluted legislation or no legislation, and the Government's response to climate change is so important that we had no

choice but to let our representatives support the Bill.

I therefore request this House to positively consider the Standing Committee's Report on the Bill on Climate Change in which we support the legislation. Thank you.]

†Die ADJUNKSPEAKER: Baie dankie, agb lid. [The DEPUTY SPEAKER: Thank you, hon member.] I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the Climate Change Bill conferring authority on the Western Cape delegation in the NCOP to support this Bill, be ratified and adopted. No objections? Agreed to.

The Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the Climate Change Bill has therefore been adopted.

Mr Poggenpoel? Ms Saayman. I am now going to ask Ms Saayman to read the Fourth Order of the Day.

Ms L SAAYMAN: Consideration of Report of the Budget Committee on the Division of Revenue Bill [B 4–2024].

The DEPUTY SPEAKER: Thank you very much, Ms Saayman. The House received the Report of the Budget Committee on the Division of Revenue Bill conferring authority on the Western Cape Delegation in the NCOP, not to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish. I recognise the ANC. No? I will move over to the EFF.

Mr K KASIBE: Thank you very much, hon Deputy Speaker. The EFF rejects the Division of Revenue Bill because it does not make sense to allocate 9% equitable share to local government as it falls short of addressing the plight of the poor who depend on basic services such as clean water, effective public healthcare, et cetera. Hon Deputy Speaker, the situation in our townships and rural areas is even worse. Many of these areas do not have proper refuse collection systems, running water, efficient clinics with shortages in chronic medication.

Hon Deputy Speaker, the budget does not speak to the rampant crime which continues to engulf South Africa and more particularly, this particular province. The Government is failing to invest in proper and visible policing. Not so long ago, hon Deputy Speaker, three Sasko employees were robbed and gunned down in Delft whilst delivering bread in the township. This happened in broad daylight, hon Deputy Speaker, in front of bystanders, but there were no police onsite.

Hon Deputy Speaker, the proposed reduction of R400-billion from the

Department of Cooperative Governance and Traditional Affairs Community Work Programme is deeply concerning. The failure to effectively manage contracts and implement programmes, and at addressing unemployment perpetuate the cycle of poverty and inequality.

Hon Deputy Speaker, it is for these reasons that we reject the Bill as the EFF. Thank you very much.

The DEPUTY SPEAKER: Thank you very much, hon Kasibe. I now recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, the Al Jama-Ah, we support the Bill and we want to say thank you very much and [Speaking in vernacular.] to the ANC for sending the equitable share to the Western Cape. [Speaking in vernacular – 0:41:23]... tells us in the Koran that if we are grateful for our share and we are thankful for our share, then ...[Speaking in vernacular.] will increase for us. [Speaking in vernacular.]. The more grateful we are for our share ...[Speaking in vernacular.] the more ...[Speaking in vernacular.] will increase for us in his bounties. [Speaking in vernacular.] If we are ungrateful for the share which ...[Speaking in vernacular.] has given to us, if we are ungrateful then the punishment of ...[Speaking in vernacular.] is very, very severe. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon member. I now

recognise the Democratic Alliance.

The DEPUTY CHIEF WHIP (DA): Thank you so much, hon Deputy Speaker. Hon Deputy Speaker, the 2024 Division of Revenue Bill which sets out how our nationally raised tax revenue is divided between each sphere of government was referred to the Budget Committee. This Bill determines the vast majority of funding available for the Western Cape Government's budget, as well as other provinces. And just to be clear, hon Deputy Speaker, it is not a favour for the ANC National Government to send us money. It is mandated by the Constitution.

Once again, the Western Cape was short-changed. Provinces have still not received the full amount to cover the Public Service wage increase that was agreed to centrally by the National Government last year. This means provincial governments had to cut their programmes to cover the shortfall of the wage increase.

In addition, several key Conditional Grants have been decimated for the Western Cape from National Government, including the Ilima Letsema Land Reform Grant with a 27,7% cut, the Informal Settlements Upgrading Partnership Grant with a 24,4% cut, and the Social Sector Expanded Public Works Programme Incentive Grant with a 32,2% cut. Further, the Census data has still not been incorporated.

The DA does not support a Division of Revenue that will take away funding

and services from those in our society that need it most. And therefore, we support the ratification of the report to not support the Bill.

The DEPUTY SPEAKER: Thank you very much, hon member. I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Budget Committee on the Division of Revenue Bill conferring authority on the Western Cape delegation in the NCOP not to support this Bill, be ratified and adopted. No objections?

An HON MEMBER: Object!

The DEPUTY SPEAKER: Objections there are. Those in favour of the report being ratified and adopted, please say 'aye'.

Hon MEMBERS: Aye! Aye! Aye! Aye!

The DEPUTY SPEAKER: Thank you. The Report of the Budget Committee on the Division of Revenue Bill has therefore been adopted. If Ms Saayman could now read, please, the Fifth Order of the Day.

Ms L SAAYMAN: Consideration of Report of the Standing Committee on Education on the Basic Education Laws Amendment Bill [B 2D–2022].

The DEPUTY SPEAKER: Thank you very much, Ms Saayman. The House

received the Report of the Standing Committee on Education on the Basic Education Laws Amendment Bill conferring authority on the Western Cape delegation in the NCOP, not to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish. I recognise the ANC.

The DEPUTY CHIEF WHIP (ANC): Thank you very much, hon Deputy Speaker. On behalf of the African National Congress, a political party that carries the aspirations of our people and genuine interest at heart, I rise today to support the Basic Education Laws Amendment Bill. This crucial piece of legislation proposed by our National Government, is paramount in addressing the evolving needs of our educational landscape, guided by the principles of inclusivity, equity and efficiency.

The BELA Bill stands as a testament to our commitment to continuously transform and improve our education system in response to the changing demographics of our communities. It draws upon findings from judicial rulings, as well as insights garnered through the diligent monitoring of schools by National Government. Its aim is not only to address the administrative hurdles, but also to advance the noble objectives of our nation's education transformation agenda.

Hon Deputy Speaker, despite baseless opposition from certain quarters, the objectives of the BELA Bill remain crystal clear: to foster a more inclusive, equitable and effective basic education system. Its provisions encompassing

over 50 clauses aimed to address longstanding challenges that have impeded the progress of our education ecosystem. It is deeply regrettable that the Democratic Alliance and its minions, such as the ACDP and the Freedom Front Plus, in their failed Moonshot Pact, right-winged Moonshot Pact, have chosen to spread misinformation regarding the objectives of the Bill.

They have deliberately pounced on religious sensitivity, something which goes against the building of the inclusive Western Cape and an inclusive nation. False claims suggesting an erosion of school governing body powers, the introduction of pregnancy termination in schools, or the infringement upon parental rights in home education must be dispelled unequivocally. The truth is evident. The BELA Bill upholds the rights of SGBs, does not introduce clauses on pregnancy termination and respects the prerogative of parents on home education.

Additionally, the assertion that the Bill will encroach upon the autonomy of school governing bodies regarding language and admission policies, is untrue and it actually defends ...[Audio distorted] of racism. Instead, it aims to harmonise directives issued by provincial heads of department', HODs. The SGBs will retain their vital powers in determining various policies effecting the governance of schools, including language and admissions policies.

However, what is accurate and true and correct is that due to this particular Bill, no school in the Western Cape or the country at large, will any longer be able to employ language and admissions policies which discriminate and

exclude Black, African, Coloured and Indian children from schooling, like we saw happening in Oudtshoorn at the admission of officials in this Department.

The DEPUTY SPEAKER: Thank you, hon member.

The DEPUTY CHIEF WHIP (ANC): This is the core issue that the Bill seeks to address, and it is on those grounds that the DA stands fiercely in opposition to the BELA Bill in the same reason as to why they oppose the NHI. It is the same reason they oppose transformative action ...[Interjection.]

The DEPUTY SPEAKER: Thank you, hon member.

The DEPUTY CHIEF WHIP (ANC): ...and BBBEE. They have opposed all transformation legislation passed by the ANC and it is on this basis that this House, that we support the BELA Bill, and we welcome the passing in the NCOP, and we call on our public to vote for the African National Congress and remove this racist DA ...[Interjection.]

The DEPUTY SPEAKER: Thank you, hon member.

The DEPUTY CHIEF WHIP (ANC): ...from the Western Cape.

The DEPUTY SPEAKER: Thank you, hon member. Your time is up. I now

recognise the hon EFF.

Mr W KASIBE: Thank you very much, hon Deputy Speaker. The EFF is in support of the amendment to the SA's Schools Act which seeks to make education compulsory from Grade R and all the way through to Grade 12. Hon Deputy Speaker, the criminalisation of anyone who blocks children from attending schools without a just cause, is a step in the right direction and it should be welcomed. We must even go as far as criminalising all parents who do not take their children to school, hon Deputy Speaker.

The future and the constitutional rights of our children to access education cannot be sacrificed at the altar of those selfish residents whose irrational decision negatively affects the intellectual development of children. Hon Deputy Speaker, we would have preferred for ...[Audio distorted] policies in schools to be centralised and formulated at a national level, rather than being left in the hands of the SGBs for purposes of uniformity. As we outlined in our 2024 manifesto where we advocate that each school must have two social workers appointed to provide counselling and career guidance to each school with an aim to deal with problems which effect learners at the school, and to understand social problems that lead many learners to drop out of school.

We are still of the view, hon Deputy Speaker, that this remains critical, and no school must be without a library. Hon Deputy Speaker, we are also in support of the powers to be given to the Heads of Department, HODs, to make final determination of the language or policy to the schools. This

function cannot be left to the SGBs as many in previously White schools still use language to exclude many Black children.

I therefore submit that the standardisation of language should be centralised in the Department and not different HODs from different provinces. The same logic must apply too, for the Code of Conduct for all schools. This function must be centralised in this Department, not by the SGBs. This is in particular in the Western Cape where Afrikaans is used to exclude African learners. We are completely in agreement with a total deletion of clause 8 which deals with the sale of alcohol in our schools. There should not be any sale of alcohol on the premises of any schools, hon Deputy Speaker.

Hon Deputy Speaker, we also want to remove stringent legislative approach on schools' admissions policies. The admission policy must be that of the Department and so is the school placement system. There are some schools which continue to discriminate when it comes to learners' admission, especially here in the Western Cape.

Hon Deputy Speaker, with regards to disciplinary hearings. We must submit that learners should be able to bring in parents ...[Interjection.]

The DEPUTY SPEAKER: Finish off, hon member.

Mr W KASIBE: ...and representatives. I am concluding, hon Deputy Speaker. There should be no case where a child is facing a disciplinary hearing

without the presence of the guardian. This is so because most learners end up having adverse findings being ordered against them in disciplinary hearings which involve expulsion from school. Then, it takes most months for the matter to be resolved by the MEC ...[Interjection.]

The DEPUTY SPEAKER: Thank you, hon member.

Mr W KASIBE: ...and having the learner staying behind with schoolwork. Also, when it comes to learners, the appeal process against expulsion: the decision of the HOD must be suspended until ...[Interjection.]

The DEPUTY SPEAKER: Hon Kasibe, your time is up.

Mr W KASIBE: Thank you. Thank you, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much. I now recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you, hon Deputy Speaker. Al Jama-Ah: no contribution. Thank you.

The DEPUTY SPEAKER: Thank you very much. I recognise the Democratic Alliance.

The DEPUTY CHIEF WHIP (DA): Thank you, hon Deputy Speaker. Hon

Deputy Speaker, the Standing Committee on Education concluded its negotiating mandate report on the Basic Education Laws Amendment Bill on 15 April 2024, and its final mandate report on 29 April 2024. This was after the Committee concluded eight public hearings on the Bill in Beaufort West, Bitou, George, Mossel Bay, Paarl, Saldanha Bay and two in Cape Town, one of which was specifically to make it more convenient for those observing the Ramadan month in order for them to attend.

At the deadline of the public participation at midnight on 4 April, the Committee had 2 997 persons in total attending its public hearings and had received 5 445 submissions composing of written, online and WhatsApp submissions. The Committee submitted an extensive negotiating mandate report ultimately objecting to the Bill and requesting for it to be withdrawn. The NCOP amended the Bill and sent provinces a D-Bill to consider. The Committee concluded that the NCOP had not satisfactorily addressed key failures of the Bill and the Committee unanimously voted to reject the Bill completely in its final mandate.

The Bill still poses a serious threat to the rights of parents, educators, and learners, and will result in a multi-billion-rand fiscal disaster if implemented. The changes made to clauses 2, 4 and 5 which deal with the implementation of mandatory Grade R and language and admissions policies respectively, do not adequately address the various concerns expressed by the public.

Further, the public procurement clause still does not allow schools to opt into

procurement, but rather requiring them to opt out. Further, clause 35 dealing with home schooling is still unchanged, as well as clause 39 dealing with the management of learner pregnancies, giving the Minister a blank cheque for drafting regulations. The DA believes power should be as close to the people as possible and not centralised in Pretoria.

In addition, the Bill is not properly costed or funded either from National Treasury or the Department of Basic Education. Meaning effectively that each province will still be liable for more than R2-billion each per year to implement BELA. This is the same as shutting down the whole Department of Community Safety in the province. This Bill stands to cost the taxpayer R18-billion even when not including several uncoded expenses. This Bill would be fiscally irresponsible to agree to.

The Democratic Alliance supports the ratification of the report to object to the Bill.

The DEPUTY SPEAKER: Thank you very much, hon member. I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Education on the Basic Education Laws Amendment Bill conferring authority on the Western Cape delegation in the NCOP not to support this Bill, be ratified and adopted. No objections? Agreed to.

An HON MEMBER: ...[Audio distorted.]

The DEPUTY SPEAKER: There are objections. Those in favour of the report being ratified and adopted, please say 'aye'.

An HON MEMBER: Aye!

An HON MEMBER: No!

An HON MEMBER: Aye.

Hon MEMBERS: Aye! Aye! Aye!

The DEPUTY SPEAKER: The Report of the Standing Committee on Education on the Basic Education Laws Amendment Bill has therefore been adopted. Mr Poggenpoel will read the Sixth Order of the Day.

Mr A POGGENPOEL: Consideration of the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Public Procurement Bill [B 18D–2023].

The DEPUTY SPEAKER: Thank you very much, Mr Poggenpoel. The House received the Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Public Procurement Bill conferring authority on the Western Cape delegation in the NCOP, not to support this

Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish. I recognise the ANC.

Ms N D NKONDLO: Thank you, hon Deputy Speaker. It has actually become a standard that the Democratic Alliance would not support anything that has to do with equalising the playing fields in South Africa in the interest of all because according to the Democratic Alliance, all is only the elite, which are the White males that are actually still holding the echelons of economic power in South Africa, and ignoring the constitutional imperative of redress and socio-economic rights of all in South Africa.

As the ANC, we unequivocally support the Public Procurement Bill ...[Audio distorted] a framework for preferential framework procurement. This Bill is a pivotal step towards enhancing the efficiency, transparency, and inclusivity of the Public Procurement System in South Africa.

Hon Deputy Speaker, we must understand the primary objective of this Bill as wanting to establish a comprehensive framework that regulates public procurement. This framework is designed to streamline public procurement processes, reduce complexity, and eliminate inconsistencies across different sectors and levels of government. By doing so, the Bill aims to foster a more transparent and accountable procurement environment. This framework is essential for promoting socio-economic objectives of the Government ensuring that public procurement contributes to the broader goals of economic empowerment and social development of our country.

The Bill addresses the current segmentation in public procurement legislation by consolidating various laws and regulations into a unified framework as indicated by the courts. This consolidation aligns public procurement practices with international best practices where appropriately making the system ...[Interjection.]

An HON MEMBER: Hallo.

Ms N D NKONDLO: ...more coherent and easier to navigate for securing entities and suppliers. ...[Interjection.]

An HON MEMBER: Hallo.

Ms N D NKONDLO: Incorporating international best practices into the Public Procurement System is another critical objective of the ...[Audio distorted]
This alignment ensures that South Africa's procurement processes are efficient, competitive, transparent, and also value for money for all citizens of our country, thus enhancing the country's attractiveness to both the local and international market.

The Bill is also instrumental in advancing the Government's socio-economic policy objective by prescribing the framework for preferential procurement. The Bill ensures that Public Procurement is used as a tool to support disadvantaged groups, promote local industry, and stimulate economic

growth. This is in line with the ANC's commitment to inclusive development and economic transformation.

In conclusion, the ANC firmly believes that the Public Procurement Bill will significantly improve the public procurement intake in South Africa and thus the ANC unequivocally supports this Bill. I thank you, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon member. I recognise the hon EFF.

Ms A CASSIEM: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, over the years, public procurement has been the subject of a growing debate, more particularly in relation to transformation. The repeal of the Preferential Procurement Policy Framework Act should be seen as a progressive step, provided that whatever replaces it will not be its replica, but something which will build on transformation and inclusion.

Hon Deputy Speaker, the EFF's position on the role of the State when it comes to public procurement has always challenged the traditional approaches. The EFF's vision is also clearly articulated in our founding manifesto and policy framework which centres around the idea of building State capacity with the retention of core functions, prioritisation of human capital, and economic growth takes precedence over reliance on the proper driven private sector.

Hon Deputy Speaker, the EFF rejects wholesale outsourcing as intimated in the Bill. Under the EFF's model, the State which employs this...under the EFF's Bill, rather, sorry. Under the EFF's model, the State should employ skilled professionals, including engineers, quantity surveyors, project managers and builders for essential tasks such as constructing infrastructure housing and recreational facilities because we do not want a system that is rigid and incapable of flexibility.

To add, hon Deputy Speaker, in March this year we wrote a letter to the Minister of Infrastructure in the Province to intervene in a matter of Ms Sulama Patricia who currently resides in the Cape [Inaudible] informal settlement, despite her house being one of the houses which were built in 2010 under a provincial project. All other houses were completed in 2010, other than hers. Hon Deputy Speaker, despite Ms Sulama being a senior citizen and pensioner, the letter was sent to the Provincial Minister of Infrastructure to intervene in this matter, but fell on deaf ears. It was ignored and the situation has not changed.

Whilst we are not happy about how the Department of Infrastructure is run in this Province as articulated about, we reserve our position on the National Public Procurement Bill. Thank you, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Cassiem. I now recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, Al Jama-Ah, we support the Public Procurement Bill. Thank you very much.

The DEPUTY SPEAKER: Thank you. Thank you very much. I now recognise the Democratic Alliance.

Ms C MURRAY: Thank you, hon Madam Deputy Speaker. The DA does not support the Public Procurement Bill. We have recognised the Bill's aim to consolidate procurement laws into a single framework, but significant concerns remain.

The Bill's reliance on regulations and race-based categories in preferential procurement is problematic. This approach does not adequately address the diverse economic landscape of South Africa. Our procedural concerns are particularly troubling. The limited time allocated, only two weeks for public engagement, is insufficient for such an important matter. This rushed timeframe undermines the constitutionally mandated duty of public participation. Through consultation or thorough consultation is essential to ensure the Bill reflects the needs and aspirations of all stakeholders.

Furthermore, the financial implications of the Bill are unclear. The socio-economic impact assessment report indicated significant implementation costs, yet the Bill's memorandum suggests minimal financial costs. This discrepancy raises concerns about the potential unfunded mandates placed on

local governments' straining already limited resources.

Substantively, the Bill makes clarity in over 40 key definitions leading to potential ambiguities in its implementation. Terms such as functionality, sustainable development, and types of procurement methods need precise definitions to avoid confusion and ensure effective enforcement. The roles and powers of the Public Procurement office and its head, also require clear articulation to safeguard against undue influence and ensure independence. Governance and oversight are also critical issues. The Bill centralises significant power in the hands of the National Minister, risking excessive delegation of law-making authority.

As the DA, we advocate for preserving the autonomy of provinces and municipalities in procurement matters as mandated by the Constitution. A more decentralised approach would respect the constitutional autonomy of different Government spheres and promote effective local governance.

In conclusion, while we recognise the need for a reform in public procurement, the current Bill falls short of providing a transparent, accountable, and financially sound framework. Significant amendments are needed to ensure greater public participation, constitutional compliance, and an integrated approach to financial management.

Hon Madam Deputy Speaker, the DA does not and cannot support this Bill. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon Murray. I have to announce that there are currently 29 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Finance, Economic Opportunities and Tourism on the Public Procurement Bill conferring authority on the Western Cape delegation in the NCOP not to support this Bill, be ratified and adopted. No objections?

An HON MEMBER: Object!

An HON MEMBER: Ja, objections.

An HON MEMBER: No objections.

The DEPUTY SPEAKER: Those in favour of the report being ratified and adopted, please say 'aye'.

An HON MEMBER: No!

An HON MEMBER: Aye!

An HON MEMBER: Aye!

The DEPUTY SPEAKER: Thank you very much. [Interjections.] The report

of the Standing Committee on Finance, Economic Opportunities and Tourism on the Public Procurement Bill has therefore been adopted. Mr Poggenpoel, will you please read the Seventh Order of the Day.

Mr A POGGENPOEL: Consideration of the Report of the Standing Committee on Mobility on the Railway Safety Bill [B 7B–2021].

The DEPUTY SPEAKER: Thank you very much. The House received the Report of the Standing Committee on Mobility on the Railway Safety Bill conferring authority on the Western Cape delegation in the NCOP, to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish. I recognise the ANC. No? I now recognise the EFF. No?

Ms A CASSIEM: Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Over to you, hon Cassiem.

Ms A CASSIEM: Thank you very much. Hon Deputy Speaker, today, most of the railway tracks lie dormant, overgrown with grass and overall depleted infrastructure. It is sad that in some areas one finds vandalised railway tracks and people driven by hunger as a result of high unemployment rates, which have taken them to scrapyards in exchange for money.

Hon Deputy Speaker, we are by no way promoting crime in whatever form it

manifests itself in society. However, this is the state of reality under the failing ANC Government. In most parts of the country, there are no moving trains whatsoever. The few which continue to run efficiently and safely with clean stations, are those that transport domestic workers into predominantly White suburbs like Cape Town and Stellenbosch in the Western Cape.

Hon Deputy Speaker, despite our current struggles with mass commuter transportation through the railway system, it is equally imperative that we reconstruct a railway system that is not solely focused on transporting minerals from inland mines to harbours, or farming workers from townships. We envision a regional and integrated transport system.

In conclusion, hon Deputy Speaker, at the National Assembly we abstained on the Bill in its current form and efficiencies, and we will do so here as well. Thank you very much.

The DEPUTY SPEAKER: Thank you very much, hon Cassiem. I recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you, hon Deputy Speaker. No declaration.

The DEPUTY SPEAKER: Thank you very much. I now recognise the Democratic Alliance.

Mr A P VAN DER WESTHUIZEN (DA): Hon Deputy Speaker, I believe we

will all agree that railway safety is extremely important. We need to, again, make rail transport the preferred transport option of many South Africans for commuters, but also for long distance public transport of goods, particularly, the long-distance hauling of heavy loads.

The Railway Safety Bill was already introduced to the National Assembly on 19 March 2021, more than three years ago. This Bill was not controversial. Due to a combination of poor programme management, poor leadership and the lack of urgency, this Bill was only now finalised following some last-minute scrambling by the National Council of Provinces last Thursday.

The Railway Safety Bill seeks to repeal the National Railway Safety Regulator Act and to create a new framework for the Railway Safety Regulator whose task, as the name implies, is to oversee and regulate the rail safety in South Africa. It requires the application of safety standards such as the issuing of railway safety permits to operators and to ensure compliance with safety requirements.

A National Railway Safety Information Monitoring System will be implemented to provide consistent safety policies, norms, and standards nationwide. The Bill establishes a legal framework for enforcing safety laws and effectively dealing with railway incidents, including processes for appeals. Its objectives are aligned with broader goals such as promoting safer railway operations, increasing stakeholder collaboration, aligning with the regional standards, and guaranteeing efficient governance for railway

safety.

For these reasons, the Standing Committee on Mobility supported the Railway Safety Bill in its final mandate, despite the inability of the NCOP due to their rushed schedule over the last few weeks to properly consider our proposed amendments to the Bill. I therefore ask this House to ratify the Committee's report. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon Van der Westhuizen. I have to announce that there are currently 29 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Mobility on the Railway Safety Bill conferring authority on the Western Cape delegation in the NCOP, to support this Bill, be ratified and adopted. No objections? Agreed to. The Report of the Standing Committee on Mobility on the Railway Safety Bill has therefore been adopted. Mr Poggenpoel, will you read the Eighth Order of the Day, please.

Mr A POGGENPOEL: Consideration of the Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the Marine Pollution (Prevention of Pollution from Ships) Amendment Bill [B 5–2022].

The DEPUTY SPEAKER: Thank you very much. The House received the Report of the Standing Committee on Agriculture, Environmental Affairs and

Development Planning on the Marine Pollution (Prevention of Pollution from Ships) Amendment Bill conferring authority on the Western Cape Delegation in the NCOP, to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish. I recognise the ANC.

Mr P MARRAN: Thanks, hon Deputy Speaker. Hon Deputy Speaker, on behalf of the Congress Movement, the African National Congress, the ANC in this Legislature supports the Marine Pollution Amendment Bill. The coastline of the Western Cape accounts for 1 000 kilometres of our country's 2 800 kilometres of coastline. It is the longest of all the four coastal provinces. We must therefore lead in welcoming the ANC National Government's effort to safeguard our coastline and especially bring existing legislation up to date with international norms and standards.

As colleagues in this House would know, the Marine Pollution Amendment Bill seeks to revise legislation, preventing the pollution from ships. The Amendment Bill aligns with the MARPOL Convention which sets international standards for preventing pollution from ships while giving guidelines and proper stowing, handling and transport of toxic waste, as well as the disposal of hazardous waste like cleaning materials. The Bill also seeks to reduce air pollution caused by ships, regular disposal of garbage at sea, as well as the discharge of sewerage into the sea.

Hon Deputy Speaker, the Western Cape closes a third DA Administration

without an Environmental Commissioner. The people of this province must know that should the ANC be elected, and definitely, the ANC will be elected into power in the Western Cape next week, that one of the first things we will do is to establish an Environmental Commissioner who will ensure the protection of our environment. There should be no doubt that South Africa and the Western Cape in particular, have had its fair share of spills and hazardous materials into the oceans.

Throughout the history of the Cape of Good Hope attracting vessels from across the globe, our weather conditions have made it prone for vessels and their, at times, dangerous materials to place our marine life in peril. We must therefore seek this Amendment Bill as an opportunity by National Government to lead in ensuring that our coastlines and oceans are protected and ensure that our children's children may be able to eat from this coast, but also play in its waters. The ANC supports this Bill. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon member. I recognise the EFF.

Ms A CASSIEM: Thank you, hon Deputy Speaker. Hon Deputy Speaker, the Marine Pollution Amendment Bill introduces compliance with our international law obligation and insofar as the International Convention for the Prevention of Pollutions from Ships is concerned.

Hon Deputy Speaker, as the EFF, we welcome the position of the Bill in

ensuring the incorporation of regulations. Toxic spills are a threat to our environment and the marine life. The adherence to the Marine Pollution, the MARPOL Convention will assist in the reduction and use of toxic material that is promoting and improving a safer and healthier environment. Hon Deputy Speaker, this Bill will also help in protecting marine wildlife and its habitat.

We also welcome the mechanisms that have been put in place to monitor and investigate incidents in South African waters, although we would have preferred to see the inclusion of heavy sanctions, such as the increase in fines and lengthy imprisonment terms, in order to give us the comfort that Government is committed to ensuring that polluters are severely punished for their crimes.

Hon Deputy Speaker, the introduction of severe penalties will also serve as a deterrent. Deliberate dumping of waste by multinational corporations through either air or marine conveyance should be factored in and it should carry hefty fines, including confiscation of such means of conveyance from repeat offenders.

In conclusion, all in all, the EFF supports this Bill. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Cassiem. I recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, yes, we support. Thank you.

The DEPUTY SPEAKER: Thank you very much. I recognise the Democratic Alliance.

†Mnr A P VAN DER WESTHUIZEN: Agb Adjunkspeaker, ek versoek graag die Huis om die Staande Komitee op Landbou, Omgewingsake en Ontwikkelingsbeplanning se verslag waarin ons 'n mandaat aan ons afvaardiging in die Nasionale Raad van Provinsies gegee het, naamlik om ten gunste van die Wetsontwerp op Seebesoedeling te stem, te steun. Interessant genoeg is hierdie wetgewing met belangrike omgewingsimplikasies in die Nasionale Vergadering deur die Vervoerkomitee gehanteer. Dit terwyl die besoedeling van ons oseane baie ernstige omgewingsimplikasies inhou.

Vir te lank het 'n vinnig groeiende wêreldbevolking gereken dat die see so groot is dat alle besoedeling genoegsaam verdun sal word om geen invloed op ons lewe en veral die seelewe te hê nie. Het u al gewonder wat van die rioolwater en afval van 'n passasierskip word? Het u al gewonder hoe die water in 'n hawe sal lyk as die riool en ander afval eenvoudig in die hawe of naby 'n kus gestort word? Vir te lank was daar 'n gebrek aan internasionale standaarde vir hierdie en soortgelyke besoedelings wat skepe meebring.

Toevallig het hier in Kaapstad se hawe, in die tyd wat hierdie Wetsontwerp

deur die Staande Komitee oorweeg is, 'n skip, die *Al Kuwait*, met 19 000 beeste in Kaapstad se hawe vasgemeer. Foto's van diere besmeer met ontlasting en veral die reuk van ureum en ontlasting het Kapenaars hul neuse laat toedruk en talle inwoners warm onder die kraag gehad, en ons kon nie wag dat daardie skip so gou moontlik die hawe verlaat nie. Die kaptein het belowe dat die dekke en ruime so gou moontlik skoongespuut sou word. Ek vra u: kan ons werklik glo dat die ontlasting en ureum nie in die see afgewas sou word nie?

Hierdie Wetsontwerp is in ooreenstemming met internasionale verdrae en standaarde wat nou van skepe vereis om óf 'n rioolaanleg aan boord te hê óf om die rioolwater in groot tenke te stoor, en dat hierdie tenke dan by hawens oorgepompt sal word om sodoende afgevoer te word na rioolaanlegte waar dit behoorlik behandel kan word. U is moontlik ook bewus van die risiko's wat die uitspoel van tenkskepe, veral olietenkskepe se ruime, vir die omgewing inhou. Nie net weens die gevaar van oliebesoedeling nie, maar ook die verspreiding van organismes in hierdie seewater oor die lengte en breedte van die aardbol. Die grootste kritiek teen hierdie Wetsontwerp was dat dit eintlik baie vroeër hanteer moes word om Suid-Afrika se wetgewing veel vinniger in lyn met internasionale protokolle en ooreenkomste te bring.

Ek het dus die vrymoedigheid om die Huis te vra om die verslag van die Komitee te steun. Baie dankie.

[Mr A P VAN DER WESTHUIZEN: Hon Deputy Speaker, I would like to

request the House to support the Standing Committee on Agriculture, Environmental Affairs and Development Planning's report in which we were given a mandate to our delegation in the National Council of Provinces, namely to vote in favour of the Marine Pollution Amendment Bill. Interestingly enough this legislation with important environmental implications was handled in the National Assembly by the Transport Committee. That while the pollution of our oceans is definitely having serious environmental implications.

For too long a rapidly growing world population believed that the ocean is so large that all pollution would be diluted sufficiently to have no influence on our lives and especially the sea life. Have you ever wondered what becomes of the sewerage and waste of a passenger ship? Have you ever wondered how the water in a harbour would look if the sewerage and other waste are simply dumped in the harbour or near the coast? For too long there has been a lack of international standards for these and similar pollutions caused by ships.

Coincidentally here in Cape Town's harbour, during the time that this Bill was considered by the Standing Committee, a ship, the *Al Kuwait*, with 19 000 head of cattle docked in Cape Town's harbour. Photos of animals covered in faeces and especially the smell of urea had Capetonians covering their noses and made many residents angry, and we could not wait for that ship to leave the harbour as soon as possible. The captain promised that the decks and holds would be cleaned out as soon as possible. I ask you: can we really believe that the faeces and urea would not be washed down into the ocean?

This Bill is in accordance with international agreements and standards which now require ships to either have a sewerage plant on board or store the sewerage in large tanks, and that these tanks would then be emptied at harbours to be then taken to sewerage plants where it can be treated properly. You are probably also aware of the risks that the dumping of tankers, especially oil tankers' holds, have for the environment. Not only because of the danger of oil pollution, but also the spread of organisms in this ocean water over the length and breadth of the globe. The biggest criticism of this Bill was that it should actually have been handled much earlier to align South Africa's legislation much quicker with international protocols and agreements.

I have the confidence to ask this House to support the report of the Committee. Thank you.]

The DEPUTY SPEAKER: Thank you very much, hon Van der Westhuizen. I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the Marine Pollution (Prevention of Pollution from Ships) Amendment Bill conferring authority on the Western Cape delegation in the NCOP to support this Bill, be ratified and adopted. No objections? Agreed to.

The Report of the Standing Committee on Agriculture, Environmental Affairs and Development Planning on the Marine Pollution (Prevention of Pollution from Ships) Amendment Bill has therefore been adopted.

Mr Poggenpoel, please read the Ninth Order of the Day.

Mr A POGGENPOEL: Consideration of the Report of the Standing Committee on Finance, Economic Opportunities and Tourism, and the Standing Committee on Infrastructure on the Electricity Regulation Amendment Bill [B 23B–2023].

The DEPUTY SPEAKER: Thank you very much. The House received the Report of the Standing Committee on Finance, Economic Opportunities and Tourism, and Infrastructure on the Electricity Regulation Amendment Bill conferring authority on the Western Cape delegation in the NCOP, not to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if they so wish. I recognise the ANC.

Ms N D NKONDLO: Thank you, hon Deputy Speaker. The ANC unequivocally supports the proposed Amendment to the Electricity Regulation Act 2007. This Amendment is a crucial step towards modernising South Africa's electricity sector, enhancing regulatory frameworks and ensuring a more reliable and efficient energy supply.

The proposed amendments include the deletion amendment and insertion of certain definitions to ensure clarity and relevance in the application of the Act. This modernisation is essential for aligning the Act with contemporary energy challenges and opportunities. The amendments empower the National Energy Regulator to consider applications for licences and to oversee the licencing process effectively. This regulatory oversight is crucial for promoting transparency, accountability and fair competition within the electricity sector.

The amendments provide for the development of additional electricity generation, capacity, and infrastructure. This includes measures to support the expansion of renewable energy resources, thereby promoting energy diversification and sustainability. The amendments establish the Transmission System Operator SOC Limited and outline its duties, powers and functions. This entity plays a pivotal role in ensuring the efficient and reliable transmission of electricity across the national grid, supporting the integration of renewable energy and enhancing grid resilience.

The amendments introduce an open market platform to facilitate competitive electricity trading within reasonable means. This platform promotes market efficiency, encourages investment in electricity generation and empowers consumers by providing them with choice and flexibility in sourcing their electricity needs. The amendments include provisions for enforcing compliance with regulatory requirements, including offences and penalties for noncompliance. These measures are essential for maintaining the

integrity of the electricity market and safeguarding the interest of consumers and stakeholders.

In conclusion, the ANC views the proposed amendments to the Electricity Regulation Act as a critical step towards modernising and transforming the electricity sector in South Africa by promoting competition, enhancing regulatory oversight, and expanding electricity infrastructure. These amendments contribute to the ANC's broader objectives of economic growth, job creation, and sustainable development. The ANC supports the Bill. Thank you, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Nkondlo. I now recognise the EFF.

Ms A CASSIEM: Thank you, hon Deputy Speaker. Hon Deputy Speaker, from the outset, I would like to make it clear that the EFF rejects the Electricity Regulation Amendment Bill. It is our position, hon Deputy Speaker, as the EFF that the collapse of Eskom is intentional and was done in order to pave way for Bills such as this. National Government collapsed the electricity generation. They intentionally failed to maintain power stations. They allowed companies selling coal to Eskom such as Glencore and the President's company, Shanduka, to inflate coal prices in order to bankrupt Eskom.

Hon Deputy Speaker, the Government did not stop there. It continued to fire

competent staff at Eskom in order to pave way for this Bill. Blackouts, in the form of loadshedding, were also intentionally manufactured so that later on, a Bill such as this one, be introduced under the guise of opening the markets to allow more competitive electricity trading. Hon Deputy Speaker, this move is to privatise electricity in the country to make it expensive and to benefit a certain few with deep pockets.

Under an EFF Government, hon Deputy Speaker, there is no private sector that will be allowed to control South Africa's energy generation capacity because they can easily use energy generation as a weapon against us in order to give us instructions on how to run our country.

Hon Deputy Speaker, in conclusion, we do not want to wake up one day and when we want to expropriate land without compensation, then they threaten us to switch off all electricity because they do not want to agree with us with expropriation of land without compensation. It is for these reasons that we do not support the Electricity Regulation Amendment Bill. Thank you, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Cassiem. I recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, the Al Jama-Ah, we fully support this Amendment to the Electricity Bill of the ANC. We fully support it. Thank you very much.

The DEPUTY SPEAKER: Thank you very much. We now recognise the Democratic Alliance. ...[Interjection.]

An HON MEMBER: Hon Deputy Speaker?

Ms L M MASEKO: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, the process followed by the NCOP in forcing through the Electricity Regulation Amendment Bill is deeply flawed. The hon members of this House did not have adequate time to consider this legislation. The fact that there was no time for a proper public participation process should disqualify this Bill from being passed. It is a slap in the face of the Western Cape people, and it is indicative of the ANC's disregard for anyone's interest, but their own.

On 15 April 2024, the Standing Committee on Finance, Economic Opportunities and Tourism, and the Standing Committee on Infrastructure wrote to the NCOP Chairperson requesting an extension to process the Bill or to revise the Bill in the 7th Parliament. Despite numerous follow-up emails by the Western Cape Office of the Speaker, on its request the Committee sent further correspondence withdrawing its request for an extension and reaffirming its request for the Bill to be revised in the 7th Parliament, given the technical nature of the Bill and the need for more meaningful public participation.

A response from the NCOP was only received on 3 May 2024, two weeks after the Committee sent their original correspondence to the Chairperson of the NCOP. The lack of response and consideration given by the NCOP to the WCPP has severely impacted on the Committee's ability to adequately process the Bill. Moreover, the timelines that were provided for the Bill in the Select Committees Programme were objectively inadequate to facilitate adequate public participation, given the technical nature of the Bill and the major economic importance.

Due to these reasons, hon Deputy Speaker, the DA therefore cannot support this Bill as it does not comply with the constitutional requirements for adequate public participation. Thank you very much.

The DEPUTY SPEAKER: Thank you very much, hon Maseko. I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Finance, Economic Opportunities and Tourism, and the Standing Committee on Infrastructure on the Electricity Regulation Amendment Bill conferring authority on the Western Cape delegation in the NCOP not to support this Bill, be ratified and adopted. Any objections?

An HON MEMBER: Object!

Hon MEMBERS: Object! Object!

The DEPUTY SPEAKER: There are objections. Those in favour of the report being ratified and adopted, please say 'aye'.

An HON MEMBER: Aye!

Hon MEMBERS: Aye! Aye! Aye! Aye!

An HON MEMBER: No!

Hon MEMBERS: Aye, Aye.

The DEPUTY SPEAKER: Thank you. The Report of the Standing Committee on Finance, Economic Opportunities and Tourism on the Electricity Regulation Amendment Bill, has therefore been adopted. Mr Poggenpoel, will you read the Tenth Order of the Day, please.

Mr A POGGENPOEL: Consideration of the Report of the Standing Committee on Mobility on the Transport Appeal Tribunal Amendment Bill [B 8D-2020].

The DEPUTY SPEAKER: Thank you very much. The House received the Report of the Standing Committee on Mobility on the Transport Appeal Tribunal Amendment Bill conferring authority on the Western Cape Delegation in the NCOP, to support this Bill. This mandate has been sent to the NCOP. I will now afford parties an opportunity to make a declaration if

they so wish. I recognise the ANC.

Mr L L MVIMBI: Good morning, hon Deputy Speaker. Can you hear me?

The DEPUTY SPEAKER: I can hear you loud and clear.

Mr L L MVIMBI: Hon Speaker, hon Deputy Speaker, hon members of the House. The African National Congress expressed its support for the Transport Appeal Tribunal Amendment Bill, recognising its importance in enhancing the effectiveness and efficiency of the Transport regulatory framework in South Africa.

This Bill seeks to amend the Transport Appeal Tribunal Act of 1998 to address evolving challenges and ensure that the Tribunal remains responsive to the needs of our dynamic transport sector. Hon Deputy Speaker, the Bill includes provision to insert, delete and amend certain definitions to bring the Transport Appeal Tribunal Act in line with the developments since enactment in 1998. This alignment is essential for ensuring that the Act remains relevant and responsive to the evolving landscape of the transportation industry.

The amendments empower the Transport Appeal Tribunal with enhanced powers to fulfil its mandate effectively. This includes ...[Audio distorted] the Tribunal the authority to take appropriate steps in cases where its rulings are not implemented or effected timeously, as well as investigating delays in

the completion of its proceedings.

These measures are crucial for ensuring compliance with Tribunal decisions and expediting the resolution of transport related disputes. The Bill grants the Minister the authority to extend the term of office of the members of the Transport Tribunal. This provision enables the continuity and stability within the Tribunal, ensuring that it can fulfil its responsibilities without interruption or undue turnover of members.

By empowering the Transport Appeal Tribunal to address cases where its rulings are not implemented promptly, the Bill enhances accountability within the Transport regulatory framework. These measures ensure that Tribunal decisions are respected and acted upon, thereby fostering compliance with regulatory requirements and promoting a culture of accountability.

The Amendment enables the Transport Appeal Tribunal to investigate delays in the completion of its proceedings, facilitating the timely resolution of transport related disputes. This streamlining of Tribunal processes enhances efficiency and ensures that justice is delivered swiftly to all parties involved.

In conclusion, hon Deputy Speaker, the ANC views the Transport Appeal Tribunal Amendment Bill as a significant legislative initiative that will strengthen the regulatory framework governing transportation in South Africa. By updating the definition, empowering the Tribunal, and promoting

efficiency and accountability, this Bill contributes to the ANC's broader objective of promoting inclusive economic growth and development.

I therefore, on behalf of the ANC, support the Bill. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Mvimbi. I now recognise the EFF.

Ms A CASSIEM: Thank you, hon Deputy Speaker. Hon Deputy Speaker, the EFF supports the Transport Appeals Tribunal Amendment Bill. The proposed amendment aims to empower the Transport Appeal Tribunal to take appropriate steps in cases where the rulings are not implemented or effected timeously to investigate delays in the completion of its proceedings and also to allow the Minister to extend the term of office of the members of the Tribunal.

The powers give the Transport Appeal Tribunal to impose time limits for performing duties to ensure implementation of the entity's decision, to enforce compliance, and to investigate in ...[Audio distorted] who deliberately delay proceedings are mostly welcome.

In conclusion, hon Deputy Speaker, we support the changes in definitions to other areas of the Bill to be in line with the National Land Transport Act of 2009. We also welcome the emphasis on the appointment of members with

expertise in transport. We support this Bill. Thank you very much, hon Deputy Speaker.

The DEPUTY SPEAKER: Thank you very much, hon Cassiem. I recognise Al Jama-Ah.

Mr G BRINKHUIS: Thank you very much, hon Deputy Speaker. Hon Deputy Speaker, we support the ANC. Viva, the ANC, viva!

The DEPUTY SPEAKER: Thank you very much, hon member. I now recognise the Democratic Alliance.

Mr A P VAN DER WESTHUIZEN: Hon Deputy Speaker, road transport has become an extremely important role player in the public transport field. As recently as August last year, we in the Western Cape have witnessed firsthand the disruption, the hardship and the damage to life and the economy when that is disrupted through strike action. The sight of thousands of commuters walking home late afternoon along the N2, many with their daily groceries and shopping bags, is still haunting me. It is therefore of the utmost importance that the regulatory environment functions well.

The Transport Appeal Tribunal deals with appeals relating to applications for road transport operating licences. Aggrieved parties can appeal and approach the Tribunal to consider the decisions or actions of the National Public Transport Regulator, the provincial regulatory entities, as well as municipal

regulatory entities.

The Amendment Bill aims to update the Transport Appeal Tribunal Act of 1998 to reflect recent developments and revised definitions. It is hoped that these amendments will greatly improve the functioning of the Tribunal and therefore contribute to an improved public road transport system. The Standing Committee on Mobility therefore supports the Transport Appeal Tribunal Amendment Bill. This Bill further aims to authorise the Transport Appeal Tribunal to take the necessary action in cases where its findings are not implemented or effected in a timely manner, as well as to investigate delays in the completion of its processes and to provide for related matters.

Hon Deputy Speaker, I therefore ask of this House to accept and ratify the report of this Committee in which it supported this Bill. I thank you.

The DEPUTY SPEAKER: Thank you very much, hon Van der Westhuizen. I have to announce that there are currently 30 hon members present and entitled to vote, and the House is therefore quorate. The question put before the House that the Standing Committee on Mobility on the Transport Appeal Tribunal Amendment Bill conferring authority on the Western Cape delegation in the NCOP to support this Bill, be ratified and adopted. Any objections? No objections, agreed to.

The Report of the Standing Committee on Mobility on the Transport Appeal Tribunal Amendment Bill has therefore been adopted.

Hon members, that brings us to the end of the adoption of our reports. I am wishing all hon members all the best for the upcoming elections. That concludes the business for the day. The House is now adjourned. Thank you.